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Federal Register

9–1–00 Friday
Vol. 65 No. 171 Sept. 1, 2000
Pages 53157–53522

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(3 blocks north of Union Station Metro)

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 98–NM–314–AD; Amendment 39–11884; AD 2000–17–10]

RIN 2120–AA64

Airworthiness Directives; Lockheed Model L–1011–385 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to all Lockheed Model L–1011–385 series airplanes, that requires modifications of the engine turbine cooling air panel at the flight engineer/second officer's console, pilot's caution and warning light panel on the main instrument panel, and monitoring system for the engine turbine air temperature. This amendment is prompted by reports of an undetected fire breaching the high speed gearbox (HSGB) case on certain Rolls Royce engines installed on in-service airplanes due to lack of an internal fire detection system within the HSGB. The actions specified by this AD are intended to prevent undetected fires originating within the HSGB from breaching the HSGB case, which could result in engine damage and increased difficulty in extinguishing a fire.

DATES: Effective October 6, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 6, 2000.

ADDRESSES: The service information referenced in this AD may be obtained from Lockheed Martin Aircraft & Logistics Center, 120 Orion Street, Greenville, South Carolina 29605. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Thomas Peters, Aerospace Engineer, Systems and Flight Test Branch, ACE–116A, FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia 30349; telephone (770) 703–6063 fax (770) 703–6097.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to all Lockheed Model L–1011–385 series airplanes was published in the **Federal Register** on November 22, 1999 (64 FR 63755). That action proposed to require modifications of the engine turbine cooling air panel at the flight engineer/second officer's console, pilot's caution and warning light panel on the main instrument panel, and monitoring system for the engine turbine air temperature.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the comments received.

Support for the Proposal

One commenter supports the proposal.

Request To Extend the Compliance Time

Two commenters support the intent of the proposed AD, but request that the compliance time for the proposed modification be extended from 24 months, as specified in the proposal, to 36 months. One of the commenters states that in-service statistics indicate that the rate at which the unsafe condition (i.e., fire burn through from the high speed gear box) arises occurs on the order of 10^{-7} per airplane flying hour. The other commenter contends that, because of the low risk of the identified unsafe condition occuring and the average airplane usage, safety would not be compromised by extending the compliance time.

The FAA does not concur with the commenters' requests to extend the compliance time. In developing an appropriate compliance time for this action, the FAA considered not only the degree of urgency associated with addresssing the subject unsafe condition, but the practical aspect of accomplishing the work necessary to perform the modifications (estimated at 24 work hours in the proposal). In consideration of these items, the FAA has determined that 24 months represents an appropriate interval of time allowable wherein the modfications can be accomplished during scheduled maintenance intervals for the majority of affected operators, and an acceptable level of safety can be maintained.

Since the Issuance of the Proposal

In the proposed rule, the FAA inadvertently estimated the cost for accomplishing the modifications as $7,790 per airplane, or $911,430 for the affected fleet. Those costs actually reflect the estimated cost of workshours for the airplane but only the parts costs for one engine, rather than for three engines. Additionally, the proposed rule contained a typographical error on the estimated cost of the parts. Instead of $6,350, the correct estimate is $6,320 per engine. The FAA has, therefore, revised this final rule to reflect the correct estimated costs of $2,386,800, or $20,400 per airplane.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule with the changes previously described. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

Cost Impact

There are approximately 235 airplanes of the affected design in the worldwide fleet. The FAA estimates that 117 airplanes of U.S. registry will be affected by this AD, that it will take approximately 8 work hours per engine, or 24 work hours per airplane to accomplish the required modifications. The FAA estimates that the average

labor rate is $60 per work hour. Required parts will cost approximately $6,320 per engine, or $18,960 per airplane. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $2,386,800, or $20,400 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted.

Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this action (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A final evaluation has been prepared for this action and it is contained in the Rules Docket. A copy of it may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2000–17–10 Lockheed: Amendment 39–11884. Docket 98–NM–314–AD.

Applicability: All Model L–1011–385 series airplanes, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent undetected fires originating within the high speed gearbox (HSGB) from breaching the HSGB case, which could result in engine damage and increased difficulty in extinguishing a fire, accomplish the following:

Modification

(a) Within 24 months after the effective date of this AD, accomplish the actions specified in paragraphs (a)(1), (a)(2), and (a)(3) of this AD, in accordance with Lockheed Service Bulletin 093–77–059, dated February 25, 1998; or Revision 1, dated February 2, 1999.

(1) Modify the engine turbine cooling air panel at the flight engineer/second officer's console.

(2) Modify the pilot's caution and warning light panel on the main instrument panel.

(3) Modify the monitoring system for the engine turbine air temperature.

Note 2: Lockheed Service Bulletin 093–77–059 refers to Rolls Royce Service Bulletins RB.211–72–C178, dated March 20, 1998; and RB.211–77–C144, dated August 7, 1998; as additional sources of service information for accomplishment of the modification of the monitoring system for the engine turbine air temperature.

Spares

(b) As of the effective date of this AD, no person shall install on any airplane, an engine turbine cooling air panel assembly, part number 1559672, or a pilot's caution and warning light panel assembly on the main instrument panel, unless it has been modified in accordance with paragraphs (a)(1) and (a)(2) of this AD, as applicable.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Atlanta Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta Aircraft Certification Office (ACO).

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(e) The actions shall be done in accordance with Lockheed Service Bulletin 093–77–059, dated February 25, 1998; or Lockheed Service Bulletin 093–77–059, Revision 1, dated February 2, 1999. Revision 1 of Lockheed Service Bulletin 093–077–059, contains the following list of effective pages:

Page number	Revision level shown on page	Date shown on page
1, 4	1	February 2, 1999.
2, 3, 5–9	Original	February 25, 1998.

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Lockheed Martin Aircraft & Logistics Center, 120 Orion Street, Greenville, South Carolina 29605. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Atlanta Aircraft Certification Office, One Crown Center, 1895 Phoenix Boulevard, suite 450, Atlanta, Georgia; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on October 6, 2000.

Issued in Renton, Washington, on August 24, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22122 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–CE–41–AD; Amendment 39–11885; AD 2000–17–11]

RIN 2120–AA64

Airworthiness Directives; Fairchild Aircraft, Inc., SA226 Series and SA227 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to certain Fairchild Aircraft, Inc. (Fairchild) SA226 and SA227 series airplanes equipped with certain Ozone Industries, Inc., main landing gear (MLG) assemblies. This AD requires you to repetitively inspect the MLG drag brace assembly (consists of both brace and links) for cracks, and requires you to replace or rework any cracked MLG drag brace assembly. This AD is the result of several reports of cracks in the MLG drag brace assemblies on the affected airplanes. The actions specified by this AD are intended to detect and correct cracks in MLG drag brace assembly. Continued airplane operation with such cracks could lead to MLG failure and result in loss of control of the airplane during takeoff or landing operations.

DATES: This AD becomes effective on September 22, 2000.

The Director of the Federal Register approved the incorporation by reference of certain publications listed in the regulation as of September 22, 2000.

The Federal Aviation Administration (FAA) must receive any comments on this rule on or before October 27, 2000.

ADDRESSES: Submit comments in triplicate to FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000–CE–41–AD, 901 Locust, Room 506, Kansas City, Missouri 64106.

You may get the service information referenced in this AD from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279–0490; telephone: (210) 824–9421. You may examine this information at FAA, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 2000–CE–41–AD, 901 Locust, Room 506, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Hung Viet Nguyen, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone: (817) 222–5155; facsimile: (817) 222–5960.

SUPPLEMENTARY INFORMATION:

Discussion

What events have caused this AD? The FAA has received a report of an accident on a Fairchild Aircraft SA226/227 series airplane where the main landing gear (MLG) failed due to drag brace assembly cracks. Random inspections of the Fairchild Aircraft SA226 and SA227 series airplane fleet revealed nine other instances of cracks in the MLG drag brace assemblies. The affected airplanes incorporate one of the following MLG assemblies:

—For SA226 series airplanes: Ozone Industries, Inc., part number (P/N) OAS5453–1 (Revision ''H'', ''J'', ''K'', or ''N''), or Ozone Industries, Inc., P/N OAS5453–5. These assemblies incorporate an Ozone Industries, Inc., P/N OAS5501–1 MLG drag brace assembly (consisting of both a drag brace and drag links); and

—For SA227 series airplanes: Ozone Industries, Inc., 14,500 LB MGTOW, P/N OAS5453–5. These assemblies incorporate an Ozone Industries, Inc., P/N OAS5501–1 MLG drag brace assembly (consisting of both a drag brace and drag links).

What are the consequences if the condition is not corrected? Continued airplane operation with cracks in the MLG drag brace assembly could lead to MLG failure and result in loss of control of the airplane during takeoff or landing operations.

Relevant Service Information

Is there service information that applies to this subject? Fairchild has issued Service Bulletin 226–32–068 and Service Bulletin 227–32–043, both Issued: June 23, 2000.

What are the provisions of these service bulletins? These service bulletins include the following:

—Procedures for inspecting the previously referenced Ozone Industries, Inc., MLG assemblies for cracks in the drag brace assembly;

—Procedures for reworking any MLG drag brace assembly with cracks of 0.080-inches or less in length. Only one rework is allowed; and

—Reference to replacement of the MLG drag brace assembly if cracks are found that exceed 0.080 inches in length. Replacement is in accordance with the procedures in the maintenance manual.

The FAA's Determination and an Explanation of the Provisions of the AD

What has FAA decided? After examining the circumstances and reviewing all available information related to the incidents described above, including the relevant service information, FAA has determined that:

—An unsafe condition exists or could develop on certain Fairchild SA226 Series and SA227 Series airplanes of the same type design to that of the accident airplane;

—The actions and procedures in the previously referenced service bulletins should be incorporated on these airplanes; and

—AD action should be taken in order to detect and correct cracks in MLG drag brace assemblies. Continued airplane operation with such cracks could lead to MLG failure and result in loss of control of the airplane during takeoff or landing operations.

What does this AD require? This AD requires you to repetitively inspect the MLG drag brace assembly (consists of both brace and links) for cracks, and requires you to replace or rework any cracked MLG drag brace assembly.

Will I have the opportunity to comment prior to the issuance of the rule? Because the unsafe condition described in this document could result in MLG failure and result in loss of control of the airplane during takeoff or landing operations, FAA finds that notice and opportunity for public prior comment are impracticable. Therefore, good cause exists for making this amendment effective in less than 30 days.

Comments Invited

How do I comment on this AD? Although this action is in the form of a final rule and was not preceded by notice and opportunity for public comment, we invite your comments on the rule. You may submit whatever written data, views, or arguments you choose. You need to include the rule's docket number and submit your comments in triplicate to the address specified under the caption **ADDRESSES**. We will consider all comments received on or before the closing date specified above. We may amend this rule in light of comments received. Factual information that supports your ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether we need to take additional rulemaking action.

Are there any specific portions of the AD I should pay attention to? The FAA specifically invites comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. You may examine all comments we receive before and after the closing date of the rule in the Rules Docket. We will file a report in the Rules Docket that summarizes each FAA contact with the public that concerns the substantive parts of this AD.

The FAA is reviewing the writing style we currently use in regulatory documents, in response to the Presidential memorandum of June 1, 1998. That memorandum requires federal agencies to communicate more

clearly with the public. We are interested in your comments on whether the style of this document is clearer, and any other suggestions you might have to improve the clarity of FAA communications that affect you. You can get more information about the Presidential memorandum and the plain language initiative at http://www.plainlanguage.gov.

How can I be sure FAA receives my comment? If you want us to acknowledge the receipt of your comments, you must include a self-addressed, stamped postcard. On the postcard, write ''Comments to Docket No. 2000–CE–41–AD.'' We will date stamp and mail the postcard back to you.

Regulatory Impact

Does this AD impact relations between Federal and State governments? These regulations will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, FAA has determined that this final rule does not have federalism implications under Executive Order 13132.

Does this AD involve a significant rule or regulatory action? The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and is not a significant regulatory action under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket (otherwise, an evaluation is not required). A copy of it, if filed, may be obtained from the Rules Docket.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive (AD) to read as follows:

2000–17–11 Fairchild Aircraft, Inc.: Amendment 39–11885; Docket No. 2000–CE–41–AD.

(a) *What airplanes are affected by this AD?* Models SA226–T, SA226–AT, SA226–T(B), SA226–TC, SA227–AT, SA227–TT, and SA227–AC (C–26A) airplanes, all serial numbers, certificated in any category, that incorporate one of the following:

(1) For SA226 series airplanes: Ozone Industries, Inc., part number (P/N) OAS5453–1 (Revision ''H'', ''J'', ''K'', or ''N''), or Ozone Industries, Inc., P/N OAS5453–5. These assemblies incorporate an Ozone Industries, Inc., P/N OAS5501–1 main landing gear (MLG) drag brace assembly (consisting of both a drag brace and drag links); or

(2) For SA227 series airplanes: Ozone Industries, Inc., 14,500 LB MGTOW, P/N OAS5453–5. These assemblies incorporate an Ozone Industries, Inc., P/N OAS5501–1 MLG drag brace assembly (consisting of both a drag brace and drag links).

(b) *Who must comply with this AD?* Anyone who wishes to operate any of the above airplanes on the U.S. Register must comply with this AD.

(c) *What problem does this AD address?* The actions required by this AD are intended to detect and correct cracks in MLG drag brace assemblies (consists of both brace and links). Continued airplane operation with such cracks could lead to MLG failure and result in loss of control of the airplane during takeoff or landing operations.

(d) *What must I do to address this problem?* To address this problem, you must accomplish the following actions:

Action	Compliance time	Procedures
(1) Inspect, using dye penetrant methods, the main landing gear drag brace assemblies for cracks	Accomplish this inspection within the next 50 hours time-in-service (TIS) after September 22, 2000 (the effective date of this AD)	Accomplish this inspection in accordance with the ACCOMPLISHMENT INSTRUCTIONS section of whichever of the following that is applicable: (i) Fairchild Service Bulletin 226–32–068, Issued: June 23, 2000; or (i) Fairchild Service Bulletin 227–32–043, Issued: June 23, 2000.
(2) If no cracks are found during the initial inspection, repetitively reinspect the MLG drag brace assemblies	Begin the repetitive inspections within 1,000 hours TIS after the initial inspection, and continue thereafter at intervals not to exceed 1,000 hours TIS provided no cracks are found	Accomplish in accordance with the previously referenced service bulletins.
(3) If cracks are found during any inspection that are over 0.080 inches in combined length or any cracks are found on an already reworked assembly, replace the Ozone Industries, Inc., P/N OAS5501–1 MLG Drag Brace Assembly with a new or serviceable assembly, and repetitively reinspect these assemblies	(i) Replacement: Prior to further flight after the inspection where the cracks(s) is found; and (ii) Repetitive Inspections: (A) For new assemblies: Upon accumulating 15,000 hours TIS on the assembly, and thereafter at intervals not to exceed 1,000 hours TIS provided no crack(s) is found; and (B) For serviceable assemblies: Within 1,000 hours TIS after installation, and thereafter at intervals not to exceed 1,000 hours TIS provided no crack(s) is found	Accomplish the replacement in accordance with the applicable maintenance manual and accomplish the repetitive with the previously referenced service bulletins.

Action	Compliance time	Procedures
(4) If cracks are found during any inspection that are equal to or less than 0.080 inches in total combined length, you may rework the MLG drag brace assembly (i) Only one rework of the MLG drag brace assembly is allowed. If any crack is found after rework, the assembly must be replaced (ii) After rework, repetitively inspect the MLG drag brace assembly provided no additional cracking is found at which time replacement is required	Accomplish the rework prior to further flight after the inspection where the crack(s) is found, and then reinspect at intervals not to exceed 400 hours TIS, unless further cracking is found at which time replacement is required prior to further flight	Accomplish in accordance with the previously referenced service bulletins.

(e) *Can I comply with this AD in any other way?* You may use an alternative method of compliance or adjust the compliance time if:

(1) Your alternative method of compliance provides an equivalent level of safety; and

(2) The Manager, Fort Worth Airplane Certification Office (ACO), approves your alternative. Submit your request through an FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Fort Worth ACO.

Note: This AD applies to each airplane identified in paragraph (a) of this AD, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (e) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if you have not eliminated the unsafe condition, specific actions you propose to address it.

(f) *Where can I get information about any already-approved alternative methods of compliance?* Contact Hung Viet Nguyen, Aerospace Engineer, FAA, Airplane Certification Office, 2601 Meacham Boulevard, Fort Worth, Texas 76193–0150; telephone: (817) 222–5155; facsimile: (817) 222–5960.

(g) *What if I need to fly the airplane to another location to comply with this AD?* The FAA can issue a special flight permit under sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate your airplane to a location where you can accomplish the requirements of this AD.

(h) *Are any service bulletins incorporated into this AD by reference?* You must accomplish the actions required by this AD in accordance with Fairchild Aircraft Inc. Service Bulletin 226–32–068 or Fairchild Aircraft Inc. Service Bulletin 227–32–043, both Issued: June 23, 2000. The Director of the Federal Register approved this incorporation by reference under 5 U.S.C. 552(a) and 1 CFR part 51. You can get copies from Fairchild Aircraft, Inc., P.O. Box 790490, San Antonio, Texas 78279–0490. You may look at copies at FAA, Central Region, Office of the Regional Counsel, 901 Locust, Room 506, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW, suite 700, Washington, DC.

(i) *When does this amendment become effective?* This amendment becomes effective on September 22, 2000.

Issued in Kansas City, Missouri, on August 23, 2000.

Marvin R. Nuss,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22121 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–270–AD; Amendment 39–11886; AD 2000–18–01]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 747 Series Airplanes Powered By Pratt & Whitney JT9D–7 Series Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that is applicable to certain Boeing Model 747 series airplanes powered by Pratt & Whitney JT9D–7 series engines. This action requires inspection of the lugs on the bulkhead fitting of the rear engine mount, and corrective action, if necessary. This action is necessary to detect and correct bushing migration, corrosion, or cracking of the lugs on the bulkhead fitting of the rear engine mount, which could result in separation of the engine from the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective September 18, 2000.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of September 18, 2000.

Comments for inclusion in the Rules Docket must be received on or before October 31, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 2000–NM–270–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-iarcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 2000–NM–270–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in this AD may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tamara L. Anderson, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2771; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: The FAA has received a report of cracking of the inboard lug on the bulkhead fitting of the rear engine mount on the number 3 engine pylon on a Boeing Model 747–200B series airplane powered by Pratt & Whitney JT9D–7Q series engines. The affected airplane had accumulated 13,941 flight cycles and 73,356 flight hours. The lug was cracked completely

through the cross-section. The cracking is thought to be due to corrosion and fatigue. This condition, if not corrected, could result in separation of the engine from the airplane.

Explanation of Relevant Service Information

The FAA has reviewed and approved Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000. Among other actions, the service bulletin describes procedures for repetitive detailed visual inspections for bushing migration, corrosion, or cracking; and a physical measurement inspection for bushing migration; of the lugs on the bulkhead fitting of the rear engine mount. If light corrosion or any bushing migration is found, the corrective action includes interim rework to remove corrosion and restore the finish of the fitting. If cracking or moderate-to-heavy corrosion is found, the service bulletin specifies to contact Boeing for rework instructions. The service bulletin also describes procedures for repetitive ultrasonic inspections for cracking of the lugs on the bulkhead fitting of the rear engine mount, which, if accomplished, extend the repetitive inspection interval for the detailed visual inspections.

Explanation of the Requirements of the Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design, this AD is being issued to detect and correct bushing migration, corrosion, or cracking of the lugs on the bulkhead fitting of the rear engine mount, which could result in separation of the engine from the airplane. This AD requires accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Interim Action

This is considered to be interim action. The FAA is currently considering requiring the repetitive ultrasonic inspections for cracking of the lugs on the bulkhead fitting of the rear engine mount, which are described in the service bulletin. Accomplishment of these ultrasonic inspections would extend the repetitive interval for the detailed visual and physical measurement inspections required by this AD. The FAA is also considering requiring the rework specified in Part 5 of the service bulletin for airplanes other than those required to do the Part 5 rework in accordance with this AD. However, the planned compliance time for these actions is sufficiently long so that notice and opportunity for prior public comment will be practicable.

Differences Between Service Bulletin and This AD

As described previously, the service bulletin recommends accomplishment of the ultrasonic inspections for cracking of the lugs on the bulkhead fitting of the rear engine mount within 9 months after accomplishment of the initial detailed visual inspection. This AD does not require these ultrasonic inspections. However, paragraph (c) of this AD provides the repetitive ultrasonic inspections as an option that extends the repetitive interval for the detailed visual and physical measurement inspections required by paragraph (a) of this AD.

Operators should note that, although the service bulletin specifies that the manufacturer may be contacted for certain rework instructions, this AD requires such rework to be done in accordance with a method approved by the FAA, or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative who has been authorized by the FAA to make such findings.

Determination of Rule's Effective Date

Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and opportunity for prior public comment hereon are impracticable, and that good cause exists for making this amendment effective in less than 30 days.

Comments Invited

Although this action is in the form of a final rule that involves requirements affecting flight safety and, thus, was not preceded by notice and an opportunity for public comment, comments are invited on this rule. Interested persons are invited to comment on this rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified under the caption **ADDRESSES**. All communications received on or before the closing date for comments will be considered, and this rule may be amended in light of the comments received. Factual information that supports the commenter's ideas and suggestions is extremely helpful in evaluating the effectiveness of the AD action and determining whether additional rulemaking action would be needed.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify the rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report that summarizes each FAA-public contact concerned with the substance of this AD will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this rule must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 2000–NM–270–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this final rule does not have federalism implications under Executive Order 13132.

The FAA has determined that this regulation is an emergency regulation that must be issued immediately to correct an unsafe condition in aircraft, and that it is not a ''significant regulatory action'' under Executive Order 12866. It has been determined further that this action involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979). If it is determined that this emergency regulation otherwise would be significant under DOT Regulatory Policies and Procedures, a final regulatory evaluation will be prepared and placed in the Rules Docket. A copy of it, if filed, may be obtained from the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

2000–18–01 Boeing: Amendment 39–11886. Docket 2000–NM–270–AD.

Applicability: Model 747 series airplanes powered by Pratt & Whitney JT9D–7 series engines, as listed in Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (d) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To detect and correct bushing migration, corrosion, or cracking of the lugs on the bulkhead fitting of the rear engine mount, accomplish the following:

Repetitive Detailed Visual Inspections

(a) At the later of the times in paragraphs (a)(1) and (a)(2) of this AD, perform a detailed visual inspection for bushing migration, corrosion, or cracking; and a physical measurement inspection using feeler gages for bushing migration; of the lugs on the bulkhead fitting of the rear engine mount, in accordance with Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000. Thereafter, repeat the inspection at intervals not to exceed 90 days, except as provided by paragraph (c) of this AD.

(1) Prior to the accumulation of 10,000 total flight cycles, or within 15 years since the date of manufacture of the airplane, whichever occurs first.

(2) Within 90 days after the effective date of this AD.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as:

''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Corrective Actions

(b) During any inspection accomplished in accordance with paragraph (a) or (c) of this AD, if bushing migration, corrosion, or cracking is detected, accomplish paragraph (b)(1) or (b)(2) of this AD, as applicable.

(1) If light corrosion or bushing migration is found: Prior to further flight, do interim rework in accordance with Part 4 of the service bulletin; EXCEPT where the service bulletin specifies to contact Boeing, prior to further flight, repair in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company Designated Engineering Representative (DER) who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the approval letter must specifically reference this AD.

Note 3: The ultrasonic inspection described in Part 3 of Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000, and the rework described in Part 5 are not required by paragraph (b)(1) of this AD. However, the repetitive detailed visual inspections required by paragraph (a) of this AD continue to be required.

(2) If moderate to severe corrosion or any cracking is found: Prior to further flight, rework in accordance with a method approved by the Manager, Seattle ACO; or in accordance with data meeting the type certification basis of the airplane approved by a Boeing Company DER who has been authorized by the Manager, Seattle ACO, to make such findings. For a repair method to be approved by the Manager, Seattle ACO, as required by this paragraph, the approval letter must specifically reference this AD.

Optional Ultrasonic Inspection

(c) Accomplishment of the repetitive ultrasonic inspections specified in Part 3 of Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000, at intervals not to exceed 1,400 flight cycles or 18 months, whichever occurs first; extends the interval for the repetitive detailed visual and physical measurement inspections required by paragraph (a) of this AD to the interval stated in paragraph (c)(1) or (c)(2) of this AD, as applicable.

(1) If no bushing migration is found, the repetitive interval is not to exceed 1,400 flight cycles or 18 months, whichever occurs first.

(2) If any bushing migration is found, the repetitive interval is not to exceed 180 days.

Alternative Methods of Compliance

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Seattle ACO. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Seattle ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Seattle ACO.

Special Flight Permits

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Incorporation by Reference

(f) Except as provided by paragraphs (b)(1) and (b)(2) of this AD, the actions shall be done in accordance with Boeing Alert Service Bulletin 747–54A2200, dated July 7, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

Effective Date

(g) This amendment becomes effective on September 18, 2000.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22284 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–U

FEDERAL TRADE COMMISSION

16 CFR Part 305

Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (Commission) amends its Appliance Labeling Rule (''Rule'') by publishing new ranges of comparability to be used on required labels for heat pump water heaters, and announces that the current ranges of comparability required by the Rule for room air conditioners, storage-type water heaters,

gas-fired instantaneous water heaters, furnaces, boilers, and pool heaters will remain in effect until further notice.

EFFECTIVE DATE: November 30, 2000.

FOR FURTHER INFORMATION CONTACT: James Mills, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202–326–3035); jmills@ftc.gov.

SUPPLEMENTARY INFORMATION: The Rule was issued by the Commission in 1979 (44 FR 66466 (Nov. 19, 1979)) in response to a directive in the Energy Policy and Conservation Act of 1975.[1] The Rule covers eight categories of major household appliances: Refrigerators and refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters (this category includes storage-type water heaters, gas-fired instantaneous water heaters, and heat pump water heaters), room air conditioners, furnaces (this category includes boilers), and central air conditioners (this category includes heat pumps). The Rule also covers pool heaters (59 FR 49556 (Sept. 28, 1994)), and contains requirements that pertain to fluorescent lamp ballasts (54 FR 28031 (July 5, 1989)), certain plumbing products (58 FR 54955 (Oct. 25, 1993)), and certain lighting products (59 FR 25176 (May 13, 1994)).

The Rule requires manufacturers of all covered appliances and pool heaters to disclose specific energy consumption or efficiency information (derived from the DOE test procedures) at the point of sale in the form of an ''EnergyGuide'' label and in catalogs. It also requires manufacturers of furnaces, boilers central air conditioners, and heat pumps either to provide fact sheets showing additional cost information, or to be listed in an industry directory showing the cost information for their products. The Rule requires that manufacturers include, on labels and fact sheets, an energy consumption or efficiency figure and a ''range of comparability'' scale. This scale shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of other models (perhaps competing brands) similar to the labeled model. The Rule requires that manufacturers also include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report annually (by specified dates for each product type)[2] the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and drop others, the data base from which the ranges of comparability are calculated is constantly changing. Under Section 305.10 of the Rule, to keep the required information on labels consistent with these changes, the Commission publishes new ranges (but not more often than annually) if an analysis of the new information indicates that the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission publishes a statement that the prior ranges remain in effect for the next year.

The annual submissions of data for room air conditioners, water heaters (including storage-type, gas-fired instantaneous, and heat pump water heaters), furnaces, boilers, and pool heaters have been made and have been analyzed by the Commission.

The data submissions for heat pump water heaters show significant changes in both the high and low ends of the ranges of comparability for these products. Therefore, the Commission is publishing new ranges for use in required disclosures (including labeling) for heat pump water heaters beginning November 30, 2000. In addition, beginning November 30, 2000, manufacturers of heat pump water heaters must base the disclosures of estimated annual operating cost required at the bottom of EnergyGuides for these products on the 2000 Representative Average Unit Cost of Energy for electricity (8.03 cents per kiloWatt-hour) that was published by DOE on February 7, 2000 (65 FR 5860), and by the Commission on April 17, 2000 (65 FR 20352).

The ranges of comparability for room air conditioners, storage-type water heaters, instantaneous water heaters, furnaces, boilers, and pool heaters have not changed by more than 15% from the current ranges for these products. Therefore, the current ranges for these products will remain in effect until further notice.[3]

This means that manufacturers of storage-type water heaters, furnaces, and boilers must continue to use the ranges that were published on September 23, 1994, and that manufacturers of storage-type water heaters must continue to base the disclosures of estimated annual operating cost required at the bottom of EnergyGuides for these products on the 1994 Representative Average Unit Costs of Energy for electricity (8.41 cents per kiloWatt-hour), natural gas (60.4 cents per therm), propane (98 cents per gallon), and/or heating oil ($1.05 per gallon) that were published by DOE on December 29, 1993 (58 FR 68901), and by the Commission on February 8, 1994 (59 FR 5699).

Manufacturers of pool heaters must continue to use the ranges that were published on August 21, 1995. Manufacturers of room air conditioners must continue to use the corrected ranges for room air conditioners that were published on November 13, 1995. Manufacturers of pool heaters and room air conditioners must continue to base the disclosures of estimated annual operating required at the bottom of EnergyGuides for these products on the 1995 Representative Average Unit Costs of Energy for electricity (8.67 cents per kiloWatt-hour), natural gas (63 cents per therm), propane (98.5 cents per gallon), and/or heating oil ($1.008 per gallon) that were published by DOE on January 5, 1995 (60 FR 1773), and by the Commission on February 17, 1995 (60 FR 9295).

Manufacturers of gas-fired instantaneous water heaters must continue to use the ranges of comparability that were published on December 20, 1999. They must continue to base the disclosures of estimated annual operating cost required at the bottom of EnergyGuides for these products on the 1999 Representative Average Unit Cost for natural gas (68.8 cents per therm) and propane (77 cents per gallon) that were published by DOE on January 5, 1999 (64 FR 487) and by the Commission on February 17, 1999 (64 FR 7783).

For up-to-date tables showing current range and cost information for all covered appliances, see the

[1] 42 U.S.C. 6294. The statute also requires the Department of Energy (''DOE'') to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

[2] Reports for room air conditioners, water heaters (storage-type, gas-fired instantaneous, and heat pump-type) furnaces, boilers, and pool heaters are due May 1.

[3] The current ranges for storage-type water heaters, furnaces, and boilers were published on September 23, 1994 (59 FR 48796). The current ranges for pool heaters and room air conditioners (originally) were published on August 21, 1995 (60 FR 43367). A corrected version of the ranges for room air conditioners was published on November 13, 1995 (60 FR 56945, at 56949). The current ranges for gas-fired instantaneous water heaters were published on December 20, 1999 (64 FR 71019).

Commission's Appliance Labeling Rule web page at *www.ftc.gov/appliances*.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603–604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Appliance Labeling Rule. Thus, the amendments will not have a ''significant economic impact on a substantial number of small entities.'' 5 U.S.C. 605. The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

Accordingly, 16 CFR Part 305 is amended as follows:

PART 305—[AMENDED]

1. The authority citation for Part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

2. Appendix D5 to Part 305 is revised to read as follows:

Appendix D5 to Part 305—Water Heaters–Heat Pump

RANGE INFORMATION

Capacity: First hour rating	Range of estimated annual energy consumption (KWh/Yr.)	
	Low	High
Less than 21	(*)	(*)
21 to 24	(*)	(*)
25 to 29	(*)	(*)
30 to 34	(*)	(*)
35 to 40	(*)	(*)
41 to 47	1996	1996
48 to 55	(*)	(*)
56 to 64	2311	2311
65 to 74	(*)	(*)
75 to 86	(*)	(*)
87 to 99	(*)	(*)
100 to 114	(*)	(*)
115 to 131	(*)	(*)
Over 131	(*)	(*)

* No data submitted.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 00–22530 Filed 8–31–00; 8:45 am]

BILLING CODE 6750–01–M

FEDERAL TRADE COMMISSION

16 CFR Part 305

Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (''the Commission'') amends its Appliance Labeling Rule (''the Rule'') by publishing new ranges of comparability to be used on required labels for compact dishwashers. The Commission also announces that the current ranges of comparability for standard-sized dishwashers, central air conditioners, and heat pumps will remain in effect until further notice. Finally, the Commission amends the portions of Appendices H (Cooling Performance and Cost for Central Air Conditioners) and I (Heating Performance and Cost for Central Air Conditioners) to Part 305 that contain cost calculation formulas. These last amendments change the figures in the formulas to reflect the current (2000) Representative Average Unit Cost of Electricity that was published on February 7, 2000 (65 FR 5860), by the Department of Energy (''DOE''), and on April 17, 2000 (65 FR 20352) by the Commission.

EFFECTIVE DATE: The amendments to Appendix C1 to part 305 establishing new ranges of comparability for compact dishwashers will become effective March 22, 2001. The amendments to Appendices H and I to Part 305 will become effective November 30, 2000.

FOR FURTHER INFORMATION CONTACT: James Mills, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202–326–3035); jmills@ftc.gov.

SUPPLEMENTARY INFORMATION: The Rule was issued by the Commission in 1979 (44 FR 66466 (Nov. 19, 1979)) in response to a directive in the Energy Policy and Conservation Act of 1975 (''EPCA'').[1] The Rule covers eight categories of major household appliances: refrigerators and refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters (this category includes storage-type water heaters, gas-fired instantaneous water heaters, and heat pump water heaters), room air conditioners, furnaces (this category includes boilers), and central air conditioners (this category includes heat pumps). The Rule also covers pool heaters (59 FR 49556 (Sept. 28, 1994)), and contains requirements that pertain to fluorescent lamp ballasts (54 FR 28031 (July 5, 1989)), certain plumbing products (58 FR 54955 (Oct. 25, 1993)), and certain lighting products (59 FR 25176 (May 13, 1994)).

The Rule requires manufacturers of all covered appliances and pool heaters to disclose specific energy consumption or efficiency information (derived from test procedures promulgated by DOE) at the point of sale in the form of an ''EnergyGuide'' label and in catalogs. It also requires manufacturers of furnaces, boilers central air conditioners, and heat pumps either to provide fact sheets showing additional cost information, or to be listed in an industry directory showing the cost information for their products. The Rule requires that manufacturers include, on labels and fact sheets, an energy consumption or efficiency figure and a ''range of comparability'' scale. This scale shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of other models (perhaps competing brands) similar to the labeled model. The Rule requires that the manufacturers also include, on labels for some products, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the Rule requires manufacturers, after filing an initial report, to report annually (by specified dates for each product type)[2] the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and drop others, the data base from which the ranges of

[1] 42 U.S.C. 6294. The statute also requires DOE to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

[2] Reports for dishwashers are due June 1; reports for central air conditioners and heat pumps are due July 1.

comparability are calculated is constantly changing. Under Section 305.10 of the Rule, to keep the required information on labels consistent with these changes, the Commission publishes new ranges (but not more often than annually) if an analysis of the new information indicates that the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission publishes a statement that the prior ranges remain in effect for the next year.

The annual submissions of data for dishwashers, central air conditioners, and heat pumps have been made and have been analyzed by the Commission.

The ranges of comparability for central air conditioners and heat pumps have not changed by more than 15% from the current ranges for these products. Therefore, the current ranges for these products, which were published on September 16, 1996 (61 FR 48620), will remain in effect until further notice.

The data submissions for dishwashers show no change in the high or low ends of the range of comparability scale for standard models, no change in the low end of the range scale for compact models, but a significant change in the high end of the compact scale (reflecting the fact that currently only one model of compact dishwasher is being offered).[3] Rather than require new ranges for the vast majority of dishwashers (the standard category) when only the high end of the compact range has changed significantly, the Commission has decided to publish new ranges of comparability only for compact dishwashers. These new ranges of comparability supersede the current ranges for compact-sized dishwashers, which were published on December 20, 1999.[4] As of the effective date of these new ranges, manufacturers of compact-sized dishwashers must base the disclosure of estimated annual operating cost required at the bottom of EnergyGuides for compact-sized dishwashers on the 2000 Representative Average Unit Costs of Energy for electricity (8.03 cents per kilo Watt-hour) and natural gas (68.8 cents per therm) that were published by DOE on February 7, 2000 (65 FR 5860), and by the Commission on April 17, 2000 (65 FR 20354).

The effective date of the **Federal Register** Notice that established the current ranges of comparability for compact-sized dishwashers was March 22, 2000. Because section 326(c) of EPCA states that the Commission cannot require that labels be changed more often than annually to reflect changes in the ranges of comparability,[5] the effective date of today's revised ranges of comparability for compact-sized dishwashers will therefore be March 22, 2001.

The ranges of comparability for standard-sized dishwashers will remain in effect until further notice. This means that manufacturers of standard-sized dishwashers must continue to use the ranges of comparability that were published on August 25, 1997 (62 FR 44890), and must continue to base the disclosures of estimated annual operating cost required at the bottom of EnergyGuides for these products on the 1997 Representative Average Unit Costs of Energy for electricity (8.31 cents per kiloWatt-hour) and natural gas (61.2 cents per therm) that were published by DOE on November 18, 1996 (61 FR 58679), and by the Commission on February 5, 1997 (62 FR 5316).

In consideration of the foregoing, the Commission revises appendix C1 of part 305 by publishing the following ranges of comparability for use in required disclosures (including labeling) for compact-size dishwashers beginning March 22, 2001, and amends the cost calculation formulas in appendices H and I to part 305 that manufacturers of central air conditioners and heat pumps must include on fact sheets and in directories, effective November 30, 2000.

Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a Regulatory Flexibility Act analysis (5 U.S.C. 603–604) are not applicable to this proceeding because the amendments do not impose any new obligations on entities regulated by the Appliance Labeling Rule. Thus, the amendments will not have a ''significant economic impact on a substantial number of small entities.'' 5 U.S.C. 605. The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the amendments announced today will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 16 CFR Part 305

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

Accordingly, 16 CFR part 305 is amended as follows:

PART 305—[AMENDED]

1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 6294.

2. Appendix C1 to Part 305 is revised to read as follows:

Appendix C1 to Part 305—Compact Dishwashers

Range Information

''Compact'' includes countertop dishwasher models with a capacity of fewer than eight (8) place settings. Place settings shall be in accordance with appendix C to 10 CFR Part 430, subpart B. Loan patterns shall conform to the operating normal for the model being tested.

Capacity	Range of estimated annual energy consumption (kWh/yr.)	
	Low	High
Compact	277	277

Cost Information

When the above ranges of comparability are used on EnergyGuide labels for compact-sized dishwashers, the estimated annual operating cost disclosure appearing in the box at the bottom of the labels must be derived using the 2000 Representative Average Unit Costs for electricity (8.03¢ per kiloWatt-hour) and natural gas (68.8¢ per therm), and the text below the box must identify the costs as such.

3. In section 2 of Appendix H of Part 305, the text and formulas are amended by removing the figure ''8.22¢'' wherever it appears and by adding, in its place, the figure ''8.03¢''. In addition, the text and formulas are amended by removing the figure ''12.4¢'' wherever it appears and by adding, in its place, the figure ''12.05¢''.

4. In section 2 of Appendix I of Part 305, the text and formulas are amended by removing the figure ''8.22¢'' wherever it appears and by adding, in its place, the figure ''8.03¢''. In addition, the text and formulas are amended by removing the figure ''12.34¢'' wherever it appears and by adding, in its place, the figure ''12.05¢''.

[3] The Commission's classification of ''Standard'' and ''Compact'' dishwashers is based on internal load capacity. Appendix C of the Commission's Rule defines ''Compact'' as including countertop dishwasher models with a capacity of fewer than eight (8) place settings and ''Standard'' as including portable or built-in dishwasher models with a capacity of eight (8) or more place settings. The Rule requires that place settings be determined be in accordance with appendix C to 10 CFR Part 430, subpart B, of DOE's energy conservation standards program.

[4] The current ranges for compact-sized dishwashers (Appendix C1) were published at 64 FR 71019, along with a republication of the current (1997) ranges for standard-sized dishwashers (Appendix C2), which were originally published on August 25, 1997, at 62 FR 44890.

[5] 42 U.S.C. 6296(c).

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 00–22529 Filed 8–31–00; 8:45 am]

BILLING CODE 6750–01–M

Consumer Product Safety Commission

16 CFR Part 1000

Statement of Organization and Functions

AGENCY: Consumer Product Safety Commission.

ACTION: Final rule.

SUMMARY: The Consumer Product Safety Commission is amending its statement of organization and functions to reflect the reorganization of the Directorate for Laboratory Sciences into three divisions: Mechanical Engineering, Electrical Engineering, and Chemical. We are also making editorial changes.

EFFECTIVE DATE: September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Joseph F. Rosenthal, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, telephone 301–504–0980.

SUPPLEMENTARY INFORMATION:

The Commission has reorganized the Directorate for Laboratory Sciences into three divisions, the Mechanical Engineering Division, the Electrical Engineering Division, and the Chemical Division. Section 1000.31 is being revised to reflect this and to make various editorial revisions.

Since this rule relates solely to internal agency management, pursuant to 5 U.S.C. 553(b) notice and other public procedures are not required and it is effective immediately upon publication in the **Federal Register**. Further, this action is not a rule as defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612, and, thus, is exempt from the provisions of the Act.

List of Subjects in 16 CFR Part 1000

Organization and functions (government agencies).

Accordingly, Part 1000 is amended as follows:

PART 1000—[AMENDED]

1. The authority citation for part 1000 continues to read as follows:

Authority: 5 U.S.C. 552(a).

2. Section 1000.31 is revised to read as follows:

§ 1000.31 Directorate for Laboratory Sciences.

The Directorate for Laboratory Sciences, which is managed by the Associate Executive Director for Laboratory Sciences, is responsible for conducting engineering analyses and testing of consumer products, supporting the development of voluntary and mandatory standards, and supporting the Agency's compliance activities through product safety assessments. A wide variety of products are tested and evaluated to determine the causes of failure and the hazards presented. Product safety tests involve mechanical, electrical, and combustion engineering, as well as thermal and chemical analyses. Test protocols are developed, test fixtures and setups are designed and fabricated, and tests are conducted following the requirements and guidance of voluntary and mandatory standards and/or using sound engineering and scientific judgment. The Laboratory participates with and supports other agency directorates on multi-disciplinary teams in the development of voluntary and mandatory standards. The Laboratory coordinates and cooperates with other Federal agencies, private industry, and consumer interest groups by sharing engineering and scientific research, test, and evaluation expertise. Additionally, Corrective Action Plans, proposed by manufacturers to correct a product defect, are tested and evaluated to assure that the proposed changes adequately resolve the problem. Regulated products, such as children's products, sleepwear, and bicycle helmets, are routinely tested and evaluated for compliance with the Consumer Product Safety Act, the Federal Hazardous Substances Act, the Flammable Fabrics Act, and the Poison Prevention Packaging Act. The Directorate is composed of the Mechanical Engineering Division, the Electrical Engineering Division (which includes flammable fabrics), and the Chemical Division. Overall, the directorate provides engineering, scientific, and other technical expertise to all entities within the Consumer Product Safety Commission.

Dated: August 28, 2000.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 00–22404 Filed 8–31–00; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 573

[Docket No. 98F–0196]

Food Additives Permitted in Feed and Drinking Water of Animals; Selenium Yeast; Correction

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a final rule that published in the **Federal Register** of June 6, 2000 (65 FR 35823). The document amended FDA's food additive regulations to reflect approval of a petition (FAP 2238) filed by Alltech Biotechnology Center. The petition proposed to amend the food additive regulations to provide for the safe use of selenium yeast as a source of selenium in animal feeds intended for use in chickens. The document was published with an inadvertent error. This document corrects that error.

This rule does not meet the definition of ''rule'' in 5 U.S.C. 804(3)(A) because it is a rule of ''particular applicability.'' Therefore, it is not subject to the congressional review requirements in 5 U.S.C. 801–808.

DATES: Effective June 6, 2000.

FOR FURTHER INFORMATION CONTACT: Nelson S. Chou, Center for Veterinary Medicine (HFV–228), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–0161.

SUPPLEMENTARY INFORMATION:

In FR Doc. 00–14214, appearing on page 35823 in the **Federal Register** of Tuesday, June 6, 2000, the following correction is made:

§ 573.920 [Corrected]

On page 35824, in § 573.920 *Selenium*, in the second column, in paragraph (h) the last sentence is corrected to read ''Usage of this additive must conform to the requirements of paragraphs (d)(1), (e), and (f) of this section.''

Dated: August 18, 2000.

Stephen F. Sundlof,

Director, Center for Veterinary Medicine.

[FR Doc. 00–22399 Filed 8–31–00; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 311

[OSD Privacy Program]

Privacy Act of 1974; Implementation

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule, with comments.

SUMMARY: When the Secretary of Defense Privacy Program (32 CFR part 311) was amended on April 28, 1999, at 65 FR 22784, the 'Procedures for exemptions' section was inadvertently dropped. Therefore, this section is being republished to incorporate it into the current 32 CFR part 311. There have been no changes made to this section.

DATES: Effective: April 28, 1999. Comments must be received by October 31, 2000.

ADDRESSES: Send comments to the OSD Privacy Act Officer, Washington Headquarter Services, Correspondence and Directives Division, Records Management Division, 1155 Defense Pentagon, Washington, DC 20301–1155.

FOR FURTHER INFORMATION CONTACT: Mr. David Bosworth at (703) 695–0970.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

It has been determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of $100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

Regulatory Flexibility Act

It has been determined that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

Paperwork Reduction Act

It has been determined that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act, and 44 U.S.C. Chapter 35.

List of Subjects in 32 CFR Part 311

Privacy.

1. The authority citation for 32 CFR Part 311 continues to read as follows:

Authority: Pub. L. 93–579, 88 Stat 1896 (5 U.S.C. 552a).

2. Accordingly, 32 CFR part 311 is amended by adding § 311.8 as follows:

§ 311.8 Procedures for exemptions.

(a) *General information.* The Secretary of Defense designates those Office of the Secretary of Defense (OSD) systems of records which will be exempt from certain provisions of the Privacy Act. There are two types of exemptions, general and specific. The general exemption authorizes the exemption of a system of records from all but a few requirements of the Act. The specific exemption authorizes exemption of a system of records or portion thereof, from only a few specific requirements. If an OSD Component originates a new system of records for which it proposes an exemption, or if it proposes an additional or new exemption for an existing system of records, it shall submit the recommended exemption with the records system notice as outlined in § 311.6. No exemption of a system of records shall be considered automatic for all records in the system. The systems manager shall review each requested record and apply the exemptions only when this will serve significant and legitimate Government purpose.

(b) *General exemptions.* The general exemption provided by 5 U.S.C. 552a(j)(2) may be invoked for protection of systems of records maintained by law enforcement activities. Certain functional records of such activities are not subject to access provisions of the Privacy Act of 1974. Records identifying criminal offenders and alleged offenders consisting of identifying data and notations of arrests, the type and disposition of criminal charges, sentencing, confinement, release, parole, and probation status of individuals are protected from disclosure. Other records and reports compiled during criminal investigations, as well as any other records developed at any stage of the criminal law enforcement process from arrest to indictment through the final release from parole supervision are excluded from release.

(1) *System identifier and name:* DWHS P42.0, DPS Incident Reporting and Investigations Case Files.

(i) *Exemption.* Portions of this system that fall within 5 U.S.C. 552a(j)(2) are exempt from the following provisions of 5 U.S.C. 552a, Sections (c) (3) and (4); (d)(1) through (d)(5); (e)(1) through (e)(3); (e)(5); (f)(1) through (f)(5); (g)(1) through (g)(5); and (h) of the Act.

(ii) *Authority:* 5 U.S.C. 552a(j)(2).

(iii) *Reason:* The Defense Protective Service is the law enforcement body for the jurisdiction of the Pentagon and immediate environs. The nature of certain records created and maintained by the DPS requires exemption from access provisions of the Privacy Act of 1974. The general exemption, 5 U.S.C. 552a(j)(2), is invoked to protect ongoing investigations and to protect from access criminal investigation information contained in this record system, so as not to jeopardize any subsequent judicial or administrative process taken as a result of information contained in the file.

(2) *System identifier and name:* JS006.CND, Department of Defense Counternarcotics C4I System.

(i) Exemption: Portions of this system that fall within 5 U.S.C. 552a(j)(2) are exempt from the following provisions of 5 U.S.C. 552a, section (c) (3) and (4); (d)(1) through (d)(5); (e)(1) through (e)(3); (e)(4)(G) and (e)(4)(H); (e)(5); (f)(1) through (f)(5); (g)(1) through (g)(5) of the Act.

(ii) Authority: 5 U.S.C. 552a(j)(2).

(iii) Reason: From subsection (c)(3) because the release of accounting of disclosure would inform a subject that he or she is under investigation. This information would provide considerable advantage to the subject in providing him or her with knowledge concerning the nature of the investigation and the coordinated investigative efforts and techniques employed by the cooperating agencies. This would greatly impede USSOUTHCOM's criminal law enforcement.

(iv) For subsections (c)(4) and (d) because notification would alert a subject to the fact that an investigation of that individual is taking place, and might weaken the on-going investigation, reveal investigatory techniques, and place confidential informants in jeopardy.

(v) From subsections (e)(4) (G) and (H) because this system of records is exempt from the access provisions of subsection (d) pursuant to subsection (j).

(vi) From subsection (f) because the agency's rules are inapplicable to those portions of the system that are exempt and would place the burden on the agency of either confirming or denying

the existence of a record pertaining to a requesting individual might in itself provide an answer to that individual relating to an on-going criminal investigation. The conduct of a successful investigation leading to the indictment of a criminal offender precludes the applicability of established agency rules relating to verification of record, disclosure of the record to that individual, and record amendment procedures for this record system.

(vii) For compatibility with the exemption claimed from subsection (f), the civil remedies provisions of subsection (g) must be suspended for this record system. Because of the nature of criminal investigations, standards of accuracy, relevance, timeliness and completeness cannot apply to this record system. Information gathered in criminal investigations is often fragmentary and leads relating to an individual in the context of one investigation may instead pertain to a second investigation.

(viii) From subsection (e)(1) because the nature of the criminal investigative function creates unique problems in prescribing a specific parameter in a particular case with respect to what information is relevant or necessary. Also, due to USSOUTHCOM's close liaison and working relationships with the other Federal, as well as state, local and foreign country law enforcement agencies, information may be received which may relate to a case under the investigative jurisdiction of another agency. The maintenance of this information may be necessary to provide leads for appropriate law enforcement purposes and to establish patterns of activity which may relate to the jurisdiction of other cooperating agencies.

(ix) From subsection (e)(2) because collecting information to the greatest extent possible directly from the subject individual may or may not be practicable in a criminal investigation. The individual may choose not to provide information and the law enforcement process will rely upon significant information about the subject from witnesses and informants.

(x) From subsection (e)(3) because supplying an individual with a form containing a Privacy Act Statement would tend to inhibit cooperation by many individuals involved in a criminal investigation. The effect would be somewhat inimical to established investigative methods and techniques.

(xi) From subsection (e)(5) because the requirement that records be maintained with attention to accuracy, relevance, timeliness, and completeness would unfairly hamper the criminal investigative process. It is the nature of criminal law enforcement for investigations to uncover the commission of illegal acts at diverse stages. It is frequently impossible to determine initially what information is accurate, relevant, timely, and least of all complete. With the passage of time, seemingly irrelevant or untimely information may acquire new significant as further investigation brings new details to light.

(xii) From subsection (e)(8) because the notice requirements of this provision could present a serious impediment to criminal law enforcement by revealing investigative techniques, procedures, and existence of confidential investigations.

(c) Specific exemptions. All systems of records maintained by any OSD Component shall be exempt from the requirements of 5 U.S.C. 552a(d) pursuant to subsection (k)(1) of that section to the extent that the system contains any information properly classified under Executive Order 11265, 'National Security Information,' dated June 28, 552a(d) pursuant to subsection (k)(1) of that section to the extent that the system contains any information properly classified under E.O. 11265, 'National Security Information,' dated June 28, 1979, as amended, and required by the Executive Order to be kept classified in the interest of national defense or foreign policy. This exemption, which may be applicable to parts of all systems of records, is necessary because certain record systems not otherwise specifically designated for exemptions may contain isolated information which has been properly classified. The Secretary of Defense has designated the following OSD system of records described below specifically exempted from the appropriate provisions of the Privacy Act pursuant to the designated authority contained therein:

(1) *System identifier and name:* DGC 16, Political Appointment Vetting Files.

(i) *Exemption.* Portions of this system of records that fall within the provisions of 5 U.S.C. 552a(k)(5) may be exempt from the following subsections (d)(1) through (d)(5).

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* From (d)(1) through (d)(5) because the agency is required to protect the confidentiality of sources who furnished information to the Government under an expressed promise of confidentiality or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. This confidentiality is needed to maintain the Government's continued access to information from persons who otherwise might refuse to give it. This exemption is limited to disclosures that would reveal the identity of a confidential source.

(2) *System identifier and name:* DWHS P28, The Office of the Secretary of Defense Clearance File.

(i) *Exemption.* This system of records is exempt from subsections (c)(3) and (d) of 5 U.S.C. 552a, which would require the disclosure of investigatory material compiled solely for the purpose of determining access to classified information but only to the extent that disclosure of such material would reveal the identity of a source who furnished information to the Government under an expressed promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. A determination will be made at the time of the request for a record concerning the specific information which would reveal the identity of the source.

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* This exemption is required to protect the confidentiality of the sources of information compiled for the purpose of determining access to classified information. This confidentiality helps maintain the Government's continued access to information from persons who would otherwise refuse to give it.

(3) *System identifier and name:* DGC 04, Industrial Personnel Security Clearance Case Files.

(i) *Exemption.* All portions of this system which fall under 5 U.S.C. 552a(k)(5) are exempt from the following provisions of Title 5 U.S.C. 552a: (c)(3); (d).

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* This system of records is exempt from subsections (c)(3) and (d) of section 552a of 5 U.S.C. which would require the disclosure of investigatory material compiled solely for the purpose of determining access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an expressed promise that the identity of the source would be held in confidence, or prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. A determination will be made at the time of the request for a record concerning whether specific information would reveal the identity of a source. This exemption is required in order to

protect the confidentiality of the sources of information compiled for the purpose of determining access to classified information. This confidentiality helps maintain the Government's continued access to information from persons who would otherwise refuse to give it.

(4) *System identifier and name:* DWHS P32, Standards of Conduct Inquiry File.

(i) *Exemption.* This system of records is exempted from subsections (c)(3) and (d) of 5 U.S.C. 552a, which would require the disclosure of: Investigatory material compiled for law enforcement purposes; or investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, or Federal contracts, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. If any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or otherwise be eligible, as a result of the maintenance of investigatory material compiled for law enforcement purposes, the material shall be provided to that individual, except to the extent that its disclosure would reveal the identity of a source who furnished information to the Government under an express promise or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. At the time of the request for a record, a determination will be made concerning whether a right, privilege, or benefit is denied or specific information would reveal the identity of a source.

(ii) *Authority.* 5 U.S.C. 552a(k) (2) and (5).

(iii) *Reasons.* These exemptions are necessary to protect the confidentiality of the records compiled for the purpose of: enforcement of the conflict of interest statutes by the Department of Defense Standards of Conduct Counselor, General Counsel, or their designees; and determining suitability, eligibility or qualifications for Federal civilian employment, military service, or Federal contracts of those alleged to have violated or caused others to violate the Standards of Conduct regulations of the Department of Defense.

(5) *System identifier and name:* DUSDP 02, Special Personnel Security Cases.

(i) *Exemption:* All portions of this system which fall under 5 U.S.C. 552a(k)(5) are exempt from the following provisions of 5 U.S.C. 552a: (c)(3); (d).

(ii) *Authority:* 5 U.S.C. 552a(k)(5).

(iii) *Reasons:* This system of records is exempt from subsections (c)(3) and (d) of 5 U.S.C. 552a which would require the disclosure of investigatory material compiled solely for the purpose of determining access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an expressed promise that the identity of the source would be held in confidence or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. A determination will be made at the time of the request for a record concerning whether specific information would reveal the identity of a source. This exemption is required in order to protect the confidentiality of the sources of information compiled for the purpose of determining access to classified information. This confidentiality helps maintain the Government's continued access to information from persons who would otherwise refuse to give it.

(6) *System identifier and name:* DODDS 02.0, Educator Application Files.

(i) *Exemption.* All portions of this system which fall within 5 U.S.C. 552a(k)(5) may be exempt from the following provisions of 5 U.S.C. 552a: (c)(3); (d).

(ii) *Authority.* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* It is imperative that the confidential nature of evaluation and investigatory material on teacher application files furnished the Department of Defense Dependent Schools (DoDDS) under promises of confidentiality be exempt from disclosure to the individual to insure the candid presentation of information necessary to make determinations involving applicants suitability for DoDDS teaching positions.

(7) [Reserved]

(8) *System identifier and name:* DWHS P29, Personnel Security Adjudications File.

(i) *Exemption:* Portions of this system of records that fall within the provisions of 5 U.S.C. 552a(k)(5) may be exempt from the following subsections (d)(1) through (d)(5).

(ii) *Authority:* 5 U.S.C. 552a(k)(5).

(iii) *Reasons.* From (d)(1) through (d)(5) because the agency is required to protect the confidentiality of sources who furnished information to the Government under an expressed promise of confidentiality or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. This confidentiality is needed to maintain the Government's continued access to information from persons who otherwise might refuse to give it. This exemption is limited to disclosures that would reveal the identity of a confidential source. At the time of the request for a record, a determination will be made concerning whether a right, privilege, or benefit is denied or specific information would reveal the identity of a source.

(9) *System identifier and name:* JS004SECDIV, Joint Staff Security Clearance Files.

(i) *Exemption:* Portions of this system of records are exempt pursuant to the provisions of 5 U.S.C. 552a(k)(5) from subsections 5 U.S.C. 552a(d)(1) through (d)(5).

(ii) *Authority:* 5 U.S.C. 552a(k)(5).

(iii) *Reasons:* From subsections (d)(1) through (d)(5) because the agency is required to protect the confidentiality of sources who furnished information to the government under an expressed promise of confidentiality or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. This confidentiality is needed to maintain the Government's continued access to information from persons who otherwise might refuse to give it. This exemption is limited to disclosures that would reveal the identity of a confidential source. At the time of the request for a record, a determination will be made concerning whether a right, privilege, or benefit is denied or specific information would reveal the identity of a source.

(10) *System identifier and name:* DFMP 26, Vietnamese Commando Compensation Files.

(i) *Exemption:* Information classified under E.O. 12958, as implemented by DoD 5200.1–R, may be exempt pursuant to 5 U.S.C. 552a(k)(1).

(ii) *Authority:* 5 U.S.C. 552a(k)(1).

(iii) *Reasons:* From subsection 5 U.S.C. 552a(d) because granting access to information that is properly classified pursuant to E.O. 12958, as implemented by DoD 5200.1–R, may cause damage to the national security.

(11) *System identifier and name:* DUSP 11, POW/Missing Personnel Office Files.

(i) *Exemption:* Information classified under E.O. 12958, as implemented by DoD 5200.1–R, may be exempt pursuant to 5 U.S.C. 552a(k)(1).

(ii) *Authority:* 5 U.S.C. 552a(k)(1).

(iii) *Reasons:* From subsection 5 U.S.C. 552a(d) because granting access

to information that is properly classified pursuant to E.O. 12958, as implemented by DoD 5200.1–R, may cause damage to the national security.

Dated: August 28, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense

[FR Doc. 00–22405 Filed 8–31–00; 8:45 am]

BILLING CODE 5010–04–F

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 701

[Secretary of the Navy Instruction 5211.5]

Privacy Act; Implementation

AGENCY: Department of the Navy DoD.

ACTION: Final rule.

SUMMARY: On August 7, 2000 (65 FR 48170), the Department of Defense published a Navy Privacy Act final rule amendment. This document makes codification corrections to section 701.118(u).

EFFECTIVE DATE: July 18, 2000.

FOR FURTHER INFORMATION CONTACT: L. M. Bynum or P. Toppings, 703–697–4111.

SUPPLEMENTARY INFORMATION:

List of Subjects in 32 CFR Part 701

Privacy.

Under the authority of 10 U.S.C. 301, 32 CFR Part 701 is corrected as follows:

PART 701—[AMENDED]

1. The authority citation for 32 CFR part 701 continues to read as follows:

Authority: Public Law 93–579, 88 Stat 1896 (5 U.S.C. 552a).

§ 701.118 [Amended]

2. Section 701.118(u) as published in the **Federal Register** of August 7, 2000 at page 48170, is corrected by redesignating the paragraphs as follows:

Old	New
(u)(i)	(u)(1)
(u)(ii)	(u)(2)
(u)(iii)	(u)(3)
(u)(iv)	(u)(4)
(u)(v)(1)	(u)(5)(i)
(u)(v)(2)	(u)(5)(ii)
(u)(v)(3)	(u)(5)(iii)
(u)(v)(4)	(u)(5)(iv)
(u)(v)(5)	(u)(5)(v)
(u)(v)(6)	(u)(5)(vi)
(u)(v)(7)	(u)(5)(vii)
(u)(v)(8)	(u)(5)(vii)
(u)(v)(9)	(u)(5)(ix)
(u)(v)(10)	(u)(5)(x)

Dated: August 28, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense

[FR Doc. 00–22406 Filed 8–31–00; 8:45 am]

BILLING CODE 5001–10–M

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 762

RIN 0703–AA61

Midway Islands Code

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: This amendment removes and reserves part 762 regulations on the Midway Islands Code. Pursuant to Executive Order 13022, jurisdiction and responsibility for the Midway Islands group transferred to the Department of Interior (DOI) on October 31, 1996.

DATES: Effective September 1, 2000.

ADDRESSES: Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander James Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA, Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066. Phone (703) 604–8200.

SUPPLEMENTARY INFORMATION: On October 31, 1996, the President of the United States signed EO 13022 transferring to the DOI responsibility for jurisdiction and control, to include civil administration, of the Midway Islands, Hawaiian group and their territorial waters. Subsequent to this transfer, the Secretary of the Interior issued regulations providing, in part, for the civil administration of Midway Islands. These regulations are found at 50 CFR 38, Midway Atoll National Wildlife Refuge. This rule is being published by the Department of the Navy for guidance and interest of the public in accordance with 5 U.S.C. 552(a)(1). It has been determined that invitation of public comment on this amendment would be impracticable and unnecessary, and it is therefore not required under the public rulemaking provisions of 32 CFR Part 336 or Secretary of the Navy Instruction 5720.45. It has been determined that this final rule is not a ''significant regulatory action'' as defined in Executive Order 12866.

Executive Order 13132, Federalism

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will have little or no direct effect on States or local governments.

Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities for purposes of the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

Paperwork Reduction Act

This rule does not impose collection of information requirements for purposes of the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR Part 1320).

List of Subjects in 32 CFR Part 762

Courts, Crime, Law, Government property management, Law enforcement, Penalties.

PART 762—[REMOVED AND RESERVED]

Under the authority of E.O. 13022, and as discussed in the preamble, remove and reserve part 762, consisting of §§ 762.1 through 762.130.

Dated: August 23, 2000.

C.G. Carlson,

Major, U.S. Marine Corps, Alternate Federal Register Liaison Officer.

[FR Doc. 00–22443 Filed 8–31–00; 8:45 am]

BILLING CODE 3810–FF–U

DEPARTMENT OF DEFENSE

Department of the Navy

32 CFR Part 765

RIN 0703–AA62

Rules Applicable to the Public

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: This amendment updates the regulation pertaining to rewards for Navy and Marine Corps absentee to identify proper forms and authorities.

DATES: Effective September 1, 2000.

ADDRESSES: Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE., Suite 3000,

Washington Navy Yard, DC 20374–5066.

FOR FURTHER INFORMATION CONTACT: Lieutenant Commander James Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066. Phone (703) 604–8200.

SUPPLEMENTARY INFORMATION: This amended rule provides updated information pursuant changes made to Department of Defense regulation, DOD 7000.14–R, Financial Management Regulation, Volume 10. This amendment is being published by the Department of the Navy for guidance and interest of the public in accordance with 5 U.S.C. 552(a)(1). It has been determined that invitation of public comment on this amendment would be impracticable and unnecessary, and it is therefore not required under the public rulemaking provisions of 32 CFR Part 336 or Secretary of the Navy Instruction 5720.45. Interested persons, however, are invited to comment in writing on this amendment. All written comments will be considered in making subsequent amendments or revisions of 32 CFR 762, or the instructions on which it is based. Changes may be initiated on the basis of comments received. Written comments should be addressed to Lieutenant Commander James L. Roth, JAGC, USN, Head, Regulations and Legislation, FOIA/PA Branch, Administrative Law Division, Office of the Judge Advocate General (Code 13), 1322 Patterson Ave SE, Suite 3000, Washington Navy Yard, DC 20374–5066. It has been determined that this final rule is not a ''significant regulatory action'' as defined in Executive Order 12866.

Executive Order 13132, Federalism

It has been determined that this rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. The provisions contained in this rule will have little or no direct effect on States or local governments.

Regulatory Flexibility Act

This rule will not have a significant economic impact on a substantial number of small entities for purposes of the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

Paperwork Reduction Act

This rule does not impose collection of information requirements for purposes of the Paperwork Reduction Act (44 U.S.C. Chapter 35, 5 CFR Part 1320).

List of Subjects in 32 CFR 765

Federal buildings and facilities, Military law, National defense, Seals and insignia, Security measures.

For the reasons set forth in the preamble, amend part 765 of title 32 of the Code of Federal Regulations as follows:

PART 765—RULES APPLICABLE TO THE PUBLIC

1. The authority citation for part 765 is revised to read as follows:

Authority: Secs. 5031, 6011, 70A Stat. 278, 375, as amended; sec. 133, 76 Stat. 517; sec. 301, 80 Stat. 379; 5 U.S.C. 301, 10 U.S.C. 133, 956, 5031, 6011, 7881; DOD 7000.14–R, Financial Management Regulation, Vol. 10.

2. In § 765.12, revise the second sentence of paragraph (a)(2), (b)(1)(i), and the last sentences of (b)(2) and (c)(2) to read as follows:

§ 765.12 Navy and Marine Corps absentees; rewards.

* * * * *

(a) * * *

(2) * * * Payment of rewards will be made on SF 1034 or NAVCOMPT Form 2277 supported by a copy of DD Form 553 or other form or notification that an individual is absent and that his return to military control is desired, and a statement signed by the claimant specifying that he apprehended (or accepted voluntary surrender) and detained the absentee or deserter until military authorities assumed control, or that he apprehended (or accepted voluntary surrender) and delivered the absentee or deserter to military control. * * *

(b) * * *

(1) * * *

(i) Transportation costs, including mileage at the rate established by the Joint Travel Regulation for travel by privately owned vehicle, for a round trip from either the place of apprehension or civil police headquarters to place of return to military control;

* * * * *

(b) * * *

(2) * * * Reimbursement will be effected on SF 1034 or NAVCOMPT Form 2277 supported by an itemized statement in triplicate signed by the claimant and approved by the commanding officer.

(c) * * *

(2) * * * Reimbursement will be effected on SF 1034 or NAVCOMPT Form 2277 supported by an itemized statement signed by the claimant and approved by the officer who requested the confinement.

* * * * *

Dated: August 23, 2000.

C. G. Carlson,

Major, U.S. Marine Corps, Alternate Federal Register Liaison Officer.

[FR Doc. 00–22444 Filed 8–31–00; 8:45 am]

BILLING CODE 3810–FF–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX–122–1–7451a; FRL–6860–3]

Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides in the Houston/Galveston, Beaumont/Port Arthur, and Dallas/Fort Worth Ozone Nonattainment Areas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: The EPA is taking direct final action on revisions to the Texas State Implementation Plan (SIP). This rulemaking covers three separate actions: Converting EPA's conditional approval of the Texas Nitrogen Oxides (NO_X) rules for the Houston/Galveston (H/GA) and Beaumont/Port Arthur (B/PA) ozone nonattainment areas to a full approval as Reasonably Available Control Technology (RACT); approving as RACT, revisions to the NO_X rules for lean burn, stationary, reciprocating internal combustion engines in the B/PA, H/GA, and Dallas/Fort Worth (D/FW) ozone nonattainment areas; and approving revisions to the NO_X rules for major stationary sources in the D/FW ozone nonattainment area, as meeting RACT.

The EPA is approving these SIP revisions to regulate emissions of NO_X as meeting the NO_X RACT requirements of the Federal Clean Air Act (the Act).

DATES: This rule is effective on October 31, 2000 without further notice, unless EPA receives adverse comment by October 2, 2000. If EPA receives such comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that this rule will not take effect.

ADDRESSES: Written comments on this action should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD–L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action

including the Technical Support Document (TSD) are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, Dallas, Texas 75202–2733.

Texas Natural Resource Conservation Commission, Office of Air Quality, 12124 Park 35 Circle, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Mr. Alan Shar, P.E., Air Planning Section (6PD–L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214)665–6691.

SUPPLEMENTARY INFORMATION:

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Throughout this document ''we,'' ''us,'' and ''our'' means EPA.

1. What Action Are We Taking?

On November 15, 1999, the Governor of Texas submitted rule revisions to the 30 TAC, Chapter 117, ''Control of Air Pollution From Nitrogen Compounds,'' as a revision to the SIP for certain source categories operating in certain ozone nonattainment areas. On March 3, 2000, 65 FR 11468, EPA had conditionally approved the Texas NO_X rule Chapter 117 as it existed in 1998, as a revision to the Texas SIP as meeting the RACT requirements for the H/GA and B/PA ozone nonattainment areas for the certain source categories. We based our conditional approval on a written commitment received from the TNRCC. In a July 19, 1999, letter, Texas committed that they would address our concerns about the potential for ''paper credits'' by November 15, 1999. On November 15, 1999, Texas submitted to us another SIP revision meeting their commitment. The November 15, 1999, revision addresses our concerns about the potential for ''paper credits.'' For detailed information on our concern, see section 3 of this document.

In this action, we are fully approving the Texas NO_X rules, as they existed in 1998, as RACT in the H/GA and B/PA ozone nonattainment areas for the following source categories: Utility boilers, steam generators, auxiliary steam boilers, and gas turbines used to generate electricity in H/GA and B/PA areas; commercial, institutional, or industrial boiler (non-utility boiler) and process heaters with a maximum rated capacity of 40 million British thermal units (Btu) per hour or greater, stationary gas turbines with a megawatt (mW) rating of 1.0 mW or higher; stationery rich burn internal combustion engines of 150 horsepower (hp) or greater in the H/GA area, and stationary internal combustion engines of 300 hp or greater in the B/PA area; and nitric acid manufacturing and adipic acid manufacturing plants.

The November 15, 1999, SIP submittal also included provisions to regulate NO_X emissions from lean burn, stationary, reciprocating internal combustion engines operating in the B/PA, H/GA, or D/FW ozone nonattainment areas. We are approving these revisions to section 117.205, concerning control of NO_X emissions from lean burn engines, as meeting RACT in the B/PA, H/GA, and D/FW ozone nonattainment areas.

For more information on the SIP revision and EPA's RACT evaluation, please refer to our TSD dated January 2000.

On March 15, 1999, the Governor of Texas submitted rule revisions to the Chapter 117, ''Control of Air Pollution From Nitrogen Compounds,'' as a revision to the SIP for the D/FW ozone nonattainment area adding controls for the same source categories listed above for the H/GA and B/PA areas, but for nitric acid manufacturing and adipic acid manufacturing plants. We are approving revisions to the Texas SIP concerning control of NO_X emissions in the D/FW area, as meeting RACT for the source categories listed in section 5.

In addition, when we conditionally approved the Texas NO_X rules on March 3, 2000, we inadvertently forgot to codify sections 117.305, 117.405, and 117.455 concerning Emissions Specifications; and section 117.419 concerning Notification, Recordkeeping, and Reporting Requirements. Today, we are converting our conditional approval of the Texas NO_X rules to a full approval. We are also codifying all of the Texas NO_X rules, as they existed in 1998, revised in 1999 by Texas, and approved by us, in this document.

2. What Action Are We Not Taking in This Rulemaking?

We are not acting on the D/FW ozone attainment plan in this particular action or on any other ozone nonattainment area plan.

3. Why Are We Converting Our Conditional Approval of the Texas NO_X Rule to a Full Approval?

The definition of actual daily heat input in 117.570(b)(2), previously allowed for adding one standard deviation to a source's baseline heat input or emission rate to establish the baseline for generating emission credits. Adding one standard deviation to the baseline in the equation stated in 117.570(b)(2) could generate ''paper credits.'' We understood from Texas that this allowance was an inadvertent oversight and they committed in a July 19, 1999, letter to change the rule and submit it as a SIP revision to our office by November 15, 1999. We conditionally approved the rule based on their commitment. Texas has adequately addressed our concern about potential generation of ''paper credits'' in its November 15, 1999, submission. Therefore, we are converting our prior conditional approval of the Texas NO_X rule to a full approval.

4. What Are the Lean Burn Engine Rule Requirements?

The State added a new source category to its NO_X rules—stationary lean burn, reciprocating internal combustion engines. The November 15, 1999, SIP revision sets NO_X and Carbon Monoxide (CO)emission specifications, in grams per horse power hour (g/hp-hr), for stationary lean burn, reciprocating internal combustion engines of 150 hp or greater in the H/GA ozone nonattainment area, and stationary lean burn, reciprocating internal combustion engines of 300 hp or greater in the B/PA and D/FW ozone nonattainment areas. *See* sections 117.205(d) and (e) of this rule. The following table contains a summary of the lean burn engine rule requirements for these sources in the H/GA, B/PA, and D/FW nonattainment areas.

TABLE I.—SUMMARY OF THE TEXAS LEAN BURN ENGINE RULE FOR SOURCES IN THE H/GA, B/PA, AND D/FW NONATTAINMENT AREAS

Source	NO_X limit	Additional information
Reciprocating Internal Combustion Engines.	3.0 gram/hp-hr	Natural gas, lean burn, stationary, capacity ≥150 hp in H/G, capacity ≥300 hp in B/PA or D/FW. Also includes a 3.0 gram/hp-hr limit for CO.

This level of control represents RACT for lean burn engines. We are approving the CO requirements as a strengthening of the Texas SIP under section 110 of the Act. For a comparison of this lean burn emission specification with the lean burn engine emission specifications from some of the other states, please refer to pages 9 and 10 of our TSD dated January 2000.

5. What Kind of Major Source Categories in the DFW Area Will the November 15, 1999, and the March 15, 1999, SIP Revisions Affect?

These revisions will affect NO_X emissions from the following source categories: (1) Utility boilers, steam generators, auxiliary steam boilers, and gas turbines used to generate electricity in the D/FW ozone nonattainment area. *See* section 117.101 of this rule; (2) commercial, institutional, or industrial boilers (non-utility boiler) and process heaters in the D/FW ozone nonattainment area with a maximum rated capacity of 40 million British thermal units (Btu) per hour or greater, and stationary gas turbines in the D/FW area with a megawatt rating of 1.0 mW or higher; (3) stationary rich burn, reciprocating internal combustion engines of 300 hp or greater in the D/FW ozone nonattainment area. *See* section 117.205(d) of this rule; and (4) stationary lean burn, reciprocating internal combustion engines of 300 hp or greater in the D/FW ozone nonattainment area. *See* section 117.205(e) of this rule.

There are no existing nitric acid manufacturing and adipic acid manufacturing plants in the D/FW ozone nonattainment area. *See* the approved Emissions Inventory for the D/FW area.

6. Are Texas' Revised NO_X Emissions Specifications in the Texas NO_X Rule Consistent With Federal Guidelines?

The revised emission specifications in the Texas NO_X rule are consistent with Federal guidelines. The following table contains a summary of the type of affected sources, their corresponding emission limit, and relevant applicability information for these sources in the H/GA, B/PA, and D/FW nonattainment areas.

TABLE II.—SUMMARY OF THE TEXAS NO_X RACT RULE FOR SOURCES IN THE H/G, B/PA, AND D/FW NONATTAINMENT AREAS

Source	NO_X limit	Additional information
Utility Boilers	0.26 lb/MMBtu	Natural gas or a combination of natural gas and waste oil, 24-hour rolling average.
Utility Boilers	0.20 lb/MMBtu	Natural gas or a combination of natural gas and waste oil, 30-day rolling average.
Utility Boilers	0.38 lb/MMBtu	Coal, tangentially-fired, 24-hour rolling average.
Utility Boilers	0.43 lb/MMBtu	Coal, wall-fired, 24-hour rolling average.
Utility Boilers	0.30 lb/MMBtu	Fuel oil only, 24-hour rolling average.
Utility Boilers	[a(0.26) + b(0.30)]/(a + b).	Oil and gas mixture, 24-hour rolling average, where: a = percent natural gas heat input b = percent fuel oil heat input.
Stationary Gas Turbines	42 parts per million volume dry (ppmvd) basis.	@ 15% O2, natural gas, ≥30 Mega Watt (mW) annual electric output ≥2500 hour × mW rating.
Stationary Gas Turbines	65 parts per million volume dry (ppmvd).	@ 15% O2, fuel oil.
Stationary Gas Turbines	0.20 lb/MMBtu	Natural gas, peaking units, annual electric output <2500 hour × mW rating.
Stationary Gas Turbines	0.30 lb/MMBtu	Fuel oil, peaking units, annual electric output <2500 hour × mW rating.
Non-utility Boilers	0.10 lb/MMBtu	Natural gas, low heat release and T < 200 °F, capacity ≥ 100 MMBtu/hr.
Non-utility Boilers	0.15 lb/MMBtu	Natural gas, low heat release, preheated air 200 ≤T < 400 °F, capacity ≥ 100 MMBtu/hr.
Non-utility Boilers	0.20 lb/MMBtu	Natural gas, low heat release, preheated air T ≥ 400 °F, capacity ≥ 100 MMBtu/hr.
Non-utility Boilers	0.20 lb/MMBtu	Natural gas, high heat release, without air or preheated air T < 250 °F, capacity ≥ 100 MMBtu/hr.
Non-utility Boilers	0.24 lb/MMBtu	Natural gas, high heat release, preheated air 250 ≤T < 500 °F, capacity ≥ 100 MMBtu/hr.
Non-utility Boilers	0.28 lb/MMBtu	Natural gas, high heat release, preheated air T ≥ 500 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.10 lb/MMBtu	Natural gas, preheated air T, < 200 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.13 lb/MMBtu	Natural gas, preheated air 200 ≤T < 400 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.18 lb/MMBtu	Natural gas, low heat release, preheated air T ≥ 400 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.10 lb/MMBtu	Natural gas, firebox T < 1400 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.125 lb/MMBtu	Natural gas, firebox 1400 ≤T < 1800 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters	0.15 lb/MMBtu	Natural gas, firebox T ≥ 1800 °F, capacity ≥ 100 MMBtu/hr.
Process Heaters and Non-utility Boilers.	0.30 lb/MMBtu	Liquid fuel, capacity ≥ 100 MMBtu/hr.
Process Heaters and Non-utility Boilers.	0.30 lb/MMBtu	Wood fuel, capacity ≥ 100 MMBtu/hr.
Stationary Gas Turbines	42 parts per million volume dry (ppmvd) basis.	@ 15% O2, rating ≥ 10 mW.
Reciprocating Internal Combustion Engines.	2.0 gram/hp-hr	Natural gas, rich burn, stationary, capacity ≥ 150 hp in H/GA, capacity ≥300 hp in B/PA.

TABLE II.—SUMMARY OF THE TEXAS NO_X RACT RULE FOR SOURCES IN THE H/G, B/PA, AND D/FW NONATTAINMENT AREAS—Continued

Source	NO_X limit	Additional information
Absorbers of Adipic Acid Production Units.	2.5 lb/ton of acid produced.	24-hr rolling average.
Absorbers of Nitric Acid Production Units.	2.0 lb/ton of acid produced.	24-hr rolling average.
Reciprocating Internal Combustion Engines.	3.0 gram/hp-hr	Natural gas, lean burn, stationary, capacity ≥ 150 hp in H/GA, capacity ≥300 hp in B/PA or D/FW. Also includes a 3.0 gram/hp–hr limit for CO.

7. What Are Nitrogen Oxides?

Nitrogen oxides belong to the group of criteria air pollutants. The NO_X are produced from burning fuels, including gasoline and coal. Nitrogen oxides react with volatile organic compounds (VOC) to form ozone or smog, and are also major components of acid rain.

8. What Is a Nonattainment Area?

A nonattainment area is a geographic area in which the level of a criteria air pollutant is higher than the level allowed by Federal standards. A single geographic area may have acceptable levels of one criteria air pollutant but unacceptable levels of one or more other criteria air pollutants; thus, a geographic area can be attainment for one criteria pollutant and nonattainment for another criteria pollutant at the same time.

9. What Is Reasonably Available Control Technology?

Reasonably Available Control Technology is defined as the lowest emission limitation that a particular source can meet by applying a control technique that is reasonably available considering technological and economic feasibility. *See* 44 FR 53761, September 17, 1979. This requirement is established by sections 182(b)(2) and 182(f) of the Act. These sections, taken together, establish the requirements for Texas to submit a NO_X RACT regulation for all major stationary sources of NO_X in ozone nonattainment areas classified as moderate and above. A State may choose to develop its own RACT requirements on a case by case basis, considering the economic and technical circumstances of an individual source.

10. What Are Alternative Control Techniques (ACTs)?

Section 183(c) of the Act provides that we will issue technical documents which identify alternative controls for stationary sources of oxides of nitrogen which emit, when uncontrolled, 25 tons per year (tpy) or more of this pollutant. These ACT documents are to be subsequently revised and updated by us. The information in the ACT documents is generated from EPA papers, literature sources and contacts, control equipment vendors, engineering firms, and Federal, State, and local regulatory agencies. States can use information in the ACT to develop their RACT regulations. The following table contains a list of ACT documents for various source categories of NO_X with their corresponding EPA publication numbers.

TABLE III.—ACT DOCUMENTS FOR SOURCE CATEGORIES OF NO_X AND THEIR EPA PUBLICATION NUMBERS

Source category	EPA publication number
Nitric/adipic Acid Plants.	EPA–450/3–91–026
Gas Turbines	EPA–453/R–93–007
Process Heaters	EPA–453/R–93–034
Internal Combustion Engines.	EPA–453/R–93–032
Cement Plants	EPA–453/R–94–004
Non-utility Boilers	EPA–453/R–94–022
Utility Boilers	EPA–453/R–94–023
Glass Manufacturing	EPA–453/R–94–037
Iron and Steel Manufacturing.	EPA–453/R–94–065

11. What Are the Clean Air Act's RACT Requirements for NO_X Emissions?

Section 182(b)(2) requires States, with areas classified as moderate ozone nonattainment, to implement RACT with respect to all major sources of VOCs. Section 182(f) states that, ''The plan provisions required under this subpart for major stationary sources of VOCs shall also apply to major stationary sources (as defined in section 302 and subsections (c), (d), and (e) of the section) of oxides of nitrogen.'' This NO_X RACT requirement also applies to all major sources in ozone nonattainment areas with higher than moderate nonattainment classifications.

On November 25, 1992 (57 FR 55620), we published a document of proposed rulemaking entitled ''State Implementation Plans; Nitrogen Oxides Supplement to the General Preamble; Clean Air Act Amendments of 1990 Implementation of Title I; Proposed Rule,'' (the NO_X Supplement). The NO_X Supplement describes and provides preliminary guidance on the requirements of section 182(f) of the Act. You should refer to the NO_X supplement for further information on the NO_X requirements. The EPA's mandatory Economic Incentive Program (EIP) rules for criteria pollutants appear in 40 CFR part 51, subpart U (59 FR 16710). The EPA's discretionary EIP guidance concerning emission trading appear in the 1994 EIP guidance document (59 FR 16690). In addition, other EPA guidance memoranda, such as those included in the ''NO_X Policy Document for the Clean Air Act of 1990,'' (EPA–452/R96–005, March 1996), could provide you with more information about NO_X requirements.

Section 182(b)(2) requires submittal of RACT rules for major stationary sources of VOC (and NO_X) emissions not covered by either a pre or post-enactment control techniques guideline (CTG) document. There were no NO_X CTGs issued before enactment and we have not issued a CTG document for any NO_X sources since enactment of the Act. However, we published ACT documents for several industrial categories. *See* section 10 of this document. States can use the information contained in the ACTs to develop their RACT rules. The Texas NO_X rules as of 1998 required final installation of the actual NO_X controls as expeditiously as practicable, but no later than November 15, 1999, in the H/GA and B/PA ozone nonattainment areas. On November 21, 1994, we conditionally granted an exemption to the D/FW ozone nonattainment area from NO_X controls under section 182(f). The D/FW area failed to reach attainment by November 15, 1999, and modeling results indicated that NO_X controls would help the area attain the ozone NAAQS. On April 20, 1999, we rescinded our conditional NO_X waiver, under section 182(f), for the D/FW area. *See* 64 FR 19283. The compliance deadline with the NO_X RACT requirements for affected sources in the D/FW area is as soon as practicable, but no later than February 15, 2001. EPA generally views two years as an acceptable time frame to implement RACT requirements. The

Texas deadline is less than two years. We are of the opinion that the compliance date of February 15, 2001, is practicable compared with the attainment demonstration dates of severe ozone nonattainment areas in the country. We will closely examine and question any attempts to extend the compliance dates beyond the February 15, 2001, date for such NO_X sources in the D/FW area in future.

12. What Are Definitions of Major Sources for NO_X?

Section 302 of the Act generally defines ''major stationary source'' as a facility or source of air pollution which emits, when uncontrolled, 100 tpy or more of air pollution. This general definition applies unless another specific provision of the Act explicitly defines major source differently. Therefore, for NO_X, a major source is one which emits, when uncontrolled, 100 tpy or more of NO_X in marginal and moderate areas. According to section 182(c) of the Act, a major source in a serious nonattainment area is a source that emits, when uncontrolled, 50 tpy or more of NO_X.

According to section 182(d) of the Act, a major source in a severe nonattainment area is a source that emits, when uncontrolled, 25 tpy or more of NO_X.

The H/GA area is a severe ozone nonattainment area, so the major source size for the H/GA area is 25 tpy or more, when uncontrolled. The B/PA area is a moderate ozone nonattainment area, so the major source size for the B/PA area is 100 tpy or more, when uncontrolled. The D/FW area is a serious ozone nonattainment area, so the major source size for the D/FW area is 50 tpy or more, when uncontrolled.

13. What Is a State Implementation Plan?

Section 110 of the Act requires States to develop air pollution regulations and control strategies to ensure that State air quality meets the NAAQS that EPA has established. Under section 109 of the Act, EPA established the NAAQS to protect public health. The NAAQS address six criteria pollutants. These criteria pollutants are: carbon monoxide, nitrogen dioxide, ozone, lead, particulate matter, and sulfur dioxide.

Each State must submit these regulations and control strategies to us for approval and incorporation into the federally enforceable SIP. Each State has a SIP designed to protect air quality. These SIPs can be extensive, containing State regulations or other enforceable documents and supporting information such as emission inventories, monitoring networks, and modeling demonstrations.

14. What Is the Federal Approval Process for a SIP?

When a State wants to incorporate its regulations into the federally enforceable SIP, the State must formally adopt the regulations and control strategies consistent with State and Federal requirements. This process includes a public notice, a public hearing, a public comment period, and a formal adoption by a state-authorized rulemaking body.

Once a State adopts a rule, regulation, or control strategy, the State may submit the adopted provisions to us and request that we include these provisions in the federally enforceable SIP. We must then decide on an appropriate Federal action, provide public notice on this action, and seek additional public comment regarding this action. If we receive adverse comments, we must address them prior to a final action.

Under section 110 of the Act, when we approve all State regulations and supporting information, those State regulations and supporting information become a part of the federally approved SIP. You can find records of these SIP actions in the Code of Federal Regulations (CFR) at Title 40, part 52, entitled ''Approval and Promulgation of Implementation Plans.'' The actual State regulations that we approved are not reproduced in their entirety in the CFR but are ''incorporated by reference,'' which means that we have approved a given State regulation with a specific effective date.

15. What Does Federal Approval of a SIP Mean to Me?

A State may enforce State regulations before and after we incorporate those regulations into a federally approved SIP. After we incorporate those regulations into a federally approved SIP, both EPA and the public may also take enforcement action against violators of these regulations.

16. What Areas in Texas Will This Action Affect?

The rule revisions we are approving today affect the B/PA, H/GA, and D/FW ozone nonattainment areas. We have classified the B/PA area as a moderate ozone nonattainment area, and includes the following counties: Hardin, Jefferson, and Orange. We have classified the H/GA area as a severe ozone nonattainment area, and includes the following counties: Brazoria, Chambers, Fort Bend, Harris, Galveston, Liberty, Montgomery, and Waller. We have classified the D/FW area as a serious ozone nonattainment area, and includes the following counties: Collin, Dallas, Denton, and Tarrant. If you are in one of these counties, you should refer to the Texas NO_X rules to determine if and how today's action will affect you.

Final Action

The EPA is publishing this rule without prior proposal because we view this as a noncontroversial amendment and anticipate no adverse comments. However, in the ''Proposed Rules'' section of today's **Federal Register** publication, we are publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are received. This rule will be effective on October 31, 2000 without further notice unless we receive adverse comment by October 2, 2000. If EPA receives adverse comments, we will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. We will address all public comments in a subsequent final rule based on the proposed rule. We will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. This action merely approves State law as meeting Federal requirements and imposes no additional requirements beyond those imposed by State law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under State law and does not impose any additional enforceable duty beyond that required by State law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various

levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a State rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Act. This rule also is not subject to Executive Order 13045 (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve State choices, provided that they meet the criteria of the Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. The EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. The EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This rule will be effective October 31, 2000.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 31, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. *See* section 307(b)(2) of the Act.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon Monoxide, Hydrocarbons, Nitrogen dioxide, Nitrogen oxides, Ozone, Reporting and recordkeeping requirements.

Dated August 11, 2000.

Myron O. Knudson,

Acting Regional Administrator, Region 6.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart SS—Texas

2. In § 52.2270 the entry for Chapter 117 in the table in paragraph (c) is revised to read as follows:

§ 52.2270 Identification of plan.

* * * * *

(c) * * *

EPA APPROVED REGULATIONS IN THE TEXAS SIP

State citation	Title/subject	State submittal/ approval date	EPA approval date	Explanation
*	*	*	*	*
Chapter 117 (Reg 7)—Control of Air Pollution From Nitrogen Compounds—Subchapter A				
Section 117.10	Definitions	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Subchapter B—Division 1—Utility Electric Generation				
Section 117.101	Applicability	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.103	Exemptions	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.105	Emission Specifications	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.107	Alternative System-Wide Emission Specifications.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, BPA, and D/FW areas.
Section 117.109	Initial Control Plan Procedures	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.111	Initial Demonstration of Compliance.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.113	Continuous Demonstration of Compliance.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.115	Final Control Plan Procedures	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.117	Revision of Final Control Plan	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/subject	State submittal/ approval date	EPA approval date	Explanation
Section 117.119	Notification, Recordkeeping, and Reporting Requirements.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.121	Alternative Case Specific Specifications.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Division 2—Commercial, Institutional, and Industrial Sources				
Section 117.201	Applicability	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.203	Exemptions	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.205	Emission Specifications	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.207	Alternative Plant-Wide Emission Specifications.	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.208	Operating Requirements	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.209	Initial Control Plan Procedures	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.211	Initial Demonstration of Compliance.	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.213	Continuous Demonstration of Compliance.	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.215	Final Control Plan Procedures	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.217	Revision of Final Control Plan	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.219	Notification, Recordkeeping, and Reporting Requirements.	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.221	Alternative Case Specific Specifications.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.223	Source Cap	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Subchapter C—Division 1—ADIPIC Acid Manufacturing				
Section 117.301	Applicability	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.305	Emission Specifications	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA. No major source in this category for the D/FW area.
Section 117.309	Control Plan Procedures	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.311	Initial Demonstration of Compliance.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.313	Continuos Demonstration of Compliance.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.319	Notification, Recordkeeping, and Reporting Requirements.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.321	Alternative Case Specific Specifications.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.

EPA APPROVED REGULATIONS IN THE TEXAS SIP—Continued

State citation	Title/subject	State submittal/ approval date	EPA approval date	Explanation
Division 2—Nitric Acid Manufacturing, Ozone Nonattainment Areas				
Section 117.401	Applicability	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.405	Emission Specifications	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA. No major source in this category for the D/FW area.
Section 117.409	Control Plan Procedures	05/20/1998	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.411	Initial demonstration of Compliance.	05/25/1994	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.413	Continuous Demonstration of Compliance.	05/25/1994	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.419	Notification, Recordkeeping, and Reporting Requirements.	05/25/1994	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA. No major source in this category for the D/FW area.
Section 117.421	Alternative Case Specific Specifications.	05/25/1994	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Division 3—Nitric Acid Manufacturing, General				
Section 117.451	Applicability	05/20/1998	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Section 117.455	Emission Specifications	05/20/1998	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA. No major source in this category for the D/FW area.
Section 117.458	Applicability of Federal New Source Performance Standards.	05/11/1993	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, 65 FR 11468. No major source in this category for the D/FW area.
Subchapter D—Administrative Provisions				
Section 117.510	Compliance Schedule for Utility Electric Generation.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.520	Compliance Schedule for Commercial, Institutional, and Industrial Combustion Sources.	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.530	Compliance Schedule for Nitric Acid and Adipic Acid Manufacturing Sources.	05/20/1998	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA. No major source in this category for the D/FW area.
Section 117.540	Phased Reasonably Available Control Technology.	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.560	Recission	05/25/1994	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Section 117.570	Trading	10/27/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.
Subchapter E—Gas-Fired Steam Generation				
Section 117.601	Gas-Fired Steam Generation	02/24/1999	[Insert publication date and Federal Register cite].	Approved as RACT for the H/GA, B/PA, and D/FW areas.

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[FR Doc. 00–22056 Filed 8–31–00; 8:45 am]
BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD008/052–3052; FRL–6845–8]

Approval and Promulgation of Air Quality Implementation Plans; Maryland ; Control of Iron and Steel Production Installations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Maryland State Implementation Plan (SIP). The revisions provide for the establishment of a visible emission standard applicable to blast furnaces constructed on or after January 1, 1977. In particular this revision effects the casthouse building at the ''L'' Blast Furnace at Bethlehem Steel Corporation—Sparrows Point Plant. EPA is approving these revisions in accordance with the requirements of the Clean Air Act.

DATES: This rule is effective on October 31, 2000 without further notice, unless EPA receives adverse written comment by October 2, 2000. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Written comments should be mailed to Ms. Makeba A. Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103; the Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460; Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224.

FOR FURTHER INFORMATION CONTACT: Ruth E. Knapp, (215) 814–2191, or by e-mail at knapp.ruth@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Summary of the SIP Revision

On March 30, 1987 and on December 15, 1987, the State of Maryland submitted a formal revision to its State Implementation Plan (SIP). The SIP revision consists of an amendment to COMAR 10.18.10.03B(3) (currently COMAR 26.11.10.03B(2)) to add a visible emissions standard for blast furnaces constructed on or after January 1, 1977. In particular the revision effects the casthouse building at the ''L'' Blast Furnace at Bethlehem Steel Corporation's Sparrows Point Plant.

Bethlehem's Steel's ''L'' Blast Furnace functions to reduce iron ore to usable molten iron for further processing in a basic oxygen furnaces and open hearths. Particulate emissions from the casthouse are controlled by local hoods over the taphole, trough, skimmer and molten liquid transfer points and by a system of trough and runner covers. Whenever a taphole is open, the entire control system will normally be operational except the trough cover, which must be removed for brief periods to allow access for the taphole drill and for the mudgun. Fumes collected from the capture system of hoods and covers are exhausted into the baghouse that is subject to a no visible emission standard. It is estimated that particulate emissions from the casthouse in 1984 were 98 lbs/day.

The State of Maryland's SIP currently contains no measurable opacity limit on the ''L'' Blast Furnace. This revision affects only visible emissions from blast furnaces constructed on or after January 1, 1977. At the time of the revision, only one facility, Bethlehem Steel Corporation's ''L'' Blast Furnace Casthouse was effected by the change. The revision is based on 1984–1986 levels of production and effectiveness of control equipment at this facility. The standard is based on 35 separate visible emissions observations of the casthouse building taken during 1984–1986. Many of the observations were made while the ''L'' Blast Furnace was operating in the range of its original design capacity production rate. The new provision requires that the ''L'' Blast Furnace Casthouse and any blast furnace built on or after January 1, 1977 meet an opacity standard of 5% except during drilling, oxygen lancing, and plugging of furnace tapholes. During these periods, an opacity standard of 20% must be met.

II. Final Action

EPA is approving revisions to the Maryland SIP submitted on March 30, 1987 and December 15, 1987. The revisions to the COMAR 10.18.10 .03B(3) (currently COMAR 26.11.10.03B(2)) consist of an amendment to establish a visible emission standard for blast furnaces constructed on or after January 1, 1977. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comment. However, in the ''Proposed Rules'' section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This rule will be effective on October 31, 2000 without further notice unless EPA receives adverse comment by October 2, 2000. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

III. Administrative Requirements

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. This action merely approves state law as meeting federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). For the same reason, this rule also does not significantly or uniquely affect the communities of tribal governments, as specified by Executive Order 13084 (63 FR 27655, May 10, 1998). This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 (62 FR

19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. As required by section 3 of Executive Order 12988 (61 FR 4729, February 7, 1996), in issuing this rule, EPA has taken the necessary steps to eliminate drafting errors and ambiguity, minimize potential litigation, and provide a clear legal standard for affected conduct. EPA has complied with Executive Order 12630 (53 FR 8859, March 15, 1988) by examining the takings implications of the rule in accordance with the ''Attorney General's Supplemental Guidelines for the Evaluation of Risk and Avoidance of Unanticipated Takings'''' issued under the executive order. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action, approving visible emission standards for blast furnaces at iron and steel installations built in the State of Maryland on or after January 1, 1977, must be filed in the United States Court of Appeals for the appropriate circuit by October 31, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This rule may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart V—Maryland

2. Section 52.1070 is amended by adding paragraphs (c)(150) to read as follows:

§ 52.1070 Identification of plan.

* * * * *

(c) * * *

(150) Revisions to the Maryland Regulations related to visible emissions standards for iron and steel installations submitted on March 30, 1987 and December 15, 1987 by the Maryland Department of Health and Mental Hygiene (currently known as the Maryland Department of the Environment):

(i) Incorporation by reference.

(A) Letters of March 30, 1987 and December 15, 1987 from the Maryland Department of Health and Mental Hygiene (currently known as the Maryland Department of the Environment) transmitting revisions related to visible emissions standards for iron and steel installations.

(B) Revisions to COMAR 10.18.10.03B(3) [currently COMAR 26.11.10.03B(2)], effective March 24, 1987.

(C) Revisions to COMAR 10.18.10.03B(3) [currently COMAR 26.11.10.03B(2)], effective January 5, 1988.

(ii) Additional Material. Remainder of the March 30, 1987 and December 15, 1987 submittals.

[FR Doc. 00–22375 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 217–024B; FRL–6852–5]

Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finalizing a limited approval and limited disapproval of revisions to the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) portion of the California State Implementation Plan (SIP). This action was proposed in the **Federal Register** on October 28, 1999 and concerns Oxide of Nitrogen (NO_X) emissions from glass melting plants. Under authority of the Clean Air Act as amended in 1990 (CAA or the Act), this action simultaneously approves local rules that regulate these emission sources and directs California to correct rule deficiencies.

EFFECTIVE DATE: This rule is effective on October 2, 2000.

ADDRESSES: You can inspect copies of the administrative record for this action at EPA's Region IX office during normal business hours. You can inspect copies of the submitted rule revisions at the following locations:

Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Environmental Protection Agency, Air Docket (6102), Ariel Rios Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20460.

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95812.

San Joaquin Valley Unified Air Pollution Control District, 1990 East Gettysburg Ave., Fresno, CA 93726.

FOR FURTHER INFORMATION CONTACT: Ed Addison, Rulemaking Office (AIR–4), U.S. Environmental Protection Agency, Region IX, (415) 744–1160.

SUPPLEMENTARY INFORMATION: Throughout this document, ''we,'' ''us'' and ''our'' refer to EPA.

I. Proposed Action

On October 28, 1999 (64 FR 58008), EPA proposed a limited approval and limited disapproval of the following rule that was submitted for incorporation into the California SIP.

Local agency	Rule	Title	Adopted	Submitted
SJVUAPCD	4354	Glass Melting Furnaces	04/16/98	09/29/98

We proposed a limited approval because we determined that this rule improves the SIP and is largely consistent with the relevant CAA requirements. We simultaneously proposed a limited disapproval because some rule provisions conflict with section 110 and part D of the Act. These provisions include the following:

1. The broad start-up exemption in section 4.2 and 3.17.
2. The broad idling exemption in section 4.2 and 3.8.
3. The broad shut-down exemption in section 4.2 and 3.16.
4. The first equation in section 5.3.
5. The lack of final compliance dates in section 7.
6. The averaging provisions in section 9.

Our proposed action contains more information on the rule and our evaluation.

II. Public Comments and EPA Responses

EPA's proposed action provided a 30-day public comment period. On December 13, 1999 (64 FR 69448) we reopened this comment period for an additional 16 days. During the comment period, we received comments from the following parties.

1. David Jones, SJVUAPCD; letter dated December 28, 1999.
2. James Benney, Primary Glass Manufacturers Council (PGMC); letter dated November 24, 1999.
3. D.K. Green, PPG Industries, Inc. (PPG); letter dated November 24, 1999.
4. Phillip Newell, Guardian Industries Corporation (GIC); letter dated December 22, 1999.
5. Peter Okurowski, California Environmental Associates; letter dated December 29, 1999 for the Glass Packaging Institute (GPI).

The comments and our responses are summarized below.

Comment #1: Most of the commenters in some fashion commented that the start-up, idling, and/or shutdown exemptions in section 4.2 are necessary and that EPA's concerns with them are ill-founded because facilities have incentive to minimize their duration.

EPA Response: EPA appreciates that some variation in emission or operating requirements may be appropriate during these periods. However, the Clean Air Act specifically requires that any emissions limitations approved into the SIP be enforceable. 42 U.S.C. 37410 (a)(2)(A). In addition, 40 CFR part 51, appendix V, requires any rules approved into a SIP to contain ''Compliance/enforcement strategies, including how compliance will be determined in practice.'' EPA has interpreted these statutory and regulatory requirements in its excess emissions policy. EPA has found that provisions like section 4.2 must include enforceable temporal and quantitative limitations tailored to minimize emissions from the specific affected sources. Some of the comments (*e.g.,* PPG) provided information that may be useful if San Joaquin wishes to demonstrate why relatively long excess emission periods are appropriate for glass furnaces. None of the comments, however, demonstrate that section 4.2 will minimize the time and amount of excess emissions. We are particularly, although not solely, concerned that section 4.2 could allow some excess emissions to occur indefinitely and without requiring any efforts (*e.g.,* operation of monitoring and control equipment) to reduce emissions. For these reasons, EPA has determined that section 4.2 is a deficiency because it is inconsistent with the enforceability requirements of CAA section 110(a)(2)(A).

Comment #2: SJVUAPCD commented that the 180-day start-up exemption is at least as stringent as similar provisions that EPA has approved in New Source Performance Standards (*i.e.,* 40 CFR 60.8a) and various state permits.

EPA Response: 40 CFR 60.8a does not exempt sources from all emission requirements during a 180-day start-up period as does Rule 4354. Exemptions in the referenced state permits should have been issued based on demonstrations that any start-up exemptions were appropriate for the specific permitted technologies. Thus, for the reasons explained in response to Comment #1, EPA disagrees with this comment and continues to find the rule deficient because it lacks enforceability required by the CAA section 110(a)(2)(A).

Comment #3: SJVUAPCD commented that Rule 4354's start-up exemption complies with the various requirements of EPA's excess emissions policy.

EPA Response: EPA's excess emissions policy contains limited exemptions for specific technologies. Rule 4354's start-up exemption, however, is not limited to specific technologies because ''innovative technologies'' is not defined. In addition, as discussed in response to Comment #1, nothing in the rule requires that emissions be minimized during start-up (*e.g.,* requiring the control equipment be operational). Because these two threshold requirements for enforceability as interpreted in EPA's excess emissions policy are clearly not met, we are not evaluating the remainder of this comment regarding compliance with the other requirements. In summary, EPA disagrees with the comment and continues to find the rule deficient because it lacks enforceability required by the CAA section 110(a)(2)(A).

Comment #4: GIC disagreed with EPA's statement that, ''burner controls operate from the start, a SCR unit can start at 650 F., and a SNCR can begin operation at 1800 F.''

EPA Response: This statement was part of our explanation for why Rule 4354's start-up exemption is overly broad. Regardless of the comment, our point remains that the rule does not comply with the statutory and regulatory requirements for enforceability because sources are not required to minimize emissions, temporally and quantitatively, during start-up. While sources may not be able to achieve the Rule's Tier II emissions limitations during start-up, we believe some quantitative emission limits and/or operation requirements are appropriate and that the period for such a condition must be limited. Without such limitations, the rule fails to comply with the CAA enforceability requirements.

Comment #5: GPI commented that an annual emission limit can be inferred from Rule 4354 and individual facility permits, and that emissions during start-up and other exemption periods will not cause exceedance of this annual limit.

EPA Response: Rule 4354 establishes emission limits averaged over three hours. There is no provision in the rule allowing compliance with these limits to be averaged over a year, and we would consider any attempt to do so as a significant rule relaxation. In addition, there is currently nothing in the start-up or other exemptions that would restrict emissions to a theoretical annual emission limit or any other limit. For the reasons discussed in more detail above, the rule is deficient and EPA is finalizing this limited approval and limited disapproval.

Comment #6: GPI commented that RACT control systems are in place at all times, presumably including start-up periods.

EPA Response: Nothing in the rule currently requires operation of RACT or any other control systems during start-up. Such a requirement would, however, help address EPA's concern with the rule's existing start-up exemption.

Comment #7: GPI commented that facilities using alternatives to CEMS will test emissions many times during the first 90 days of operation.

EPA Response: EPA has determined that the rule is deficient because it fails to meet enforceability requirements unless the rule contains temporal and quantitative emission limits during start-up, regardless of how often facilities test emissions.

Comment #8: GPI would support modifying Rule 4354 to limit the period of, ''beginning operational changes'' to 24 hours.

EPA Response: EPA is not concerned with limiting the duration of the period of ''beginning operational changes,'' but with limiting the duration of the idling and other exemptions themselves.

Comment #9: GPI would support modifying Rule 4354 to require some degree of additional monitoring during periods of startup and idling to further assure EPA and SJVUAPCD that NO_X emissions do not increase during these periods.

EPA Response: No changes to EPA's action is recommended, so no response required.

Comment #10: PGMC and PPG commented that the idling exemption is only intended to apply when a facility needs to make repairs to their furnace.

EPA Response: Rule 4354 should be revised so that idling is expressly limited to those times where there is a sudden and unforeseeable breakdown that requires repairs. Also, the rule should be revised so that excess emissions that result from a breakdown are not exempt. Instead, the revised rule may be approvable if it provides that facilities may demonstrate an affirmative defense against penalties as recommended in EPA's September 20, 1999 excess emissions policy that interprets the enforcibility requirement of CAA section 110(a)(2)(A).

Comment #11: SJVUAPCD commented that EPA's interpretation of the sign ''/'' in the equation of section 5.3 is incorrect, and there is no need to reformat the equation to clarify that ''CF'' is a numerator.

EPA Response: EPA and the District agree on the purpose of this equation, and EPA does not intend to withhold approval of the rule on this issue alone. However, we think the equation as written could be misinterpreted, and we recommend it be reformatted for greater clarity.

Comment #12: Several commenters provided information to the affect that there is no need to establish a final compliance date to prevent avoidance of controls by running without a rebuild, because furnaces cannot operate forever without a rebuild.

EPA Response: For purposes of complying with the enforceability requirements of CAA section 110(a)(2)(A), we believe the District must provide a compliance trigger in the rule that is linked to furnace rebuild. However, while it is unlikely that the District and a facility will disagree on whether a triggering rebuild has occurred, we recommend eliminating this possibility by establishing a final compliance date by which the rule will enforceably require all furnaces to be rebuilt.

Comment #13: GPI would support modifying Rule 4354 to mandate compliance with the Tier 2 monitoring requirements and standards by a specified date.

EPA Response: No changes to EPA's proposed action recommended, so no response required.

Comment #14: SJVUAPCD commented that the alternative compliance option in Rule 4354 should not be treated as an economic incentive programs (EIP) and subjected to the requirements of EPA's EIP policies.

EPA Response: At least since issuance of the Emissions Trading Policy Statement (ETPS) on December 4, 1986 (51 FR 43814), EPA has consistently required averaging programs such as the alternative compliance option provided in Rule 4354, to meet EIP policy and guidance. Therefore, EPA disagrees with the comment and has determined that the rule language is deficient because it fails to require additional environmental benefit in conjunction with an averaging program.

Comment #15: GPI commented that EPA's EIP and related policies should not apply to facilities that duct multiple furnaces to a single stack for reasons other than averaging.

EPA Response: Facilities manifolding multiple furnaces and monitoring emissions at a single stack are effectively averaging, regardless of whether that is their purpose. Such facilities have the advantage of being able to offset high emitting units with low ones and are, therefore, subject to EIP and related requirements including the 10% environmental benefit.

Comment #16: GIC commented that EPA should not object to Rule 4354 because it meets all federal regulations.

EPA Response: As discussed in our proposal and further explained in our response to the comments on the proposal, several components of the rule do not comply with section 110, particularly the enforceability requirement in section 110(a)(2)(A), and part D of the federal Clean Air Act. The rule, therefore, does not comply with the CAA requirements and is not fully approvable.

Comment #17: GIC commented that EPA's concerns are not constructive at this time, and that EPA should have learned about the glass industry and raised its concerns during development of Rule 4354 from 1996–1998.

EPA Response: EPA regrets that the deficiencies raised in our proposed limited disapproval were not addressed during rule development. However, section 110 of the Clean Air Act prohibits us from approving SIP rules that violate federal requirements.

Comment #18: GPI asked that any revisions made to Rule 4354 as a result of this limited disapproval be approved by EPA quickly. GPI stated its understanding that all sections of the rule not identified as having deficiencies are acceptable to EPA.

EPA Response: If SJVUAPCD submits a revised rule that adequately corrects the deficiencies cited as the basis for our limited disapproval, EPA intends to fully approve the rule amendments and to discontinue the CAA section 179 sanctions clock expeditiously.

III. EPA Action

EPA has carefully considered and evaluated all of the comments. For the reasons stated above, however, we still consider the provisions of the rule cited in our proposal to be deficient, but that the rule overall strengthens the SIP. Therefore, as authorized in sections 110(k)(3) and 301(a) of the Act, EPA is finalizing a limited approval of the submitted rule. This action incorporates the submitted rule into the California

SIP, including those provisions identified as deficient. As authorized under section 110(k)(3), EPA is simultaneously finalizing a limited disapproval of the rule. As a result, sanctions will be imposed unless CARB submits and EPA approves, amendments to Rule 4354 that correct the rule deficiencies within 18 months of the effective date of this action. These sanctions will be imposed under section 179 of the Act as described in 59 FR 39832 (August 4, 1994). In addition, EPA must promulgate a federal implementation plan (FIP) under section 110(c) unless we approve subsequent SIP revisions that correct the rule deficiencies within 24 months. Note that the submitted rule has been adopted by the SJVUAPCD, and EPA's final limited disapproval does not prevent the local agency from enforcing it.

IV. Administrative Requirements

A. Executive Order 12866

The Office of Management and Budget (OMB) has exempted this regulatory action from Executive Order 12866, entitled ''Regulatory Planning and Review.''

B. Executive Order 13045

Executive Order 13045, entitled Protection of Children from Environmental Health Risks and Safety Risks (62 FR 19885, April 23, 1997), applies to any rule that: (1) is determined to be ''economically significant'' as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

This rule is not subject to Executive Order 13045 because it does not involve decisions intended to mitigate environmental health or safety risks.

C. Executive Order 13084

Under Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, EPA may not issue a regulation that is not required by statute, that significantly affects or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments. If the mandate is unfunded, EPA must provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation.

In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.'' Today's rule does not significantly or uniquely affect the communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this rule.

D. Executive Order 13132

Executive Order 13121, entitled Federalism (64 FR 43255, August 10, 1999) revokes and replaces Executive Orders 12612, Federalism and 12875, Enhancing the Intergovernmental Partnership. Executive Order 13132 requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

E. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and small governmental jurisdictions.

This final rule will not have a significant impact on a substantial number of small entities because SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not create any new requirements, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Moreover, due to the nature of the Federal-State relationship under the Clean Air Act, preparation of flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds. *Union Electric Co.,* v. *U.S. EPA*, 427 U.S. 246, 255–66 (1976); 42 U.S.C. 7410(a)(2).

F. Unfunded Mandates

Under section 202 of the Unfunded Mandates Reform Act of 1995 (''Unfunded Mandates Act''), signed into law on March 22, 1995, EPA must prepare a budgetary impact statement to accompany any proposed or final rule that includes a Federal mandate that may result in estimated annual costs to State, local, or tribal governments in the aggregate; or to private sector, of $100 million or more. Under section 205, EPA must select the most cost-effective and least burdensome alternative that achieves the objectives of the rule and

is consistent with statutory requirements. Section 203 requires EPA to establish a plan for informing and advising any small governments that may be significantly or uniquely impacted by the rule.

EPA has determined that the approval action promulgated does not include a Federal mandate that may result in estimated annual costs of $100 million or more to either State, local, or tribal governments in the aggregate, or to the private sector. This Federal action approves pre-existing requirements under State or local law, and imposes no new requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action.

G. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This rule is not a ''major'' rule as defined by 5 U.S.C. 804(2).

H. National Technology Transfer and Advancement Act

Section 12 of the National Technology Transfer and Advancement Act (NTTAA) of 1995 requires Federal agencies to evaluate existing technical standards when developing a new regulation. To comply with NTTAA, EPA must consider and use ''voluntary consensus standards'' (VCS) if available and applicable when developing programs and policies unless doing so would be inconsistent with applicable law or otherwise impractical.

The EPA believes that VCS are inapplicable to this action. Today's action does not require the public to perform activities conducive to the use of VCS.

I. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by October 31, 2000. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Environmental protection, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: August 4, 2000.

John Wise,

Acting Regional Administrator, Region IX.

Part 52, chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 52—[AMENDED]

1. The authority citation for Part 52 continues to read as follows:

Authority: 42 U.S.C. 7401 *et seq.*

Subpart F—California

2. Section 52.220 is amended by adding paragraph (c)(266)(i)(B) to read as follows:

§ 52.220 Identification of plan.

* * * * *

(c) * * *

(266) * * *

(i) * * *

(B) San Joaquin Valley Unified Air Pollution Control District.

(*2*) Rule 4354, adopted on April 16, 1998.

* * * * *

[FR Doc. 00–22379 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[FRL–6855–8]

Use of Alternative Analytical Test Methods in the Reformulated Gasoline Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This direct final rule extends the time period during which certain alternative analytical test methods may be used in the Federal reformulated gasoline (RFG) program to September 1, 2004. The time period for the use of these alternative methods originally expired on January 1, 1997 and was previously extended to September 1, 1998 and September 1, 2000. This direct final rule also updates each of these alternative methods ton achieve more accurate results and to make them easier to perform. The purpose of today's extension is to grant temporary flexibility until we issue a final performance-based analytical test methods rule.

DATES This direct final rule is effective October 16, 2000, unless we receive adverse comments or a request for a public hearing by October 2, 2000. If we receive adverse comments, we will withdraw this direct final rule by publishing a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect.

The incorporation by reference of certain publications listed this action are approved by the Director of the Federal Register as of October 16, 2000.

ADDRESSES: If you wish to submit comments, you should send them to the docket address listed and to Anne Pastorkovich, Attorney/Advisor, Transportation & Regional Programs Division, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW. (6406J), Washington, DC 20460. Materials relevant to this direct final rule have been placed in docket A–2000–26 located at U.S. Environmental Protection Agency, Air Docket Section, Room M–1500, 401 M Street, SW., Washington, DC 20460. The docket is open for public inspection from 8:00 a.m. until 5:30 p.m., Monday through Friday, except on Federal holidays. You may be charged a reasonable fee for photocopying services.

FOR FURTHER INFORMATION CONTACT: If you would like further information about this rule or to request a hearing, contact Anne Pastorkovich, Attorney/Advisor, Transportation & Regional Programs Division, (202) 564–8987.

SUPPLEMENTARY INFORMATION:

I. Regulated Entities

Entities potentially regulated by the action are those that use analytical test methods to comply with the RFG program. Regulated categories and entities include:

Category	Examples
Industry	Oil refiners, gasoline importers, oxygenate blenders.

This table is not intended to be exhaustive, but rather provides a guide

for readers regarding entities likely to be regulated by this action. This table lists all entities that we are now aware could potentially be regulated by this action. Other types of entities not listed in this table could also be regulated by this action. To determine whether your business is regulated by this action, you should carefully examine the applicability criteria in part 80 of Title 40 of the Code of Federal Regulations. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding section of this document.

II. RFG Standards & Test Methods Utilized in 40 CFR 80.46

Section 211(k) of the Clean Air Act directs EPA to establish standards requiring the greatest reduction in emissions of ozone forming volatile organic compounds (VOCs) and toxic air emissions achievable through the reformulation of conventional gasoline, considering cost, other health and environmental factors and energy requirements. The Act requires that RFG meet certain content standards for oxygen, benzene, and heavy metals. RFG must be used in certain ozone nonattainment areas, called ''covered areas.'' The CAA also requires EPA to establish anti-dumping standards applicable to conventional gasoline used in the rest of the country. We issued final RFG and anti-dumping regulations on December 15, 1993 [1] and these regulations became effective in January 1995.

Under the RFG and anti-dumping program, refiners, importers, and oxygenate blenders are required to test RFG and conventional gasoline for certain parameters, including sulfur levels, aromatic content, benzene content, and oxygen content. Test methods for determining these parameters are specified in the regulation. For oxygen and oxygenate content, 40 CFR 80.46(g)(1) through (8), (9)(ii), and (h) specify the use of the gas chromatographic procedure using an oxygenate flame ionization detector, or the ''GC–OFID method.'' For aromatics content, 40 CFR 80.46(f)(1)–(2) specifies the gas chromatography method.

Based upon comments received from the regulated industry during the RFG and anti-dumping rulemaking process, we concluded that it would be appropriate to temporarily allow the use of test methods not specified in the regulation for measuring oxygen and aromatics content. These comments tended to indicate that the designated test methods for oxygen and aromatics content were costly and relatively new, so we agreed to permit industry to use two specified alternative analytical test methods until January 1, 1997. The alternative analytical test method for oxygen is ASTM D 4815–93, entitled ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohols in Gasoline by Gas Chromatography,'' and the alternative analytical test method for aromatics is ASTM D 1319–93, entitled ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Flourescent Indicator Adsorption.'' These alternative analytical test methods are specified in § 80.46(g)(9)(i) and (f)(3), respectively.

We later extended the deadline for use of the two alternative analytical test methods to September 1, 1998 [2] and September 1, 2000.[3] In granting these further extensions, we determined that permitting continued use of the specified alternative test methods would grant refiners, importers, and blenders significant flexibility and would not result in any environmental detriment. We continue to believe that the flexibility associated with alternative test methods will not result in any environmental detriment and that it is appropriate to allow these methods to be used. In the earlier notices, we discussed our intent to engage in a notice and comment rulemaking to establish performance-based analytical test methods. A performance-based approach would apply to the measurement of all RFG parameters listed at § 80.46 and would not be limited to oxygen and aromatics content. A performance-based approach would allow regulated parties additional flexibility in choosing analytical test methods since, rather than specifying the exact test method and equipment to be used, a performance-based approach would define the degree of precision and accuracy methods must meet and sets forth procedures to qualify methods for use.

By today's direct final rule, we are extending the time period during which the alternative test methods may be used to September 1, 2004 or until such time as a performance-based test methods approach rulemaking can be completed, whichever is sooner. Today's direct final rule only applies to the test methods for aromatics and oxygen content. As part of this direct final rule, we are updating the two alternative test methods that may be used to measure oxygen and aromatics content to their current versions. The current version of the alternative analytical test method for aromatics is ASTM D 1319–99, entitled, ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Flourescent Indicator Adsorption.'' The current version of the alternative analytical test method for oxygen and oxygenate content is ASTM D 4815–99, entitled, ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohol in Gasoline by Gas Chromatography.'' These two alternative test methods have been updated from ASTM D 1319–93 and ASTM D 4815–93, respectively. The updated methods incorporate minor technical revisions to help the person using the test method achieve more accurate results and do not require different or additional testing apparatus. Therefore, we believe it is appropriate to designate the current versions of these ASTM methods as the allowable alternative test methods. Doing so wouldn't affect our earlier determination that there would be no environmental detriment, since these changes are minor. This decision is not expected to be controversial, since the full flexibility associated with the use of alternative analytical test methods will be maintained.

Today's direct final rule only continues the existing flexibility in the use of these two alternative test methods. Consideration of test methods other than the specified alternative test methods for oxygen and aromatics is beyond the limited scope of this direct final rule. The performance-based test methods approach will establish criteria for qualifying other test methods for use. We do invite comment on the usefulness of other specific alternative test methods, not covered by this direct final rule, and on the appropriateness of considering such methods in future rulemaking actions.

We believe that this direct final rule, and our intent to establish a performance-based test method approach, will help advance the purposes of the ''National Technology Transfer and Advancement Act of 1995,'' section 12(d) of Public Law 104–113 and Office of Management and Budget (OMB) Circular A–119. Both of

[1] ''Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline—Final Rule,'' 59 FR 7812 (February 16, 1994). See 40 CFR part 80, subparts D, E, and F.

[2] ''Use of Alternative Test Methods in the Reformulated Gasoline Program,'' 61 FR 58304 (November 13, 1996).

[3] ''Use of Alternative Test Methods in the Reformulated Gasoline Program and Revision of the Specification for the Mixing Chamber Associated with Animal Toxicity Testing of Fuels and Fuel Additives,'' 63 FR 63789 (November 17, 1998).

these documents are designed to encourage the adoption of standards developed by ''voluntary consensus bodies'' and to reduce reliance on government-unique standards where such consensus standards would suffice. This direct final rule provides an extension of the deadline for using certain alternative test methods until September 1, 2004. We reasonably expect to complete rulemaking on the performance-based test methods approach prior to September 1, 2004. The performance-based test methods approach will address the use of these and other test methods.

III. Administrative Requirements

A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735 (October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a Serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The Agency has determined that this regulation would result in none of the economic effects set forth in Section 1 of the Order because it generally relaxes the requirements of the RFG program and provides regulated parties with more flexibility with respect to compliance with the RFG requirements. Pursuant to the terms of Executive Order 12866, OMB has waived review of this action.

B. Executive Order 13132 (Federalism)

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

If EPA complies by consulting, Executive Order 13132 requires EPA to provide to the Office of Management and Budget (OMB), in a separately identified section of the preamble to the rule, a federalism summary impact statement (FSIS). The FSIS must include a description of the extent of EPA's prior consultation with State and local officials, a summary of the nature of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of State and local officials have been met. Also, when EPA transmits a draft final rule with federalism implications to OMB for review pursuant to Executive Order 12866, EPA must include a certification from the agency's Federalism Official stating that EPA has met the requirements of Executive Order 13132 in a meaningful and timely manner.

This direct final rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This rule would provide regulatory relief for refiners who choose to use alternative test methods and does not impose any substantial direct effects on the states. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

C. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's direct final rule does not significantly or uniquely affect the communities of Indian tribal governments. Today's direct final rule does not create a mandate for any tribal governments. This direct final rule applies to gasoline refiners, importers, and blenders. Today's action makes some changes that would generally provide flexibility within the Federal RFG requirements, and does not impose any enforceable duties on communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this direct final rule.

D. Regulatory Flexibility Act (RFA), as Amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et. seq.

The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of today's rule on small entities, small

entity is defined as: (1) A small business that has not more than 1,500 employees (13 CFR 121.201); (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

EPA has determined that it is not necessary to prepare a regulatory flexibility analysis with this final rule. EPA has also determined that this rule will not have a significant economic impact on a substantial number of small entities. In determining whether a rule has a significant economic impact on a substantial number of small entities, the impact of concern is any significant *adverse* economic impact on small entities, since the primary purpose of the regulatory flexibility analyses is to identify and address regulatory alternatives ''which minimize any significant economic impact of the rule on small entities.'' 5 U.S.C. 603 and 604. Thus, an agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, or otherwise has a positive economic effect on all of the small entities subject to the rule. Today's direct final rule would provide regulatory relief by extending the deadline for use of alternative test methods for RFG. We have therefore concluded that today's direct final rule will relieve regulatory burden for all small entities. We continue to be interested in the potential impacts of the direct final rule on small entities and welcome comments on issues related to such impacts.

E. Paperwork Reduction Act

This action does not add any new requirements involving the collection of information as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The Office of Management and Budget (OMB) has approved the information collection requirements contained in the final RFG/anti-dumping rulemaking (See 59 FR 7716, February 16, 1994) and has assigned OMB control number 2060–0277 (EPA ICR No. 1591.07).

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

F. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

Today's direct final rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local or tribal governments or the private sector. The direct final rule would impose no enforceable duty on any State, local or tribal governments or the private sector. This direct final rule applies to gasoline refiners, blenders and importers. Today's action makes changes that would provide regulated parties with more flexibility with respect to compliance with the RFG requirements.

G. Executive Order 13045: Children's Health Protection

Executive Order 13045: Protection of Children from Environmental Health Risks and Safety Risks (62FR19885, April 23, 1997) applies to any rule that: (1) is determined to be economically significant as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Order has the potential to influence the regulation. This direct final rule is not subject to Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children. This direct final rule merely extends the deadline for use of alternative test methods under the RFG program and will not have an adverse effect on air quality.

H. National Technology Transfer and Advancement Act of 1995 (NTTAA)

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law No. 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, materials specifications, test methods, sampling procedures, and business

practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This direct final rule provides an extension of deadline for use of certain analytical test methods for the RFG program until such time as a notice-and-comment rulemaking to establish performance-based analytical test methods is completed. Today's action does not establish new technical standards or analytical test methods, although it does update existing alternative ASTM test methods to their current versions. To the extent that this action allows the use of standards developed by voluntary consensus bodies (such as ASTM) this direct final rule furthers the objectives of the NTTAA. The Agency plans to address the objectives of the NTTAA more broadly in the upcoming rulemaking to establish performance-based analytical test methods.

I. Submission to Congress and the General Accounting Office

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a ''major rule'' as defined by 5 U.S.C. 804(2). This direct final rule will be effective October 16, 2000.

J. Statutory Authority

Sections 114, 211, and 301(a) the Clean Air Act as amended (42 U.S.C. 7414, 7545, and 7601(a)).

List of Subjects in 40 CFR Part 80

Environmental protection, Air pollution control, Incorporation by reference, Reformulated gasoline.

Dated: August 15, 2000.

Carol M. Browner,

Administrator.

For the reasons described in the preamble, part 80 of title 40, chapter I of the Code of Federal Regulations is amended as follows:

PART 80—[AMENDED]

1. The authority citation for part 80 continues to read as follows:

Authority: Sections 114, 211, and 301(a) of the Clean Air Act as amended (42 U.S.C. 7414, 7545, and 7601(a).

2. Section 80.46 is amended by revising paragraphs (f)(3), (g)(9), and (h) to read as follows:

§ 80.46 Measurement of reformulated gasoline fuel parameters.

* * * * *

(f) * * *

(3) *Alternative test method.* (i) Prior to September 1, 2004, any refiner or importer may determine aromatics content using ASTM standard methods D 1319–99, entitled, ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Flourescent Indicator Adsorption,'' for purposes of meeting any testing requirement involving aromatics content; provided that

(ii) The refiner or importer test result is correlated with the method specified in paragraph (f)(1) of this section.

(g) * * *

(9)(i) Prior to September 1, 2004, and when the oxygenates present are limited to MTBE, ETBE, TAME, DIPE, tertiary-amyl alcohol, and C1 to C4 alcohols, any refiner, importer, or oxygenate blender may determine oxygen and oxygenate content using ASTM standard method D 4815–99, entitled ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohol in Gasoline by Gas Chromatography,'' for purposes of meeting any testing requirement; provided that

(ii) The refiner or importer test result is correlated with the method set forth in paragraphs (g)(1) through (g)(8) of this section.

* * * * *

(h) *Incorporations by reference.* ASTM standard methods D 3606–92, entitled ''Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography;'' D 1319–99, entitled ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption;'' D 4815–99, entitled ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C_1 to C_4 Alcohols in Gasoline by Gas Chromatography;'' D 2622–98, entitled ''Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-ray Fluorescence Spectrometry;'' D 3246–96, entitled ''Standard Test Method for Sulfur in Petroleum Gas by Oxidative Microcoulometry;'' and D 86–90, entitled ''Standard Test Method for Distillation of Petroleum Products,'' with the exception of the degrees Fahrenheit figures in Table 9 of D 86–90; are incorporated by reference in this section. These incorporations by reference were approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from the American Society of Testing Materials, 1916 Race Street, Philadelphia, PA 19103. Copies may be inspected at the Air Docket Section (LE–131), room M–1500, U.S. Environmental Protection Agency, Docket No. A–92–12, 401 M Street, SW., Washington DC 20460 or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

[FR Doc. 00–22386 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–U

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 52

[CC Docket No. 95–155; FCC 00–237]

Toll Free Service Access Codes

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: On July 5, 2000, the Commission released a Fifth Report and Order in CC Docket No. 95–155 resolving outstanding issues related to the propriety of Database Service Management Inc. (DSMI) serving as the administrator of the toll free number database system. The Fifth Report and Order is intended to ensure the efficient, orderly, and fair allocation of toll free numbers.

EFFECTIVE DATE: September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Debra Sabourin at (202) 418–2320, fax (202) 418–2345, TTY (202) 418–0484, or *dsabourin@fcc.gov.* The address is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, The Portals, 445 12th Street, SW., Suite 6–A320, Washington, DC 20554.

SUPPLEMENTARY INFORMATION: This summarizes the Commission's Fifth Report and Order in CC Docket No. 95–155, In the Matter of Toll Free Service Access Codes, FCC 00–237, adopted

June 28, 2000, and released July 5, 2000. The full text of the item is available for inspection and copying during the weekday hours of 9 a.m. to 4:30 p.m. in the Commission's Reference Center, Room CY–A257, 445 12 Street, SW., Washington, DC 20554, or copies may be purchased from the Commission's duplicating contractor, ITS, Inc., 445 12th Street, SW., Suite CY–B400, Washington, DC 20554, phone (202) 857–3800. This Report and Order contains no new or modified information collections subject to the Paperwork Reduction Act of 1995, Public Law 104–13.

Synopsis of the Report and Order

In the Fifth Report and Order in CC Docket No. 95–155, we resolve outstanding issues raised in the toll free number rulemaking proceeding related to the propriety of Database Service Management Inc. (DSMI) serving as the administrator of the toll free number database.[1] We approve the recommendation of the North American Numbering Council (NANC) that DSMI continue to serve as the administrator of the toll free number database system, referred to as the SMS/800 system, at this time. We find that DSMI is an impartial administrator under section 251(e)(1) of the Communications Act. We also direct the NANC to provide recommendations on restructuring the ownership and operation of the current system of toll free number administration within 180 days of the effective date of this Order.

Ordering Clause

Pursuant to sections 1, 4(i), and 251 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), and 251, that the Fifth Report and Order in CC Docket 95–155 is hereby adopted.

List of Subjects in 47 CFR Part 52

Communications common carrier, local exchange carrier, numbering, telecommunications.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. 00–22433 Filed 8–31–00; 8:45 am]

BILLING CODE 6712–01–P

[1] Note: Not published in the **Federal Register**. The final rule for the third report and order was published October 23, 1997 (62 FR 55179).

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 95

[ET Docket No. 99–255 and PR Docket 92–235, FCC 00–211]

Wireless Medical Telemetry Service; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: On July 17, 2000 (65 FR 43995), the Commission published final rules in the Report and Order, which revised the rules governing the Wireless Medical Telemetry Service. This document contains correction to that rules.

DATES: Effective October 16, 2000.

FOR FURTHER INFORMATION CONTACT: Hugh Van Tuyl, Office of Engineering and Technology, (202) 418–7506.

SUPPLEMENTARY INFORMATION: The Federal Communications Commission published a document amending part 95 in the **Federal Register** of July 17, 2000 (65 FR 43995). This document corrects the **Federal Register** as it appeared. In rule FR Doc. 00–17970 published on July 17, 2000 (65 FR 43395), the Commission is correcting §§ 95.401(d), 95.631(h) and 95.639(f) of the Commission's rules to reflect the correct CFR designations §§ 95.401(e), 95.631(i) and 95.639(g).

In rule FR Doc. 00–17970 published on July 17, 2000, (65 FR 43995) make the following corrections:

PART 95—[CORRECTED]

§ 95.401 [Corrected]

1. On page 44008, in the first column, in amendatory instruction 11, in the second line, correct ''(d)'' to read ''(e)''.

2. On page 44008, in the first column, in § 95.401, correct paragraph designation ''(d)'' to read ''(e)''.

§ 95.631 [Corrected]

3. On page 44008, in the second column, in amendatory instruction 14, in the second line, correct ''(h)'' to read ''(i)''.

4. On page 44008, in the second column, in § 95.631, correct paragraph designation ''(h)'' to read ''(i)''.

§ 95.639 [Corrected]

5. On page 44008, in the second column, in amendatory instruction 15, in the second line, correct ''(f)'' to read ''(g)''.

6. On page 44008, in the second column, in § 95.639, correct paragraph designation ''(f)'' to read ''(g)''.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. 00–22239 Filed 8–31–00; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018–AG08

Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2000–01 Early Season

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes special early season migratory bird hunting regulations for certain tribes on Federal Indian reservations, off-reservation trust lands and ceded lands. This responds to tribal requests for U.S. Fish and Wildlife Service (hereinafter Service or we) recognition of their authority to regulate hunting under established guidelines. This rule allows the establishment of season bag limits and, thus, harvest at levels compatible with populations and habitat conditions.

DATES: This rule takes effect on September 1, 2000.

ADDRESSES: You may inspect comments received, if any, on the proposed special hunting regulations and tribal proposals during normal business hours in Room 634, Arlington Square Building, 4401 N. Fairfax Drive, Arlington, Virginia. You should send communications regarding the documents to: Director (FWS/DMBM), U.S. Fish and Wildlife Service, ms 63–ARLSQ, 1849 C Street, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: Ron W. Kokel, Division of Migratory Bird Management, U.S. Fish and Wildlife Service (703/358–1714).

SUPPLEMENTARY INFORMATION: The Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755; 16 U.S.C. 703 *et seq.*), authorizes and directs the Secretary of the Department of the Interior, having due regard for the zones of temperature and for the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means such birds or any part, nest or egg thereof may be taken, hunted, captured, killed, possessed, sold,

purchased, shipped, carried, exported or transported.

In the August 18, 2000, **Federal Register** (65 FR 50483), we proposed special migratory bird hunting regulations for the 2000–01 hunting season for certain Indian tribes, under the guidelines described in the June 4, 1985, **Federal Register** (50 FR 23467). The guidelines respond to tribal requests for Service recognition of their reserved hunting rights, and for some tribes, recognition of their authority to regulate hunting by both tribal members and nonmembers on their reservations. The guidelines include possibilities for:

(1) On-reservation hunting by both tribal members and nonmembers, with hunting by non-tribal members on some reservations to take place within Federal frameworks but on dates different from those selected by the surrounding State(s);

(2) On-reservation hunting by tribal members only, outside of usual Federal frameworks for season dates and length, and for daily bag and possession limits; and

(3) Off-reservation hunting by tribal members on ceded lands, outside of usual framework dates and season length, with some added flexibility in daily bag and possession limits.

In all cases, the regulations established under the guidelines must be consistent with the March 10–September 1 closed season mandated by the 1916 Migratory Bird Treaty with Canada.

In the April 25, 2000, **Federal Register** (65 FR 24260), we requested that tribes desiring special hunting regulations in the 2000–01 hunting season submit a proposal including details on:

(a) Harvest anticipated under the requested regulations;

(b) Methods that would be employed to measure or monitor harvest (such as bag checks, mail questionnaires, etc.);

(c) Steps that would be taken to limit level of harvest, where it could be shown that failure to limit such harvest would adversely impact the migratory bird resource; and

(d) Tribal capabilities to establish and enforce migratory bird hunting regulations.

No action is required if a tribe wishes to observe the hunting regulations established by the State(s) in which an Indian reservation is located. We have successfully used the guidelines since the 1985–86 hunting season. We finalized the guidelines beginning with the 1988–89 hunting season (August 18, 1988, **Federal Register** [53 FR 31612]).

Although the proposed rule included generalized regulations for both early- and late-season hunting, this rulemaking addresses only the early-season proposals. Late-season hunting will be addressed in late-September. As a general rule, early seasons begin during September each year and have a primary emphasis on such species as mourning and white-winged dove. Late seasons begin about October 1 or later each year and have a primary emphasis on waterfowl.

Status of Populations

In the August 18 **Federal Register**, we reviewed the status for various populations for which early seasons were proposed. This information included brief summaries of the May Breeding Waterfowl and Habitat Survey and population status reports for blue-wing teal, Canada goose populations hunted in September seasons, sea ducks, sandhill cranes, woodcock, mourning doves, white-winged doves, white-tipped doves, and band-tailed pigeons. As a result of these status, we have responded by proposing Flyway frameworks that are essentially the same as those of last season for the 2000–01 waterfowl hunting season (August 22, 2000, **Federal Register**, 65 FR 51174). The tribal seasons established below are commensurate with the population status.

Comments and Issues Concerning Tribal Proposals

For the 2000–01 migratory bird hunting season, we proposed regulations for 25 tribes and/or Indian groups that followed the 1985 guidelines and were considered appropriate for final rulemaking. Some of the proposals submitted by the tribes had both early- and late-season elements. However, as noted earlier, only those with early-season proposals are included in this final rulemaking; 18 tribes have proposals with early seasons. Comments and revised proposals received to date are addressed in the following section. The comment period for the proposed rule, published on August 18, 2000, closed on August 28, 2000. Because of the necessary brief comment period, we will respond to any comments received on the proposed rule and/or these late-season regulations not responded to herein in the September late-season final rule.

We received one comment regarding the notice of intent published on April 25, 2000, which announced rulemaking on regulations for migratory bird hunting by American Indian tribal members. The Michigan Department of Natural Resources commented on the establishment of tribal regulations on 1836 Treaty areas. Michigan believed it was premature of the Service to establish waterfowl regulations in areas covered by the 1835 Treaty until such time as the issue of 1836 Treaty hunting rights are affirmed by a court of competent jurisdiction.

Service Response: Our position is that the Federal Government does recognize the Treaty of 1836 as reserving to the affected tribes or bands hunting rights in the ceded territory. Further, the Federal courts have already confirmed the retention of reserved fishing rights in the territory ceded by the Treaty of 1836 in *United States* v. *Michigan,* 471 F.Supp. 192 (W.D. Mich. 1979), *remanded,* 623 F.2d 448 (6th Cir. 1980), *order modified,* 653 F.2d 277 (6th Cir. 1981), *cert. denied,* 454 U.S. 1124 (1981). That case and cases dealing with other treaty cessions, such as *Lac Courte Oreilles* v. *Wisconsin* (i.e., both the 1837 and the 1842 Treaties), provide persuasive precedent for the belief that hunting as well as fishing rights were reserved by the tribes in the Treaty of 1836. We have not altered our position on this matter.

NEPA Consideration

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)), the ''Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES–75–74)'' was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the **Federal Register** on June 13, 1975, (40 FR 25241). A supplement to the final environmental statement, the ''Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (SEIS 88–14)'' was filed on June 9, 1988, and notice of availability was published in the **Federal Register** on June 16, 1988 (53 FR 22582), and June 17, 1988 (53 FR 22727). Copies of these documents are available from us at the address indicated under the caption **ADDRESSES.** In addition, an August 1985 Environmental Assessment titled ''Guidelines for Migratory Bird Hunting Regulations on Federal Indian Reservations and Ceded Lands'' is available from the same address.

Endangered Species Act Considerations

Section 7 of the Endangered Species Act, as amended (16 U.S.C. 1531–1543; 87 Stat. 884), provides that, ''The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes

of this Act'' (and) shall ''insure that any action authorized, funded or carried out . . . is not likely to jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of [critical] habitat . . .'' Consequently, we conducted consultations to ensure that actions resulting from these regulations would not likely jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of their critical habitat. Findings from these consultations are included in a biological opinion and may have caused modification of some regulatory measures previously proposed. The final frameworks reflect any modifications. Our biological opinions resulting from its Section 7 consultation are public documents available for public inspection in the Service's Division of Endangered Species and DMBM, at the address indicated under the caption **ADDRESSES.**

Regulatory Flexibility Act

These regulations have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). We analyzed the economic impacts of the annual hunting regulations on small business entities in detail and issued a Small Entity Flexibility Analysis (Analysis) in 1998. The Analysis documented the significant beneficial economic effect on a substantial number of small entities. The primary source of information about hunter expenditures for migratory game bird hunting is the National Hunting and Fishing Survey, which is conducted at 5-year intervals. The Analysis was based on the 1996 National Hunting and Fishing Survey and the U.S. Department of Commerce's County Business Patterns from which it was estimated that migratory bird hunters would spend between $429 million and $1,084 million at small businesses in 1998. Copies of the Analysis are available upon request.

Executive Order 12866

Collectively, the rules covering the overall frameworks for migratory bird hunting are economically significant and have been reviewed by the Office of Management and Budget (OMB) under Executive Order 12866. This rule is a small portion of the overall migratory bird hunting frameworks and was not individually submitted and reviewed by OMB under Executive Order 12866.

Small Business Regulatory Enforcement Fairness Act

This rule is a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. For the reasons outlined above, this rule has an annual effect on the economy of $100 million or more. However, because this rule establishes hunting seasons, we do not plan to defer the effective date under the exemption contained in 5 U.S.C. 808 (1) and this rule will be effective immediately.

Paperwork Reduction Act

We examined these regulations under the Paperwork Reduction Act of 1995. We utilize the various recordkeeping and reporting requirements imposed under regulations established in 50 CFR part 20, Subpart K, in the formulation of migratory game bird hunting regulations. Specifically, OMB has approved the information collection requirements of the Migratory Bird Harvest Information Program and assigned clearance number 1018–0015 (expires 9/30/2001). This information is used to provide a sampling frame for voluntary national surveys to improve our harvest estimates for all migratory game birds in order to better manage these populations. OMB has also approved the information collection requirements of the Sandhill Crane Harvest Questionnaire and assigned clearance number 1018–0023 (expires 7/31/2003). The information from this survey is used to estimate the magnitude, the geographical and temporal distribution of harvest, and the portion it constitutes of the total population. A Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Unfunded Mandates Reform Act

We have determined and certify, in compliance with the requirements of the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not ''significantly or uniquely'' affect small governments, and will not produce a Federal mandate of $100 million or more in any given year on local or State government or private entities. Therefore, this proposed rule is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act.

Civil Justice Reform—Executive Order 12988

The Department, in promulgating this proposed rule, has determined that this rule will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

Takings Implication Assessment

In accordance with Executive Order 12630, these rules, authorized by the Migratory Bird Treaty Act, do not have significant takings implications and do not affect any constitutionally protected property rights. These rules will not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, these rules allow hunters to exercise privileges that would be otherwise unavailable; and, therefore, reduce restrictions on the use of private and public property.

Federalism Effects

Due to the migratory nature of certain species of birds, the Federal government has been given responsibility over these species by the Migratory Bird Treaty Act. We annually prescribe frameworks from which the States make selections and employ guidelines to establish special regulations on Federal Indian reservations and ceded lands. This process preserves the ability of the States and Tribes to determine which seasons meet their individual needs. Any State or Tribe may be more restrictive than the Federal frameworks at any time. The frameworks are developed in a cooperative process with the States and the Flyway Councils. This allows States to participate in the development of frameworks from which they will make selections, thereby having an influence on their own regulations. These rules do not have a substantial direct effect on fiscal capacity, change the roles or responsibilities of Federal or State governments, or intrude on State policy or administration. Therefore, in accordance with Executive Order 13132, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Government-to-Government Relationship With Tribes

Due to the migratory nature of certain species of birds, the Federal government has been given responsibility over these species by the Migratory Bird Treaty Act. Thus, in accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American Tribal Governments'' (59 FR 22951) and 512 DM 2, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no effects on Indian trust resources.

However, by virtue of the tribal proposals received in response to the April 25, 2000, request for proposals and the August 18, 2000, proposed rule, we have consulted with all the tribes affected by this rule.

Regulations Promulgation

The rulemaking process for migratory game bird hunting must, by its nature, operate under severe time constraints. However, we intend that the public be given the greatest possible opportunity to comment on the regulations. Thus, when the preliminary proposed rulemaking was published, we established what we believed were the longest periods possible for public comment. In doing this, we recognized that when the comment period closed, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the tribes would have insufficient time to communicate these seasons to their member and non-tribal hunters and to establish and publicize the necessary regulations and procedures to implement their decisions.

We therefore find that ''good cause'' exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and these regulations will, therefore, take effect immediately upon publication.

Therefore, under the authority of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 703 *et seq.*), we prescribe final hunting regulations for certain tribes on Federal Indian reservations (including off-reservation trust lands), and ceded lands. The regulations specify the species to be hunted and establish season dates, bag and possession limits, season length, and shooting hours for migratory game birds.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Accordingly, part 20, subchapter B, chapter I of Title 50 of the Code of Federal Regulations is amended as follows:

PART 20—[AMENDED]

1. The authority citation for part 20 continues to read as follows:

Authority: 16 U.S.C. 703–712 and 16 U.S.C. 742a–j.

Note: The following hunting regulations provided for by 50 CFR 20.110 will not appear in the Code of Federal Regulations because of their seasonal nature.

2. Section 20.110 is revised to read as follows:

§ 20.110 Seasons, limits and other regulations for certain Federal Indian reservations, Indian Territory, and ceded lands.

(a) Colorado River Indian Tribes, Parker, Arizona (Tribal Members and Non-Tribal Hunters)

Doves

Season Dates: Open September 1, close September 15, 2000; then open November 17, 1999, close January 7, 2000.

Daily Bag and Possession Limits: For the early season, daily bag limit is 10 mourning or 10 white-winged doves, singly, or in the aggregate. For the late season, the daily bag limit is 10 mourning doves. Possession limits are twice the daily bag limits.

General Conditions: A valid Colorado River Indian Reservation hunting permit is required for all persons 14 years and older and must be in possession before taking any wildlife on tribal lands. Any person transporting game birds off the Colorado River Indian Reservation must have a valid transport declaration form. Other tribal regulations apply, and may be obtained at the Fish and Game Office in Parker, Arizona.

(b) Crow Creek Sioux Tribe, Crow Creek Indian Reservation, Fort Thompson, South Dakota (Tribal Members and Non-Tribal Hunters)

Sandhill Cranes

Season Dates: Open September 16, close October 22, 2000.

Daily Bag Limit: Three sandhill cranes.

Permits: Each person participating in the sandhill crane season must have a valid Federal sandhill crane hunting permit in their possession while hunting.

General Conditions: The waterfowl hunting regulations established by this final rule apply only to tribal and trust lands within the external boundaries of the reservation. Tribal and non-tribal hunters must comply with basic Federal migratory bird hunting regulations in 50 CFR part 20 regarding shooting hours and manner of taking. In addition, each waterfowl hunter 16 years of age or over must carry on his/her person a valid Migratory Bird Hunting and Conservation Stamp (Duck Stamp) signed in ink across the stamp face. Special regulations established by the Crow Creek Sioux Tribe also apply on the reservation.

(c) Fond du Lac Band of Lake Superior Chippewa Indians, Cloquet, Minnesota (Tribal Members Only)

All seasons in Minnesota, 1854 Treaty Zone:

Ducks and Mergansers

Season Dates: Open September 15, close December 3, 2000.

Daily Bag Limit for Ducks: 18 ducks, including no more than 12 mallards (only 6 of which may be hens), 3 black ducks; 9 scaup; 6 wood ducks; 6 redheads, 3 pintails and 3 canvasbacks.

Daily Bag Limit for Mergansers: 15 mergansers, including no more than 3 hooded merganser.

Geese

Season Dates: Open September 1, close December 3, 2000.

Daily Bag Limit: 12 geese.

Coots and Common Moorhens (Gallinule)

Season Dates: Open September 15, close December 3, 2000.

Daily Bag Limit: 20 coots and common moorhens, singly or in the aggregate.

Sora and Virginia Rails

Season Dates: Open September 1, close December 3, 2000.

Daily Bag Limit: 25 sora and Virginia rails, singly or in the aggregate. The possession limit is 25.

Common Snipe and Woodcock

Season Dates: Open September 1, close December 3, 2000.

Daily Bag Limit: Eight snipe and three woodcock.

General Conditions:

1. While hunting waterfowl, a tribal member must carry on his/her person a valid tribal waterfowl hunting permit.

2. Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the provisions of Chapter 10 of the Model Off-Reservation Code. Except as modified by the Service rules adopted in response to this proposal, these amended regulations parallel Federal requirements in 50 CFR part 20 as to hunting methods, transportation, sale, exportation and other conditions generally applicable to migratory bird hunting.

3. Band members in each zone will comply with State regulations providing for closed and restricted waterfowl hunting areas.

4. Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise noted above.

Possession limits are applicable only to transportation and do not include birds which are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory birds in the possession or custody of band members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. All migratory birds which fall on reservation lands will not count as part of any off-reservation bag or possession limit.

(d) Grand Traverse Band of Ottawa and Chippewa Indians, Suttons Bay, Michigan (Tribal Members Only)

All seasons in Michigan, 1836 Treaty Zone:

Ducks

Season Dates: Open September 20, 2000, close January 20, 2001.

Daily Bag Limit: 10 ducks, which may include no more than 1 pintail, 1 canvasback, 2 black ducks, 1 hooded merganser, 2 wood ducks, 2 redheads, and 5 mallards (only 2 of which may be hens).

Canada Geese

Season Dates: Open September 1, close November 30, 2000, and open January 1, 2001, close February 8, 2001.

Daily Bag Limit: Five geese.

Other Geese (white-fronted geese, snow geese, and brant)

Season Dates: Open October 1, close November 30, 2000.

Daily Bag Limit: Five geese.

Sora Rails, Common Snipe, and Woodcock

Season Dates: Open September 1, close November 14, 2000.

Daily Bag Limit: Five rails, Five snipe, and Five woodcock.

General Conditions: A valid Grand Traverse Band Tribal license is required for all persons 12 years and older and must be in possession before taking any wildlife. All other basic regulations contained in 50 CFR part 20 are valid. Other tribal regulations apply, and may be obtained at the tribal office in Suttons Bay, Michigan.

(e) Great Lakes Indian Fish and Wildlife Commission, Odanah, Wisconsin (Tribal Members Only)

Ducks

A. Wisconsin and Minnesota 1837 and 1842 Zones:

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: 20 ducks, including no more than 10 mallards (only 5 of which may be hens), 4 black ducks, 4 redheads, 4 pintails, and 2 canvasbacks.

B. Michigan 1836 and 1842 Treaty Zones:

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: 10 ducks, including no more than 5 mallards (only 2 of which may be hens), 2 black ducks, 2 redheads, 2 pintails, and 1 canvasback.

Mergansers: All Ceded Areas

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: Five mergansers.

Geese: All Ceded Areas

Season Dates: Begin September 1 and end December 1, 2000. In addition, any portion of the ceded territory which is open to State-licensed hunters for goose hunting after December 1 shall also be open concurrently for tribal members.

Daily Bag Limit: 10 geese.

Other Migratory Birds: All Ceded Areas

A. Coots and Common Moorhens (Common Gallinules)

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: 20 coots and common moorhens (common gallinules), singly or in the aggregate.

B. Sora and Virginia Rails

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: 25 sora and Virginia rails singly, or in the aggregate.

C. Common Snipe

Season Dates: Begin September 15 and end December 1, 2000.

Daily Bag Limit: Eight common snipe.

D. Woodcock

Season Dates: Begin September 5 and end December 1, 2000.

Daily Bag Limit: Five woodcock.

General Conditions

1. While hunting waterfowl, a tribal member must carry on his/her person a valid tribal waterfowl hunting permit.

2. Except as otherwise noted, tribal members will be required to comply with tribal codes that will be no less restrictive than the model ceded territory conservation codes approved by Federal courts in the Lac Courte Oreilles v. State of Wisconsin (Voigt) and Mille Lacs Band v. State of Minnesota cases. The respective Chapter 10 of these model codes regulate ceded territory migratory bird hunting. They parallel Federal requirements in 50 CFR Part 20 as to hunting methods, transportation, sale, exportation and other conditions generally applicable to migratory bird hunting. They also automatically incorporate by reference the Federal migratory bird regulations adopted.

3. Tribal members in each zone will comply with tribal regulations providing for closed and restricted waterfowl hunting areas. These regulations generally incorporate the same restrictions contained in parallel State regulations.

4. Possession limits for each species are double the daily bag limit, except on the opening day of the season, when the possession limit equals the daily bag limit, unless otherwise noted above. Possession limits are applicable only to transportation and do not include birds that are cleaned, dressed, and at a member's primary residence. For purposes of enforcing bag and possession limits, all migratory birds in the possession or custody of tribal members on ceded lands will be considered to have been taken on those lands unless tagged by a tribal or State conservation warden as having been taken on-reservation. In Wisconsin, such tagging will comply with applicable State laws. All migratory birds that fall on reservation lands will not count as part of any off-reservation bag or possession limit.

5. Minnesota and Michigan—Duck Blinds and Decoys. Tribal members hunting in Michigan and Minnesota will comply with tribal codes that contain provisions that parallel applicable State laws concerning duck blinds and/or decoys.

(f) Kalispel Tribe, Kalispel Reservation, Usk, Washington (Tribal Members Only)

Ducks

Season Dates: Open September 15, 2000, close January 31, 2001.

Daily Bag and Possession Limits: Seven ducks, including no more than one pintail, two hen mallards, four scaup, and one canvasback.

Geese

Season Dates: Open September 1, 2000, close January 31, 2001.

Daily Bag and Possession Limits: Four geese, including four dark geese but not more than three light geese. The possession limit is twice the daily bag limit.

General: Tribal members must possess a validated Migratory Bird Hunting and Conservation Stamp and a tribal ceded lands permit.

(g) Little River Band of Ottawa Indians, Manistee, Michigan (Tribal Members Only)

Canada Geese

Season Dates: Open September 1, close September 15, then open September 24, close October 8, 2000.

Daily Bag Limits: Five geese in the first portion and two geese thereafter.

Rails, Snipe, and Woodcock

Season Dates: Open September 15, close November 14, 2000.

Daily Bag Limit: 25 rails, 8 snipe, and 3 woodcock.

General: Possession limits are twice the daily bag limit, except for rails, which are equal to the daily bag limit.

(h) The Little Traverse Bay Bands of Odawa Indians, Petoskey, Michigan (Tribal Members Only)

Ducks

Season Dates: Open September 20, close January 20, 2001.

Daily Bag Limits: 10 ducks, including no more than 5 mallards (only 2 of which may be hens), 2 black ducks, 2 redheads, 2 wood ducks, 1 pintail, 1 hooded merganser, and 1 canvasback.

Geese

Season Dates: Open September 1, close November 30, 2000, then open January 1, 2001, close February 8, 2001.

Daily Bag Limits: Five geese.

Rails, Snipe, and Woodcock

Season Dates: Open September 1, close November 14, 2000.

Daily Bag Limit: Five rails, five snipe, and five woodcock.

General: Possession limits are twice the daily bag limits.

(i) Leech Lake Band of Ojibwe, Cass Lake, Minnesota (Tribal Members Only)

Ducks, Mergansers, and Coots

Season Dates: Open September 16, close December 31, 2000.

Daily Bag Limits: 10 birds.

Geese

Season Dates: Open September 2, close December 31, 2000.

Daily Bag Limits: 10 geese.

General: Possession limits are twice the daily bag limits. Shooting hours are one-half hour before sunrise to one-half hour after sunset. Non-toxic shot is required.

(j) Navajo Indian Reservation, Window Rock, Arizona (Tribal Members and Nonmembers)

Band-Tailed Pigeons

Season Dates: Open September 1, close September 30, 2000.

Daily Bag and Possession Limits: 5 and 10 pigeons, respectively.

Mourning Doves

Season Dates: Open September 1, close September 30, 2000.

Daily Bag and Possession Limits: 10 and 20 doves, respectively.

General Conditions: Tribal and non-tribal hunters will comply with all basic Federal migratory bird hunting regulations in 50 CFR Part 20, regarding shooting hours and manner of taking. In addition, each waterfowl hunter 16 years of age or over must carry on his/her person a valid Migratory Bird Hunting and Conservation Stamp (Duck Stamp) signed in ink across the face. Special regulations established by the Navajo Nation also apply on the reservation.

(k) Oneida Tribe of Indians of Wisconsin, Oneida, Wisconsin (Tribal Members)

Ducks

Season Dates: Open September 16, close November 17, 2000.

Daily Bag and Possession Limits: Six ducks, including no more than five mallards (only one of which may be a hen), five wood ducks, one canvasback, one redhead, two pintails, and one hooded merganser. Possession limit is twice the daily bag limit.

Geese and Brant

Season Dates: Open September 1, close November 18, open November 27, close December 31, 2000.

Daily Bag and Limits: Five brant, three Canada geese, and five snow geese. Geese must be tagged after harvest with tribal tags. The tribe will reissue tags upon registration of the daily bag limit. A season quota of 150 birds is adopted. If the quota is reached before the season concludes, the season will be closed at that time.

Woodcock

Season Dates: Open September 16, close November 17, 2000.

Daily Bag and Possession Limits: 5 and 10 woodcock, respectively.

General Conditions: Tribal members and non-tribal members hunting on the Oneida Indian Reservation or on lands under the jurisdiction of the Oneida Nation will observe all basic Federal migratory bird hunting regulations found in 50 CFR part 20. Tribal hunters are exempt from the requirement to purchase a Migratory Waterfowl Hunting and Conservation Stamp (Duck Stamp) and the plugging of shotgun to limit capacity to three shells.

(l) Point No Point Treaty Tribes, Kingston, Washington (Tribal Hunters)

Ducks

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag and Possession Limits: Seven ducks, including no more than two hen mallards, two pintails, one canvasback, two redheads, and one harlequin duck. Possession limit is twice the daily bag limit.

Geese

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag and Possession Limits: Four geese, and may include no more than three light geese. The season on Aleutian Canada geese is closed. Possession limit is twice the daily bag limit.

Brant

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag and Possession Limits: Two brant. Possession limit is twice the daily bag limit.

Coots

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag Limits: 25 coots.

Mourning Doves

Season Dates: Open September 1, close September 30, 2000.

Daily Bag and Possession Limits: 10 and 20 doves, respectively.

Snipe

Season Dates: Open September 15, close January 15, 2001.

Daily Bag and Possession Limits: 8 and 16 snipe, respectively.

General Conditions: All hunters authorized to hunt migratory birds on the reservation must obtain a tribal hunting permit from the respective tribe. Hunters are also required to adhere to a number of special regulations available at the tribal office.

(m) Seminole Tribe of Florida, Big Cypress Seminole Reservation, Clewiston, Florida (Tribal Members and Non-Tribal Hunters)

Mourning Dove

Season Dates: September 17, 2000, through January 20, 2001.

Daily Bag Limit: 15 doves.

General Conditions: Hunting is on Sundays only. All other Federal regulations contained in 50 CFR part 20 apply.

(n) Squaxin Island Tribe, Squaxin Island Reservation, Shelton, Washington (Tribal Members)

Ducks

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag and Possession Limits: Five ducks, including no more than one canvasback. The season on harlequin ducks is closed. Possession limit is twice the daily bag limit.

Geese

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag and Possession Limits: Four geese, and may include no more than two snow geese and one dusky Canada goose. The season on Aleutian and Cackling Canada geese is closed. Possession limit is twice the daily bag limit.

Brant

Season Dates: Open September 15, close December 31, 2000.

Daily Bag and Possession Limits: Two and four brant, respectively.

Coots

Season Dates: Open September 15, 2000, close January 15, 2001.

Daily Bag Limits: 25 coots.

Snipe

Season Dates: Open September 15, 2000, and close January 15, 2001.

Daily Bag and Possession Limits: 8 and 16 snipe, respectively.

Band-Tailed Pigeons

Season Dates: Open September 15, close December 1, 2000.

Daily Bag and Possession Limits: Two and four pigeons, respectively.

General Conditions: All tribal hunters must obtain a Tribal Hunting Tag and Permit from the tribe's Natural Resources Department and must have the permit, along with the member's treaty enrollment card, on his or her person while hunting. Shooting hours are one-half hour before sunrise to one-half hour after sunset and steel shot is required for all migratory bird hunting. Other special regulations are available at the tribal office in Shelton, Washington.

(o) Tulalip Tribes of Washington, Tulalip Indian Reservation, Marysville, Washington (Tribal Members)

Ducks/Coot

Season Dates: Open September 15, 2000, and close February 1, 2001.

Daily Bag and Possession Limits: 6 and 12 ducks, respectively; except that bag and possession limits are restricted for blue-winged teal, canvasback, harlequin, pintail, and wood duck to those established for the Pacific Flyway by final Federal frameworks, to be announced.

Geese

Season Dates: Open September 15, 2000, and close February 1, 2001.

Daily Bag and Possession Limits: 6 and 12 geese, respectively; except that the bag limits for brant and cackling and dusky Canada geese are those established for the Pacific Flyway in accordance with final Federal frameworks, to be announced. The tribes also set a maximum annual bag limit on ducks and geese for those tribal members who engage in subsistence hunting.

General Conditions: All waterfowl hunters, members and non-members, must obtain and possess while hunting a valid hunting permit from the Tulalip tribes. Also, non-tribal members sixteen years of age and older, hunting pursuant to Tulalip Tribes' Ordinance No. 67, must possess a validated Federal Migratory Bird Hunting and Conservation Stamp and a validated State of Washington Migratory Waterfowl Stamp. All Tulalip tribal members must have in their possession while hunting, or accompanying another, their valid tribal identification card. All hunters are required to adhere to a number of other special regulations enforced by the tribes and available at the tribal office.

(p) Wampanoag Tribe of Gay Head, Aquinnah, Massachusetts (Tribal Members Only)

Geese

Season Dates: Open September 19, 2000, and close January 20, 2001.

Daily Bag and Possession Limits: 4 Canada geese and 15 snow geese.

General Conditions: Shooting hours are one-half hour before sunrise to sunset. Non-toxic shot is required. Tribal members will observe all basic Federal migratory bird hunting regulations contained in 50 CFR.

(q) White Earth Band of Chippewa, White Earth, Minnesota (Tribal Members Only)

Ducks and Mergansers

Season Dates: Open September 16, close December 17, 2000.

Daily Bag Limit for Ducks: Eight ducks, including no more than two mallards and one canvasback through September 22 and no more than two hen mallards and two canvasbacks thereafter.

Daily Bag Limit for Mergansers: Five mergansers, including no more than four hooded mergansers.

Geese

Season Dates: Open September 1, close December 17, 2000.

Daily Bag Limit: Five geese.

Coots

Season Dates: Open September 16, close December 17, 2000.

Daily Bag Limit: 20 coots.

Sora and Virginia Rails

Season Dates: Open September 9, close December 1, 2000.

Daily Bag Limit: 25 sora and Virginia rails, singly or in the aggregate. The possession limit is 25.

Common Snipe and Woodcock

Season Dates: Open September 9, close December 1, 2000.

Daily Bag Limit: 10 snipe and 10 woodcock.

Mourning Dove

Season Dates: Open September 9, close December 1, 2000.

Daily Bag Limit: 25 doves.

General Conditions: Shooting hours are one-half hour before sunrise to one-half hour after sunset. Non-toxic shot is required.

(r) White Mountain Apache Tribe, Fort Apache Indian Reservation, Whiteriver, Arizona (Tribal Members and Non-Tribal Hunters)

Band-Tailed Pigeons

Season Dates: Open September 6, close September 20, 2000.

Daily Bag and Possession Limits: Three and six pigeons, respectively.

Mourning Doves

Season Dates: Open September 6, close September 20, 2000.

Daily Bag and Possession Limits: 10 and 20 doves, respectively.

General Conditions: All non-tribal hunters hunting band-tailed pigeons and mourning doves on Reservation lands shall have in their possession a valid White Mountain Apache Daily or Yearly Small Game Permit. In addition to a small game permit, all non-tribal hunters hunting band-tailed pigeons must have in their possession a White Mountain Special Band-tailed Pigeon Permit. Other special regulations established by the White Mountain Apache Tribe apply on the reservation. Tribal and non-tribal hunters will comply with all basic Federal migratory bird hunting regulations in 50 CFR Part 20 regarding shooting hours and manner of taking.

Dated: August 29, 2000.

Stephen C. Saunders,

Acting Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 00–22596 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–55–U

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 000211040-0040-01; I.D. 082800B]

Fisheries of the Exclusive Economic Zone Off Alaska; Other Red Rockfish in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting retention of other red rockfish in the Bering Sea subarea of the Bering Sea and Aleutian Islands management area (BSAI). NMFS is requiring that catch of other red rockfish in this area be treated in the same manner as prohibited species and discarded at sea with a minimum of injury. This action is necessary because the amount of the 2000 total allowable catch (TAC) of other red rockfish in this area has been achieved.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), August 28, 2000, until 2400 hrs, A.l.t., December 31, 2000.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The amount of the 2000 TAC of other red rockfish in the Bering Sea subarea of the BSAI was established as 165 metric tons by the Final 2000 Harvest Specifications of Groundfish for the BSAI (65 FR 8282, February 18, 2000). See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(2), the Administrator, Alaska Region, NMFS, has determined that the amount of the 2000 TAC for other red rockfish in the Bering Sea subarea of the BSAI has been achieved. Therefore, NMFS is requiring that further catches of other red rockfish in the Bering Sea subarea of the BSAI be treated as prohibited species in accordance with § 679.21(b).

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the amount of the 2000 TAC of other red rockfish in the Bering Sea subarea of the BSAI. A delay in the effective date is impracticable and contrary to the public interest. The fleet has taken the amount of the 2000 TAC of other red rockfish in the Bering Sea subarea of the BSAI. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 28, 2000

Bruce C. Morehead,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service

[FR Doc. 00–22509 Filed 8–29–00; 2:28 pm]

BILLING CODE: 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 000211039-0039-01; I.D. 082900A]

Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Closure.

SUMMARY: NMFS is prohibiting directed fishing for pollock in Statistical Area 630 of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the C season allowance of the pollock total allowable catch (TAC) for Statistical Area 630 of the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), August 29, 2000, until 2400 hrs, A.l.t., December 31, 2000.

FOR FURTHER INFORMATION CONTACT: Mary Furuness, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The pollock TAC in Statistical Area 630 was established by the Final 2000 Harvest Specifications for Groundfish for the GOA (65 FR 8298, February 18, 2000, and subsequent correction 65 FR 11909, March 7, 2000) as 24,501 metric tons (mt) for the entire fishing year and 9,008 mt for the C season allowance.

The Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A and B seasonal catch was in excess of the allowances by 5,640 mt and that the excess shall be proportionately subtracted from the subsequent seasonal allowances. In accordance with § 679.20(a)(5)(ii)(C), the C seasonal allowance of pollock TAC in Statistical Area 630 is 5,931 mt.

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the C season allowance of the pollock TAC in Statistical Area 630 will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 5,731 mt, and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance will soon be reached. Consequently, NMFS is prohibiting directed fishing for pollock in Statistical Area 630 of the GOA.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the seasonal allocation of pollock in Statistical Area 630. Providing prior notice and an opportunity for public comment is impracticable and contrary to the public interest. Further delay would only result in overharvest. NMFS finds for good cause that the implementation of this action should not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 29, 2000.

Richard W. Surdi

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

FR Doc. 00–22508 Filed 8–29–00; 2:28 pm]

BILLING CODE: 3510–22–S

Proposed Rules

Federal Register
Vol. 65, No. 171
Friday, September 1, 2000

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–272–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–8 series airplanes. This proposal would require a one-time inspection to determine the manufacturer of the circuit breakers, and corrective action, if necessary. This proposal is prompted by reports of smoke and electrical odor in the flight compartment and cabin area as a result of failure of circuit breakers. The actions specified by the proposed AD are intended to prevent internal overheating and arcing of the circuit breakers and airplane wiring due to long-term use and breakdown of internal components of the circuit breakers, which could result in smoke and fire in the flight compartment and main cabin.

DATES: Comments must be received by October 16, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–272–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 99–NM–272–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5344; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 99–NM–272–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–272–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Supplementary Information

As part of its practice of re-examining all aspects of the service experience of a particular aircraft whenever an accident occurs, the FAA has become aware of instances of smoke and electrical odor in the flight compartment and cabin area of McDonnell Douglas Model DC–9 series airplanes. Investigation revealed that long-term use and breakdown of the internal components of the circuit breakers, manufactured by Wood Electric Corporation or Wood Electric Division of Potter Brumfield Corporation, contributed to internal overheating and arcing of the circuit breakers. This condition, if not corrected, could result in smoke and fire in the flight compartment and main cabin.

The subject circuit breakers on McDonnell Douglas Model DC–8 series airplanes are similar to those on the affected McDonnell Douglas Model DC–9 series airplanes. Therefore, both of these models may be subject to this same unsafe condition.

Other Related Rulemaking

The FAA is considering further rulemaking for certain McDonnell Douglas Model DC–9 series airplanes to address the identified unsafe condition.

The FAA, in conjunction with Boeing and operators of Model DC–8 series airplanes, is continuing to review all aspects of the service history of those airplanes to identify potential unsafe conditions and to take appropriate corrective actions. This proposed airworthiness directive (AD) is one of a series of actions identified during that process. The process is continuing and the FAA may consider additional rulemaking actions as further results of the review become available.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin DC8–24A075, Revision 01, dated September 21, 1999. The service bulletin describes procedures for a one-time inspection to determine the manufacturer of the circuit breakers, and replacement of any circuit breaker manufactured by Wood Electric Corporation or Wood Electric Division of Potter Brumfield Corporation with a new circuit breaker. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, this proposed AD would require accomplishment of the actions specified in the service bulletin described previously, except as discussed below.

Differences Between Proposed AD and Service Bulletin

Operators should note that the proposed AD would require a one-time inspection to determine the manufacturer of the circuit breakers within 24 months after the effective date of this AD. The service bulletin recommends that the inspection be accomplished within 12 months from the issuance of the service bulletin. The proposed AD also would require replacement of the circuit breaker at the next scheduled maintenance visit, but not later than 24 months after the effective date of this AD. The service bulletin recommends that the replacement be accomplished prior to further flight. In developing an appropriate compliance time for these proposed actions, the FAA considered not only the degree of urgency associated with addressing the subject unsafe condition, but the availability of required parts. The FAA has determined that 24 months represents an appropriate interval of time allowable wherein an ample number of required parts will be available for inspection and replacement of the U.S. fleet within the proposed compliance period. The FAA also finds that such a compliance time will not adversely affect the safety of the affected airplanes.

Cost Impact

There are approximately 310 airplanes of the affected design in the worldwide fleet. The FAA estimates that 231 airplanes of U.S. registry would be affected by this proposed AD, it would take approximately 80 work hours per airplane to accomplish the proposed inspection of the circuit breakers (over 700 installed on each airplane), and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $1,108,800, or $4,800 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 99–NM–272–AD.

Applicability: Model DC–8 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin DC8–24A075, Revision 01, dated September 21, 1999; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent internal overheating and arcing of the circuit breakers and airplane wiring due to long-term use and breakdown of internal components of the circuit breakers, which could result in smoke and fire in the flight compartment and main cabin, accomplish the following:

Inspection and Replacement, If Necessary

(a) Within 24 months after effective date of this AD: Perform a one-time inspection to determine the manufacturer of the circuit breaker in accordance with McDonnell Douglas Alert Service Bulletin DC8–24A075, Revision 01, dated September 21, 1999.

(1) If no Wood Electric Corporation or Wood Electric Division of Potter Brumfield Corporation circuit breaker is found, no further action is required by this paragraph.

(2) If any Wood Electric Corporation or Wood Electric Division of Potter Brumfield Corporation circuit breaker is found, at the next scheduled maintenance visit, but not later than 24 months after the effective date of this AD, replace the circuit breaker with a new circuit breaker in accordance with the service bulletin.

Spares

(b) As of the effective date of this AD, no person shall install a circuit breaker, part number 104–205–104, 104–210–104, 104–215–104, 104–220–104, 104–225–104, 104–230–104, 104–235–104, 104–250–104, 446–

250–102, 447–205–102, 448–205–102, 505–205–102, 506–205–102, 447–507–102, 448–507–102, 505–507–102, 506–507–102, 447–210–102, 448–210–102, 505–210–102, 506–210–102, 447–215–102, 448–215–102, 505–215–102, 506–215–102, 447–220–102, 448–220–102, 505–220–102, 506–220–102, 447–225–102, 448–225–102, 505–225–102, 506–225–102, 448–235–102, 505–235–102, or 506–235–102, on any airplane.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permits

(d) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22304 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–273–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–8 series airplanes. This proposal would require an inspection of the antifogging or heating wiring to detect chafing or damage, as applicable; inspection of the insulation blankets to detect damage; and repair, if necessary. This proposal also would require revising the clearview window heating wiring installations. This proposal is prompted by a report of an electrical short that resulted in damage to the antifogging circuit wiring and insulation blanket above the Captain's clearview window. The actions specified by the proposed AD are intended to prevent chafed and damaged wires as a result of a sharp bend and restricted space between the fuselage frame and the clearview window in the full open position, which could result in an electrical short, damage to the antifogging circuit wiring and insulation blanket, and consequent smoke and fire in the flight deck.

DATES: Comments must be received by October 16, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–273–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 99–NM–273–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the FAA, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5344; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 99–NM–273–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–273–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

As part of its practice of re-examining all aspects of the service experience of a particular aircraft whenever an accident occurs, the FAA has become aware of a report of an electrical short that resulted in damage to the antifogging circuit wiring and insulation blanket above the Captain's clearview window on a McDonnell Douglas Model DC–8 series airplane. The incident occurred when wires chafed and arced as a result of the sharp bend and restricted space between the fuselage frame and clearview window in the full open position. This condition, if not corrected, could result in an electrical short, damage to the antifogging circuit wiring and insulation blanket, and consequent smoke and fire in the flight deck.

Other Related Rulemaking

The FAA, in conjunction with Boeing and operators of Model DC–8 series airplanes, is continuing to review all aspects of the service history of those airplanes to identify potential unsafe conditions and to take appropriate

corrective actions. This proposed AD is one of a series of actions identified during that process. The process is continuing and the FAA may consider additional rulemaking actions as further results of the review become available.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin DC8–30A032, Revision 02, dated September 21, 1999. The service bulletin describes procedures for a detailed visual inspection of the heating wiring (Group 1 airplanes) or antifogging wiring (Group 2 airplanes) to detect chafing or damage, a general visual inspection of the insulation blankets to detect damage, and repair, if necessary. The service bulletin also describes procedures for revising the clearview window heating wiring conduit installations, including installation of certain tubes, grommets, and new terminals, as applicable. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

There are approximately 163 airplanes of the affected design in the worldwide fleet. The FAA estimates that 113 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed detailed visual inspections, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the inspections proposed AD on U.S. operators is estimated to be $13,560, or $120 per airplane.

The FAA also estimates that 54 airplanes of U.S. registry specified as ''Group 1'' in McDonnell Douglas Alert Service Bulletin DC8–30A032, Revision 02, dated September 21, 1999, would be affected by this proposed AD, that it would take approximately 5 work hours per airplane to accomplish the proposed wiring revision. Based on these figures, the cost impact of the wiring revision proposed by this AD on U.S. operators is estimated to be $16,200, or $300 per airplane.

The FAA also estimates that 59 airplanes of U.S. registry specified as ''Group 2'' in McDonnell Douglas Alert Service Bulletin DC8–30A032, Revision 02, dated September 21, 1999, would be affected by this proposed AD, that it would take approximately 4 work hours per airplane to accomplish the proposed wiring revision. Based on these figures, the cost impact of the wiring revision proposed by this AD on U.S. operators is estimated to be $14,160, or $240 per airplane.

The cost impact figures discussed above are based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 99–NM–273–AD.

Applicability: Model DC–8–11, DC–8–12, DC–8–21, DC–8–31, DC–8–32, DC–8–33, DC–8–41, DC–8–42, DC–8–43, DC–8–51, DC–8–52, DC–8–53, DC–88–55, DC–8F–54, DC–8F–55, DC–8–61, DC–8–61F, DC–8–62, DC–8–62F, DC–8–63, and DC–8–63F series airplanes, as listed in McDonnell Douglas Alert Service Bulletin DC8–30A032, Revision 02, dated September 21, 1999; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent chafed and damaged wires as a result of a sharp bend and restricted space between the fuselage frame and the clearview window in the full open position, which could result in an electrical short, damage to the antifogging circuit wiring and insulation blanket, and consequent smoke and fire in the flight deck, accomplish the following:

Inspection and Modification

(a) Within 2 years after the effective date of this AD, perform a detailed visual inspection of the heating wiring (Group 1 airplanes) or antifogging wiring (Group 2 airplanes) to detect chafing or damage, as applicable, perform a general visual inspection of the insulation blankets to detect damage, and revise the clearview window heating wiring conduit installation; in accordance with McDonnell Douglas Alert Service Bulletin DC8–30A032, Revision 02, dated September 21, 1999. If any damaged insulation blanket or wire is detected, or if any chafed wire is detected, prior to further flight, repair in accordance with the service bulletin.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Note 3: For the purposes of this AD, a general visual inspection is defined as: ''A visual examination of an interior or exterior area, installation, or assembly to detect obvious damage, failure, or irregularity. This level of inspection is made under normally available lighting conditions such as daylight, hangar lighting, flashlight, or drop-light, and may require removal or opening of access panels or doors. Stands, ladders, or platforms may be required to gain proximity to the area being checked.''

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permits

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22305 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–274–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–8 series airplanes. This proposal would require installation of heat shrinkable tubing or application of Peel-Kote on each terminal connection of all cabin lighting switches in the forward and aft cabin electrical service panels. This action is necessary to prevent a short circuit within the cabin electrical service panel due to a foreign object being lodged between the terminals of a cabin light switch. Such a short circuit could result in overheating and damage to light circuits, and consequent smoke and fire in the main cabin of the airplane. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by October 16, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–274–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 99–NM–274–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM–130S; FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5344; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.,* reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 99–NM–274–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–274–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

As part of its practice of re-examining all aspects of the service experience of a particular aircraft whenever an accident occurs, the FAA has become aware of an incident in which a short circuit within the cabin electrical service panel caused excessive current to flow through the BRIGHT and DIM cabin lighting circuitry. This incident occurred on a McDonnell Douglas

Model DC–8 series airplane. The short circuit was determined to be caused by a foreign object lodging between the BRIGHT and DIM terminals of a cabin light switch. This condition, if not corrected, could result in overheating and damage to the light circuits, and consequent smoke and fire in the main cabin of the airplane.

Other Related Rulemaking

The FAA, in conjunction with Boeing and operators of Model DC–8 series airplanes, is continuing to review all aspects of the service history of those airplanes to identify potential unsafe conditions and to take appropriate corrective actions. This airworthiness directive (AD) is one of a series of actions identified during that process. The process is continuing and the FAA may consider additional rulemaking actions as further results of the review become available.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin DC8–33A053, dated Revision 02, dated November 1, 1999, which describes procedures for installation of heat shrinkable tubing or application of Peel-Kote on each terminal connection of all cabin lighting switches in the forward and aft cabin electrical service panels. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

There are approximately 263 Model DC–8 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 194 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 work hour per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $11,640, or $60 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 99–NM–274–AD.

Applicability: Model DC–8 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin DC8–33A053, Revision 02, dated November 1, 1999; certificated in any category; except those airplanes on which McDonnell Douglas Service Bulletin 33–53, dated February 13, 1970, or Revision 1, dated August 5, 1975, has been accomplished.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent a short circuit within the cabin electrical service panel due to a foreign object being lodged between the terminals of a cabin light switch, which could result in overheating and damage to light circuits, and consequent smoke and fire in the main cabin of the airplane, accomplish the following:

Installation

(a) At the next maintenance check, but no later than 6 months after the effective date of this AD, install heat shrinkable tubing or apply Peel-Kote on each terminal connection of all cabin lighting switches in the forward and aft cabin electrical service panels, in accordance with McDonnell Douglas Alert Service Bulletin DC8–33A053, Revision 02, dated November 1, 1999.

Note 2: Installation of heat shrinkable tubing or application of Peel-Kote accomplished prior to the effective date of this AD in accordance with McDonnell Douglas Service Bulletin 33–53, dated February 13, 1970, or Revision 1, dated August 5, 1975; is considered acceptable for compliance with the requirements of paragraph (a) of this AD.

Alternative Methods of Compliance

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permit

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22306 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–275–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–8 series airplanes. This proposal would require replacing certain transformer ballast assemblies in the first officer's console and electrical power center with certain new, improved ballast assemblies. This action is necessary to prevent overheating of ballast transformers due to high power demands resulting from aging, which could result in smoke in the cockpit. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by October 16, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–275–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 99–NM–275–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5344; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (*e.g.*, reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 99–NM–275–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–275–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

As part of its practice of re-examining all aspects of the service experience of a particular aircraft whenever an accident occurs, the FAA has become aware of incidents in which smoke emanated from the ballast transformers of the cockpit fluorescent lights. These incidents occurred on McDonnell Douglas Model DC–8 series airplanes. Investigation revealed that the cause of smoke in the subject area has been attributed to aging fluorescent tubes that result in a higher power demand on the ballast transformers. This condition, if not corrected, could result in overheating of the ballast transformers of the cockpit fluorescent lights and consequent smoke in the cockpit.

Other Related Rulemaking

The FAA, in conjunction with Boeing and operators of Model DC–8 series airplanes, is continuing to review all aspects of the service history of those airplanes to identify potential unsafe conditions and to take appropriate corrective actions. This proposed airworthiness directive (AD) is one of a series of actions identified during that process. The process is continuing and the FAA may consider additional rulemaking actions as further results of the review become available.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin DC8–33A070, dated November 1, 1999. The service bulletin describes procedures for replacing certain transformer ballast assemblies in the first officer's console and electrical power center with new, improved transformer ballast assemblies. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

There are approximately 289 airplanes of the affected design in the worldwide fleet. The FAA estimates that 228 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts would cost between $1,379 and $3,092 per airplane. Based on these figures, the cost impact of the replacements proposed AD on U.S. operators is estimated to be between $341,772 and $732,336, or $1,499 and $3,212 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 99–NM–275–AD.

Applicability: Model DC–8 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin DC8–33A070, dated November 1, 1999; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent overheating of ballast transformers due to high power demands resulting from aging, which could result in smoke in the cockpit, accomplish the following:

Modification

(a) Within 12 months after the effective date of this AD, replace the transformer ballast assemblies from the first officer's console and electrical power center with new, improved transformer ballast assemblies, in accordance with McDonnell Douglas Alert Service Bulletin DC8–33A070, dated November 1, 1999.

Spares

(b) As of the effective date of this AD, no person shall install a transformer ballast assembly, part number BA170–1, BA170–11, BA170–21, BA170–MOD.B, or BA171–MOD.C, on any airplane.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permit

(d) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22307 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 99–NM–276–AD]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–8 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain McDonnell Douglas Model DC–8 series airplanes. This proposal would require replacing the toilet flushing circuit breakers of the lavatory with new circuit breakers, and marking applicable nameplates. This action is necessary to prevent overheating of the flush pump motor, which could result in damage to the flush pump motor cover, and consequent smoke in the lavatory area. This action is intended to address the identified unsafe condition.

DATES: Comments must be received by October 16, 2000.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–276–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9:00 a.m. and 3:00 p.m., Monday through Friday, except Federal holidays. Comments may be

submitted via fax to (425) 227–1232. Comments may also be sent via the Internet using the following address: 9-anm-nprmcomment@faa.gov. Comments sent via fax or the Internet must contain ''Docket No. 99–NM–276–AD'' in the subject line and need not be submitted in triplicate. Comments sent via the Internet as attached electronic files must be formatted in Microsoft Word 97 for Windows or ASCII text.

The service information referenced in the proposed rule may be obtained from Boeing Commercial Aircraft Group, Long Beach Division, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Dept. C1–L51 (2–60). This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California.

FOR FURTHER INFORMATION CONTACT: Elvin Wheeler, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712–4137; telephone (562) 627–5344; fax (562) 627–5210.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a request to change the compliance time and a request to change the service bulletin reference as two separate issues.
- For each issue, state what specific change to the proposed AD is being requested.
- Include justification (e.g., reasons or data) for each request.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket Number 99–NM–276–AD.'' The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–114, Attention: Rules Docket No. 99–NM–276–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

Discussion

As part of its practice of re-examining all aspects of the service experience of a particular aircraft whenever an accident occurs, the FAA has become aware of incidents of smoke in the lavatory area on McDonnell Douglas Model DC–8 series airplanes. Investigation revealed that the cause of the smoke was an overheated flush pump motor. This condition, if not corrected, could result in damage to the flush pump motor cover, which could result in smoke in the lavatory area.

Other Related Rulemaking

The FAA, in conjunction with Boeing and operators of Model DC–8 series airplanes, is continuing to review all aspects of the service history of those airplanes to identify potential unsafe conditions and to take appropriate corrective actions. This proposed airworthiness directive (AD) is one of a series of actions identified during that process. The process is continuing and the FAA may consider additional rulemaking actions as further results of the review become available.

Explanation of Relevant Service Information

The FAA has reviewed and approved McDonnell Douglas Alert Service Bulletin DC8–24A068, Revision 01, dated November 1, 1999, which describes procedures for replacing the toilet flushing circuit breakers of the lavatory with new circuit breakers, and marking applicable nameplates. Accomplishment of the actions specified in the service bulletin is intended to adequately address the identified unsafe condition.

Explanation of Requirements of Proposed Rule

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require accomplishment of the actions specified in the service bulletin described previously.

Cost Impact

There are approximately 232 Model DC–8 series airplanes of the affected design in the worldwide fleet. The FAA estimates that 199 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 1 or 2 work hours per airplane, depending on the configuration of the airplane, to accomplish the proposed actions, and that the average labor rate is $60 per work hour. Required parts would cost approximately $348 per airplane. Based on these figures, the cost impact of the proposed AD on U.S. operators is estimated to be $408, or $468 per airplane, depending on the configuration of the airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the proposed requirements of this AD action, and that no operator would accomplish those actions in the future if this proposed AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

The regulations proposed herein would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, it is determined that this proposal would not have federalism implications under Executive Order 13132.

For the reasons discussed above, I certify that this proposed regulation (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory

Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

McDonnell Douglas: Docket 99–NM–276–AD.

Applicability: Model DC–8 series airplanes, as listed in McDonnell Douglas Alert Service Bulletin DC8–24A068, Revision 01, dated November 1, 1999; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (c) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated, unless accomplished previously.

To prevent overheating of the flush pump motor, which could result in damage to the flush pump motor cover, and consequent smoke in the lavatory area, accomplish the following:

Replacing Circuit Breakers and Marking of Nameplate

(a) Within 2 years after the effective date of this AD, replace the toilet flushing circuit breakers of the lavatory with new circuit breakers, and mark applicable nameplates, in accordance with McDonnell Douglas Alert Service Bulletin DC8–24A068, Revision 01, dated November 1, 1999.

Note 2: Replacements and markings accomplished prior to the effective date of this AD in accordance with McDonnell Douglas Service Bulletin 24–68, dated February 14, 1984; are considered acceptable for compliance with the requirements of paragraph (a) of this AD.

Spares

(b) As of the effective date of this AD, no person shall install a 2 amp toilet flushing circuit breaker, part number MP1503–DC8, on any airplane.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Los Angeles Aircraft Certification Office (ACO), FAA. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Los Angeles ACO.

Special Flight Permit

(d) Special flight permits may be issued in accordance with §§ 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on August 25, 2000.

Donald L. Riggin,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22308 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–U

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024–AC80

National Capital Region Parks; Photo Radar Speed Enforcement

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule establishes the use and procedure for photo radar speed enforcement in the park areas administered by the National Capital Region of the National Park Service (NPS). The proposed rule provides for the issuance of a citation to the registered owner of the speeding vehicle identified by photo radar but allows the owner, if he or she was not driving the vehicle when the offense occurred, to mail in a statement of denial whereupon the citation will be dismissed. If the citation is adjudicated, the proposed rule allows for the admission of the photo radar photograph under certain conditions, and creates a rebuttable presumption that the cited registered owner was the driver of the vehicle at the time of the violation.

DATES: Written comments must be received on or before October 31, 2000. The NPS may not consider comments received after this date in preparing the final regulation.

ADDRESSES: Written comments may be sent to: Audrey Calhoun, Superintendent, George Washington Memorial Parkway, Turkey Run Park, McLean, Virginia 22101.

FOR FURTHER INFORMATION CONTACT: Audrey Calhoun, Superintendent, George Washington Memorial Parkway, Turkey Run Park, McLean, Virginia 22101, telephone: (703) 289–2500; Randolph J. Myers, Attorney, Branch of National Parks, Office of the Solicitor, Department of the Interior, 1849 C Street, N.W., Washington, D.C., 20240, telephone: (202) 208–4338.

SUPPLEMENTARY INFORMATION:

1. Background

The NPS has major responsibilities and program involvement in traffic safety and traffic law enforcement on its park roads. The National Capital Region of the NPS administers some 447 miles of parkways, primary and secondary roads through Federal parkland in the Washington metropolitan area. It has four major parkways that form a scenic entranceway into Washington, D.C. These major parkways are the George Washington Memorial Parkway, the Rock Creek and Potomac Parkway, the Suitland Parkway, and the Baltimore-Washington Parkway.

The George Washington Memorial Parkway (the ''Parkway'') contains one of the most heavily traveled NPS roadways in the United States. The Parkway comprises 7,146 acres along the western bank of the Potomac River. The Parkway extends from Mount Vernon, Virginia, at its southern end to the Great Falls of the Potomac at its northern end. A major feature of the Parkway is a roadway that winds from Mount Vernon, 38.3 miles northwest to the Capital Beltway.

The initial section of the Parkway, originally known as the Mount Vernon Memorial Highway, opened in 1932 and stretches from Mount Vernon to the Memorial Bridge. Over the course of the next several decades, the Parkway was extended to its present length. Since its inception, a major purpose of the Parkway has been to honor the first

President by connecting the sites that marked his life. The Parkway was also intended to preserve the natural setting along the Potomac River and to provide a fitting entryway into the nation's Capital. The design of the Parkway follows these intentions.

The Parkway is not designed as a freeway, and is not intended solely to provide a direct and efficient route between two points. Rather, the Parkway is designed as a parkway in the traditional sense—taking into account scenery, topography, and other natural features—and providing a means for pleasurable driving between and among park areas. As such, the Parkway encompasses and affords views of some of the Capital area's most significant historical, ecological, and recreational sites. Traveling from Mount Vernon at its southern end, the Parkway includes such diverse resources as Dyke Marsh, the Navy and Marine Memorial, and the Lyndon Baines Johnson Grove. Passing the Memorial Bridge brings views of Robert E. Lee's Home to the west and the Lincoln and Washington Memorials to the east. Following the Potomac River past Theodore Roosevelt Island, the Parkway continues to Fort Marcy just prior to its terminus at the Capital Beltway. Throughout its entire length, the Parkway offers picnic areas, biking and walking trails, and sweeping views of the Potomac River.

Since official records have been kept, the vehicle counts on the Parkway have increased significantly every year. In 1996 alone, the average daily vehicle traffic volume on the Parkway ranged from 43,446 vehicles at the Route 123 ramp to 81,828 vehicles at Reagan National Airport. This large amount of traffic, much of which includes commuter traffic, is mirrored by a significant number of crashes on the Parkway.

For example, in 1996, there were 754 crashes on the Parkway; resulting in 138 injuries and four fatalities. In 1997, there were 653 crashes on the Parkway; resulting in 112 injuries and seven fatalities. In 1998, there were 553 crashes on the Parkway; resulting in 95 injuries and one fatality. In 1999, there were 464 crashes on the Parkway; resulting in 100 injuries and one fatality. The number of accidents that resulted in property damage during these years was 534 in 1997, 457 in 1998, and 363 in 1999. Between January 1996, and June 2000, a total of 13 deaths has occurred in motor vehicle crashes on the Parkway.

Further, even though the United States Park Police's speed enforcement resulted in 11,441 citations for speeding in 1997, 9,107 in 1998 and 7,996 in 1999, traditional enforcement efforts have only been marginally successful. This may be the result, at least in part, of inherent limitations on traditional enforcement techniques due to Parkway configuration, which is designed with scenic beauty as a primary criterion, and therefore lacks wide shoulders and frequent turnarounds that are more conducive to traditional police enforcement. In any event, in spite of the conspicuous posting of speed limit signs, the issuance of speeding citations by Park Police officers, the installation of radar message boards that instantly alert drivers of their speed, and the addition of median barriers in 1997 at a cost of $1.4 million, speeding remains a safety problem with speed related crashes and aggressive driving incidents still occurring.

Motor vehicle crashes at each of the other NPS Capital Gateways are also alarming. On the Baltimore/Washington Parkway in 1996, there were 756 motor vehicle crashes resulting in 151 injuries and two fatalities. In 1997, there were 769 motor vehicle crashes resulting in 144 injuries and five fatalities. In 1998, there were 511 crashes with 124 injuries and seven fatalities. And in 1999, there were 525 crashes with 131 injuries and eight fatalities. On Rock Creek Parkway in 1996, there were 249 motor vehicle crashes with 56 injuries and one fatality. In 1997, there were 206 crashes with 164 injuries and one fatality. In 1998, there were 188 crashes with 40 injuries. And in 1999, there were 207 with 48 injuries and two fatalities. On the Clara Barton Parkway in 1996, there were 84 motor vehicle crashes with 16 injuries and one fatality. In 1997, there were 50 crashes with 41 injuries and one fatality. In 1998, there were 49 crashes resulting in 10 injuries. And in 1999 there were 40 crashes with nine injuries and one fatality. Finally, on the Suitland Parkway in 1996, there were 124 crashes with 26 injuries and one fatality. In 1997, there were 114 crashes with 24 injuries and two fatalities. In 1998, there were 96 crashes with 22 injuries. And in 1999, there were 114 crashes with 28 injuries.

The National Research Council's Transportation Research Board, (Board) has found that excessive speed was involved in 12 percent of all police reported crashes. The Board has also determined that achieving better compliance with speed limits has been difficult, that education and the increased efforts of personnel alone have not been enough, and that photo radar has proven to be a reliable tool to reduce speeding. Robert R. Blackman and Daniel T. Gilbert, Transportation Research Board *Photographic Enforcement of Traffic Laws* 3 (1995). The Board's experience is similar to the findings of the NPS, which has found that speeding was a contributing factor in 10 percent of the crashes that occurred in 1994–1996.

The NPS believes that speeding and aggressive driving are serious problems and that a reliable supplemental speed enforcement tool is necessary. As such, the NPS's George Washington Memorial Parkway has been working with the National Highway Traffic Safety Administration by conducting an automated speed enforcement demonstration project on the Parkway. During the early stage of the demonstration project, the equipment was tested and data were collected to determine the speed distribution on the Parkway. The data collected confirms a high frequency of flagrant speeding violations. As such, the NPS believes that it is now appropriate to propose a photo radar regulation, which would ultimately allow the use of photo radar in speed enforcement.

The NPS seeks the views of the public on this proposed rule and will consider all timely comments. If a final photo radar regulation is promulgated, it is the NPS's intention not to immediately begin issuing citations for speed violations identified by unmanned photo radar devices. Rather, the NPS plans to first educate drivers of the need to obey the speed limit. As such, it would be the NPS's intention to first issue warning letters for a reasonable time period, probably for one month, before citations begin to be issued.

Automated photo enforcement cameras for traffic enforcement are already used in the Washington metropolitan area. Specifically, the technology has already been deployed in Fairfax County and the City of Alexandria, Virginia, in Montgomery and Howard Counties, Maryland, and in the District of Columbia. Further, photo radar enforcement works. The City of Portland, Oregon found that their use of photo radar caused a 27 percent decrease in the percentage of vehicles traveling more than 10 miles per hour over the posted speed, compared to a 12 percent increase on control streets without photo radar. The Urban Transportation Monitor reports that where legislatively enacted photo radar has been installed, there has been a significant reduction in violations. The City of Paradise Valley, Arizona, reported an accident rate decrease of 46 percent in the first year of operation of its photo radar system.

Photo radar devices simply combine a camera with radar technology. The device projects a radar beam across a

roadway. When a vehicle passes through the beam exceeding a preprogrammed speed, the camera is triggered and a photograph or digital image is created of the vehicle and its license plate. The photograph also depicts the vehicle's speed, date, time, and location of the violation. The photograph later can be compared to vehicle registration records, and a citation can be issued. The device can be also programmed to photograph cars only if they are exceeding a certain speed, and this threshold speed can be changed.

Although most photo radar devices use this same basic technology, the devices can be deployed in the field in a variety of ways. For example, the device may be mounted in a law enforcement vehicle or it may be encased in a metal box and mounted on a pole adjacent to a roadway. However it is deployed, photo radar allows law enforcement agencies to target flagrant speeders in a safe, reliable and a nondiscriminatory manner. Indeed, because there are some locations where it is difficult for drivers and officers to pull over safely, use of photo radar can be safer for drivers and officers alike. Further, the NPS believes that a photo radar system is less intrusive and burdensome, insofar as the driver does not have to be stopped.

NPS regulations already allow the use of radiomicrowaves or other electrical devices to determine the speed of a vehicle on a park road. The NPS and its United States Park Police believe that the use of photo radar, with or without the presence of an observing officer, can be a safe, impartial and a reliable supplemental tool to decrease speeding and aggressive driving. And under the NPS's proposed regulation, where photo radar identifies a vehicle exceeding a preprogrammed speed, a citation is be issued to a registered owner of the speeding vehicle.

If the cited registered owner was the driver, he or she can mail in the designated fine. If the cited registered owner was not driving the vehicle when the offense occurred, the owner may mail in a statement of denial whereupon the citation will be dismissed. Finally, if the citation is to be adjudicated, the proposed regulation allows for the admission of the photo radar photograph under certain conditions, and creates a presumption that the cited registered owner was the driver of the vehicle at the time of the violation, but also allows the registered owner several means to rebut the presumption.

By using photo radar as a supplemental speed enforcement tool, the NPS hopes to decrease speeding and aggressive driving, and to reduce fatalities, personal injuries and property damage. The NPS also hopes that by getting drivers to comply with posted speed limits, it also will help preserve the historical, ecological, and recreational attributes of Federal parkland. Indeed, depending on our experiences on the Parkway, photo radar may be used on the other parkways and park roads administered by the National Capital Region. However, it would still be the NPS's plan not to immediately begin issuing citations on such other park roads for violations identified by unmanned photo radar devices. Rather, the NPS still would intend to first issue warning letters, for a reasonable time period, before citations begin to be issued.

2. Description of the Proposed Rule

The proposed rule outlines the use and procedure for photo radar in park areas administered by the National Capital Region. The proposed rule does not require the use of any specific type of photo radar equipment, but rather leaves that decision to the discretion of the NPS. The proposed rule does provide for the issuance of a citation to the registered owner of the speeding vehicle but allows the owner, if he or she was not driving the vehicle when the offense occurred, to mail in a statement of denial whereupon the citation will be dismissed. The citation for a violation identified by photo radar would probably be for failure to comply with the directions of a traffic control device or for speeding. If the citation is to be adjudicated, the proposed rule allows for the admission of the photo radar photograph(s) under certain conditions, and creates a presumption that the registered owner was the driver of the vehicle at the time of the violation, but also allows the registered owner several means to rebut the presumption.

The preprogrammed speed which triggers the photo radar device to take a photograph will be selected by the NPS's United States Park Police. This may be done in several ways. The device may be programmed to photograph every vehicle exceeding a certain speed or the device may be programmed to photograph the top, for example, three percent of speeding vehicles. The Park Police may vary this threshold speed at its discretion but intends to keep this threshold confidential to avoid attempts to circumvent the speed limit laws. The Park Police also intends to monitor average speeds regularly and to adjust the threshold accordingly.

Once a speeding vehicle and its license plate are photographed by the photo radar device, the proposed rule allows a citation to be issued to a registered owner of the vehicle within 15 business days. Consistent with other photo radar enactments, this time period provides timely notice of the violation, and allows the registered owner an ample opportunity to gather witnesses and prepare a defense. A letter or other explanation accompanies the citation and explains that the recipient may (1) pay the fine; (2) submit a certificate of innocence or affidavit; or (3) appear in court for adjudication.

A person issued a citation then has thirty days from the date the citation was mailed to respond by mail. If the cited registered owner fails to timely respond by mail, the cited registered owner appears in court at the time and place designated in the citation. In the adjudication, the photo radar photograph(s) is accepted as prima facie evidence, provided that the police officer or other authorized person testifies as to the camera's placement and that it was properly working under applicable operation and calibration specifications at the time of the violation. Further, proof that the vehicle was operated contrary to law, together with proof that the cited registered owner owned the vehicle at the time of the violation, constitutes a rebuttable presumption that the cited registered owner was the person who committed the violation. However, this presumption will be rebutted if the cited registered owner either submits a certificate or an affidavit, or if the registered owner testifies under oath that he or she was not the operator of the vehicle at the time of the violation.

The NPS's proposed rule's rebuttable presumption is similar to other rebuttable presumptions that have been upheld by the courts, because there was a ''rational connection'' between the basic facts proved and the ultimate fact presumed and the latter are ''more likely than not to flow from'' the former. *Ulster County Court* v. *Allen*, 442 U.S. 140 (1979). In that regard, the proposed rule's rebuttable presumption that the cited registered owner was the driver of the speeding vehicle is both logical and rational. Further, this rebuttable presumption is entirely consistent with many State laws that have similar rebuttable presumption provisions for photo stop light enforcement and photo radar speed enforcement.

Nevertheless, the NPS's proposed rebuttable presumption provision can be rebutted in one of two ways. First, a registered owner who receives a citation

in the mail is given a mechanism for rebutting the presumption by mail. If the cited registered owner was not driving the vehicle at the time of the offense, he or she may rebut the presumption by mailing an enclosed certificate of innocence or an affidavit stating that he or she was not the driver of the vehicle at the time of the alleged violation. The certificate of innocence or affidavit must be signed and be accompanied by a copy of the front and back of the recipient's driver's license. If the certificate or affidavit is received within thirty days of the date the citation was mailed, the citation will be dismissed. Second, in the event of adjudication, the proposed rule provides that the rebuttable presumption shall be rebutted if the cited registered owner either submits a certificate or an affidavit, or if the registered owner testifies under oath that he or she was not the operator of the vehicle at the time of the violation.

In conclusion, the NPS believes that the proposed photo radar rule will provide a reliable, impartial, supplemental speed enforcement tool that will help decrease speeding and aggressive driving and help reduce fatalities, personal injuries and property damage. The NPS hopes that, by using photo radar, more drivers will comply with the posted speed limits.

Our practice is to make comments, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rule making record, which we will honor to the extent allowed by law. There also may be circumstances in which we would withhold from the rule making record a respondent's identity, as allowed by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Drafting Information

The following people participated in the drafting of this proposed rule: Randolph J. Myers, Office of the Solicitor, Department of the Interior; Audrey Calhoun and Dottie Marshal, George Washington Memorial Parkway; Major Hugh Irwin, United States Park Police.

Compliance With Other Laws

Regulatory Planning and Review (E.O. 12866)

This proposed rule is not a significant regulation and is not subject to review by the Office of Management and Budget under Executive Order 12866.

(1) This proposed rule will not have an effect of $100 million or more on the economy. This proposed rule simply creates a supplemental speed enforcement tool allowing the United States Park Police to help regulate speeding on Federal parkland. As such, it will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or Tribal governments or communities.

(2) This proposed rule will not create a serious inconsistency or interfere with an action taken or planned by another agency.

(3) This proposed rule does not alter the budgetary effects or entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients.

(4) As detailed in the **SUPPLEMENTARY INFORMATION** section, this proposed rule is consistent with well-established constitutional and statutory principles and does not raise novel legal or policy issues.

Regulatory Flexibility Act

The Department of the Interior certifies that this proposed rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This proposed rule merely creates another enforcement tool allowing the United States Park Police to regulate speeding on Federal parkland.

Small Business Regulatory Enforcement Fairness Act

This proposed rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. Because this proposed rule only creates another enforcement tool to regulate speeding on Federal parkland, it:

a. Does not have an annual effect on the economy of $100 million or more.

b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, local government agencies or geographic regions.

c. Does not have significant adverse effects on competition, employment, investment, productivity, innovation or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

This proposed rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than $100 million per year. This proposed rule does not have a significant or unique effect on State, local or tribal governments or the private sector because it only creates another enforcement tool to regulate speeding on Federal parkland. A statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*) is not required.

Takings (E.O. 12630)

In accordance with Executive Order 12630, this proposed rule does not have significant takings implications. A takings implication assessment is not required.

Federalism (E.O. 13132)

The Department of the Interior has determined this proposed rule conforms to the Federalism principals of Executive Order 13132. It also certifies that no regulatory preemption occurs. This proposed rule simply creates a supplemental enforcement tool to help regulate speeding on Federal parkland and is restricted to the minimum level necessary to achieve the objectives of 5 U.S.C. 301 under which this rule is promulgated.

Civil Justice Reform (E.O. 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this proposed rule does not unduly burden the judicial system and does meet the requirements of section 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

This proposed rule contains no new reporting or record keeping requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3510 *et seq.*

National Environmental Policy Act (NEPA)

This proposed rule is of an administrative, legal and procedural nature and therefore is categorically excluded from NEPA. 516 DM 2 Appendix 1.10. This proposed rule also does not constitute a major Federal action significantly affecting the quality of the human environment under NEPA, 42 U.S.C. 4321 *et seq.* A detailed statement under the NEPA is not required.

Clarity of This Regulation

Executive Order 12866 requires each agency to write regulations that are easy

to understand. We invite your comments on whether this rule is easy to understand, including answers to questions such as the following: (1) Are the requirements in this rule clearly stated? (2) Does the rule contain technical language or jargon that interferes with its clarity? (3) Does the format of this rule (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce its clarity? (4) Would this rule be easier to understand if it were divided into more (but shorter) sections? (5) Is the description of this rule in the **SUPPLEMENTARY INFORMATION** section of the preamble helpful in understanding this rule? What else could we do to make this rule easier to understand?

Send a copy of any comments that concern how we could make this rule easier to understand to: Office of Regulatory Affairs, Department of the Interior, Room 7229, 1849 C Street NW, Washington, D.C. 20240. You may also e-mail the comments through the Internet addressed to: Exsec@ios.doi.gov.

List of Subjects in 36 CFR Part 7

National parks, National Capital Region parks.

In consideration of the foregoing, it is proposed to amend 36 CFR part 7 as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation for Part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(9), 462(k); Sec. 7.96 also issued under D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

2. Section 7.96 is amended by adding paragraph (n) which reads as follows:

§ 7.96 National Capital Region.

* * * * *

(n) *Regulation of speeding by photo radar.* (1) *What is photo radar?* Photo radar means a device used for speed limit enforcement, utilizing a radiomicrowave or low doppler radar unit and camera that automatically produces a photograph of a vehicle traveling in excess of the legal speed limit, and listing the vehicle's speed, date, time, and location of the violation printed on the photograph.

(2) *How will a photo radar citation for speeding occur?* (i) A citation for speeding will be issued to the vehicle's registered owner and sent by registered mail to the owner's address, as listed by the appropriate department of motor vehicles, within 15 business days of the violation. The citation will include an explanation describing photo radar, options available to the registered owner, and a blank certificate of innocence.

(ii) If the registered owner was not the driver of the vehicle at the time of the alleged violation, he or she may respond by executing the certificate or submitting an affidavit stating that fact. The certificate or affidavit must be signed by the registered owner, include a copy of the front and back of the registered owner's driver's license, and be mailed back to the office which issued the citation within 30 days from the date the citation was mailed. If the cited registered owner submits a timely certificate or affidavit, the citation will be dismissed.

(iii) A cited registered owner who does not timely respond must appear in court at the time and place designated in the citation.

(3) *How will a photo radar prosecution for speeding occur?* (i) In a prosecution, photo radar photograph(s) will be accepted as prima facie evidence in any court, provided that the police officer or other authorized person testifies as to the camera's placement and that it was properly working under applicable operation and calibration specifications at the time of the violation.

(ii) Proof that the vehicle was operated contrary to law, together with proof that the citation recipient was the registered owner of the vehicle at the time of the violation, will constitute a rebuttable presumption that the cited registered owner was the person who committed the violation.

(iii) This rebuttable presumption will be rebutted if the cited registered owner submits either a certificate, affidavit, or testifies under oath that he or she was not the operator of the vehicle at the time of the violation.

* * * * *

Dated: August 2, 2000.

T. Destry Jarvis,

Acting Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 00–22436 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–70–P

POSTAL SERVICE

39 CFR Part 111

Eligibility Standards for Free Matter for the Blind and Other Physically Handicapped Persons

AGENCY: Postal Service.

ACTION: Proposed rule.

SUMMARY: This proposed rule amends the Domestic Mail Manual (DMM) to clarify and simplify the eligibility standards for Free Matter for the Blind and Other Physically Handicapped Persons in conformance, to the extent practicable, with similar standards adopted by the Library of Congress (LOC) for its National Library Service for the Blind and Physically Handicapped (NLS).

DATES: Comments on the proposed standards must be received on or before October 2, 2000.

ADDRESSES: Written comments should be delivered to the Manager, Mail Preparation and Standards, United States Postal Service, 475 L'Enfant Plaza SW., Room 6800, Washington, DC 20260–2405. Comments transmitted via facsimile and/or by email cannot be accepted. Copies of all written comments will be available for inspection and photocopying at USPS Headquarters Library, 475 L'Enfant Plaza SW. 11th Floor N, Washington, DC 20260–1450 between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Joel Walker, 202–268–3340.

SUPPLEMENTARY INFORMATION: The Free Matter privilege was established by Act of Congress in 1904 to provide reading materials for the blind when sent by public institutions and public libraries as a loan to blind readers and when returned by the blind readers to those institutions. (Ch. 1612, 33 Stat. 313, Pub. L. No. 171.) In 1931, the national-books-for-the-blind program was established under the auspices of the Library of Congress to provide books for use by adult residents of the United States, ''including the several States, Territories, insular possessions, and the District of Columbia.'' (Ch. 400, 46 Stat. 1487, Pub. L. No. 787.) Standards for making arrangements for circulation of books (by way of the Free Matter privilege) to and from the blind users through libraries designated as local or regional centers were prescribed by the Librarian of Congress.

In 1966, Congress extended and expanded the books-for-the-blind-program to include other physically handicapped persons. (Pub. L. 89–522, 2 U.S.C. 135a and 135b.) Its purpose was to meet the reading needs of physically handicapped persons who cannot read or use conventional printed books because of impaired eyesight or other physical factors that make them unable physically to manipulate these materials. Certification by competent authority of individuals for eligibility to participate in the program was (and remains today) pursuant to regulations

prescribed by the Librarian of Congress for this service. Henceforth, it became known as the National Library Service for the Blind and Physically Handicapped. See 36 CFR 701.10.

Consistent with the intent of Congress embodied in the Act that created the Library of Congress National Library Service for the Blind and Physically Handicapped, the Postal Reorganization Act (39 U.S.C. 3403(a)(1)) extended the Free Matter privilege to mail matter for the use of the blind or other persons who cannot use or read conventionally printed material because of a physical impairment and who are certified by competent authority in accordance with the regulations established by the Librarian of Congress. Accordingly, the Postal Service seeks now to clarify its eligibility standards for the Free Matter privilege to incorporate, as closely as practicable, the standards devised by the Librarian of Congress for establishing eligibility and certification for participation in the National Library Service for the Blind and Physically Handicapped. See 36 CFR 701.10.

Although exempt from the notice and comment requirements of the Administrative Procedure Act (5 U.S.C 410 (a)), the Postal Service invites comments on the following proposed revisions to the Domestic Mail Manual, incorporated by reference in the Code of Federal Regulations. See 39 CFR part 111.

For the reasons discussed above, the Postal Service hereby proposes the following amendments to the Domestic Mail Manual, which are incorporated by reference in the Code of Federal Regulations (see 39 CFR part 111).

List of Subjects in 39 CFR Part 111

Administrative practice and procedure, Postal Service.

PART 111—[AMENDED]

1. The authority citation for 39 CFR part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 101, 401, 403, 404, 414, 3001–3011, 3201–3219, 3403–3406, 3621, 3626, 5001.

2. Revise the Domestic Mail Manual as follows:

E Eligibility

E000 Special Eligibility Standards

* * * * *

[Amend E040 to insert the word ''physically'' before the word ''handicapped'' in each instance where it appears.]

E040 Free Matter for the Blind and Other Physically Handicapped Persons

1.0 BASIC INFORMATION

1.1 General

[Amend 1.1 to read as follows:]

Subject to the standards below, matter may be entered free of postage if mailed by or for the use of blind or other persons who cannot read or use conventionally printed materials due to a physical handicap. The provisions of E040 apply to domestic mail only.

* * * * *

[Amend titles and text of 1.3 and 1.4 and add new 1.5 and 1.6 to read as follows:]

1.3 Eligibility

The following persons are eligible to send and receive free matter in accordance with 2.2 below:

a. Certified Participants in the Library of Congress National Library Service for the Blind and Physically Handicapped (NLS).

b. Blind persons whose visual acuity, as determined by competent authority, is 20/200 or less in the better eye with correcting lenses, or whose widest diameter of visual field subtends angular distance no greater than 20 degrees.

c. Other physically handicapped persons are eligible as follows:

(1) Persons whose visual disability, with correction and regardless of optical measurement, is certified by competent authority as preventing the reading of standard printed material.

(2) Persons certified by competent authority as unable to read or unable to use standard printed material as a result of physical limitations.

(3) Persons certified by competent authority as having a reading disability resulting from organic dysfunction and of sufficient severity to prevent their reading printed material in a normal manner.

d. Eligible participants must be residents of the United States, including the several states, territories, insular possessions, and the District of Columbia, or eligible American citizens domiciled abroad.

1.4 Certifying Authority

For purposes of this standard:

a. In cases of blindness, visual impairment, or physical limitations, ''competent authority'' is defined to include doctors of medicine; doctors of osteopathy; ophthalmologists; optometrists; registered nurses; therapists; and professional staff of hospitals, institutions, and public or private welfare agencies (*e.g.,* social workers, caseworkers, counselors, rehabilitation teachers, and superintendents). In the absence of any of these, certification may be made by professional librarians or by any person whose competence under specific circumstances is acceptable to the Library of Congress. See 36 C.F.R. sec. 701.10(b)(2)(i).

b. In the case of reading disability from organic dysfunction, competent authority is defined as doctors of medicine and doctors of osteopathy who may consult with colleagues in associated disciplines.

1.5 Certification by Organizations

Organizations using the Free Matter privilege to mail matter to persons who claim eligibility must certify that each recipient on its mailing list is eligible to receive free matter. Organizations using the Free Matter privilege to mail matter to eligible persons must maintain records to substantiate their eligibility consistent with those required by the Library of Congress on its applications for Free Library Service.

1.6 Qualifying Individuals

The United States Postal Service reserves the right to require individuals claiming entitlement to the Free Matter for the Blind or Other Physically Handicapped Persons privilege to furnish evidence of eligibility, consistent with the standards in 1.3, 1.4, and 1.5.

2.0 MATTER SENT TO BLIND OR OTHER PHYSICALLY HANDICAPPED PERSONS

2.1 Acceptable Matter

Subject to 2.2, this matter may be mailed free:

[Amend item a by adding ''in braille or 14-point or larger sightsaving type'' to read as follows:]

a. Reading matter in braille or 14-point or larger sightsaving type and musical scores.

* * * * *

2.2 Conditions

The matter listed in 2.1 must meet these conditions:

[Amend item d by adding ''as defined in E211'' to read as follows:]

d. The matter contains no advertising as defined in E211.

* * * * *

3.0 MATTER SENT BY BLIND OR OTHER PHYSICALLY HANDICAPPED PERSONS

[Amend 3.1 to read as follows:]

3.1 Acceptable Letters

Only letters in braille or in 14-point or larger sightsaving type or in the form of sound recordings, and containing no advertising, may be mailed free, and only if unsealed and sent by a blind or other physically handicapped person as described in 1.3.

* * * * *

An appropriate amendment to 39 CFR part 111 will be published if the proposal is adopted.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 00–22215 Filed 8–31–00; 8:45 am]

BILLING CODE 7710–12–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[TX–122–1–7451b; FRL–6860–4]

Approval and Promulgation of Implementation Plans; Texas; Reasonably Available Control Technology for Major Stationary Sources of Nitrogen Oxides for the Houston/Galveston, Beaumont/Port Arthur, and Dallas/Fort Worth Ozone Nonattainment Areas

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to take direct final action on revisions to the Texas State Implementation Plan. The revisions concern Control of Air Pollution from Nitrogen Compounds. Specifically, this rulemaking covers three separate actions: Converting EPA's conditional approval of the revisions to the 30 TAC, Chapter 117, Control of Air Pollution from Nitrogen Compounds for major stationary sources in the Beaumont/Port Arthur (B/PA) and Houston/Galveston (H/GA) ozone nonattainment areas to a full approval, as meeting the Reasonably Available Control Technology (RACT) requirements for controlling Oxides of Nitrogen (NO_X) emission from major stationary sources in the B/PA and H/GA ozone nonattainment areas; approving Revisions to the 30 TAC, Chapter 117, Control of Air Pollution from Nitrogen Compounds for lean burn, stationary, reciprocating internal combustion engines in the B/PA, and H/GA ozone nonattainment areas; and approving Revisions to the 30 TAC, Chapter 117, Control of Air Pollution from Nitrogen Compounds, for major stationary sources in the Dallas/Fort Worth (D/FW) ozone nonattainment area, as meeting the RACT requirements for controlling the NOx emission from major stationary sources in the D/FW ozone nonattainment area. The EPA is approving these revisions to regulate emissions of Nitrogen dioxide in accordance with the requirements of the Federal Clean Air Act.

In the ''Rules and Regulations'' section of this **Federal Register**, EPA is approving the State's SIP revision as a direct final rule without prior proposal because the EPA views this as a noncontroversial revision and anticipates no adverse comment. The EPA has explained its reasons for this approval in the preamble to the direct final rule. If EPA receives no relevant adverse comments, the EPA will not take further action on this proposed rule. If EPA receives relevant adverse comment, EPA will withdraw the direct final rule and it will not take effect. The EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

DATES: Written comments must be received by October 2, 2000.

ADDRESSES: Written comments should be addressed to Mr. Thomas H. Diggs, Chief, Air Planning Section (6PD–L), at the EPA Region 6 Office listed below. Copies of documents relevant to this action are available for public inspection during normal business hours at the following locations. Anyone wanting to examine these documents should make an appointment with the appropriate office at least two working days in advance.

Environmental Protection Agency, Region 6, Air Planning Section (6PD–L), 1445 Ross Avenue, Dallas, Texas 75202–2733.

Texas Natural Resource Conservation Commission, Office of Air Quality, 12124 Park 35 Circle, Austin, Texas 78753.

FOR FURTHER INFORMATION CONTACT: Mr. Alan Shar, P.E., Air Planning Section (6PD–L), EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733, telephone (214) 665–6691.

SUPPLEMENTARY INFORMATION: This document concerns Control of Air Pollution from Nitrogen Compounds and the RACT requirements in the B/PA, H/GA, and D/FW ozone nonattainment areas. For further information, please see the information provided in the direct final action that is located in the ''Rules and Regulations'' section of this **Federal Register** publication.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 11, 2000.

Myron O. Knudson,

Acting Regional Administrator, Region 6.

[FR Doc. 00–22057 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MD008/052–3052b; FRL–6845–9]

Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Iron and Steel Production Installations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revisions submitted by the State of Maryland for the purpose of establishing opacity limits for blast furnaces constructed on or after January 1, 1977. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A more detailed description of the state submittal and EPA's evaluation are included in a Technical Support Document (TSD) prepared in support of this rulemaking action. A copy of the TSD is available, upon request, from the EPA Regional Office listed in the **ADDRESSES** section of this document. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by October 2, 2000.

ADDRESSES: Written comments should be addressed to Ms. Makeba A. Morris, Chief, Technical Assessment Branch, Mailcode 3AP22, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the documents relevant to this action are available for public inspection during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street,

Philadelphia, Pennsylvania 19103; and the Maryland Department of the Environment, 2500 Broening Highway, Baltimore, Maryland, 21224.

FOR FURTHER INFORMATION CONTACT: Ruth E. Knapp, (215) 814–2191, at the EPA Region III address above, or by e-mail at knapp.ruth@epa.gov.

SUPPLEMENTARY INFORMATION: For further information on the opacity limits for blast furnaces constructed in Maryland on or after January 1, 1977, please see the information provided in the direct final action, with the same title, that is located in the ''Rules and Regulations'' section of this **Federal Register** publication.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 00–22376 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[FRL–6855–7]

Use of Alternative Analytical Test Methods in the Reformulated Gasoline Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would extend the time period during which certain alternative analytical test methods may be used in the Federal reformulated gasoline (RFG) program to September 1, 2004. The time period for the use of these alternative methods originally expired on January 1, 1997 and was previously extended to September 1, 1998 and September 1, 2000. This proposed rule would also update each of these alternative methods to achieve more accurate results and to make them easier to perform. The purpose of today's proposed extension is to grant temporary flexibility until we issue a performance-based analytical test methods rule.

DATES: Comments must be submitted by October 2, 2000.

ADDRESSES: If you wish to submit comments, you should send them to the docket address listed and to Anne Pastorkovich, Attorney/Advisor, Transportation & Regional Programs Division, U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW. (6406J), Washington, DC 20460. Materials relevant to this proposed (and direct final) rule have been placed in docket A–2000–26 located at U.S. Environmental Protection Agency, Air Docket Section, Room M–1500, 401 M Street, SW., Washington, DC 20460. The docket is open for public inspection from 8 a.m. until 5:30 p.m., Monday through Friday, except on Federal holidays. You may be charged a reasonable fee for photocopying services.

FOR FURTHER INFORMATION CONTACT: If you would like further information about this proposed rule or to request a hearing, contact Anne Pastorkovich, Attorney/Advisor, Transportation & Regional Programs Division, (202) 564–8987.

SUPPLEMENTARY INFORMATION:

I. Regulated Entities

Entities potentially regulated by the action are those that use analytical test methods to comply with the RFG program. Regulated categories and entities include:

Category	Examples
Industry	Oil refiners, gasoline importers, oxygenate blenders

This table is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be regulated by this action. This table lists all entities that we are now aware could potentially be regulated by this action. Other types of entities not listed in this table could also be regulated by this action. To determine whether your business is regulated by this action, you should carefully examine the applicability criteria in part 80 of Title 40 of the Code of Federal Regulations. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed in the preceding section of this document.

II. RFG Standards & Test Methods Utilized in 40 CFR 80.46

Section 211(k) of the Clean Air Act directs EPA to establish standards requiring the greatest reduction in emissions of ozone forming volatile organic compounds (VOCs) and toxic air emissions achievable through the reformulation of conventional gasoline, considering cost, other health and environmental factors and energy requirements. The Act requires that RFG meet certain content standards for oxygen, benzene, and heavy metals. RFG must be used in certain ozone nonattainment areas, called ''covered areas.'' The CAA also requires EPA to establish anti-dumping standards applicable to conventional gasoline used in the rest of the country. We issued final RFG and anti-dumping regulations on December 15, 1993 [1] and these regulations became effective in January 1995.

Under the RFG and anti-dumping program, refiners, importers, and oxygenate blenders are required to test RFG and conventional gasoline for certain parameters, including sulfur levels, aromatic content, benzene content, and oxygen content. Test methods for determining these parameters are specified in the regulation. For oxygen and oxygenate content, 40 CFR 80.46(g)(1) through (8), (9)(ii), and (h) specify the use of the gas chromatographic procedure using an oxygenate flame ionization detector, or the ''GC–OFID method.'' For aromatics content, 40 CFR 80.46(f)(1) and (2) specifies the gas chromatography method.

Based upon comments received from the regulated industry during the RFG and anti-dumping rulemaking process, we concluded that it would be appropriate to temporarily allow the use of test methods not specified in the regulation for measuring oxygen and aromatics content. These comments tended to indicate that the designated test methods for oxygen and aromatics content were costly and relatively new, so we agreed to permit industry to use two specified alternative analytical test methods until January 1, 1997. The alternative analytical test method for oxygen is ASTM D 4815–93, entitled ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohols in Gasoline by Gas Chromatography,'' and the alternative analytical test method for aromatics is ASTM D 1319–93, entitled ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Flourescent Indicator Adsorption.'' These alternative analytical test methods are specified in § 80.46(g)(9)(i) and (f)(3), respectively.

We later extended the deadline for use of the two alternative analytical test methods to September 1, 1998 [2] and September 1, 2000. [3] In granting these further extensions, we determined that permitting continued use of the

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[1] ''Regulation of Fuels and Fuel Additives: Standards for Reformulated and Conventional Gasoline—Final Rule,'' 59 FR 7812 (February 16, 1994). See 40 CFR part 80 subparts D, E, and F.

[2] ''Use of Alternative Test Methods in the Reformulated Gasoline Program,'' 61 FR 58304 (November 13, 1996).

[3] ''Use of Alternative Test Methods in the Reformulated Gasoline Program and Revision of the Specification for the Mixing Chamber Associated with Animal Toxicity Testing of Fuels and Fuel Additives,'' 63 FR 63789 (November 17, 1998).

specified alternative test methods would grant refiners, importers, and blenders significant flexibility and would not result in any environmental detriment. We continue to believe that the flexibility associated with alternative test methods will not result in any environmental detriment and that it is appropriate to allow these methods to be used. In the earlier notices, we discussed our intent to engage in a notice and comment rulemaking to establish performance-based analytical test methods. A performance-based approach would apply to the measurement of all RFG parameters listed at § 80.46 and would not be limited to oxygen and aromatics content. A performance-based approach would allow regulated parties additional flexibility in choosing analytical test methods since, rather than specifying the exact test method and equipment to be used, a performance-based approach would define the degree of precision and accuracy methods must meet and sets forth procedures to qualify methods for use.

By today's action, we are proposing to extend the time period during which the alternative test methods may be used to September 1, 2004 or until such time as a performance-based test methods approach rulemaking can be completed, whichever is sooner. Today's proposed rule only applies to the test methods for aromatics and oxygen content. As part of this proposed rule, we would update the two alternative test methods that may be used to measure oxygen and aromatics content to their current versions. The current version of the alternative analytical test method for aromatics is ASTM D 1319–99, entitled, ''Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Flourescent Indicator Adsorption.'' The current version of the alternative analytical test method for oxygen and oxygenate content is ASTM D 4815–99, entitled, ''Standard Test Method for Determination of MTBE, ETBE, TAME, DIPE, tertiary-Amyl Alcohol and C1 to C4 Alcohol in Gasoline by Gas Chromatography.'' These two alternative test methods have been updated from ASTM D 1319–93 and ASTM D 4815–93, respectively. The updated methods incorporate minor technical revisions to help the person using the test method achieve more accurate results and do not require different or additional testing apparatus. Therefore, we believe it is appropriate to designate the current versions of these ASTM methods as the allowable alternative test methods. Doing so would not affect our earlier determination that there would be no environmental detriment, since these changes are minor This decision is not expected to be controversial, since the full flexibility associated with the use of alternative analytical test methods will be maintained.

Today's action only proposes to continue the existing flexibility in the use of these two alternative test methods. Consideration of test methods other than the specified alternative test methods for oxygen and aromatics is beyond the limited scope of this proposed rule. The performance-based test methods approach will establish criteria for qualifying other test methods for use. We do invite comment on the usefulness of other specific alternative test methods, not covered by this proposal, and on the appropriateness of considering such methods in future rulemaking actions.

We believe that this proposed rule, and our intent to establish a performance-based test method approach, may help advance the purposes of the ''National Technology Transfer and Advancement Act of 1995,'' section 12(d) of Public Law 104–113 and Office of Management and Budget (OMB) Circular A–119. Both of these documents are designed to encourage the adoption of standards developed by ''voluntary consensus bodies'' and to reduce reliance on government-unique standards where such consensus standards would suffice. This proposed rule would provide an extension of the deadline for using certain alternative test methods until September 1, 2004. We reasonably expect to complete rulemaking on the performance-based test methods approach prior to September 1, 2004. The performance-based test methods approach will address the use of these and other test methods.

III. Administrative Requirements

A. Executive Order 12866

Under Executive Order 12866 (58 FR 51735 (October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to Office of Management and Budget (OMB) review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) Have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) Create a Serious inconsistency or otherwise interfere with an action taken or planned by another Agency;

(3) Materially alter the budgetary impact of entitlement, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

The Agency has determined that this proposed regulation would result in none of the economic effects set forth in Section 1 of the Order because it generally relaxes the requirements of the RFG program and provides regulated parties with more flexibility with respect to compliance with the RFG requirements. Pursuant to the terms of Executive Order 12866, OMB has waived review of this action.

B. Executive Order 13132 (Federalism)

Executive Order 13132, entitled ''Federalism'' (64 FR 43255, August 10, 1999), requires EPA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' ''Policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under Executive Order 13132, EPA may not issue a regulation that has federalism implications, that imposes substantial direct compliance costs, and that is not required by statute, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by State and local governments, or EPA consults with State and local officials early in the process of developing the proposed regulation. EPA also may not issue a regulation that has federalism implications and that preempts State law unless the Agency consults with State and local officials early in the process of developing the proposed regulation.

If EPA complies by consulting, Executive Order 13132 requires EPA to provide to the Office of Management and Budget (OMB), in a separately identified section of the preamble to the rule, a federalism summary impact statement (FSIS). The FSIS must include a description of the extent of EPA's prior consultation with State and local

officials, a summary of the nature of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of State and local officials have been met. Also, when EPA transmits a draft final rule with federalism implications to OMB for review pursuant to Executive Order 12866, EPA must include a certification from the agency's Federalism Official stating that EPA has met the requirements of Executive Order 13132 in a meaningful and timely manner.

This proposed rule would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132. This proposed rule would provide regulatory relief for refiners who choose to use alternative test methods and does not impose any substantial direct effects on the states. Thus, the requirements of section 6 of the Executive Order do not apply to this rule.

C. Executive Order 13084: Consultation and Coordination With Indian Tribal Governments

Under Executive Order 13084, EPA may not issue a regulation that is not required by statute, that significantly or uniquely affects the communities of Indian tribal governments, and that imposes substantial direct compliance costs on those communities, unless the Federal government provides the funds necessary to pay the direct compliance costs incurred by the tribal governments, or EPA consults with those governments. If EPA complies by consulting, Executive Order 13084 requires EPA to provide to the Office of Management and Budget, in a separately identified section of the preamble to the rule, a description of the extent of EPA's prior consultation with representatives of affected tribal governments, a summary of the nature of their concerns, and a statement supporting the need to issue the regulation. In addition, Executive Order 13084 requires EPA to develop an effective process permitting elected and other representatives of Indian tribal governments ''to provide meaningful and timely input in the development of regulatory policies on matters that significantly or uniquely affect their communities.''

Today's proposed rule would not significantly or uniquely affect the communities of Indian tribal governments. Today's proposed rule would not create a mandate for any tribal governments. This proposed rule would apply to gasoline refiners, importers, and blenders. Today's action would make some changes that would generally provide flexibility within the Federal RFG requirements, and would not impose any enforceable duties on communities of Indian tribal governments. Accordingly, the requirements of section 3(b) of Executive Order 13084 do not apply to this proposed rule.

D. Regulatory Flexibility Act (RFA), as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 601 et seq.

The RFA generally requires an agency to prepare a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements under the Administrative Procedure Act or any other statute unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small organizations, and small governmental jurisdictions.

For purposes of assessing the impacts of today's rule on small entities, small entity is defined as: (1) A small business that has not more than 1,500 employees (13 CFR 121.201); (2) a small governmental jurisdiction that is a government of a city, county, town, school district or special district with a population of less than 50,000; and (3) a small organization that is any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.

After considering the economic impacts of today's proposed rule on small entities, I certify that this action will not have a significant economic impact on a substantial number of small entities. In determining whether a rule has a significant economic impact on a substantial number of small entities, the impact of concern is any significant adverse economic impact on small entities, since the primary purpose of the regulatory flexibility analyses is to identify and address regulatory alternatives ''which minimize any significant economic impact of the rule on small entities.'' 5 U.S.C. Sections 603 and 604. Thus, an agency may certify that a rule will not have a significant economic impact on a substantial number of small entities if the rule relieves regulatory burden, or otherwise has a positive economic effect on all of the small entities subject to the rule. Today's proposed rule would provide regulatory relief by extending the deadline for use of alternative test methods for RFG. We have therefore concluded that today's proposed rule would relieve regulatory burden for all small entities. We continue to be interested in the potential impacts of the proposed rule on small entities and welcome comments on issues related to such impacts.

E. Paperwork Reduction Act

This proposed rule would not add any new requirements involving the collection of information as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.* The Office of Management and Budget (OMB) has approved the information collection requirements contained in the final RFG/anti-dumping rulemaking (See 59 FR 7716, February 16, 1994) and has assigned OMB control number 2060–0277 (EPA ICR No. 1591.07).

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An Agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

F. Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA), Public Law 104–4, establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, EPA generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with ''Federal mandates'' that may result in expenditures to State, local, and tribal governments, in the aggregate, or to the private sector, of $100 million or more in any one year. Before promulgating an EPA rule for which a written statement is needed, section 205 of the UMRA generally requires EPA to identify and consider a reasonable number of regulatory alternatives and

adopt the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule. The provisions of section 205 do not apply when they are inconsistent with applicable law. Moreover, section 205 allows EPA to adopt an alternative other than the least costly, most cost-effective or least burdensome alternative if the Administrator publishes with the final rule an explanation why that alternative was not adopted. Before EPA establishes any regulatory requirements that may significantly or uniquely affect small governments, including tribal governments, it must have developed under section 203 of the UMRA a small government agency plan. The plan must provide for notifying potentially affected small governments, enabling officials of affected small governments to have meaningful and timely input in the development of EPA regulatory proposals with significant Federal intergovernmental mandates, and informing, educating, and advising small governments on compliance with the regulatory requirements.

Today's proposed rule contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local or tribal governments or the private sector. The proposed rule would impose no enforceable duty on any State, local or tribal governments or the private sector. This proposed rule would apply to gasoline refiners, blenders and importers. Today's proposed action suggests changes that would provide regulated parties with more flexibility with respect to compliance with the RFG requirements.

G. Executive Order 13045: Children's Health Protection

Executive Order 13045: Protection of Children from Environmental health Risks and Safety Risks (62 FR 19885, April 23, 1997) applies to any rule that: (1) is determined to be economically significant as defined under Executive Order 12866, and (2) concerns an environmental health or safety risk that EPA has reason to believe may have a disproportionate effect on children. If the regulatory action meets both criteria, the Agency must evaluate the environmental health or safety effects of the planned rule on children, and explain why the planned regulation is preferable to other potentially effective and reasonably feasible alternatives considered by the Agency.

EPA interprets Executive Order 13045 as applying only to those regulatory actions that are based on health or safety risks, such that the analysis required under section 5–501 of the Order has the potential to influence the regulation. This proposed rule is not subject to Executive Order 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children. This proposed rule would merely extend the deadline for use of alternative test methods under the RFG program and would not have an adverse effect on air quality.

H. National Technology Transfer and Advancement Act of 1995 (NTTAA)

Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law No. 104–113, 12(d) (15 U.S.C. 272 note) directs EPA to use voluntary consensus standards in its regulatory activities unless to do so would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (e.g., materials specifications, test methods, sampling procedures, and business practices) that are developed or adopted by voluntary consensus standards bodies. The NTTAA directs EPA to provide Congress, through OMB, explanations when the Agency decides not to use available and applicable voluntary consensus standards.

This proposed rule would provide an extension of deadline for use of certain analytical test methods for the RFG program until such time as a notice-and-comment rulemaking to establish performance-based analytical test methods is completed. Today's proposed action does not establish new technical standards or analytical test methods, although it does update existing alternative ASTM test methods to their current versions. To the extent that this proposed action would allow the use of standards developed by voluntary consensus bodies (such as ASTM) this action would further the objectives of the NTTAA. The Agency plans to address the objectives of the NTTAA more broadly in the upcoming rulemaking to establish performance-based analytical test methods.

I. Statutory Authority

Sections 114, 211, and 301(a) the Clean Air Act as amended (42 U.S.C. 7414, 7545, and 7601(a)).

List of Subjects in 40 CFR Part 80

Environmental protection, Air pollution control, Incorporation by reference, Reformulated gasoline.

Dated: August 15, 2000.

Carol M. Browner,

Administrator.

[FR Doc. 00–22381 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 146

[FRL–6863–4]

RIN 2040–AD40

Revision to the Federal Underground Injection Control (UIC) Requirements for Class I-Municipal Wells in Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; Extension of comment period.

SUMMARY: EPA is extending the comment period for the proposed rule Revision to the Federal Underground Injection Control (UIC) Requirements for Class I-Municipal Wells in Florida which was published in the **Federal Register** on July 7, 2000 at 65 FR 42234. The extension of the comment period is for 45 days to provide interested parties additional time to submit written comments on the proposal.

DATES: Comments must be submitted on or before October 20, 2000.

ADDRESSES: Send written comments to Nancy H. Marsh: U.S. Environmental Protection Agency, Region 4; 61 Forsyth St., SW, Atlanta, GA, 30303. Comments may be submitted electronically to *marsh.nancy@epa.gov.* For additional information see Additional Docket information in the **SUPPLEMENTARY INFORMATION** section of this **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For technical inquiries, contact Nancy H. Marsh, Ground Water & UIC Section, EPA Region 4, 61 Forsyth Street, SW, Atlanta, GA 30303 (phone: 404–562–9450; E-mail: *marsh.nancy@epa.gov*) or Howard Beard, Office of Ground Water and Drinking Water, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W.,Washington, DC 20460 (phone: 202–260–8796; E-mail: *beard.howard@epa.gov*). For general information, contact the Safe Drinking Water Hotline, phone 800–426–4791. The Safe Drinking Water Hotline is open Monday through Friday, excluding Federal holidays, from 9:00 a.m. to 5:30 p.m. Eastern daylight-saving time.

SUPPLEMENTARY INFORMATION:

Additional Docket Information

When submitting written comments (see **ADDRESSES** section earlier) please submit an original and three copies of your comments and enclosures (including any references). For an acknowledgment that we have received your information, please include a self-addressed, stamped envelope. EPA will not accept facsimiles (faxes).

The record is available for inspection from 8:30 a.m. to 3:30 p.m. Eastern daylight-saving time, Monday through Friday, excluding legal holidays at the Environmental Protection Agency, Region 4 Library (9th Floor), Sam Nunn Atlanta Federal Center, 61 Forsyth St., SW., Atlanta, GA 30303–8960. For information on how to access Docket materials, please call (404) 562–8190 and refer to the Florida UIC docket.

EPA is also making the docket available to interested parties at EPA's South Florida Office in West Palm Beach. A copy of the docket will be available in Florida until the end of the comment period, October 20, 2000, from 9:00 a.m. to 3:30 p.m. at the following location: Environmental Protection Agency, South Florida Office, 400 N. Congress Ave., Suite 120, West Palm Beach, Florida 33401, for information call (651) 615–4557. Florida Department of Environmental Protection, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, FL 32399–2400, for information call (850) 921–9417.

Dated: August 22, 2000.

J. Charles Fox,

Assistant Administrator for Water.

[FR Doc. 00–22519 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 565

[Docket No. NHTSA 98–3949; Notice 2]

RIN 2127–AH69

Low-Speed Vehicles

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Response to petitions for reconsideration.

SUMMARY: This document responds to petitions for reconsideration of Federal Motor Vehicle Safety Standard No. 500, *Low-Speed Vehicles* (LSV). We are treating most of the requests in the petitions as petitions for rulemaking. The request that we are granting is either to immediately adopt performance requirements for the parking brake, mirrors, and lighting equipment required by the standard, or, in the alternative, allow States to set their own requirements. In response to that request, we have reviewed our decision at the time of Standard No. 500's issuance to assert preemption. We have decided that, until we can establish performance requirements for parking brake, mirrors, and lighting equipment installed on LSVs, we will not assert preemption. Thus, States may establish or maintain their own performance requirements for these equipment items.

FOR FURTHER INFORMATION CONTACT:

For legal issues: Taylor Vinson, Office of Chief Counsel, NHTSA, Room 5219, 400 7th Street, SW., Washington, DC 20590 (telephone 202–366–5263; fax 202–366–3820).

For technical issues: Richard Van Iderstine, Office of Crash Avoidance Standards, NHTSA, Room 5307, 400 7th Street, SW, Washington, DC 20590 (telephone 202–366–4931; fax 202–366–4329).

SUPPLEMENTARY INFORMATION:

The Final Rule: Federal Motor Vehicle Safety Standard No. 500, Low-Speed Vehicles

On June 17, 1998, we published a final rule establishing Federal Motor Vehicle Safety Standard No. 500, *Low-Speed Vehicles* (63 FR 33194), effective on that date. This standard was based upon an NPRM published on January 8, 1997 (62 FR 1077). We are now responding to the petitions for reconsideration of Standard No. 500 that we received.

In the Standard, we defined a ''low-speed vehicle'' (LSV) as a 4-wheeled motor vehicle, other than a truck, whose speed attainable in 1.6 km (1 mi) is more than 32 km/h (20 mph), but not more than 40 km/h (25 mph) on a paved level surface. The definition reflected the intent of the rule which was to relieve LSVs of the legal obligation to comply with Federal motor vehicle safety standards more appropriate for faster vehicles, and to adopt a Federal standard tailored to the more modest speed capabilities of LSVs.

We based the substance of Standard No. 500 upon the requirements of Palm Desert, California, which has been licensing ''golf carts'' as defined under state law for use on certain streets since 1993. In parallel with Palm Desert's specifications, Standard No. 500 requires LSVs to be equipped with headlamps, front and rear turn signal lamps, taillamps, stop lamps, reflex reflectors, rearview mirrors, and a parking brake. We were more specific than Palm Desert in specifying that a windshield be provided that is of AS–1 or AS–5 composition, and that seat belt assemblies be either Type 1 (lap) or Type 2 (lap and shoulder) complying with Federal Motor Vehicle Safety Standard No. 209, *Seat Belt Assemblies*. We also decided to require that LSVs be equipped with a Vehicle Identification Number (VIN) meeting the specifications of 49 CFR Part 565. However, we did not specify any performance requirements for the lighting equipment, mirrors, or parking brake, saying that we would consider the possibility of proposing performance requirements for them, as well as other requirements that might be appropriate for slow-moving small vehicles, in response to our monitoring the safety record of LSVs (63 FR 33212).

In the final rule, we also addressed several matters concerning the effect of Standard No. 500 on state and local laws (63 FR 33197). First, we stated that the final rule did not affect the ability of states and local governments to decide for themselves whether to permit on-road use of golf cars and LSVs. Second, we advised that state and local governments could supplement Standard No. 500 by requiring the installation and performance of equipment not required by Standard No. 500, such as a horn. However, we stated that state and local governments were preempted from specifying performance requirements for lighting equipment, mirrors, and parking brake because we had not specified performance requirements for them. Finally, we noted that the decision whether to require retrofitting of faster golf cars in use at the time of the final rule, and which would have been LSVs if manufactured on or after that time, remained in the domain of state and local law. We also noted that the final rule had no effect on other aspects of state or local regulation of golf cars and Neighborhood Vehicles (NVs) ''including classification for taxation, vehicle and operator registration, and conditions of use upon their state and local roads.'' (63 FR 33216).

Petitions for Reconsideration

We received petitions for reconsideration of Standard No. 500 from the Department of Motor Vehicles of the State of Connecticut (''Connecticut''), the Department of Highway Safety and Motor Vehicles of the State of Florida (''Florida''), American Association of Motor Vehicle Administrators (''AAMVA'') and

Solectria Corporation (''Solectria''), a manufacturer of electric vehicles, which was supported by Electric Transportation Coalition. We also received a request for assistance from Global Electric Motors, a manufacturer of LSVs (''Global'').

We discuss below the issues raised by the petitions and our disposition of them.

1. Whether Standard No. 500 Should Be Applicable to Low-Speed Light Trucks

Solectria, seconded by Electric Transportation Coalition, asked that we reconsider our exclusion of ''trucks'' from the definition of LSV. Solectria believes that we intended ''to exclude heavy construction equipment,'' and that vehicles like its ''Flash micro electric pickup truck'' are ''sufficiently unique and useful as to warrant a change in the wording.'' The Solectria truck, according to its manufacturer, is ''suitable'' for such uses off the public roads as on airport property, college campuses, in ''environmentally sensitive national parks and recreation areas,'' and for ''virtually any other use which requires a small pickup truck with modest payload for short trips.'' To require this light truck to meet Federal motor vehicle safety standards for side impact, and front impact testing and air bags, would, in its manufacturer's opinion, require such re-engineering and development costs as to render the vehicle unsuitable for its intended applications. Solectria therefore asked that we amend the definition of LSV to exclude trucks with ''a maximum allowable curb weight'' of more than 1,000 kg. (2,200 lbs.). Eventually, Solectria intends to offer a micro van version of the vehicle. Because the micro van meets the definition of LSV, Solectria argued that ''it is inconsistent that the pickup truck version be excluded merely because it would be carrying goods in an outside container, rather than carrying passengers in an enclosure.''

In our January 1997 proposal (see 62 FR at 1086), we defined the term ''low-speed vehicle'' without reference to whether the LSV was a passenger car, multipurpose passenger vehicle, or truck. However, a ''low-speed vehicle with work performing features'' would have been excluded from the equipment requirements of Standard No. 100 (as Standard No. 500 was then numbered). This would have had the unintended result that these vehicles would have been relieved of the necessity of complying with the Federal standards they were already meeting. In short, an excluded vehicle would not have been required to meet any Federal motor vehicle safety standard at all. None of the commenters addressed this issue.

In issuing the final rule, we decided that an LSV with ''work performing features'' should continue to be treated as a truck, and that there was no reason to include low-speed trucks in a rule intended to relieve restrictions on low-speed passenger cars. Thus, instead of relieving low-speed trucks of the need to meet any Federal motor vehicle safety standard as the January 1997 NPRM would have done, Standard No. 500 ensures that such trucks must continue to meet the Federal standards that have always applied to trucks with a maximum speed of more than 20 miles per hour. We considered this decision to be ''consistent with the rationale of this rulemaking, which is to eliminate a regulatory conflict involving passenger-carrying vehicles'' (63 FR at 33198), and concluded that ''the truck FMVSSs remain appropriate for trucks with a speed capability between 20 and 25 miles per hour and that these standards have not inhibited their introduction in the past.''

We are still considering this petition, and have not reached a decision whether to grant or to deny it. Our decision will be reflected in the notice of proposed rulemaking under consideration for establishing performance requirements for safety equipment on LSVs that we discuss below.

2. Whether the Required Safety Equipment Should Have Performance Specifications; Whether Such Specifications Should be Promulgated by NHTSA or by the States.

Connecticut asked us to reconsider our issuance of a Standard No. 500 devoid of performance requirements for the ''lighting, mirrors, brakes and reflectors,'' and asked that we incorporate ''at least minimum performance standards'' for those items of equipment. It commented that our decision not to adopt any performance requirements was ''troubling * * * due to both policy considerations and the creation of a possible conflict with'' state statutes that specify requirements for those items of equipment. Florida's comment was similar. As an example, both states cited their local statute requiring any vehicle operated on the highway to be equipped with red taillamps that can be seen from a distance of 1,000 feet. Florida requires that such vehicles have multiple beam headlamps capable of illuminating persons or vehicles at least 450 feet ahead on upper beam and 150 feet ahead on lower beam. Connecticut stated that the lack of specifications and its inability to promulgate them because it is preempted from doing so by Standard No. 500 creates ''an apparent dilemma'' for any state that ''does not now permit LSVs to engage in general highway use but may wish to consider doing so.'' If NHTSA issues performance requirements, ''Connecticut could then assess [them] and use as benchmark to make decisions regarding the extent to which highway operation of LSVs will be permitted.'' Both states comment that ''the decision in the final rule not to include performance standards does not appear to us to be a prudent exercise of federal preemption authority.''

AAMVA, ''on behalf of the motor vehicle community,'' submitted a similar comment. It believes that without standards, ''manufacturers are free to install any color or candlepower on headlights, any braking capacity no matter how minimal, etc.'' In AAMVA's view, ''this seems to contradict the rule's apparent intention to make such vehicles road-worthy.'' Accordingly, it asks NHTSA either to ''set federal standards for safety equipment or else allow jurisdictions to set their own.'' It also asked NHTSA to ''postpone the effective date of the final rule to accommodate legislative changes needed,'' so that ''safety equipment issues [can be] addressed and state legislatures have sufficient time to make any necessary changes to their laws and regulations.''

We explained in the preamble of the June 1998 final rule that we were not, at that time, issuing performance specifications for equipment required on LSVs, but would consider what might be appropriate after we monitor their safety records.

In our January 1997 proposal, we discussed the safety record of small vehicles in low-speed environments and an appropriate safety standard (62 FR 1081–83). Because of the scarcity of four-wheeled limited-speed vehicles in operation in the United States, virtually no data were available concerning crashes that had unmistakably occurred on the public roads. Comments indicated that safety had not been a problem. Data from Palm Desert, which had had the most experience with on-road golf cars, indicated that the safety record of these slow-moving vehicles was exemplary when they were operated on the city streets in environments with heavier and faster-moving vehicles. In our opinion, the lack of crashes was attributable in part to the roadway schemes and operating restrictions that Palm Desert had established. We commended those schemes and restrictions to other jurisdictions considering permitting on-

road use of golf cars. While recognizing that the safety record of low-speed vehicles might change with increases in their numbers, we tentatively concluded on the basis of the existing safety record that safety would be met by proposing that LSVs be furnished with safety equipment meeting the Palm Desert requirements. We also tentatively concluded that motor vehicle safety did not necessitate, ''for the present, a comprehensive and detailed regulatory scheme under which LSVs must comply with the full range of Federal motor vehicle safety standards that apply to faster vehicles'' (62 FR 1082). Comments by two manufacturers of neighborhood electric vehicles (NEVs) indicated that their vehicles were already equipped in accordance with Palm Desert's requirements.

With one exception, State officials responding to the proposed rule supported it, commenting on the beneficial effects it would have on the environment. However, Iowa Department of Transportation listed, without discussion, 13 concerns that it had, one of which was ''administration of state safety standards.'' (Comment 022, D.I. MacGillivray, P.E., Director, Engineering Division). It was not until after the final rule that state concerns came to the forefront as represented by the comments of AAMVA, Connecticut, and Florida.

We recognize that a requirement for LSVs to be equipped with an item of equipment without specifying its performance can result in the introduction of LSVs by different manufacturers whose safety equipment would not perform in an identical manner. We also recognize that allowing a manufacturer total freedom in the choice regarding the performance of equipment could result in its installation of equipment that might not be satisfactory. However, without first providing notice and opportunity to comment, we cannot now respond to the petitions for reconsideration by amending Standard No. 500 to specify performance requirements for lighting equipment, mirrors, the parking brake, or any other equipment that the commenters desired or deemed necessary. For these reasons, we have decided to treat the petitions for reconsideration by Connecticut, Florida, and AAMVA as petitions for rulemaking and are granting them. We will begin to develop appropriate performance specifications for LSVs, with the intent of proposing and adopting them.

Until performance requirements can be proposed and adopted, the states could be faced with a continuation of the status quo to which they objected in their petitions for reconsideration. AAMVA's alternative request was that the states be allowed to set their own performance requirements for LSVs. This raises the question of the extent to which state action is allowable by the preemption provisions of 49 U.S.C. Chapter 301. 49 U.S.C. 30103(b) provides as follows:

> PREEMPTION—(1) When a motor vehicle safety standard is in effect * * *, a State or political subdivision of a State may prescribe or continue in effect a standard applicable to the same aspect of performance of a motor vehicle or motor vehicle equipment only if the standard is identical to the [Federal] standard * * * *

In adopting the final rule, we commented that this language precluded states, for example, from requiring additional types of lamps to those specified in Standard No. 500. We went on to say that since we had not ''specified performance requirements for any of the required lights, state and local governments may not do so either'' (p. 33215), and that we were not aware of any aspects of existing state laws that might be regarded as preempted by issuance of the final rule, as ''those laws do not contain performance requirements for the items of equipment required by Standard No. 500.''

In light of the petitions, we have re-examined our statements about preemption in the preamble of the final rule. In those statements, we explained that, in view of our conscious decision not to adopt any performance requirements for most of the types of equipment required by Standard No. 500, the states were preempted from doing so. This is known as ''negative preemption.'' Except in the relatively rare situations that an agency ''occupies the field'' under the regulatory statute that it administers, negative preemption only applies when it is clear that the decision not to regulate is meant to preclude state regulation of the matters in question. As a result of re-examining our views, we have concluded that we should not assert negative preemption in this particular situation. Accordingly, we agree that the states may adopt and apply their own performance requirements for required LSV lighting equipment, mirrors, and parking brakes until we have established performance requirements for those items of equipment. However, the states remain precluded from adopting *additional* equipment requirements in areas covered by Standard No. 500.

AAMVA also asked NHTSA to ''postpone the effective date of the final rule to accommodate legislative changes needed,'' so that ''safety equipment issues [can be] addressed and state legislatures have sufficient time to make any necessary changes to their laws and regulations.'' AAMVA, in effect, was asking us to suspend Standard No. 500 (we cannot ''postpone'' the effective date since that was the date on which the standard was published). This request appears related to the request that states be allowed to adopt their own requirements. We believe that we have responded to that concern by changing our position on negative preemption. We therefore deny its petition to ''postpone'' the effective date of Standard No. 500.

We reiterate that our action in creating the LSV category does not in any way affect the rights of a state to establish its own registration and operating requirements for LSVs or even to forbid their use on the public roads of the State.

3. Request for Assistance

Subsequent to the comment period, Global e-mailed the agency requesting assistance and clarification, but not petitioning for rulemaking. Global had three requests.

The first request was for ''NHTSA assistance in informing state DOT officials of the new LSV ruling and development of recommendations regarding registering and licensing of the vehicle.'' Through our Regional Administrators, we are providing copies of this notice to state Departments of Motor Vehicles (''DMVs'') so to assist the states in accommodating the new vehicle category within their regulatory framework. Because vehicle registration and licensing are exclusively within the authority of each state, we decline Global's request that we develop recommendations on registering and licensing of LSVs for those states that have not moved to allow LSVs on their roads.

The second request was for us to provide ''Recommendations on sources of technical assistance that could help [Global] promote examples of model legislation or rulemaking controlling vehicle usage that could be adopted by the states to establish a more or less uniform code throughout the country.'' We recommended in the preamble to the final rule that states might wish to review the plan of Palm Desert for suitability to local needs. For a more uniform national code of registration and usage, we recommend that LSV manufacturers and states work with AAMVA to develop model legislation.

The third request was for ''A thorough explanation of the implications of the LSV ruling for [Global's] internal use in order for [it] to be able to more effectively work with states and

localities that are reluctant to allow [its] vehicle to be registered and licensed for use on roads and streets, although they have not taken action to disallow that use.'' We interpret this as a request for advice on how a manufacturer should approach those states whose laws neither specifically permit or prohibit LSVs on their roads, in short, a regulatory limbo. This situation can only be resolved on a state-by-state basis. We repeat that it is for each individual state to decide whether LSVs should be registered and licensed for use on state roads, and the conditions under which this should occur.

Corrections

Two comments were received correcting information contained in the preamble to the final rule. At 63 FR 33196, we observed that the City of Palm Desert estimates ''that it has achieved an emissions reduction of 16 tons of carbon monoxide annually since implementing its program allowing golf cars to use the public streets.'' Jacques Leslie, Contributing Writer, Wired Magazine, cites the relevant report by Robert Bein, William Frost & Associates for the City of Palm Desert, which concluded that the reduction of pollutants in the first year of the program (1996) was ''nearly 4 tons,'' because of the substitution of use of golf cars for passenger cars, and that this was the ''worst case as emission factors would decrease in later years due to controls.'' Also, at 63 FR 33197, based on industry sources, we stated that ''1 percent of Club Car's fleet golf cars * * * have a top speed between 15 and 20 miles per hour.'' Club Car's Washington attorney, Eileen P. Bradner, has informed us that none of Club Car's fleet golf cars are manufactured with top speeds exceeding 15 miles per hour.

Issued on: August 22, 2000.

L. Robert Shelton,

Executive Director.

[FR Doc. 00–21777 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered Species; Establishment of Manatee Protection Areas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Advance notice of proposed rulemaking and request for comments.

SUMMARY: The Fish and Wildlife Service (Service) is considering the preparation of a draft rule that would establish additional protection areas for the endangered West Indian manatee (*Trichechus manatus latirostris*) within the area of the species' range. These protection areas would be either refuges, areas where waterborne activities are restricted, or sanctuaries, areas where waterborne activities are prohibited. The Service is considering this action as a means to reduce the level of watercraft-related incidental take of manatees.

DATES: We must receive your comments regarding this proposed rulemaking on or before October 16, 2000.

ADDRESSES: Submit written comments to the Field Supervisor, Jacksonville Field Office, U.S. Fish and Wildlife Service, 6620 Southpoint Drive, South, Suite 310, Jacksonville, Florida 32216 or via electronic mail to fw4__es__jacksonville@fws.gov. Comments and materials received in response to this proposal will be available for public inspection at this address during normal working hours from 8 a.m. to 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Peter Benjamin, Jacksonville Field Office, U.S. Fish and Wildlife Service, 6620 Southpoint Drive, South, Suite 310, Jacksonville, Florida 32216, Telephone: (904) 232–2580 extension 106, Facsimile: (904) 232–2404, or Electronic Mail: fw4__es__jacksonville@fws.gov.

SUPPLEMENTARY INFORMATION: The establishment of protection areas for the Florida manatee is provided for under regulations promulgated under the Endangered Species Act (ESA), as amended in 1973 (16 U.S.C. 1531 *et seq.*), and published in Title 50 of the Code of Federal Regulations, Part 17, Subpart J. The Service may, by regulation issued in accordance with 5 U.S.C. 553 & 43 CFR part 14, establish manatee protection areas whenever there is substantial evidence showing such establishment is necessary to prevent the taking of one or more manatees (50 CFR 17.103). The ESA prohibits the taking of endangered species. ''Take'' as defined by the ESA means ''to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct.''

There are two types of manatee protection areas which may be established: manatee refuges and manatee sanctuaries. A manatee refuge, as defined in 50 CFR 17.102, is an area in which the Director has determined that certain waterborne activities would result in the taking of one or more manatees, or that certain waterborne activities must be restricted to prevent the taking of one or more manatees, including but not limited to a taking by harassment. The designation of an area as a refuge results in the restriction of waterborne access. A manatee sanctuary is an area in which the Director has determined that any waterborne activity would result in the taking of one or more manatees, including but not limited to a taking by harassment. The designation of an area as a sanctuary results in the prohibition of all waterborne activities. A waterborne activity is defined as including, but not limited to, swimming, diving (including skin and SCUBA diving), snorkeling, water skiing, surfing, fishing, the use of water vehicles and dredging and filling activities.

The Service proposes to evaluate the need for establishment of protection areas. The Service may subsequently establish such protection areas if and where warranted. Areas under consideration for possible designation as either refuges or sanctuaries include, but may not be limited to, areas of importance to manatees such as warm water refuges; areas used for feeding, mating, calving, resting, or traveling; areas with a high incidence of watercraft-related manatee mortality; and areas in which the Service determines that the current protection measures are inadequate.

Persons wishing to provide relevant information and comments regarding our evaluation of the need for manatee refuges and sanctuaries and the establishment of such protection areas should submit such comments in writing to the address above.

Our practice is to make comments we receive on this rulemaking, including names and home addresses of respondents, available for public review during regular business hours. Individual respondents may request that we withhold their home address from the rulemaking record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the rulemaking a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comments. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public inspection in their entirety.

Dated: August 24, 2000.

H. Dale Hall,

Acting Regional Director.

[FR Doc. 00–22422 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–55–P

Notices

Federal Register

Vol. 65, No. 171

Friday, September 1, 2000

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA'')

In accordance with Departmental policy, 28 CFR 50.7, 38 FR 19029, and 42 U.S.C. 9622(d)(2), notice is hereby given that on August 14, 2000, a proposed Consent Decree in *United States* v. *American Cyanamid Company, et al.*, Civil Action No. 00–Civ.–6015 (LMM), was lodged with the United States District Court for the Southern District of New York. The proposed consent decree resolves the United States' claims for past costs against American Cyanamid Company, Arizona Chemical Company, Capitol Records, Inc., Colonial Heights Packaging, Inc., Cytec Industries, Inc., Dow Corning Corporation, International Paper Company, Philip Morris Companies, Philip Morris Inc., and Pitney Bowes Inc. for the Sarney Farm Superfund Site under Section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. 9607. Under the terms of the proposed consent decree, the settlers will pay $1.8 million to the United States as reimbursement for the costs the United States incurred at the Sarney Farm Superfund Site.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC 20044–7611, and should refer to *United States* v. *American Cyanamid Company, et al.*, D.J. Ref. 90–11–3–854/1.

The proposed consent decree may be examined at EPA Region II, Office of the Environmental Protection Agency, 290 Broadway, New York, New York 10007–1866. A copy of the consent decree may also be obtained by mail from the Department of Justice Consent Decree Library, P.O. Box 7611, Washington, DC 20044. In requesting a copy, please enclose a check in the amount of $7.75 (25 cents per page reproduction cost) payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 00–22456 Filed 8–31–00; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with 29 CFR 50.7 and Section 122 of the Comprehensive Response, Compensation and Liability Act (''CERCLA''), 42 U.S.C. 9622, the Department of Justice gives notice that a proposed consent decree, in *United States* v. *Lord Crop. et al.,* Civil No. 4:89–CV–2001 (N.D. Ohio), was lodged with the United States District Court for the Northern District of Ohio on August 16, 2000, pertaining to the New Lyme Landfill Superfund Site (the ''Site''), located in Ashtabula County, Ohio. The proposed consent decree would resolve the United States' civil claims under Sections 106 and 107 of CERCLA, 42 U.S.C. 9606 and 9607, and Section 7003 of the Solid Waste Disposal Act, as amended (''RCRA''), 42 U.S.C. 6973, against 12 defendants, and claims asserted against 49 third-party defendants named in this action.

Under the proposed consent decree, 11 Settling Performing Parties (Amcast Industrial Corp., General Electric Co., Lord Corp., Meritor Automotive, Inc., Molded Fiberglass Cos., Monogram Industries, Inc., PPG Industries, Inc., Premix, Inc., Reliance Electric Co., Waste Management of Pennsylvania, Inc.) would be obligated to finance and perform the remedy modification and operation and maintenance of the remedial action at the Site as specified in the Record of Decision (''ROD''), as modified by U.S. Environmental Protection Agency's (''EPA's'') ROD Amendment, issued November 16, 1999, at an estimated net present value cost of $800,000. The Settling Performing Parties would be required to reimburse the Superfund $16.2 million, plus 90% of interest accrued on settlement amounts deposited in a commercial escrow account, toward the United States' past costs at the Site. The Settling Performing Parties would be required to reimburse the State of Ohio (the ''State'') $1.8 million, plus 10% of interest accrued on settlement amounts deposited in commercial escrow account, toward the State's past costs at the Site. In addition, the Settling Performing Parties would be required to reimburse EPA's and the State's future response costs at the Site as well as documented oversight costs accruing since December 1, 1996. The remaining settling parties have been designated as Settling Non-Performing Parties or Settling De Minimis Parties and will pay amounts to the Settling Performing Parties in facilitation of the Settling Performing Parties' obligations under the proposed consent decree.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, United States Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Lord Corp.,* Civil No. 4:89–CV–2001 (N.D. Ohio), and DOJ Reference No. 980–11–2–502. Commenters may request an opportunity for a public meeting in the affected area, in accordance with Section 7003(d) of RCRA, 42 U.S.C. 6973(d).

The proposed consent decree may be examined at: (1) the Office of the United States Attorney for the Northern District of Ohio, 1800 Bank One Center, 600 Superior Avenue East, Cleveland, Ohio 44114–2600 (216–622–3600); and (2) the United States Environmental Protection Agency (Region 5), 77 West Jackson Boulevard, Chicago, Illinois 60604–3590 (contract: Jeffrey Cahn (312–886–6670)). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, U.S. Department of Justice, P.O. Box 7611, Washington DC 20044–7611. In requesting a copy, please refer to the referenced case and DOJ Reference

Number and enclose a check in the amount of $32.00 for the consent decree only (156 pages at 25 cents per page reproduction costs), or $63.00 for the consent decree and all appendices (252 pages), made payable to the Consent Decree Library.

Bruce S. Gelber,

Deputy Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 00–22453 Filed 8–31–00; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act

In accordance with Section 122(d) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. § 9622(d), and the policy of the United States Department of Justice, as provided in 28 CFR 50.7, notice is hereby given that on August 11, 2000, a proposed Consent Decree in *United States* v. *Estate of J.M. Taylor et al.*, Civ. No. C–89–213–R, was lodged with the United States District Court for the Middle District of North Carolina. Under the proposed Consent Decree, Novartis Crop Protection (formerly Ciba-Geigy) and Olin Corporation agree to remediate pesticide contaminated groundwater at the Route 211 Area, one of the five separate areas comprising the Aberdeen Pesticides Dumps Superfund Site in Aberdeen, North Carolina. Remediation of contaminated groundwater at the Route 211 Area has been designated by EPA as part of Operable Unit Five. Under this Decree, Novartis and Olin agree to implement the groundwater remedy for the Route 211 Area selected by EPA in its Record of Decision for Operable Unit Five, issued by EPA on June 4, 1999.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Washington, D.C., 20044, and should refer to *United States* v. *Estate of J.M. Taylor, et al.*, D.J. Ref. 90–11–3–323.

The proposed Consent Decree may be examined at any of the following offices: (1) The Office of the United States Attorney for the Middle District of North Carolina, 101 South Edgeworth, Greensboro, North Carolina; (2) the U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, S.W., Atlanta, Georgia.

A copy of the proposed Consent Decree may also be obtained in person or by mail from the Consent Decree Library, Department of Justice, P.O. Box 7611, Washington, DC 20044–7611. Please refer to the referenced case and identify the particular Decree desired. There is a photocopying charge of $0.25 per page. All checks should be made payable to ''Consent Decree Library.''

For a copy of the proposed Consent Decree with all attachments (including the Record of Decision), enclose a check for $61.75. For a copy of the proposed Decree without the attachments, enclose a check for $23.00.

Walker B. Smith,

Acting Chief, Environmental Enforcement Section, Environment & Natural Resources Division.

[FR Doc. 00–22455 Filed 8–31–00; 8:45 am]

BILLING CODE 4410–15–M

DEPARTMENT OF JUSTICE

[AAG/A Order No. 203–2000]

Privacy Act of 1974; System of Records

Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a), notice is given that the Department of Justice, Justice Management Division, proposes to modify a system of records entitled ''Department of Justice Payroll System, JMD–003,'' last published in the **Federal Register** on April 13, 1999 (64 FR 18054).

The Department is modifying the system of records to include a new routine use which provides for disclosure to contractor support, to handle relevant and necessary data to perform authorized functions on the Department's behalf; and to include a new data storage medium.

Title 5 U.S.C. 552a(e)(4) and (11) provide that the public be given a 30-day period in which to comment on the new routine use of the system of records. The Office of Management and Budget (OMB), which has oversight responsibility under the Act, requires that it be given a 40-day period in which to review the proposed modifications to the system. Therefore, please submit any comments by 40 days from the publication date of this notice. The public, OMB, and the Congress are invited to submit written comments on the proposed changes to Mary Cahill, Management and Planning Staff, Justice Management Division, Washington, DC 20530.

A description of the modification to the system of records is provided below. In accordance with U.S.C. 552a(r), DOJ has provided a report to OMB and the Congress on the modification of this system of records.

Dated: August 15, 2000.

Stephen R. Colgate,

Assistant Attorney General for Administration.

JUSTICE/JMD–003

SYSTEM NAME:

Department of Justice Payroll System, Justice/JMD–003

* * * * *

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Pursuant to Subsection (b)(3) of the Privacy Act, the Department of Justice (DOJ) may disclose relevant and necessary data as follows:

To contractors, grantees, experts, consultants, detailees, and other non-JOD employees performing or working on a contract, service, grant, cooperative agreement, or other assignment for the Federal government, when necessary to accomplish an agency function related to this system of records.

* * * * *

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are stored on computer disks, magnetic tapes, microfiche, paper and compact disk.

* * * * *

[FR Doc. 00–22454 Filed 8–31–00; 8:45 am]

BILLING CODE 4410–CJ–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—Advanced Technology Program/National Institute of Standards and Technology (''NIST'')

Notice is hereby given that, on July 18, 2000, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Advanced Technology Program/National Institute of Standards and Technology (''NIST'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and

objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to Section 6(b) of the Act, the identities of the parties are Siemens Westinghouse Power Corp., Orlando, FL; Precision Combustion, Incorporated, North Haven, CT; and Solar Turbines, Incorporated, San Diego, CA. The nature and objectives of the venture are to develop a dual-fuel catalytic system for high-temperature gas turbine engines for the power generation industry under the subject Advanced Technology Program for NIST.

Constance K. Robinson,

Director of Operations.

[FR Doc. 00–22457 Filed 8–31–00; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under the Davis-Bacon and Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, N.W., Room S–3014, Washington, DC 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled ''General Wage Determinations Issued Under the Davis-Bacon and related Acts'' being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I:

Maine
- ME000006 (Feb. 11, 2000)
- ME000007 (Feb. 11, 2000)
- ME000008 (Feb. 11, 2000)
- ME000010 (Feb. 11, 2000)

New Hampshire
- NH000007 (Feb. 11, 2000)

New Jersey
- NJ000001 (Feb. 11, 2000)
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Volume II

Maryland
- MD000002 (Feb. 11, 2000)
- MD000021 (Feb. 11, 2000)
- MD000028 (Feb. 11, 2000)
- MD000029 (Feb. 11, 2000)
- MD000037 (Feb. 11, 2000)
- MD000042 (Feb. 11, 2000)
- MD000043 (Feb. 11, 2000)
- MD000055 (Feb. 11, 2000)

Pennsylvania
PA000040 (Feb. 11, 2000)

Volume III:

Alabama
AL000001 (Feb. 11, 2000)
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AL000008 (Feb. 11, 2000)
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AL000034 (Feb. 11, 2000)
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Volume V

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Volume VI

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North Dakota
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South Dakota
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SD000011 (Feb. 11, 2000)
WASHINGTON
WA000001 (FEB. 11, 2000)
WA000002 (FEB. 11, 2000)
WA000003 (FEB. 11, 2000)
WA000006 (FEB. 11, 2000)
WA000007 (FEB. 11, 2000)

Volume VII

None

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon and Related Acts.'' This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determinations issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1–800–363–2068.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512–1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Signed at Washington, DC this 24th day of August 2000.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 00–22146 Filed 8–31–00; 8:45 am]

BILLING CODE 4510–27–M

NATIONAL COMMUNICATIONS SYSTEM

Telecommunications Service Priority System Oversight Committee

AGENCY: National Communications System (NCS).

ACTION: Notice of meeting.

A meeting of the Telecommunications Service Priority (TSP) System Oversight Committee will convene Thursday, September 14, 2000 from 9 a.m. to 12 p.m. The meeting will be held at 701 South Court House Road, Arlington, VA in the NCC conference room on the 2nd floor.

- TSP Program Update
- Report on TSP Working Group Activities
- Status of Revised TSP OC Charter
- TSP OC's responsibilities regarding the PAS Program

Anyone interested in attending or presenting additional information to the Committee, please contact Ms. Deborah Bea, Office of Priority Telecommunications, (703) 607–4933.

Frank McClelland,

Federal Register Liaison Officer, National Communications System.

[FR Doc. 00–22458 Filed 8–31–00; 8:45 am]

BILLING CODE 5001–08–M

NATIONAL CREDIT UNION ADMINISTRATION

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

AGENCY: National Credit Union Administration (NCUA).

ACTION: Request for comment.

SUMMARY: The NCUA is resubmitting the following information collection without change to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Public Law 104–13, 44 U.S.C. Chapter 35). These information collections are published to obtain comments from the public.

DATES: Comments will be accepted until October 31, 2000.

ADDRESSES: Interested parties are invited to submit written comments to NCUA Clearance Officer or OMB Reviewer listed below:

Clearance Officer: Mr. James L. Baylen (703) 518–6411, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, Fax No. 703–518–6433, E-mail:jbaylen@ncua.gov.

OMB Reviewer: Alexander T. Hunt (202) 395–7860, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Copies of the information collection requests, with applicable supporting documentation, may be obtained by calling the: NCUA Clearance Officer, James L. Baylen, (703) 518–6411. It is also available on the following website: *www.NCUA.gov.*

SUPPLEMENTARY INFORMATION: Proposals for the following collections of information:

OMB Number: 3133–0146.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Title: Production of Nonpublic Records and Testimony of Employees in Legal Proceedings.

Respondents: Respondents will most likely be persons involved in legal proceedings.

Estimated No. of Respondents/Recordkeepers: 36.

Estimated Burden Hours Per Response: 2.

Frequency of Response: On occasion.

Estimated Total Annual Burden Hours: 72.

Estimated Total Annual Cost: N/A.

By the National Credit Union Administration Board on August 25, 2000.

Becky Baker,

Secretary of the Board.

[FR Doc. 00–22395 Filed 8–31–00; 8:45 am]

BILLING CODE 7535–01–P

NATIONAL LABOR RELATIONS BOARD

Revision of Statement of Organization and Functions; Change in Status of Peoria Regional Office (Region 33) to Subregional Office (Subregion 33)

Friday, September 1, 2000.

AGENCY: National Labor Relations Board.

ACTION: Notice of change in status of the Peoria Regional Office to a Subregion of the St. Louis Regional Office.

SUMMARY: The National Labor Relations Board is reorganizing the structure of its office in Peoria, Illinois, to restructure it from a Regional Office to a Subregion of the St. Louis Regional Office and is revising its Statement of Organization and Functions accordingly.

EFFECTIVE DATE: October 3, 2000.

FOR FURTHER INFORMATION CONTACT: John J. Toner, Executive Secretary, 1099 14th Street, NW., Room 11600, Washington, DC 20570. Telephone: (202) 273–1944.

SUPPLEMENTARY INFORMATION: The National Labor Relations Board has decided to restructure the status of the Agency's Peoria Regional Office from a Regional Office to a Subregion of the St. Louis Regional Office. This change is being made because of a reduction in the case intake of the Peoria Regional Office and to provide improved efficiency in case processing. The Peoria Regional Office was headed by a Regional Director, who had full authority for the processing of both unfair labor practice and representation cases. The Peoria Subregional Office will now be headed by an Officer-in-Charge, who will report to the Regional Director in St. Louis. This change will vest the Regional Director in the St. Louis Regional Office with casehandling authority for the geographical area covered by the Peoria Subregional Office.

The geographical area covered by the Peoria Subregion will continue to be the

same as that covered by the Peoria Regional Office.

The newly created Subregion will be designated as Subregion 33.

The last list of Regional and Subregional Offices was published at 53 FR 10305–10308, March 30, 1988.

Accordingly, the NLRB revises its Statement of Organization and Functions to reflect the addition of Subregion 33, Peoria, Illinois, and the elimination of Region 33.

Dated: Washington, DC, August 29, 2000.

By direction of the Board. National Labor Relations Board.

Lester A. Heltzer,

Acting Executive Secretary.

[FR Doc. 00–22554 Filed 8–31–00; 8:45 am]

BILLING CODE 7545–01–M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–400–LA; ASLBP No. 99–762–02–LA]

Carolina Power & Light Company; Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721, the Atomic Safety and Licensing Board in the Carolina Power & Light Company proceeding, with the above-identified Docket Number, is hereby reconstituted by appointing Administrative Judge Thomas D. Murphy in place of Administrative Judge Frederick J. Shon. This Licensing Board reconstitution is a result of Judge Shon's retirement.

As reconstituted, the Board is comprised of the following Administrative Judges: G. Paul Bollwerk, III, Chairman, Dr. Peter S. Lam, Thomas D. Murphy.

All correspondence, documents, and other material shall be filed with the Licensing Board in accordance with 10 CFR 2.712. The address of the new member is: Administrative Judge Thomas D. Murphy, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001.

Issued at Rockville, Maryland, this 28th day of August 2000.

G. Paul Bollwerk III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 00–22493 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–237 and 50–249]

Commonwealth Edison Company (Dresden Nuclear Power Station, Units 2 and 3); Exemption

I

The Commonwealth Edison Company (ComEd, the licensee) is the holder of Facility Operating Licenses Nos. DPR–19 and DPR–25 which authorize operation of the Dresden Nuclear Power Station, Units 2 and 3 (Dresden). The licenses provide, among other things, that the facility is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility consists of boiling water reactors (Units 2 and 3) located on the licensee's Dresden site in Grundy County, Illinois. This exemption refers to both units.

II

Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix G, requires that pressure-temperature (P–T) limits be established for reactor pressure vessels (RPVs) during normal operating and hydrostatic or leak rate testing conditions. Specifically, 10 CFR Part 50, Appendix G states, ''The appropriate requirements on both the pressure-temperature limits and the minimum permissible temperature must be met for all conditions.'' Appendix G of 10 CFR Part 50 specifies that the PT limits must meet the safety margin requirements specified in the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code (Code) Section XI, Appendix G.

To address provisions of the proposed amendments to the technical specification (TS) P–T limits, in its submittal of February 23, 2000, the licensee requested that the staff exempt Dresden from application of specific requirements of 10 CFR Part 50, Section 50.60(a) and Appendix G, and substitute use of ASME Code Cases N–588 and N–640. Code Case N–588 permits the postulation of a circumferentially-oriented flaw (in lieu of an axially-oriented flaw) for the evaluation of the circumferential welds in RPV P–T limit curves. Since the pressure stresses on a circumferentially-oriented flaw are lower than the pressure stresses on an axially-oriented flaw by a factor of two, using Code Case N–588 for establishing the P–T limits would be less conservative than the methodology currently endorsed by 10 CFR Part 50, Appendix G and, therefore, an exemption to apply the Code Case would be required by 10 CFR 50.60(a). Code Case N–640 permits the use of an alternate reference fracture toughness (K_{1c} fracture toughness curve instead of K_{1a} fracture toughness curve) for reactor vessel materials in determining the P–T limits. Since the K_{1c} fracture toughness curve shown in ASME Code, Section XI, Appendix A, Figure A–2200–1 provides greater allowable fracture toughness than the corresponding K_{1a} fracture toughness curve of ASME Code, Section XI, Appendix G, Figure G–2210–1 (the K_{1a} fracture toughness curve), using Code Case N–640 for establishing the P–T limits would be less conservative than the methodology currently endorsed by 10 CFR Part 50, Appendix G and, therefore, an exemption to apply the Code Case would also be required by 10 CFR 50.60(a).

Code Case N–588

The licensee has proposed an exemption to allow the use of ASME Code Case N–588 in conjunction with ASME Code, Section XI, 10 CFR 50.60(a) and 10 CFR Part 50, Appendix G, to determine the P–T limits.

The proposed amendments to revise the P–T limits for Dresden rely, in part, on the requested exemption. These proposed P–T limits have been developed using the postulation of a circumferentially-oriented reference flaw as the limiting flaw in a RPV circumferential weld in lieu of an axially-oriented flaw required by the 1989 Edition of ASME Code, Section XI, Appendix G.

Postulating the Appendix G (axially-oriented flaw) reference flaw in a circumferential weld is physically unrealistic and overly conservative because the length of the flaw would extent well beyond the girth of the circumferential weld and into the adjoining base metal material. Industry experience with the repair of weld indications found during preservice inspection, and data taken from destructive examination of actual vessel welds, confirms that any remaining flaws are small, laminar in nature, and do not transverse the weld bead orientation. Therefore, any potential defects introduced during the fabrication process, and not detected during subsequent nondestructive examinations, would only be expected to be oriented in the direction of weld fabrication. A defect with a circumferential orientation is, therefore, postulated for circumferential welds.

An analysis provided to the ASME Code's Working Group on Operating Plant Criteria (WGOPC) (in which Code Case N–588 was developed) indicated

that if an axial flaw is postulated on a circumferential weld, then based on the correction factors for membrane stress (M_m) given in the Code Case for the inside diameter circumferential (0.443) and axial (0.926) flaw orientations, it is equivalent to applying a safety factor of 4.18 on the pressure loading under normal operating conditions. Appendix G requires a safety factor of two on the contribution of the pressure load in the case of an axially-oriented flaw in an axial weld, shell plate, or forging. By postulating a circumferentially-oriented flaw on a circumferential weld and using the appropriate stress magnification factor, the margin of two (1.5 for pressure testing condition) is maintained for the contribution of the pressure load to the integrity calculation of the circumferential weld. Consequently, the staff determined that the posulation of an axially-oriented flaw on a circumferential RPV weld is a level of conservatism that is not required to establish P–T limits to protect the reactor coolant system (RCS) pressure boundary from failure during pressure testing and normal operations, including heatup, cooldown, and anticipated operational transients.

In summary, the ASME Code, Section XI, Appendix G, pocedure was developed for axially-oriented flaws, which is physically unrealistic and overly conservative for postulation flaws of this orientation to exist in circumferential welds. Hence, the NRC staff concurs that relaxation of the ASME Code, Section XI, Appendix G, requirements by application of ASME Code Case N–588 is acceptable and would maintain, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the ASME Code and the NRC regulations to ensure an acceptable margin of safety.

Code Case N–640 (formerly Code Case N–626)

The licensee has proposed an exemption to allow the use of ASME Code Case N–640 in conjunction with ASME Code, Section XI; 10 CFR 50.60(a); and 10 CFR Part 50, Appendix G, to determine P–T limits.

The proposed amendment to revise the P–T limits for Dresden rely in part on the requested exemption. These revised P–T limits have been developed using the K_{1c} fracture toughness curve, in lieu of the K_{1a} fracture toughness curve, as the lower bound for fracture toughness.

Use of the K_{1c} curve in determining the lower bound fracture toughness in the development of P–T operating limits curve is more technically correct that use of the K_{1a} curve since the rate of loading during a heatup or cooldown is slow and is more representative of a static condition than a dynamic condition. The K_{1c} curve appropriately implements the use of static initiation fracture toughness behavior to evaluate the controlled heatup and cooldown process of a reactor vessel. The staff has required use of the initial conservatism or the K_{1a} curve since 1974 when the curve was codified. This initial conservatism was necessary due to the limited knowledge of RPV materials. Since 1974, additional knowledge has been gained about RPV materials, which demonstrates that the lower bound on fracture toughness provided by the K_{1a} curve is well beyond the margin of safety required to protect the public health and safety from potential RPV failure. In addition, P–T curves based on the K_{1c} curve would enhance overall plant safety by opening the P–T operating window with the greatest safety benefit in the region of low temperature opertions.

Since the RCS P–T operating window is defined by the P–T operating and test limit curves developed in accordance with the ASME Code, Section XI, Appendix G, continued operation of Dresden with these P–T curves without the relief provided by ASME Code Case N–640 would unnecessarily require that the RPV maintain a temperature exceeding 212 degrees Fahrenheit in a limited operating window during pressure tests. Consequently, steam vapor hazards would continue to be one of the safety concerns for personnel conducting inspections in primary containment. Implementation of the proposed P–T curves, as allowed by ASME Code Case N–640, does not significantly reduce the margin of safety and would eliminate steam vapor hazards by allowing inspections in primary containment to be conducted at lower coolant temperature. Thus, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the regulation will continue to be served.

In summary, the ASME Code, Section XI, Appendix G, procedure was conservatively developed based on the level of knowledge existing tin 1974 concerning RPV materials and the estimated effects of operation. Since 1974, the level of knowledge about these topics has been greatly expanded. The NRC staff concurs that this increased knowledge permits relaxation of the ASME Code, Section XI, Appendix G, requirements by application of ASME Code Case N–640, while maintaining, pursuant to 10 CFR 50.12(a)(2)(ii), the underlying purpose of the ASME Code and the NRC regulations to ensure an acceptable margin of safety.

III

Pursuant to 10 CFR 50.12, the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 50, when (1) the exemptions are authorized by law, will not present an undue risk to public health or safety, and are consistent with the common defense and security; and (2) when special circumstances are present. The staff accepts the licensee's determination that the exemption would be required to approve the use of Code Cases N–588 and N–640. The staff examined the licensee's rationale to support the exemption requests and concurred that the use of the code cases would meet the underlying intent of these regulations. Based upon a consideration of the conservatism that is explicitly incorporated into the methodologies of 10 CFR Part 50, Appendix G; Appendix G of the ASME Code; and Regulatory Guide 1.99, Revision 2, the staff concludes that application of the code cases as described would provide an adequate margin of safety against brittle failure of the RPV and that application of the specific requirements of 10 CFR 50.60(a) and Appendix G in these circumstances is not necessary to achieve the underlying purpose of the rules. This is also consistent with the determination that the staff has reached for other licensees under similar conditions based on the same considerations (Quad Cities Nuclear Power Station, Units 1 and 2, exemption dated February 4, 2000). Therefore, the staff concludes that requesting an exemption under the special circumstances of 10 CFR 50.12(a)(2)(ii) is appropriate and that the methodology of Code Cases N–588 and N–640 may be used to revise the P–T limits for Dresden Nuclear Power Station, Units 2 and 3.

IV

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption is authorized by law, will not endanger life or property or common defense and security, and is, otherwise, in the public interest, and that special circumstances are present. Therefore, the Commission hereby grants Commonwealth Edison Company an exemption from the requirements of 10 CFR Part 50, Section 50.60(a) and 10 CFR Part 50, Appendix G, for Dresden Nuclear Power Station, Units 2 and 3.

Pursuant to 10 CFR 51.32, an environmental assessment and finding of no significant impact has been prepared and published in the **Federal**

Register (65 FR 51344). Accordingly, based upon the environmental assessment, the Commission has determined that the granting of this exemption will not result in any significant effect on the quality of the human environment.

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 25th day of August 2000.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–22498 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–U

NUCLEAR REGULATORY COMMISSION

[Docket No. SSD 99–27 and ASLBP No. 00–778–06–ML]

Graystar, Inc.; Notice of Reconstitution

Pursuant to the authority contained in 10 CFR 2.721 and 2.1207, the Special Assistant in the captioned 10 CFR part 2, Subpart L proceeding is hereby replaced by appointing Administrative Judge Thomas D. Murphy in place of Administrative Judge Frederick J. Shon. This reconstitution is a result of Judge Shon's retirement.

All correspondence, documents, and other material shall be filed with the Presiding Officer in accordance with 10 CFR 2.1203. The address of the new Special Assistant is: Administrative Judge Thomas D. Murphy, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555–0001.

Issued at Rockville, Maryland, this 28th day of August 2000.

G. Paul Bollwerk, III,

Chief Administrative Judge, Atomic Safety and Licensing Board Panel.

[FR Doc. 00–22494 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–277 and 50–278]

PECO Energy Company, et al. (Peach Bottom Atomic Power Station, Units 2 and 3); Exemption

I

PECO Energy Company (PECO or the licensee) holds, along with other co-licensees, Facility Operating Licenses Nos. DPR–44 and DPR–56, which authorize operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom or the facilities). The facilities consist of two boiling water reactors located at the licensee's site in York County, Pennsylvania. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the U.S. Nuclear Regulatory Commission (NRC or the Commission) now or hereafter in effect.

II

Section III.F of Appendix R to Title 10 of the Code of Federal Regulations (10 CFR), Part 50 requires that automatic fire detection systems (capable of operating with or without offsite power) be installed in all areas of the plant that contain or present an exposure fire hazard to safety-related or safe shutdown systems or components. By letter dated December 31, 1998, as supplemented on January 14 and April 14, 2000, the licensee requested an exemption from Section III.F of Appendix R regarding the provisions for an automatic fire detection capability in 8 fire zones in fire area 50 (the common area between both turbine buildings), 2 fire zones within fire area 6S (a portion of the Unit 2 reactor building), and 2 fire zones within fire area 13N (a portion of the Unit 3 reactor building). Specifically, these fire zones are (A) the Condenser Bays Fire Zones 50–78W and 50–78V; (B) Equipment hatchway and adjoining equipment rooms, Fire Zone 50–78B; (C) Main Turbine Lube Oil Storage Tank Rooms, Fire Zones 50–88 and 50–89; (D) Reactor Feedwater Turbine Area Corridors, Fire Zone 50–78A; (E) Steam Jet Air Ejector Room, Fire Zone 50–78EE; (F) Feedwater Heater Room, Fire Zone 50–99; and (G) Reactor Water Cleanup System Equipment, Fire Zones 6S–42, 6S–5M, 13N–36, and 13N–13M.

The Commission, pursuant to 10 CFR 50.12(a)(1), may grant exemptions from the requirements of 10 CFR Part 50 that are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. The Commission, however, pursuant to 10 CFR 50.12(a)(2), will not consider granting an exemption unless special circumstances are present. Under 10 CFR 50.12(a)(2)(ii), special circumstances are present when application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule. The underlying purpose of the rule is to reasonably assure the capability to achieve and maintain safe shutdown in the event of a fire.

III

The staff has completed its evaluation of PECO's request for an exemption as follows.

Background

A. Fire Zone 50–78W in the Unit 2 Turbine Building consists of three rooms: the Condenser Pit (Room 22 on Elevation 102′–0″), the Moisture Separator Area (Room 138 on Elevation 116′–0″), and the Unit 2 Piping Area (Room 223 on Elevation 135′–0″). Fire Zone 50–78V in the Unit 3 Turbine Building consists of two rooms: the Moisture Separator Area (Room 181 on Elevation 116′–0″) and the Unit 3 Pipe Area (Room 272 on Elevation 135′–0″). The primary fire hazards associated with these areas include turbine lubricating oil lines and cables.

Rooms 22, 138, 181, 223, and 272 are fully protected by an automatic wet pipe sprinkler system. This system is, in general, designed and installed in accordance with NFPA 13 and meets the sprinkler spray density for Ordinary Hazard Group 1 and Extra Hazard Group 1 classification. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting primarily of cable insulation.

The following table summarizes the post-fire safe shutdown functions in these rooms:

SUMMARY OF FIRE ZONE 50–78W

Room	Post-fire safe shutdown function
Unit 2 Condenser Pit (Room 22)	Unit 2 Condensate Storage Tank Leven Indication.
Unit 2 Moisture Separator Area (Room 138)	No post-fire shutdown equipment or components located in this room.

SUMMARY OF FIRE ZONE 50–78W—Continued

Room	Post-fire safe shutdown function
Unit 2 Piping Area (Room 223)	Unit 2 Condensate Storage Tank Level indication. Unit 2 Drywell Pressure Indiciation. Control cables for 343–SU Offsite Power to 4Kv Switchgear. Unit 2 Reactor Water Clean Up High/Low Pressure Interface cables
Unit 3 Moisture Separator Area (Room 181)	Control cables for SU–25 Offsite Power to 4Kv Swithgear. Control cables for 343–SU Offsite Power to 4Kv Switchgear. Unit 3 Condensate Storage Tank Level Indication.
Unit 3 Pipe Area (Room 272)	Unit 3 Condensate Storage Tank Level Indiciation. Unit 3 Reactor Water Cleanup High/Low Pressure Interface cables. Unit 3 High Pressure Service Water. Unit 3 High Pressure Coolant Injection. Unit 3 Reactor Core Isolation Cooling.

B. Fire Zone 50–78B is located on several elevations of the Unit 2 and 3 Turbine Building common areas. Fire Zone 50–78B has seven rooms associated with it. These rooms are the General Storage and Hydrogen Seal Equipment Area (Rooms 185, 135, and 184 on Elevation 116′–0″), the Laydown Area (Room 185 on Elevation 116′–0″), the Generator Equipment Areas (Rooms 229 and 274 on Elevation 135′–0″), the Laydown Area which surrounds the open hatch (Room 228 on Elevation 135′–0″) and the Laydown Area (Room 429 on Elevation 165′–0″). The primary fire hazards associated with these areas include turbine lubricating oil lines, cables and the hydrogen seal oil units and equipment.

All these rooms/areas directly interact with the open main equipment hatch which extends from the 116′–0″ elevation to the ceiling/roof deck on the 234′–0″ elevation of the Turbine Building. Turbine Building Rooms 135, 184, 185, 228, 229, and 274 were originally protected by a full area manual pre-action sprinkler system. As part of the commitments in the individual plant examination of external events submittal, the sprinkler system was changed to an automatic wet pipe sprinkler system in 1999. The automatic wet pipe sprinkler system is, in general, designed and installed in accordance with NFPA 13 and meets the sprinkler spray density for Ordinary Hazard Group 1 and Extra Hazard Group 1 classification. There is no sprinkler protection or detection provided for Room 429. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting primarily of cable insulation and lube oil.

The following table summarizes the post-fire safe shutdown functions in these rooms:

SUMMARY OF FIRE ZONE 50–78B

Room	Post-fire safe shutdown function
General Storage and Hydrogen Seal Equipment Area (Room 135).	Control cables for SU–25 offsite power to 4Kv switchgear. Control cables for 343–SU offsite power to 4Kv switchgear. Control cables for Sluice Gates for ''A'' Essential Service Water. (ESW) pump, Unit 2 High Pressure Service Water. Control cables for Unit 2 High Pressure Service Water (HPSW) valve. Unit 2 HPSW Indication.
(Room 184)	Cables for Unit 3 HPSW pumps. Unit 3 HPSW cross tie valve MO–3344 (control). Unit 3 HPSW Indication.
(Room 185)	Control cables for SU–25 offsite power to 4Kv switchgear. Control cables for 343–SU offsite power to 4Kv switchgear. Power and control cables for sluice gates for the A&B ESW pumps and Unit 2 and Unit 3 HPSW Pumps. Control cables for Unit 2 HPSW valve. ESW indication. Power cables for ''A and B'' ESW pumps. Power cables for 2A, 2B, 2C, 2D, 3A, and 3C HPSW pumps. (The power cables for the 2B and 3C pumps are encapsulated).
Laydown Area which surrounds the open hatch (Room 228).	Control cables for SU–25 offsite power to 4Kv switchgear. Control cables for 343–SU offsite power to 4Kv switchgear. Control cables for Sluice Gates for ''A'' Essential Service Water. (ESW) pump, Unit 2 High Pressure Service Water. Control cables for Unit 2 and 3 HPSW valve. Unit 2 and Unit 3 HPSW Indication. Unit 2 and Unit 3 reactor coolant pressure and level indication. Unit 2 and Unit 3 Torus Temperature indication.
Generator Equipment Areas (Rooms 229 and 274).	No post-fire safe shutdown equipment or components located in these rooms.
Laydown Area (Room 429)	Unit 2 reactor coolant pressure and level indication. Control cables for 343–SU offsite power to 4Kv switchgear.

C. Fire Zones 50–88 and 50–89 are the Unit 2 and 3 Main Turbine Lube Oil Storage Tank Rooms (Rooms 139 and 179). Rooms 139 and 179 are fully protected by an automatic wet pipe sprinkler system. This system is, in general, designed and installed in accordance with NFPA 13 and meets the sprinkler spray density for Ordinary Hazard Group 1 and Extra Hazard Group 1 classification. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is high consisting primarily of lube oil and cable insulation.

The following table summarizes the post-fire safe shutdown functions in these rooms:

SUMMARY OF FIRE ZONES 50–88 AND 50–89

Room	Post-fire safe shutdown function
Unit 2 Main Turbine Lube Oil Storage Tank Room (Room 139).	No post-fire safe shutdown equipment or components located in this room.

SUMMARY OF FIRE ZONES 50–88 AND 50–89—Continued

Room	Post-fire safe shutdown function
Unit 3 Main Turbine Lube Oil Storage Tank Room (Room 179).	Control cables for SU–25 offsite power to 4Kv switchgear. Control cables for 343–SU offsite power to 4Kv switchgear.

D. Fire Zone 50–78A (Rooms 414 and 457) is located on elevation 165′–0″ of the Unit 2 and 3 Turbine Building. This fire zone is the Feedwater/Turbine Area access corridor. Rooms 414 and 457 are fully protected by an automatic wet pipe sprinkler system. This sprinkler system has design density values in the range of Ordinary Hazard Group 2 to Extra Hazard Group 1 which are appropriate for these areas. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting of cable insulation, lube oil, Thermo-Lag 330–1, cotton cloth, rubber, wood, and polycarbonate.

The following table summarizes the post-fire safe shutdown functions in these rooms:

SUMMARY OF FIRE ZONE 50–78A

Room	Post-fire safe shutdown function
Unit 2 Feedwater Turbine Area Access Corridor (Room 414).	Unit 2 Reactor coolant pressure and level indication. Unit 2 Reactor Water Cleanup High/Low Pressure Interface cables.
Unit 3 Feedwater Turbine Area Access Corridor (Room 457).	Unit 3 Reactor Water Cleanup High/Low Pressure Interface cables. Unit 3 High Pressure Coolant Injection. Unit 3 Reactor Core Isolation Cooling.

E. Fire Zone 50–78EE (Room 177) is located on elevation 135′–0″ of the Unit 3 Turbine Building. This fire zone is the Unit 3 Air Ejector Gland Seal Condenser Room and is a locked high radiation area. This room is not protected by an automatic sprinkler system or by a fire detection system and the area is not continually occupied. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting of cable insulation. Cables for the Unit 3 Condensate Storage Tank Level Indication are located in this area.

The following table summarizes the post-fire safe shutdown functions in this room:

SUMMARY OF FIRE ZONE 50–78EE

Room	Post-fire safe shutdown function
Unit 3 Steam Jet Air Ejector Room (Room 177).	Unit 3 Condensate Storage Tank Level indication cables.

F. Fire Zone 50–99 (Room 222) is located on elevation 116′–0″ of the Unit 3 Turbine Building. This fire zone is a locked high radiation area which contains the C3 and C4 Feedwater Heaters. This room is not protected by an automatic sprinkler system or by a fire detection system. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting of cable insulation in three open vertical cable trays. The control cables for 343–SU offsite power to 4Kv switchgear are routed through this area.

The following table summarizes the post-fire safe shutdown functions in this room:

SUMMARY OF FIRE ZONE 50–99

Room	Post-fire safe shutdown function
Unit 2 Feedwater Heaters (Room 222).	Control cables for 343–SU Offsite Power to 4Kv Switchgear.

G. Fire Zones 6S–5M (Room 410) and 13N–13M (Room 452) are the Reactor Water Cleanup Backwash Tank Transfer Pump Rooms; Fire Zones 6S–42 (Room 408) and 13N–36 (Room 449) are the Reactor Water Cleanup Non-regenerative Heat Exchanger rooms. Rooms 410 and 452 are located on elevation 165′–0″ of the Units 2 and 3 Reactor Buildings, respectively. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting of cable insulation and plastic polycarbonate. These rooms are not protected by an automatic sprinkler system or by a fire detection system. Cables associated with the Reactor Water Cleanup High/Low Pressure Interface valves are located in these rooms. Fire Zones 6S–42 (Room 408) and 13N–36 (Room 449) are located on elevation 165′–0″ of the Units 2 and 3 Reactor Buildings, respectively. These rooms are not protected by an automatic fire suppression or detection system. The combustible loading in the area, as described in the licensee's Fire Protection Program manual, is low consisting of cable insulation. Cables associated with the Reactor Water Cleanup High/Low Pressure Interface valves are located within these rooms.

The following table summarizes the post-fire safe shutdown functions in these rooms:

SUMMARY OF FIRE ZONES 6S–5M, 6S–42, 13N–13M, 13N–36

Room	Post-fire safe shutdown function
Reactor Water Cleanup (RWCU) Backwash Tank Transfer Pumps (Room 410).	Unit 2 Reactor Water Cleanup (RWCU) High/Low Pressure Interface Valves Cables.
RWCU Non-Regenerative Heat Exchanger (Room 408).	Unit 2 RWCU High/Low Pressure Interface Valve CV2–12–55 Controller 1/P2–12–110.
RWCU Backwash Tank Transfer Pumps (Room 452).	Unit 3 Reactor Water Cleanup (RWCU) High/Low Pressure Interface Valves Cables.
RWCU Non-Regenerative Heat Exchanger (Room 449).	Unit 3 RWCU High/Low Pressure Interface Valve CV3–12–55 Controller 1/P3–12–110.

Evaluation

A. Fire Zone 50–78W does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the Condenser Pit (Room 22 on Elevation 102′–0″), the Moisture Separator Area (Room 138 on Elevation 116′–0″) and the Unit 2 Piping Area (Room 223 on Elevation 135′–0″). If a fire were to occur involving either the turbine lubricating oil and/or the cables that are in any of these rooms, the fire is expected to actuate the sprinkler heads located in the area of the fire. The alarm check valve associated with this wet pipe sprinkler system would open and send an alarm to the control room. Thus, the actuation of the sprinkler system would indirectly detect the fire. In the case of a rapidly developing fire such as one involving lubricating oil, the potential exists that the post-fire safe shutdown circuits could be damaged. According to the licensee's Fire Protection Program manual, the redundant safe shutdown function for Fire Area 50 is located outside of Fire Area 50 and those functions for Room 223 are located in a room outside of this fire area. Based on the passive fire protection features separating the redundant post-fire safe shutdown functions, the fire hazards associated

with the areas of concern (Rooms 22, 138 and 223) and the installed sprinkler system and its alarm functions, there is reasonable assurance that a fire in Fire Zone 50-78W will be promptly detected and controlled by the sprinkler system and that the safe shutdown capability will be preserved. Passive fire protection features used in the plant include: (1) Fire resistant floors, walls and ceilings (typically reinforced concrete or masonry), (2) fire resistant seals at penetrations in fire barriers, (3) fire resistant doors, (4) fire breaks in vertical cable trays, and (5) the use of flame retardant electrical cables. Therefore, the addition of an automatic fire detection system in Fire Zone 50–78W would not result in a significant increase in the level of fire protection for this fire zone and is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50. Fire Zone 50–78V does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the Moisture Separator Area (Room 181 on Elevation 116′–0″) and the Unit 3 Pipe Area (Room 272 on Elevation 135′–0″). If a fire were to occur involving either the turbine lubricating oil and/or the cables that are in any of these rooms, the fire is expected to actuate the sprinkler heads located in the area of the fire. The alarm check valve associated with this wet pipe sprinkler system would open and send an alarm to the control room. Thus, the actuation of the sprinkler system would indirectly detect the fire. In the case of a rapidly developing fire such as one involving lubricating oil, the potential exists that the post-fire safe shutdown circuits could be damaged before the sprinklers could actuate. The redundant safe shutdown functions for Rooms 181 and 272 are located outside of the affected fire area. Based on the passive fire protection features separating the redundant post-fire safe shutdown functions, the fire hazards associated with the areas of concern (Rooms 181 and 272) and the installed sprinkler system and its alarm functions, there is reasonable assurance that a fire in Fire Zone 50–78V will be promptly detected and controlled by the sprinkler system and that the safe shutdown capability will be preserved. Therefore, the addition of an automatic fire detection system in Fire Zone 50–78V would not result in a significant increase in the level of fire protection for this fire zone and is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50.

B. Fire Zone 50–78B does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the General Storage and Hydrogen Seal Equipment Area (Rooms 135, 184, and 185 on Elevation 116′–0″), the Laydown Area (Room 185 on Elevation 116′–0″), the Generator Equipment Areas (Rooms 229 and 274 on Elevation 135′–0″), the Laydown Area which surrounds the open hatch (Room 228 on Elevation 135′–0″) and the Laydown Area (Room 429 on Elevation 165′–0″). If a fire were to occur involving either the turbine lubricating oil, hydrogen seal oil and/or the cables that are in Rooms 135, 184, 185, 228, 229 or 274, the fire is expected to actuate the sprinkler heads located in the area of the fire. The alarm check valve associated with this wet pipe sprinkler system would open and send an alarm to the control room. Thus, the actuation of the sprinkler system would indirectly detect the fire. In the case of a rapidly developing fire such as one involving lubricating oil, the potential exists that the post-fire safe shutdown circuits could be damaged before the sprinklers could actuate. The redundant safe shutdown functions for Rooms 135, 184, 185, and 228 are located outside of the affected fire area. Based on the passive fire protection features separating the redundant post-fire safe shutdown functions, the fire hazards associated with the areas of concern (Rooms 135, 184, 185, and 228) and the installed sprinkler system and its alarm functions in Rooms 135, 184, 185, 228, 229 and 274, there is reasonable assurance that a fire in Fire Zone 50–78B will be promptly detected and controlled by the sprinkler system and that the safe shutdown capability will be preserved. Therefore, the addition of an automatic fire detection system in these rooms would not result in a significant increase in the level of fire protection for these rooms and is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50.

The Laydown Area (Room 429) is not provided with automatic sprinkler protection or automatic fire detection. This room contains several turbine bearing oil lift pumps, motor control centers and a maintenance office. This is a significant fire hazard that warrants some fire protection system to provide reasonable assurance of safety. The circuits in this room are associated with offsite power and the Unit 2 reactor pressure and level indication. Therefore, the staff concludes that automatic detection should be provided in this room to provide prompt notification to the control room of a fire in this area during its incipient stages to allow a rapid response from the plant fire brigade to a fire in this room. Therefore, the request for exemption from the requirements specified in Section III.F of Appendix R is denied for Room 429.

C. Fire Zones 50–88 and 50–89 are in the Unit 2 and 3 Main Turbine Lube Oil Storage Tank Rooms (Rooms 139 and 179). These Fire Zones do not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for these zones. If a fire were to occur involving turbine lubricating oil, the fire is expected to actuate the sprinkler heads located in the area of the fire. The alarm check valve associated with this wet pipe sprinkler system would open and send an alarm to the control room. Thus, the actuation of the sprinkler system would indirectly detect the fire. In the case of a rapidly developing fire such as one involving lubricating oil, the potential exists that the post-fire safe shutdown circuits in Room 179 could be damaged before the sprinklers actuate. The redundant safe shutdown functions for Room 179 are located outside of this fire area. Based on the passive fire protection features separating the redundant post-fire safe shutdown functions, the fire hazards associated with the areas of concern (Room 179) and the installed sprinkler system and its alarm functions, there is reasonable assurance that a fire in Fire Zone 50–89 will be promptly detected and controlled by the sprinkler system and that the safe shutdown capability will be preserved. Therefore, the addition of an automatic fire detection system in Fire Zone 50–89 would not result in a significant increase in the level of fire protection for this fire zone and is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50. Fire Zone 50–88 (Room 139) contains no fire protection safe shutdown equipment.

D. Fire Zone 50–78A (Rooms 414 and 457) does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the Feedwater/Turbine Area access corridor. The area has an automatic water suppression system. If a fire were to occur, the heat from the fire would acuate the sprinkler system. The alarm check valve associated with this wet pipe sprinkler system would open and send an alarm to the control room. Thus, the actuation of the sprinkler system would indirectly detect the fire. The redundant safe shutdown functions for Rooms 414 and 457 would be

unaffected by a fire in these rooms because of the passive fire protection features separating the redundant post-fire safe shutdown functions. Based on the non-severe fire hazards associated with the areas of concern (Rooms 414 and 457) and the installed sprinkler system and its alarm functions, there is reasonable assurance that a fire in Fire Zone 50–78A will be promptly detected and controlled by the sprinkler system. Thus, the addition of an automatic fire detection system in Fire Zone 50–78A would not result in a significant increase in the level of fire protection for this fire zone and is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50.

E. Fire Zone 50–78EE (Room 177) does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the Unit 3 Air Ejector Gland Seal Condenser Room. This room is a locked high radiation area. Cables for the Unit 3 Condensate Storage Tank Level Indication are located in this area. The area has a low combustible material loading and is not a high personnel traffic area. The access door to the room is louvered and a fire detection system is in the corridor outside of the room. A redundant shutdown train is available for any equipment affected by a fire in this room. Since the zone is a locked high radiation area and receives minimal personnel traffic, and has a low combustible loading, likelihood of a fire in this area is low. In the unlikely event of a fire in this area, any shutdown features located in the room have a redundant function outside the zone, such that the ability to achieve safe shutdown would not be adversely affected by a fire in this zone. There are also automatic fire detection systems located in adjacent areas. This provides an adequate level of safety and meets the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50 in these fire zones.

F. Fire Zone 50–99 (Room 222) does not meet the technical requirements of Section III.F of Appendix R because an automatic fire detection system is not provided for the C3 and C4 Feedwater Heaters. This fire zone is a locked high radiation area. The control cables for the 343–SU offsite power to 4Kv switchgear are routed through this area. This area contains three open vertical cable trays. The fire hazard associated with the vertical cable trays warrants some type of fire protection system to provide reasonable assurance of safety. Therefore, the staff concludes that automatic detection should be provided in this area to provide prompt notification to the control room of a fire in this area during its incipient stages to allow a rapid response from the plant fire brigade. Thus, the request for exemption from the requirements specified in Section III.F of Appendix R to 10 CFR Part 50 is denied for Fire Zone 50–99.

G. Fire Zones 6S–5M (Room 410) and 13N–13M (Room 452) do not meet the technical requirements of Section III.F of Appendix R to 10 CFR Part 50 because an automatic fire detection system is not provided for the Reactor Water Cleanup Backwash Tank Transfer Pump Rooms. Cables associated with the Reactor Water Cleanup High/Low Pressure Interface valves are located within these rooms. The area has a low combustible material loading and is not a high personnel traffic area. There is automatic smoke/heat detection throughout the 165′ elevation of each reactor building at the ceiling level. A redundant shutdown train is available for any equipment affected by a fire in this room. Since the zone is a locked high radiation area and receives minimal personnel traffic, and has a low combustible loading, likelihood of a fire in this area is low. In the unlikely event of a fire in this area, any shutdown features located in the room have a redundant function outside the zone, such that the ability to achieve safe shutdown would not be adversely affected by a fire in this zone. There are also automatic fire detection systems located in adjacent areas. This provides an adequate level of safety and meets the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50 in these fire zones.

Fire Zones 6S–42 (Room 408) and 13N–36 (Room 449) do not meet the technical requirements of Section III.F of Appendix R to 10 CFR Part 50 because an automatic fire detection system is not provided for the Non-regenerative Heat Exchanger Rooms. Cables associated with the Reactor Water Cleanup High/Low Pressure Interface valves are located within these rooms. The area has a low combustible material loading and is not a high personnel traffic area. There is automatic smoke/heat detection throughout the 165′ elevation of each reactor building at the ceiling level. A redundant shutdown train is available for any equipment affected by a fire in this room. Since the zone is a locked high radiation area and receives minimal personnel traffic, and has a low combustible loading, likelihood of a fire in this area is low. In the unlikely event of a fire in this area, any shutdown features located in the room have a redundant function outside the zone, such that the ability to achieve safe shutdown would not be adversely affected by a fire in this zone. There are also automatic fire detection systems located in adjacent areas. This provides an adequate level of safety and meets the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50 in these fire zones.

Conclusion

The staff, having considered the information provided by the licensee, believes that the exemption request, except to the extent noted below, meets the special circumstances of 10 CFR 50.12(a)(2)(ii) and should be granted. The staff finds that the existing automatic suppression systems in Fire Zones 50–78W, 50–78V, 50–78B (except for Room 429), 50–88, 50–89, and 50–78A, in combination with the passive plant fire protection features that separate required post-fire safe shutdown functions, provide an adequate level of fire safety and for these fire zones, the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50 is met. The staff also finds that no fire detection system is needed in Fire Zones 50–78EE, 6S–5M, 13N–13M, 6S–42, and 13N–36, since the zones are locked high radiation areas and receive minimal personnel traffic, have a low combustible loading, and any shutdown features located in the rooms have a redundant function outside the zone; thus, the ability to achieve safe shutdown would not be adversely affected by a fire in these zones. There are also automatic fire detection systems located in adjacent fire areas. Therefore, the staff concludes that for these fire zones there is an adequate level of fire safety, and the underlying purpose of Section III. F of Appendix R to 10 CFR Part 50 is met.

For Room 429 (Fire Zone 50–78B), and Room 222 (Fire Zone 50–99), the staff concludes that the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50 would not be satisfied without automatic detection systems.

IV

For the fire zones discussed herein, except Room 429 (Fire Zone 50–78B) and Room 222 (Fire Zone 50–99), the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. Further, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(ii) are applicable in

that application of the regulation is not necessary to achieve the underlying purpose of Section III.F of Appendix R to 10 CFR Part 50. Therefore, the Commission hereby grants the exemption from Section III.F of Appendix R to 10 CFR Part 50 for Fire Zones 50–78A, 50–78B (except Room 429), 50–78V, 50–78W, 50–78EE, 50–88, 50–89, 6S–42, 6S–5M, 13N–36, and 13N–13M. As stated above, the requested exemption for Room 429 (Fire Zone 50–78B) and Room 222 (Fire Zone 50–99) is denied.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (65 FR 46750).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 18th day of August, 2000.

For the Nuclear Regulatory Commission.

John A. Zwolinski,

Director, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–22497 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–U

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–334 and 50–412]

Pennsylvania Power Company, Ohio Edison Company, The Cleveland Electric Illuminating Company, The Toledo Edison Company, Firstenergy Nuclear Operating Company, Beaver Valley Power Station, Unit Nos. 1 and 2; Notice of Withdrawal of Application for Amendments to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of FirstEnergy Nuclear Operating Company (the licensee) to withdraw its January 18, 1999, application for proposed amendment to Facility Operating License Nos. DPR–66 and NPF–73, for the Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS–1 and 2), located in Beaver County, Pennsylvania.

The proposed amendments would have: (1) Deleted license condition 2.C.(3) from the BVPS–1 operating license and deleted some references to two-loop operation from BVPS–1 Technical Specifications (TSs); (2) revised BVPS–1 and BVPS–2 TSs 2.2.1 and 3.3.2.1, associated Tables 2.2–1 and 3.3–4, and associated Bases, to use consistent format and wording between units; (3) revised BVPS–1 and BVPS–2 TSs 2.2.1 and 3.3.2.1, associated Tables 2.2–1 and 3.3–4, and associated Bases, to include revised nominal trip setpoints and allowable values; (4) deleted or revised TSs to reflect the current configuration of Unit 1 plant hardware; and (5) made miscellaneous editorial changes to BVPS–1 and BVPS–2 TSs and associated Bases to define terms, revise formatting, modify titles, and add license numbers to pages.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on February 24, 1999, (64 FR 9189). However, by letter dated July 29, 2000, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated January 18, 1999, and the licensee's letter dated July 29, 2000, which withdrew the application for license amendment. The above documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (http://www.nrc.gov).

Dated at Rockville, Maryland, this 25 day of August 2000.

For the Nuclear Regulatory Commission.

Daniel S. Collins,

Project Manager, Section 1, Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–22500 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–327 and 50–328]

Tennessee Valley Authority; Notice of Withdrawal of Application for Amendments to Facility Operating Licenses

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Tennessee Valley Authority (TVA) to withdraw its July 13, 1999, application for proposed amendments to Facility Operating Licenses Nos. DPR–77 and DPR–79 for the Sequoyah Nuclear Plant, Units 1 and 2, located in Hamilton County, Tennessee.

The proposed amendments would have revised the facility technical specifications (TS) by temporarily increasing the maximum temperature limit of the plant's ultimate heat sink, which is the Tennessee River, from 84.5°F to 87.0°F.

The Commission had previously issued a Notice of Consideration of Issuance of Amendments published in the **Federal Register** on July 20, 2000 (65 FR 45113). By letter dated August 21, 2000, TVA withdrew the proposed change on the basis that, with current conditions and projections, the Tennessee River temperature is forecast to remain below the Sequoyah Nuclear Plant's current TS temperature limit.

For further details with respect to this action, see the application for amendments dated July 13, 2000 and the TVA's letter dated August 21, 2000, which withdrew the application for license amendments. These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (http://www.nrc.gov).

Dated at Rockville, Maryland, this 25th day of August 2000.

For the Nuclear Regulatory Commission.

Ronald W. Hernan,

Senior Project Manager, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 00–22499 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–326]

University of California, Irvine, Nuclear Research Reactor; Environmental Assessment and Finding of no Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering the issuance of a license amendment to Facility Operating License No. R–116, issued to University of California, Irvine (the licensee) for operation of their research reactor.

Environmental Assessment

Identification of the Proposed Action

The proposed action would allow renewal of the license for 20 years for the University of California, Irvine Nuclear Reactor Facility (UCINRF). The proposed action is in accordance with the licensee's application for amendment dated October 18, 1999, as amended on April 24, and June 2, 2000. The licensee submitted an

Environmental Report for license renewal.

Need for the Proposed Action

The proposed action is needed to allow continued operation of the UCINRF in order to continue education, training, research and development using neutrons and radioisotopes for experimental purposes beyond the current term of the license.

Environmental Impact of the Proposed Action

The research reactor is on the campus of the University of California, Irvine in Rowland Hall. Rowland Hall has research and teaching laboratories, lecture halls, classrooms, offices and workshops. It is surrounded by similar facilities in the immediate area.

The UCINRF is authorized by a NRC license to operate at steady-state thermal power levels up to a maximum of 250 kilowatts (KW). The reactor can also be operated in a pulse mode with reactivity addition of up to $3 in a short period from power levels of 1 KW or less. The construction permit was issued on May 5, 1969, and the operating license was issued on November 24, 1969. The reactor has operated less than 218 effective full-power days over the approximate 30-year license period as indicted in SAR Section 1.3.2. Facility modifications have been minor as, outlined in the SAR Section 1.4. The licensee has not indicated any plans to significantly change the design or the level of usage. Since initial operation, the gaseous Argon-41 radiological release has been conservatively estimated to be less than 5.9×10^{9} becquerels per year (0.160 curies per year). Average concentrations of Argon-41 were conservatively estimated by the licensee as 2.4×10^{-9} microcuries/milliliter. This concentration is well below the 10 CFR 20 Appendix B Table 2 limit of 1.0×10^{-8} microcuries/milliliter. Since 1992, the facility has had no radiological liquid or solid radiological releases. Material has been stored as required. Releases of radioactive material have been transferred and disposed of in accordance with the requirements of the licensee's byproduct license. Any necessary releases will be similarly treated. Currently, there are no plans to change any operating or radiological release practices or characteristics of the reactor during the license renewal period.

The NRC concludes that conditions are not expected to change and that the radiological effects of the continued operation will continue to be minimal. The radiological exposures for facility operations have been within regulatory limits and should continue to remain so.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

As for potential non-radiological impacts, the proposed action does not involve any historic sites. It does not affect non-radiological effluents and has no other environmental impact. Therefore, no significant non-radiological environmental impacts and associated with the proposed action.

In addition, the environmental impact associated with operation of research reactors has been generically evaluated by the staff and is discussed in the attached generic evaluation. This evaluation concludes that no significant environmental impact is associated with the operation of research reactors licensed to operate at power levels up to and including 2 megawatts thermal. We have determined that this generic evaluation is applicable to operation of the UCINRF and that there are no special or unique features that would preclude reliance on the generic evaluation.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

The alternative to the proposed action for the research reactor facility is to deny the application. If the NRC denied license renewal, UCINRF operations would stop and decommissioning would be required with, likely, a small impact on the environment. The environmental impacts of the proposed action and alternative are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the safety analysis and evaluation for construction permit issuance and operating license issued in 1969.

Agencies and Persons Contacted

On July 25, 2000, the staff consulted with the California Department of Health Official, Steve Hsu, regarding the environmental impact of the proposed action. The State officials had no comment.

Finding of no Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated October 18, 1999, as amended on April 24, and June 2, 2000. A hard copy is available for public inspection at the NRC's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555. Publicly available records will also be accessible electronically from the ADAMS Public Library component on the NRC Web site, *http://www.nrc.gov* (the Electronic Reading Room).

Dated at Rockville, Maryland, this 25th day of August 2000.

For the Nuclear Regulatory Commission.

Ledyard B. Marsh,

Chief, Events Assessment, Generic Communications, and Non-Power Reactors Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

[FR Doc. 00–22495 Filed 8–31–00; 8:45 am]

BILLING CODE 7590–01–P

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Columbia River Basin Fish and Wildlife Program

August 21, 2000.

AGENCY: Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council or Council).

ACTION: Proposed amendments to the Columbia River Basin Fish and Wildlife Program.

SUMMARY: Pursuant to the Pacific Northwest Electric Power Planning and Conservation Act (the Northwest Power Act, 16 U.S.C. 839, *et seq.*) the Council invites comments on proposed amendments to its Columbia River Basin Fish and Wildlife Program (program), Council document 2000–14.

Background

In January 2000, the Council formally requested recommendations for amendments to the program under the Northwest Power Act. The proposed amendments are based on the recommendations that were submitted to the Council by fish and wildlife agencies, Indian tribes and others earlier

this year in response to this request. Copies of the recommendations were distributed to interested parties earlier in this process, and are available from the Council on request (Council document 2000–10).

The Council will accept written public comment on the proposed amendments (Council document 2000–14) until September 22, 2000, and will hold public hearings to take written and oral comments in Idaho, Montana, Oregon, and Washington on the following schedule:

August 30
Portland OR—5 p.m., Council central offices, 851 SW Sixth Avenue, Suite 1100, Portland, OR

September 5
Vancouver, WA—6 p.m., Water Resources Education Center, Bruce E. Hagensen Room, 4600 SE Columbia Way, Vancouver, WA 98668

September 6
Astoria, OR—5 p.m., Duncan Law Seafood Consumer Center (503–338–6523 (Eric)), 2021 Marine Drive, Astoria, OR 97103

September 12
Idaho Falls, ID—6 p.m., West Coast—Idaho Falls (formerly Cavanaughs), 475 River Parkway, Idaho Falls, ID

September 13
Boise, ID—6 p.m., Joe R. Williams Bldg., (Hall of Mirrors), 700 W. State Street, Boise, ID 83702

September 18
Lewiston, ID—6 p.m., Red Lion, 621 21st, Lewiston, ID 83501

September 18
Kalispell, MT—7 p.m., West Coast Hotels (formerly Cavanaughs), McDonald/Swift Current Rooms, Kalispell Center, 20 N. Main Street, Kalispell, MT

September 19
Spokane, WA—5 p.m., Ridpath Hotel, 515 West Sprague, Spokane, WA

September 21
Hermiston, OR—5 p.m., Convention/Community Center, Rotary/Altrusa Room, Hermiston, OR

The Council expects to make final decisions on proposed amendments, beginning on October 11, 2000. At the end of the process, the Council will make findings required by the Northwest Power Act regarding any recommendations the Council rejects. The Council wishes to emphasize that it may adopt or reject any of these proposed amendments after it has received public comments, and comment may be directed to any of them.

Request for Comments

You are invited to comment on proposed amendments by 5 p.m. on September 22, 2000. Please label comments ''2000 Fish and Wildlife Program 2000–14'' and submit them to Mark Walker, Director of Public Affairs at 851 S.W. 6th Avenue, Suite 1100, Portland, Oregon 97204 or submit them to the Council via e-mail at *programcomments@nwppc.org*. The Council may schedule additional public consultations if necessary on the proposed amendments between September 22, 2000, and October 2, 2000.

FOR FURTHER INFORMATION CONTACT: For a full copy of the proposed amendments (request Council document 2000–14) or for further information, please contact the Council's Public Affairs Division, 851 S.W. 6th Avenue; Suite 1100, Portland, Oregon 97204 or (503) 222–5161, toll free 1–800–452–5161, or our web site of *www.nwppc.org*. Copies of amendment recommendations previously submitted to the Council (Council document 2000–10) are also available on request.

Stephen L. Crow,
Executive Director.

[FR Doc. 00–22459 Filed 8–31–00; 8:45 am]

BILLING CODE 7905–01–M

OFFICE OF PERSONNEL MANAGEMENT

Submission for OMB Review; Comment Request for Reclearance of a Revised Information Collection: SF 3104 and SF 3104B

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Public Law 104–13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) has submitted to the Office of Management and Budget a request for reclearance of a revised information collection. SF 3104, Application for Death Benefits/Federal Employees' Retirement System (FERS), is used by persons applying for death benefits which may be payable under FERS because of the death of an employee, former employee, or retiree who was covered by FERS at the time of his/her death or separation from Federal Service. SF 3104B, Documentation and Elections in Support of Application for Death Benefits when Deceased was an Employee at the Time of Death, is used by applicants for death benefits under FERS if the deceased was a Federal employee at the time of death.

It is estimated that approximately 4,873 SF 3104s will be processed annually. This form requires approximately 60 minutes to complete.

An annual burden of 4,873 hours is estimated. Approximately 3,188 SF 3104Bs are expected to be processed annually. It is estimated that the form requires approximately 60 minutes to complete. An annual burden of 3,188 hours is estimated. The total annual burden is 8,061.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606–8358, or E-mail to mbtoomey@opm.gov

DATES: Comments on this proposal should be received on or before October 2, 2000.

ADDRESSES: Send or deliver comments to—

John C. Crawford, Chief, FERS Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW, Room 3313, Washington, DC 20415
and
Joseph Lackey, OPM Desk Officer, Office of Information & Regulatory Affairs, Office of Management & Budget, New Executive Office Building, NW, Room 10235, Washington, DC 20503

For Information Regarding Administrative Coordination Contact: Donna G. Lease, Team Leader, Forms Analysis and Design, (202) 606–0623.

U.S. Office of Personnel Management.

Janice R. Lachance,
Director.

[FR Doc. 00–22492 Filed 8–31–00; 8:45 am]

BILLING CODE 6325–01–P

RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

SUMMARY: In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) publishes periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on

respondents, including the use of automated collection techniques or other forms of information technology.

Title and Purpose of Information Collection

RUIA Applications; OMB 3220–0339

Under Section 2 of the Railroad Unemployment Insurance Act (RUIA), sickness benefits are payable to qualified railroad employees who are unable to work because of illness or injury. In addition, sickness benefits are payable to qualified female employees if they are unable to work, or if working would be injurious, because of pregnancy, miscarriage or childbirth. Under Section 1(k) of the RUIA, a statement of sickness with respect to days of sickness of an employee is to be filed with the RRB within a 10-day period from the first day claimed as a day of sickness. The RRB's authority for requesting supplemental medical information is Section 12(I) and 12(n) of the RUIA. The procedures for claiming sickness benefits and for the RRB to obtain supplemental medical information needed to determine a claimant's eligibility for such benefits is prescribed in 20 CFR part 335.

The forms currently used by the RRB to obtain information needed to determine eligibility for and the amount of sickness benefits due a claimant follows: Form SI–1a, Application for Sickness Benefits; Form SI–1b, Statement of Sickness; Form SI–3, Claim for Sickness Benefits; Form SI–7, Supplemental Doctor's Statement; Form SI–8, Verification of Medical Information; Form ID–7h, Non-Entitlement to Sickness Benefits and Information on Unemployment Benefits; and Form ID–11a, Requesting Reason for Late Filing of Sickness Benefits.

The RRB proposes to revise Form SI–1a to add an item to identify claimants receiving military reserve pay. In order to streamline the payment process, another proposed item will request an explanation from claimants who took more than 30 days to submit their initial application. Non-burden impacting editorial and formatting changes are also proposed to Form SI–1a. Revisions to Form SI–3 are being proposed to add an item to identify claimants receiving military reserve pay and to make minor non-burden impacting editorial and formatting changes. In addition, the RRB proposes the insertion of new Form ID–11b, Notice of Insufficient Medical and Late Filing, into the collection. This form would be sent to a claimant whose sickness application does not contain sufficient medical information to make a filing determination *and* is received after the 10-day time limit as prescribed under the RUIA. Minor non-burden impacting editorial and formatting changes are being proposed to Form(s) SI–1b, SI–7, SI–8, ID–7h, and ID–11a. Completion of all of the forms is required to obtain or retain a benefit. The number of responses required of each respondent varies depending on the period of sickness.

Estimate of Annual Respondent Burden

The estimated respondent burden is as follows:

Form numbers	Annual responses	Time (min)	Burden (hrs)
SI–1a/1b (claimant)	27,700	10	4,617
SI–1a/1b (Dr.)	27,700	8	3,693
SI–3	181,000	5	15,083
SI–7	33,600	8	4,480
SI–8	50	5	4
ID–7h	50	5	4
ID–11a	800	3	40
ID–11b	1,000	3	50
Total	271,900		27,971

The renewal of this information collection will continue the RRB's initiative to consolidate information collections by major functional areas. The purpose of the initiative is to bring related *collection instruments* together in one collection, better manage the instruments, and prepare for the electronic collection of this information. (A *collection instrument* can be an individual form, electronic collection, interview, or any other method that collects specific information from the public.)

As part of the OMB renewal process, the RRB also proposes that this collection (OMB 3220–0039), *Application and Claim for Sickness Benefits*, be renamed *RUIA Applications.* Upon approval by OMB, the RRB intends to merge the following OMB approved-related collections into this collection by the expected expiration date(s).

OMB collection number	Title	RRB forms	Expected expiration date
3220–0022	Application and Claim for Unemployment Benefits and Employment Service	UI–1, UI–3	6/30/2003
3220–0034	Statement of Authority to Act for Employees	SI–10	11/30/2002
3220–0036	Supplemental Information on Accident	SI–1, SI–1c, SI–5, ID–3s, ID–3s–1, ID–3u, ID–30k, ID–30k–1.	1/31/2002
3220–0055	Application and Claim for RUIA Benefits Due at Death	UI–63	2/28/2003

Revisions to existing *collection instruments* and, occasionally, a new instrument related to this program function may be required during the three-year cycle of this information collection.

The RRB currently estimates the completion time for Form UI–1, Application for Unemployment Benefits and Employment Service at 10 minutes, Form UI–3, Claim for Unemployment Benefits at 6 minutes, Form SI–10, Statement of Authority to Act for Employee at 6 minutes, Form SI–1c,

Supplemental Information on Accident and Insurance at 5 minutes, Form SI–5, Report of Payments to Employee Claiming Sickness Benefits Under the RUIA at 5 minutes, Form ID–3s, Request for Lien Information at 3 minutes, Form ID–3s–1, Request for Lien Information, Report of Settlement of Third Party Liability Cases, at 3 minutes, Form ID–3u, Request for 2(f) Information at 3 minutes, Form ID–30k, Supplemental Information on Injury or Illness at 5 minutes, Form ID–30k–1, Request for Supplemental Information on Injury or Illness, at 5 minutes and UI–63, Application for Benefits Due But Unpaid at Death, at 7 minutes. After the last information collection is merged and other necessary adjustments are made, the resultant information collection is expected to total approximately 38,500 annual burden hours.

A justification for each action described above (merge collection, revised collection instrument, new collection instrument) will be provided to OMB with a correction Change Worksheet (OMB) Form 83–C) at the time the action occurs. With the next renewal of this collection, the RRB will update the information collection package to account for the consolidation and other interim adjustments.

Additional Information or Comments: To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751–3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092. Written comments should be received within 60 days of this notice.

Chuck Mierzwa,

Clearance Officer.

[FR Doc. 00–22462 Filed 8–31–00; 8:45 am]

BILLING CODE 7905–01–M

RAILROAD RETIREMENT BOARD

Computer Matching and Privacy Protection Act of 1988; Notice of RRB Records Used in Computer Matching Programs

AGENCY: Railroad Retirement Board (RRB).

ACTION: Notice of Records Used in Computer Matching Programs. Notification to individuals who are receiving or have received benefits under the Railroad Retirement Act.

SUMMARY: As required by the Computer Matching and Privacy Protection Act of 1988, the RRB is issuing a public notice of its use and intent to use, in ongoing computer matching programs, certain information obtained from the Health Care Financing Administration (HCFA).

The purpose of this notice is to advise individuals applying for or receiving benefits under the Railroad Retirement Act of the use made by the RRB of this information obtained from HCFA by means of a computer match.

DATES: Comments should be received on or before October 2, 2000.

ADDRESSES: Send comments to Beatrice Ezerski, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092.

FOR FURTHER INFORMATION CONTACT: James Verplaetse, Office of Programs, Railroad Retirement Board, 844 North Rush Street, Chicago Illinois 60611–2092, telephone number (312) 751–3381.

SUPPLEMENTARY INFORMATION: Under certain circumstances, the Computer Matching and Privacy Protection Act of 1988, Pub. L. 100–503, requires a Federal agency participating in a computer matching program to publish a notice in the **Federal Register** regarding the establishment of that matching program. Such a notice must include information in the following first five categories:

Name of Participating Agencies: The Railroad Retirement Board and the Health Care Financing Administration (HCFA).

Purpose of the Match: To identify RRB annuitants who are 66 or over and who have not had any Medicare utilization during the past calendar year. The general purposes of the match are (1) to verify that these RRB annuitants are still alive and if alive, to determine whether the RRB should appoint a representative payee for them; (2) to identify instances when payments are being made to persons who because they are deceased are no longer entitled to receive them; (3) to recover any payments erroneously made; and (4) to identify instances of fraud, and where established and warranted, to initiate prosecution.

Authority for Conducting the Match: 45 U.S.C. 231f(b)(7). This section requires that the Secretary of Health and Human Services provide information pertinent to the administration of the Railroad Retirement Act. The death of an annuitant under that Act is a terminating event.

Categories of Records and Individuals Covered: All annuitants under the Railroad Retirement Act who are age 66 or over and who have had no Medicare utilization during the previous calendar year. The RRB records used in this matching program are covered under Privacy Act system of records, RRB–22, Railroad Retirement, Survivor, and Pensioner Benefit System. The HCFA records used in this matching program are covered under Privacy Act system of records HHS/HCFA/BPO 09–70–0526, Common Working File.

Inclusive Dates of the Matching Program: The life of this agreement is 18 months; the match will be conducted no more than three times during this period.

Procedure: HCFA will furnish the RRB with a computer tape of annuitants under the Railroad Retirement Act who, according to HCFA records, are age 66 or older and have had no Medicare utilization during the previous calendar year. After excluding certain categories of individuals for whom no follow-up action will be taken, the RRB will contact the remaining identified individuals to determine whether they are still alive and if so to determine whether the RRB needs to appoint a representative payee to ensure that the benefits to which they are entitled are properly expended on their behalf. If the RRB establishes that an individual so identified in the match is deceased it will terminate the annuity, and if there are any benefits that were improperly paid, it will take action to recover them. In addition, if there is any indication of fraud, the RRB will evaluate whether prosecution should be initiated against the person or persons who acted fraudulently. No action will be taken with respect to the individuals excluded from the monitoring program.

The public information collection represented by the follow-up action for the individuals identified by the matching program was previously approved by the Office of Management and Budget (OMB 3220–0178).

Other information:; The notice we are giving here is in addition to any individual notice.

A copy of this notice has been or will be furnished to both Houses of Congress and the Office of Management and Budget.

Dated: August 24, 2000.

By Authority of the Board,

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 00–22461 Filed 8–31–00; 8:45 am]

BILLING CODE 7905–01–M

RAILROAD RETIREMENT BOARD

Privacy Act of 1974; Proposed Changes to Systems of Records

AGENCY: Railroad Retirement Board (RRB).

ACTION: Notice of proposed changes to a system of records.

SUMMARY: The purpose of this document is to give notice of a proposed addition to the categories of records in one system of records and a proposed new routine use for the same system of records.

DATES: The amendment to the categories of records and the proposed routine use shall become effective as proposed without further notice in 40 calendar days from the date of this publication unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to Beatrice Ezerski, Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092.

FOR FURTHER INFORMATION CONTACT: LeRoy Bloommaert, Privacy Act Officer, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611–2092, (312) 751–4548, e-mail BLOMMLF@RRB.GOV

SUPPLEMENTARY INFORMATION: Effective October 1, 2000, the Railroad Retirement Board plans to implement a program under which its employees can elect a reduction in their compensation in exchange for tax-free commuting benefits. Employees who use mass (*i.e.* subway, bus, rail) for commuting to and from work, or who commute in a car pool are eligible to receive tax benefits for qualifying transportation expenditures by participating in the RRB's Transit Benefit Program. Employees who elect to participate in this program will be required to submit adequate documentation for certain types of transit expenditures. Such documentation cannot be considered within the scope of time, leave and payroll information; hence, the need to amend this system of records to reflect the new category of information collected and maintained.

The proposed routine use will allow the RRB to furnish the documentation to the Internal Revenue Service as needed for tax administration purposes.

On August 24, 2000, the Railroad Retirement Board filed an altered system report for this system with the chairmen of the designated Senate and House committees and with the Office of Management and Budget. This was done to comply with section 3 of the Privacy Act of 1974 and OMB Circular No. A–130, Appendix I.

By authority of the Board.

Beatrice Ezerski,

Secretary to the Board.

RRB–19

SYSTEM NAME:

Payroll Record System—RRB.

* * * * *

This section is revised to read as follows:

CATEGORIES OF RECORDS IN THE SYSTEM:

Time, leave, payroll information, and supporting documentation relating to participation in the agency's transit benefit program.

* * * * *

A new section is added to read as follows:

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

* * * * *

k. Transit benefit program documentation may be furnished to the Internal Revenue Service for tax administration purposes.

[FR Doc. 00–22460 Filed 8–31–00; 8:45 am]

BILLING CODE 7905–01–M

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filing and Information Services, Washington, DC 20549

Extension: Rule 10b–10; SEC File No. 270–389; OMB Control No. 3235–0444

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (''Commission'') is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

• Rule 10b–10 Confirmation of Transactions

Rule 10b–10 requires broker-dealers to convey basic trade information to customers regarding their securities transactions. This information includes: The date and time of the transaction, the identity and number of shares bought or sold, and the trading capacity of the broker-dealer. Depending on the trading capacity of the broker-dealer, the Rule requires the disclosure of commissions as well as mark-up and mark-down information. For transactions in debt securities, the Rule requires the disclosure of redemption and yield information. The Rule potentially applies to all of the approximately 5,300 firms registered with the Commission that effect transactions on behalf of customers.

The confirmations required by Rule 10b–10 are generally processed through automated systems. It takes approximately 1 minute to generate and send a confirmation. It is estimated that broker-dealers spend 56 million hours per year complying with Rule 10b–10.

The Commission staff estimates the costs of producing and sending a confirmation to be approximately 89 cents. The amount of confirmations sent and the cost of sending each conformation varies from firm to firm. Smaller firms generally send fewer confirmations than larger firms because they effect fewer transactions.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the proposed collection information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: August 22, 2000.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22418 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35–27222]

Filings Under the Public Utility Holding Company Act of 1935, as Amended (''Act'')

August 25, 2000.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by September 19, 2000, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549–0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After September 19, 2000, the application(s) and/or declaration(s), as filed or as amended, may be granted an/or permitted to become effective.

Indiana Michigan Power Company (70–6458)

Indiana Michigan Power Company (''I&M''), One Summit Square, P.O. Box 60, Fort Wayne, Indiana 46801, an electric utility subsidiary of American Electric Power Company, Inc., a registered holding company, has filed a post-effective amendment under sections 9(a), 10 and 12(d) of the Act and rule 54 under the Act to an application-declaration previously filed under the Act.

By orders dated June 11, 1980, June 25, 1980, December 4, 1984, December 12, 1984, August 2, 1985, October 5, 1994, June 26, 1995 and February 28, 2000 (HCAR Nos. 21618, 21642, 23514, 23528, 23781, 26136, 26319 and 27143, respectively) (''Orders''), I&M was authorized to enter into and amend agreements (collectively, ''Agreements'') with the city of Rockport, Indiana (''City'') in connection with the construction and installation of pollution control facilities at I&M's Rockport generating station (''Facilities''). Under the Agreements, the City may issue and sell, in several series, its pollution control revenue bonds and pollution control refunding bonds (together, ''Bonds'').

The Orders also authorized I&M to convey the Facilities to the City and to reacquire them at a purchase price, payable on an installment basis semi-annually, in amounts that enable the City to pay, when due, the interest and principal on the Bonds and certain other fees and expenses. Currently, the City has issued three series of Bonds in an outstanding aggregate principal amount of $150 million.

Under the most recent order (''February Order''), the Commission authorized I&M to cause the City to issue and sell, under the terms of the Agreements, through June 30, 2000 (''Authorization Period''), one or more additional series of Refunding Bonds in the aggregate principal amount of up to $50 million. However, the Bonds authorized in the February Order were not issued during the Authorization Period.

It is now proposed that the Authorization Period be extended to June 30, 2002. The Bonds will mature on a date not more than thirty years from the date of issuance. The proceeds will be used to provide for the early redemption of the entire outstanding principal amount of $50 million of the City's Series 1985 A Floating Rate Weekly Demand Bonds, due August 1, 2014.

New England Power Service Company (70–9673)

New England Power Service Company (''NEPSCO''), a direct wholly owned nonutility service subsidiary company of National Grid USA (''Grid''), a registered holding company, and an indirect wholly owned subsidiary of The National Grid Group PLC (''NGG''), a registered public utility holding company, located at 25 Research Drive, Westborough, Massachusetts 01582, has filed a declaration under sections 12(c) and 13(b) of the Act and rules 90 and 91 under the Act.

By order dated December 21, 1979 (HCAR No. 21354), the Commission authorized NEPSCO to include in its service charges to associate companies in the New England Electric System (''NEES'') [1] a rate of return on equity capital (excluding retained earnings and accumulated other comprehensive income) equal to the authorized rate of return on common equity for its associate, the New England Power Company. Under this formula, NEPSCO currently uses an equity rate of return of 11.25%. NEPSCO requests permission to reduce its common stock and paid-in capital from a total of $16.3 million to $5 million by means of a distributive dividend to Grid from paid-in capital, through December 31, 2004.

The recapitalization proposed in this filing would be completed on or before the thirtieth day following the Commission's order granting the authority requested in this file and in file no. 70–9089.[2]

NEPSCO proposes to continue to be allowed to include in its service charges: (1) The actual interest on funds borrowed, and (2) as reasonable compensation for its equity capitalization, a return on the book value of its equity (excluding retained earnings and accumulated other comprehensive income). NEPSCO requests permission so that following the reduction in capital, the rate of return on equity capital through December 31, 2004, would be fixed at 10.5%, the allowed rate of return stipulated in a settlement entered into by its affiliate, The Narragansett Electric Company, with the Rhode Island Public Utilities Commission.

The Connecticut Light and Power Company, et al. (70–9697)

The Connecticut Light and Power Company (''CLP''), 107 Selden Street, Berlin, Connecticut 06037, Western Massachusetts Electric Company (''WME''), 174 Brush Hill Avenue, West Springfield, Massachusetts 01090, and Public Service Company of New Hampshire (''PSC''), 1000 Elm Street, Manchester, New Hampshire 03101 (collectively, ''Applicants''), each an electric utility subsidiary company of Northeast Utilities (''NU''), a registered holding company, have filed an application-declaration under sections 6(a), 7, 9(a), 10, and 13(b) of the Act and rules 45, 46, 90 and 91 under the Act.

CLP, WME and PSC provide electric power at retail to customers in Connecticut, Massachusetts and New Hampshire, respectively. Each of these states has enacted an electric utility restructuring law (''Restructuring Law''), which introduces retail competition for

[1] By order dated March 15, 2000 (HCAR No. 27154), the Commission approved the acquisition of NEES by NGG. NEES has changed its name to National Grid USA.

[2] In file no. 70–9089 (filed June 12, 2000), National Grid USA requested increased borrowing authority for its service company and select utilities. That request will have no effect on the rate of return on equity capital or the overall reduction of NEPSCO's equity to $5 million.

electric services. To facilitate the transition to competition, the Restructuring Laws contain provisions that permit electric utilities to recover some, or all of certain costs resulting from the transition to competition (''Transition Costs'').[3] The recovery will take place through the collection, from electricity consumers, of a non-bypassable special charge that is based on the amount of electricity purchased (''Market Transition Charge'').

The Restructuring Laws also contain provisions authorizing the state utility commissions (''PUCs'') to approve the issuance of debt securities (''Transition Bonds'') by a utility as a mechanism to mitigate Transition Costs and reduce customer rates.[4] Each Applicant has submitted requests to its PUC to approve the recovery of specified amounts of Transition Costs, to allow the issuance of Transition Bonds and to establish special purpose entities (''SPEs'') that will issue the Transition Bonds.

The Transition Bonds would be secured by a portion of the Market Transition Charge (''Transition Bond Charge'').[5] To facilitate securitization, the Restructuring Laws have established the right to collect the Transition Bond Charge as a separate property right (''Transition Property'') that includes all right, title, and interest in and all revenues, collections, claims, payments, money, or proceeds of or arising from the Transition Bond Charge.

Applicants accordingly request authority through August 31, 2005 for several transactions. In summary, Applicants request authority (1) to create and acquire interests in special purpose entities (''SPEs''), (2) for the SPEs to issue Transition Bonds or other related debt instruments either to the public or to state government-sponsored trusts (''Trusts''), and (3) for each Applicant to enter into agreements to provide services to the SPEs at other than cost.

Each Applicant will contribute as equity to its subsidiary SPE cash equal to at least 0.50% of the initial principal balance of Transition Bonds issued with respect to that SPE (''Capital Amount'').[6] The Capital Amount invested in an SPE and any investment earnings on that amount, to the extent not used to satisfy obligations on the related Transition Bonds, will be returned to its parent Applicant after the Transaction Bonds are paid in full.

The SPEs will issue Transition Bonds to underwriters, who in turn will sell the bonds to public investors. Applicants state that the following principal amount of Transition Bonds will not in aggregate outstanding principle amount exceed $1.489 billion for CLP, $303 million for WME and $725 million for PSC. Proceeds from the sale of Transition Bonds issued by an SPE, less any transaction costs paid by the SPE, will be transferred to its parent Applicant in consideration for the transfer of the Transition Bond Property by the Applicant to the SPE.

Transition Bonds will be in the form of promissory notes of the SPEs. Transition Bonds issued by an SPE will be nonrecourse to its parent Applicant, but will be secured by the assets of the SPE. Transition Bonds will not be subordinated to the claims of any creditors or the equity owner of the issuing SPE, other than for payments of trustee, servicing, and administrative fees.

The Transition Bonds will be issued in one or more series. Each series of Transition Bonds may be offered in one or more classes, each expected to have a different principal amount, term,interest rate, and amortization schedule. Each Applicant expects that the weighted average all-in cost of the Transition Bonds issued on its behalf will not exceed the applicable U.S. Treasury bond benchmark security plus 300 basis points.

Applicants also expect that the Transition Bonds will have legal maturities not longer than 15 years and that the longest-term Transition Bonds will have scheduled maturities that are at least 6 months earlier, as necessary to meet the rating agencies' triple-A rating standards. An SPE may enter into swap agreements or other hedging arrangements solely to permit the issuance of variable rate Transition Bonds. The cost of any such agreements or arrangements will be included in the weighted average all-in cost calculation referred to above.

Each Applicant requests authority to enter into administration agreements (''Administration Agreements'') with its subsidiary SPE, to perform administrative services, including collection, and provide facilities for the SPE to ensure that it is able to perform such day-to-day operations as are necessary. Under the Administrative Agreements, Applicants will be entitled to receive an administration fee for their provision of services. In addition, each Applicant will collect the billed Transition Bond Charge for a fee as a servicer for the Transition Bonds. In order to support the SPEs' status as a bankruptcy remote entity, separate and apart from their parent Applicants, and to satisfy related rating agency and legal opinion requirements, these fees must be comparable to one negotiated in a market-based, arm's length transaction. Although the fees to be charged by an Applicant are expected to approximate its estimate of the actual cost of providing these services and facilities, Applicants cannot be certain that the fees will meet the ''at cost'' requirements of Section 13(b) and Rules 90 and 91 of the Act. Accordingly, Applicants request an exemption from these requirements for those services.

Applicants also propose to use an alternative structure with respect to the proposed transactions. Under the alternate format, the SPEs will issue promissory notes (''SPE Debt Securities''), not to the public, but to Trusts. In turn, the Trusts will issue securities to the public through underwriters in the form of pass-through certificates (''Pass-Through Certificates'') representing beneficial ownership interests in the SPE Debt Securities held by the Trusts. The Pass-Through Certificates will be issued in an aggregate principal amount equal to the aggregate principal amount of the SPE Debt Securities. The SPE Debt Securities will be secured in the same fashion and to the same extent as the Transition Bonds.

Each class of each series of Pass-Through Certificates will have terms and characteristics that are substantially identical to the corresponding class of SPE Debt Securities. As with the Transition Bonds, any SPE or Trust may enter into swap agreements or other hedging arrangements solely to permit the issuance of variable rate Pass-Through Certificates. In such case, ownership of Pass-Through Certificates would also represent beneficial ownership interests in those agreements or arrangements. The cost of any such agreements or arrangements will be

[3] Transition Costs include regulatory assets, long-term purchased power commitments and other costs, including investments in generating plants, spent-fuel disposal, retirement costs and reorganization costs, for which an opportunity for recovery is allowed in an amount determined by the state public utility commissions to be just and reasonable.

[4] Applicants state that the issuance of Transition Bonds would reduce rates because each Applicant is required to use the proceeds to reduce its capitalization, thus reducing its revenue requirements.

[5] The Transition Bond Charge will be established at a level (or at different levels during specified periods over the life of Transition Bonds) intended to provide for the full recovery of payments of interest and principal on Transition Bonds, credit enhancement, including any liquidity reserves, and an amount for overcollateralization. The amount is expected to reach at least 0.50% of the initial principal amount of the Transition Bonds.

[6] This capitalization is required in order for the Applicant to treat the Transition Bond issuance by its subsidiary SPE as debt for tax purposes.

included in a weighted average all-in cost calculation, which will not exceed the rates described under the first transactional structure described above.

As with the first structure, each Trust will transfer the proceeds from the issuance of the Pass-Through Certificates, net of its transaction expenses, if any, to the related SPE, as consideration for the SPE Debt Securities. In turn, the SPE will then transfer to its parent Applicant, as consideration for the transfer of the Transition Bond Property to the SPE, the balance of those Transition Bond proceeds, net of any remaining transaction expenses.

Applicants plan to apply the proceeds of securitization, among other things, to pay for transaction costs, to buy out or renegotiate existing purchased power agreements with independent power producers, and to reduce their capitalization.

Vectren Corporation, et al. (70–9703)

Vectren Corporation (''Vectren''), an Indiana public-utility holding company exempt from registration under section 3(a)(1) of the Act by rule 2, and its wholly owned subsidiary Vectren Utility Holdings, Inc. (''VUHI'') have filed an application under sections 9(a)(2) and 10 of the Act in connection with: (1) The formation of VUHI, which will serve as an intermediate holding company over Vectren's public-utility subsidiaries; and (2) the indirect acquisition, through VUHI, of a public-utility company that will hold certain of the natural gas distribution assets (the ''DP&L Assets'') of The Dayton Power & Light Company (''DP&L'') (collectively, the ''Transactions''). In addition, both Vectren and VUHI request that the Commission grant them an exemption under section 3(a)(1) of the Act from all provision of the Act, except section 9(a)(2).

Vectren was formed on March 31, 2000 from the combination of Indiana Energy, Inc. and SIGCORP., Inc. *See Vectren Corp.,* Holding Co. Act Release No. 27150 (Mar. 8, 2000) (''March 2000 Order''). Vectren has established VUHI, a new Indiana subsidiary, to serve as the intermediate holding company for Vectren's utility interests. Vectren will contribute the common stock of its public-utility subsidiary companies to VUHI.

Vectren, through its public-utility subsidiary companies, Southern Indiana Gas and Electric Company (''SIGECO''), Community Natural Gas Company, Inc. (''Community'') and Indiana Gas Company (''Indiana Gas''), provides electric and/or gas utility service to customers in southern and central Indiana. In the *March 2000 Order,* the Commission determined that the gas operations of SIGECO, Community and Indiana Gas constitute a gas integrated public-utility system and that Vectren may own the SIGECO electric operations as an additional integrated public-utility system.

Indiana Gas provides gas distribution service to approximately 510,000 customers in Indiana. for the twelve months ended June 30, 2000, Indiana Gas had operating revenues of approximately $455.7 million and assets, as of June 30, 2000, of approximately $698.3 million. Indiana Gas purchases approximately 50% of its total system gas supply requirements from the Gulf Coast production basin and approximately 48% from production in the Mid-Continent basin. The interstate pipelines that transport pipeline supplies to the Indiana Gas service territory include ANR Pipeline Company (''ANR''), CMS Panhandle Eastern Pipeline Company (''CMS Panhandle''), Texas Eastern Transmission Company (''Texas Eastern''), Texas Gas Transmission Corporation (''Texas Gas'') and Midwestern Gas Transmission Company (''Midwestern'') (via ANR).

SIGECO provides retail gas distribution service to approximately 107,000 customers and electric distribution service at retail to approximately 126,000 customers in Indiana. for the twelve months ended June 30, 2000, SIGECO had operating revenues of approximately $385.5 million and assets, as of June 30, 2000, of approximately $878.4 million. SIGECO's gas utility operations are located in a single contiguous area in southwestern Indiana. SIGECO purchases nearly 100% of its system supply gas requirements from the Gulf Cost production basin. SIGECO has contracted for firm transmission capacity on five interstate gas pipelines: Texas Gas Midwestern, Tennessee Gas Pipeline Company, ANR and Texas Eastern.

Vectren also owns approximately 33% of the outstanding common stock of Community, a small Indiana gas distribution company. Community has several service territories in southwestern Indiana that are adjacent to or near the gas service territory of SIGECO. Community has 6,638 natural gas customers.

Indiana Gas, SIGECO and Community are subject to regulation as to rates and other matters, including affiliate transactions, by the Indiana Utility Regulatory Commission.

DP&L is a wholly owned subsidiary of DPL, Inc., a public-utility holding company that claims exemption from registration under section 3(a)(1) of the Act by rule 2. DP&L provides electric and gas service to customers in west central Ohio. For the twelve months ended June 30, 2000 DP&L had approximately $219.4 million of gross operating revenues from its gas utility operations and approximately $425 million in gas assets as of June 30, 2000. Of interest here, DP&L provides retail gas distribution to approximately 300,000 customers. Under DP&L's operation, the gas assets were supported by long-term firm pipeline transportations with ANR, Texas Gas, CMS Panhandle, Columbia Gas Transmission Corporation and Columbia Gulf Transmission Corporation. DP&L is also interconnected with CNG Transmission Corporation.

Vectren and one of its subsidiaries. Vectren energy Delivery of Ohio, Inc. (formerly, Number-3CHK, Inc.) (referred to here as ''OhioCoO''), have entered into an agreement to purchase the ''DP&L Assets'' for a purchase price of approximately $425 million. The DP&L Assets are located in a single area that is adjacent to, and contiguous with, the service territory of the existing Vectren gas operations.

Vectren proposes to acquire the DP&L Assets as a tenancy in common through two separate subsidiaries. Specifically, Indiana Gas will acquire an approximately 47% ownership in the DP&L Assets and OhioCo will acquire the remaining approximately 53% ownership interest. OhioCo will operate the DP&L Assets. Because Ohio law requires domestic incorporation of any entity that provides utility services in Ohio, Indiana Gas has incorporated under Ohio law as well as Indiana law. After the acquisition of the DP&L Assets, the gas distribution system jointly owned by OhioCo and Indiana Gas will be subject to regulation as to rates and other matters by the Public Utilities Commission of Ohio.

DP&L interstate pipeline contracts that are used in connection with the operation of the DP&L Assets will be transferred to Vectren as part of the asset acquisition. The existing DP&L commodity purchase contracts will not be transferred to Vectren, however. Instead, Vectren will access commodity through the use of transferred transportation contracts from the same sources that have been available to DP&L historically.

As a result of the proposed Transactions, Vectren and VUHI will be affiliates of Indiana Gas, SIGECO, Community and OhioCo. Vectren will be a holding company over VUHI,

Indian Gas, SIGECO, Community and OhioCo, and VUHI will be a holding company over Indiana Gas, SIGECO, Community and OhioCo. The application states that, following the Transactions, both Vectren and VUHI will qualify for exemption from registration under section 3(a)(1) of the Act because each holding company and each public-utility company from which it derives, directly or indirectly, any material part of its income, will be predominantly intrastate in character and will carry on their businesses substantially in Indiana, the state in which the holding company and each such public-utility company is organized.

Cinergy Corporation (70–9731)

Cinergy Corporation (''Cinergy''), 139 East Fourth Street, Cincinnati, Ohio 45202, a registered holding company, has filed an application-declaration under sections 6(a), (7), 9(a), 10 and 12(c) of the Act and rules 42 and 54 under the Act.

Cinergy proposes to adopt a shareholder rights plan (''Plan'') and to enter into a related Rights Agreement (''Agreement'') with the Fifth Third Bank, acting as transfer agent, to implement the Plan. Under the Plan, Cinergy's Board of Trustees (''Board'') proposes to declare a dividend of one right (''Right'') for each outstanding share of Cinergy common stock, $0.01 par value (''Common Stock''). Each Right would entitle the holder to purchase one share of Common Stock at a price of $100.00 per share, subject to adjustment (''Exercise Price''). The dividend will be payable to stockholders of record on the tenth business day after the Commission has issued an order requested in this filing (''Record Date'').

Initially, the Rights would not be exercisable and may only be traded together with the Common Stock certificates that are outstanding on the Record Date. The Rights may be exercised and traded independently of the underlying Common Stock on the Distribution Date, which is defined in the Agreement as the earlier of two dates. The first is ten business days after the first public announcement that any person or group (''Acquiring Person'') has acquired beneficial ownership of ten percent or more of Common Stock without Board approval (''Acquisition Event''). The second is ten business days (unless extended by the Board) after any person or group has commenced a tender or exchange offer, which would, upon its consummation, result in the person or group becoming an Acquiring Person. On the occurrence of either event, each Right will be evidenced by a transferable Right certificate.

If an Acquisition Event has occurred, Right holders (other than Acquiring Persons and certain of their transferees) will have the right to receive Common Stock having a market value equal to two fines the effective Exercise Price (''Discount Purchase Price'') for each Right exercised. In addition, each Right holder (other than Acquiring Persons and certain of their transferees) will have the right, following an Acquisition Event, to receive the acquiror's common stock having a market value equal to the Discount Purchase Price for each Right exercised, under certain circumstances. The circumstances are: (1) Cinergy is acquired by another person or entity not controlled by Cinergy (''Acquiror'') in a business combination in which Cinergy is not the continuing or surviving entity; (2) an Acquiror consolidates with or merges into Cinergy in a business combination in which Cinergy is the continuing or surviving entity and all or part of the Common stock is exchanged for the securities or property of any other person; or (3) 50% or more of Cinergy's consolidated assets or earning power is sold or transferred to an Acquirer. If an Acquisition Event occurs, all Rights held by Acquiring Persons (and certain of their transferees) other related persons, become full and void.

Cinergy may redeem the Rights, as a whole, at an adjustable price of $0.01 per Right, at any time prior to the earlier of the close of business on the date on which any person has become an Acquiring Person and the final expiration date of the Rights. The Rights will expire ten years from the date of the Agreement, unless Cinergy has redeemed or exchanged them earlier.

For the Commission by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22417 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43162A; File No. SR–Amex–00–37]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change by American Stock Exchange LLC Relating to Trading of Convertible Bond Linked Medium Term Notes

August 25, 2000.

Correction

In FR Document No. 00–21431, beginning on page 51374 for Wednesday, August 23, 2000, the following text should replace the heading and text of Section III in column 3, page 51375.

Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR–Amex–00–37 and should be submitted by September 22, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[1]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22420 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

[1] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43205; File No. SR–CBOE–00–18]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by the Chicago Board Options Exchange, Inc., Interpreting Rules Relating to Customer Communications

August 24, 2000.

I. Introduction

On April 20, 2000, the Chicago Board Options Exchange, Inc. (''CBOE'' or ''Exchange'') submitted to the Securities and Exchange Commission (''Commission''), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 [2] thereunder, a proposed rule change. In its proposal, the CBOE seeks to clarify an interpretation of its customer communication rule. The proposed rule change was published for comment in the **Federal Register** on June 1, 2000.[3] The Commission received no comments on the proposal and this order approves it.

II. Description of the Proposal

Exchange Rule 9.21, ''Communications to Customers,'' governs communications between Exchange members and their customers and other members of the public. The Exchange, along with the other options exchanges, has published *Guidelines for Options Communications* (''Guidelines'') [4] to explain the customer communications rules of the options exchanges and the interpretations of these rules. The Exchange proposes to issue a Regulatory Circular to formally install a clarifying interpretation that has long been applied by the Exchange. This interpretation deals with the requirement to discuss tax considerations when engaging in certain option strategies.

Although Rule 9.21 is silent regarding tax considerations in customer communications, the Guidelines and the Exchange's internal checklist (''Checklist''), which CBOE's Department of Financial and Sales Practice Compliance uses in reviewing communication materials, do require that tax considerations be discussed in communications in certain circumstances. The Guidelines state, ''depending upon the technical or specific nature of such communication, any one or more of the following points should be addressed.'' The Guidelines go on to list various points, including the following statement about taxes, ''[s]ince options transactions may involve complex tax considerations, it would be misleading to omit the mention of such strategies from any communication that discusses or recommends options strategies.'' In response to comments and recommendations made by the Commission's Office of Compliance Inspections and Examinations, the Exchange in February 1994 added language to its Checklist reflecting the Exchange's long-standing practice in reviewing communications for tax considerations. That practice was, and is, to require a discussion of tax considerations if the communication is educational material or sales literature that is strategy specific and complex.

The Exchange believes that more clarification could be provided to its members regarding this topic and has, therefore, decided to issue an interpretation in a Regulatory Circular clarifying which communications require a mention about tax considerations. The language in the interpretation mimics the language contained in the Exchange's Checklist. The proposed interpretation states that an advisory concerning taxes is required for educational material and sales literature involving specific, detailed and complex option strategies. In addition, the proposed interpretation states an advisory regarding taxes is not necessary where the communication is of a general, noncomplex nature or involves common basic options strategies (*e.g.*, purchasing, covered writing or cash secured put writing). According to the Exchange, an example of an appropriate advisory concerning taxes, where one is needed, would be, ''[b]ecause of the importance of tax considerations to many option transactions, the investor considering options should consult with his/her tax advisor as to how taxes affect the outcome of contemplated options transactions.'' [5]

III. Discussion

After careful review, the Commission finds that the proposal is consistent with the requirements of the Act.[6] In particular, the Commission finds the proposal is consistent with section 6(b)(5) [7] of the Act. Section 6(b)(5) requires, among other things, that the rules of an exchange be designed to promote just and equitable principles of trade and to protect investors and the public interest.

Specifically, the Commission believes that the proposal is consistent with section 6(b)(5) in that it will help member firms understand their obligations under CBOE's ''Communications to Customers'' rule and the Guidelines. As CBOE pointed out, the ''Communications to Customers'' rule does not specifically mention tax considerations. It does, however, prohibit misleading communications with the public. The Guidelines help clarify certain aspects of this rule, including whether a particular communication is misleading. Among other things, the Guidelines mention that it may be misleading to leave out discussions of tax considerations in a customer communication.

CBOE believes that a discussion of taxes is necessary when the customer communication involves specific, detailed and complex option strategies, but is not necessary when the customer communication is simple or involves basic options strategies. The Commission finds that the interpretation is consistent with the Act in that it helps member firms understand their obligations under CBOE's rules. In approving this rule, however, the Commission wants to emphasize that it does not believe that a firm would be acting inconsistently with the ''Communications to Customers'' rule and the Guidelines if the firm chose to include discussions of tax considerations in *all* of its customer communications.

IV. Conclusion

It Is Therefore Ordered, pursuant to section 19(b)(2) of the Act,[8] that the proposed rule change (SR–CBOE–00–18) is approved.

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[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Securities Exchange Act Release No. 42821 (May 24, 2000), 65 FR 35149.

[4] *See* Securities Exchange Act Release No. 29682 (September 13, 1991), 56 FR 47973 (September 23, 1991) (File Nos. SR–Amex–90–38; SR–CBOE–90–27; SR–NASD–91–02; SR–NYSE–90–51; and SR–PSE–90–41).

[5] The Commission notes that the CBOE included two versions of this model advisory in its filing. The first version, which was included in the Purpose section of the filing, stated that, ''[b]ecause of the importance of tax considerations to all option transactions * * *.'' The second version, which was included in Exhibit A to the filing and is the sample Regulatory Circular, stated that, ''[b]ecause of the importance of tax considerations to many option transactions * * *.'' According to CBOE, the correct advisory is the second one. Telephone conversation between Jamie Galvan, Attorney, CBOE, and Joseph Corcoran, Attorney, Division of Market Regulation, Commission, on August 24, 2000.

[6] In addition, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[7] 15 U.S.C. 78f(b)(5).

[8] 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[9]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22484 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43214; File No. SR–NYSE–00–34]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Supplemental Procedures by the New York Stock Exchange, Inc. Relating to Arbitration Rules

August 28, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 1, 2000, the New York Stock Exchange, Inc. (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of the proposed Supplemental Procedures is to allow the parties to agree, on a pilot basis for two years from the date of filing, to select arbitrators under a procedure that is an alternative to NYSE Rules 601 and 607.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed Supplemental Procedures is to allow the parties to agree, on a pilot basis for two years from the date of filing, to select arbitrators under a procedure that is an alternative to NYSE Rules 601 and 607. The Supplemental Procedures are based on Rules approved by the Securities Industry Conference on Arbitration (''SICA'') that establish a list selection procedure for appointment of arbitrators. The Supplemental Procedures are voluntary and will not be used unless all parties agree to them. The Supplemental Procedures invite the parties to select their own arbitrators or agree on a procedure to select arbitrators. The Supplemental Procedures also suggest two ways the parties can select arbitrators instead of having the Exchange appoint them.

NYSE Appoints Arbitrators Under Rules 601 and 607. Under NYSE Rules 601 and 607, the Director of Arbitration appoints arbitrators to serve on each case. The Director generally delegates this task to a staff attorney. Each party has one peremptory challenge that allows the party to remove an arbitrator without specifying a reason. The parties have unlimited challenges for cause.

In 1998, the NASD amended its rules to require that all arbitrators be appointed using a rotational list selection system. Their rule differs somewhat from the SICA Uniform Code and the Exchange's proposed Supplemental Procedures.

Voluntary Supplemental Procedures for Selecting Arbitrators (a) Party Agreement on Arbitrator Selection. Under Exchange Rules, described above, the Director of Arbitration appoints the arbitrators, subject to the parties' challenges. The parties, however, may agree on an alternative way to select arbitrators. If all parties agree, they may select the arbitrators themselves or decide how they will be selected. The Exchange will accommodate any reasonable alternative way to select arbitrators, provided the parties agree. The Exchange also offers two alternative ways to appoint arbitrators. The following is a brief description of each method.

(b) Random List Selection. Under Random List Selection, the Exchange provides the parties with a list of names of arbitrators randomly generated by computer. Except as described below, the list will have fifteen names. Ten of the arbitrators will be public arbitrators as defined by NYSE Rule 607(a)(3) and five will be securities industry arbitrators as defined by NYSE Rule 607(a)(2), unless the public customer or non-member requests a panel consisting of at least a majority from the securities industry. If, in the determination of the Exchange, the limited size of the arbitrator pool in a particular city makes a list of fifteen impractical, the lists may be limited to nine arbitrators; six public arbitrators and three securities industry arbitrators. Before the Exchange sends the lists of the parties, it will review the arbitrators' profiles for obvious conflicts or relationships with the parties or their counsel. The Exchange will replace those with conflicts by having the computer randomly select the name of a replacement arbitrator. The parties are also provided with the arbitrators' biographical and disclosure information as specified in NYSE Rules 608 (Notice of Selection of Arbitrators).

Within ten business days of receiving the lists, the parties may strike any or all of the names on the list. The parties are asked to number the remaining names in order of their preference (with ''1'' being the highest preference) and return the lists to the Exchange. If any arbitrator is removed from the list for cause before the expiration of the time within which to return the lists, the Exchange will provide a replacement name. The Exchange eliminates the names stricken and determines the ranking of the remaining names by adding the parties' rankings. The NYSE determines mutual preferences by adding the numbers assigned by each party to each arbitrator and selecting arbitrators with the lowest numbers first. The Exchange invites arbitrators to serve in order of the parties' combined preferences. In cases of a tie in the rankings, arbitrators will be invited to serve in alphabetical order.

If the Exchange cannot assemble a panel of arbitrators from the parties' lists, the Exchange will provide the parties with a second randomly generated list of names. The second list will have three names for each open seat on the panel. On the second list, each party has one non-renewable peremptory for each vacancy on the panel. Each party is to number the remaining names in order of its preference. If any arbitrator is removed from the list for cause before the expiration of the time within which to return the lists, the Exchange will provide a replacement name. If there remains more than one name per vacancy after the parties have exercised their strike, the Exchange will invite arbitrators to serve in order of the parties' combined preferences. In the

[9] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

case of a tie, the Exchange will invite arbitrators to serve in alphabetical order.

The Exchange will notify the arbitrators of their selection and advise the parties of any disclosures under Rule 610.

(c) Enhanced List Selection. The second alternative is a hybrid of Exchange Rules and Random List Selection. Under Enhanced List Selection, the Exchange provides the parties with the names and profiles of nine arbitrators; six public arbitrators and three securities industry arbitrators, unless the public customer or non-member requests a panel consisting of at least a majority from the securities industry. The staff attorney selects these arbitrators based upon their qualifications and experience. The parties may exercise three peremptory challenges and number, in order of their preference (with ''1'' being the highest preference) the remaining names. If the Exchange removes any arbitrator from the list for cause before the end of the time to return the lists, the Exchange will provide a replacement name. The staff attorney then invites the arbitrators to serve based upon the parties' combined rankings. In case of a tie in the rankings, the Exchange will invite arbitrators to serve in alphabetical order.

If the Exchange cannot appoint a complete panel from the list, the staff attorney will appoint an arbitrator or arbitrators to complete the panel. Each party has one non-renewable peremptory challenge for each arbitrator the Exchange appoints. A party must use a peremptory challenge within ten business days of receiving notice of the appointment. The parties have unlimited challenges for cause.

Voluntary Pilot Program. The Exchange does not believe a rule requiring one of the alternative selection methods is appropriate at this time. Since July of 1998, the Exchange has offered parties the opportunity to select arbitrators on a voluntary basis similar to those detailed above. The Exchange has attempted to gauge the parties' interest in using alternatives to appoint arbitrators. After approximately 24 months of offering these alternatives, less than 15 percent of the parties in arbitration have chosen the alternatives. The modest rate of acceptance leads us to recommend that the alternatives be continued on a voluntary basis.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)(5)[3] of the Act in that it promotes just and equitable principles of trade by ensuring that members and member organizations and the public have a fair and impartial forum for the resolution of their disputes.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule: (1) Does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; and (3) does not become operative for 30 days or such shorter time as the Commission may designate,[4] the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act[5] and subparagraph (f)(6) of Rule 19b–4 thereunder.[6]

The Commission also notes that under Rule 19b–4(f)(6)(iii), the proposal does not become operative for 30 days after date of its filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. The Exchange requests a waiver of this 30-day period for the following reasons. First, the Supplemental Procedures are voluntary. Second, the Exchange notes that it based its Supplemental Procedures on the Uniform Code of Arbitration developed by SICA. Finally, the Exchange notes that the Commission approved a similar rule change by the National Association of Securities Dealers, Inc. that provides for a list selection of arbitrators.[7] For the reasons discussed above, the Commission finds that the waiver of the 30-day period is consistent with the protection of investors and the public interest.[8]

At any time within 60 days of the filing of the proposed rule change, as amended, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NYSE. All submissions should refer to File No. SR–NYSE–00–34 and should be submitted by September 22, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[9]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22480 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

[3] 15 U.S.C. 78f(b)(5).

[4] The Exchange provided the Commission with the five business day notice required by Rule 19b–4(f)(6) of the Act on July 25, 2000.

[5] 15 U.S.C. 78s(b)(3)(A).

[6] 17 CFR 240.19b–4(f)(6).

[7] *See* Exchange Act Release No. 40555 (October 14, 1998), 63 FR 56670 (October 22, 1998).

[8] For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43207; File No. SR–NYSE–00–17]

Self-Regulatory Organizations; New York Stock Exchange, Inc.; Notice of Filing of Proposed Rule Change Relating to Format Requirements for Securities Certificates

August 25, 2000.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on May 1, 2000, the New York Stock

[1] 15 U.S.C. 78s(b)(1).

Exchange (''NYSE'') filed with the Securities and Exchange Commission (''Commission'') and on July 24, 2000, amended the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change consists of an amendment to Section 5 of the NYSE's Listed Company Manual (''Manual'').[2] Section 5 of the Manual pertains to certificate forms and printing and engraving requirements.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NYSE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Items IV below. The NYSE has prepared summaries, set forth in sections (A), (B) and (C) below, of the most significant aspects of these statements.[3]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In the past, the NYSE has applied specific criteria to the production of certificates of listed issuers to guard against the counterfeiting of certificates. However, in light of the continued move toward dematerialization and the evolving technology to support the movement of securities, the NYSE has reviewed its current requirements contained in the Manual. The NYSE notes that no comparable requirements exist in the NASDAQ rules. The NYSE also notes that the Commission has recently approved an American Stock Exchange (''Amex'') rule filing that eliminated the existing Amex certificate requirements.[4] Furthermore, public companies not listed on any exchange often use certificates which do not comply with the traditional NYSE criteria which results in additional compliance expense when those companies week an NYSE listing. In light of all the foregoing, the NYSE proposes to eliminate its requirements pertaining to the appearance of certificates and retain only the requirements that specify what must be contained on the face of each certificate (*e.g.,* company name, par value if required by law, proper form of assignment, *etc.*).

In its internal discussions, the NYSE reviewed the rationale behind the various printing and engraving policies and is aware that in the past counterfeiting and other security concerns prompted many of the requirements. While the NYSE believes that for the reasons referred to above it is appropriate to go forward with this proposal, it appreciates that others in the industry may have issues or questions that they would like to raise. The NYSE is of course ready to discuss relevant issues and is prepared to appropriately address concerns that may be raised during the comment period.

The NYSE notes that as a result of discussions with both the Commission staff and representatives from The Depository Trust Company (''DTC''), the NYSE is proposing to amend Section 501 of the Manual. Specifically, the NYSE is proposing to add new language to Section 501 and to add a new Section 501.13 so that the certificate requirements address both security (counterfeiting) concerns and control or processing concerns raised by DTC.[5]

The NYSE believes that the proposed rule change is consistent with the requirements of Section 6(b)(5) of the Act and the rules and regulations thereunder applicable to the NYSE because the proposed rule change is designed to promote just and equitable principles of trade, to remove impediments to, and perfect the mechanism of a free and open market and, in general, to protect investors and the public interest.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The NYSE does not believe that the proposed rule change will have any impact, or impose any burden, on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Written comments relating to the proposed rule change have not yet been solicited or received. The NYSE will notify the Commission of any written comments received by the NYSE.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of the NYSE. All submissions should refer to File No. SR–NYSE–00–17 and should be submitted by September 22, 2000.

[2] A copy of the text of the NYSE's proposed rule change and the attached exhibit are available at the Commission's Public Reference Section or through the NYSE.

[3] The Commission has modified the text of the summaries prepared by the NYSE.

[4] Securities Exchange Act Release No. 42539 (March 17, 2000), 65 FR 15672.

[5] By way of clarification, the Commission notes that NYSE is proposing to entirely eliminate Section 502 of the Manual which pertains to certificate printing and engraving requirements. Certain provisions contained in Section 502 that address security and processing have been retained in the proposed additions to Section 501. The text of the proposed rule change is set forth in Exhibit A to the filing, which may be obtained by contacting the NYSE or through the Commission's Public Reference Room.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22486 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval to a Proposed Rule Change and Amendment No. 1 by the Philadelphia Stock Exchange, Incorporated, Establishing a Pilot Program Relating to Price Improvement in a Decimals Environment

August 25, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ('Act''),[1] and Rule 19b–1 thereunder,[2] notice is hereby given that on August 22, 2000, the Philadelphia Stock Exchange, Incorporated (''PHLX'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. On August 24, 2000, the Exchange amended the proposal.[3] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons and to grant accelerated approval to the proposed rule change.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend PHLX Rule 229, Philadelphia Stock Exchange Automated Communications and Execution System (PACE),[4] on a pilot basis through February 28, 2001, as part of the industry-wide plan to implement the transition from quoting in fractions in quoting in decimals. The text of the proposed rule change is available to the PHLX and at the Commission.

The Exchange proposes to amend PHLX Rule 229 at Supplementary Material .07(c)(i) to state that automatically executable market and marketable limit orders of equities that trade in decimals pursuant to PHLX Rules 134 and 125 and are received through PACE shall be provided with automatic price improvements of at least $.01 from the PACE quote. The PHLX proposes to amend Supplementary Material .07(c)(i)(B) to state that a specialist may choose to provide automatic price improvement where the PACE quote is 3/16 or greater or 1/8 or greater for equities trading in fractions, or $.03 or greater or $.05 or greater for equities trading in decimals.

The Exchange proposes to amend Supplementary Material .07(c)(ii) respecting mandatory manual double-up/double-down price protection, which currently requires the specialist to provide each protection in any instance where the bid/ask of the PACE quote is 1/8 or greater. Regarding equities trading in decimals, the specialist would have to provide manual double-up/double-down price protection when the bid/ask of the PACE quote is $.01 or greater. The definition of double-up/double-down price protection would be updated at Supplementary Material .07(c)(ii) to reflect trades of at least $.10 from the last regular way sale on the primary market for equities trading in decimals.

The PHLX also proposes to amend Supplementary Material .05 as follows: if the PACE quote at the time of order entry into the system reflects a 1/8 point spread or less (the difference between the best bid and offer) for equities trading in fractions, or $.05 or less for equities trading in decimals, that order will be executed immediately without the 30 second delay.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item III below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change is to amend existing PHLX Rule 229 to comply with the implementation of decimal pricing in the securities industry on August 28, 2000, and thereafter in phases. Certain proposes amendment to PHLX Rule 229 would clarify existing language that refers only to pricing in fractions. The Exchange proposes to add language that is applicable to both fractional and decimal pricing. For example, price improvement on PACE would be in fractions as well as in decimals expressed in multiples of the Minimum Price Variation (''MPV'') for equities trading in decimals.

Other proposed amendments would add mandatory price protection in multiples of the MPV for equities trading in decimals, where it currently exists only in fractions. The Exchange also proposes to add decimal equivalents of existing fractional values.

2. Statutory Basis

The PHLX believes that the proposed rule change is consistent with Section 6 of the Act,[5] in general, and with Section 6(b)(5),[6] in particular, in that it promotes just and equitable principles of trade, fosters cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, removes impediments to and perfects the mechanism of a free and open market and a national market system and, in general, protects investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were either solicited or received.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing,

[6] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* August 24, 2000 letter from John Dayton, Assistant Secretary and Counsel, PHLX, to Alton Harvey, Esquire, Office Chief, Division of Market Regulation, SEC (''Amendment No. 1''). In Amendment No. 1, the PHLX deleted Supplementary Material .20 to Rule 229 in its entirety, and requested the proposed rule change be implemented as a pilot program through February 28, 2001.

[4] PACE provides a system of automatic delivery and execution of orders on the Exchange equity floor under predetermined conditions.

[5] 15 U.S.C. 78f.

[6] 15 U.S.C. 78f(b)(5).

including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission, and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to file number SR–PHLX–00–08 and should be submitted by September 22, 2000.

IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

The Commission has reviewed carefully the Exchange's proposed rule change, as amended, and finds, for the reasons set forth below, the proposal is consistent with the requirements of Section 6 of the Act [7] and the rules and regulations thereunder applicable to a national securities exchange. Specifically, the Commission finds the proposal, as amended, is consistent with Section 6(b)(5) of the Act [8] because the proposal is designed to promote just and equitable principles of trade, remove impediments to, and perfect the mechanism of a free and open market. The Commission believes that the proposed rule change may help to facilitate a smooth transition from quoting in fractions to decimalization. Additionally, the Commission believes the proposal will benefit investors and the public interest by allowing the PHLX to continue to provide an opportunity for price improvement for equities that are quoted in decimals.

The Commission believes it is consistent with the protection of investors and the public interest and therefore finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of notice thereof in the **Federal Register**. The proposed rule change is designed to permit a smooth transition to decimal pricing, which is scheduled to begin in certain securities on August 28, 2000. Accelerated approval would afford investors the benefits to be realized under this proposal without delay. In light of these factors, the Commission finds good cause to approve the proposed rule change on an accelerated basis.

The Commission also believes that it is consistent with the protection of investors and the public interest and therefore finds good cause for approving Amendment No. 1 to the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register.** Amendment No. 1 requests that the proposed rule change be approved on a pilot basis through February 28, 2001. The Commission believes it is prudent and reasonable to allow the proposed rule change to be implemented on a pilot basis, so as to afford investors the benefits to be realized under this proposal without delay. In light of these factors, the Commission finds good cause to approve Amendment No. 1 on an accelerated basis.

For these reasons, and because the proposal is unlikely to raise new issues, the Commission deems it appropriate to approve the proposed rule change, as amended, on an accelerated basis. The Commission finds, therefore, that good cause exists, consistent with Section 19(b) [9] and Section 6(b) [10] of the Act, to grant accelerated approval of the proposed rule change, as amended.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[11] that the proposed rule change (SR–PHLX–00–08), as amended, is hereby approved on an accelerated basis through February 28, 2001.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[12]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22419 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

[7] 15 U.S.C. 78f.

[8] 15 U.S.C. 78f(b)(5).

[9] 15 U.S.C. 78s(b).

[10] 15 U.S.C. 78f(b).

[11] 15 U.S.C. 78s(b)(2).

[12] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43211; File No. SR–Phlx–00–02]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendments No. 1 and 2 by the Philadelphia Stock Exchange, Inc. Amending Its Certificate of Incorporation To Authorize the Issuance of Trading Permits

August 25, 2000.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on January 12, 2000, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed amendments to the proposed rule change on May 30, 2000 [3] and July 12, 2000.[4] The substance of these amendments has been incorporated into this filing. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its Certificate of Incorporation to add a new article authorizing the Board of Governors to issue trading permits. The text of the proposed new article is as follows:

TWENTY-FIRST: In addition to all other powers granted to the Board of Governors by law, this Certificate of Incorporation or otherwise, the Board of Governors shall have the power to issue permits to conduct business on the securities exchange provided by the Corporation, and to adopt by

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19–4.

[3] Letter from Carla Behnfeldt, Counsel, Phlx, to Sonia Patton, Staff Attorney, Division of Market Regulation (''Division''), Commission, dated May 25, 2000 (''Amendment No. 1''). Amendment No. 1 clarifies that the Exchange would be required to file a proposed rule change with the Commission to the extent required by Section 19(b) of the Act if it adopts by board resolution rules governing permits to conduct business on the Exchange. Amendment No. 1 also revises Section III.C. of the proposed rule change to include comments received from members on trading permits.

[4] Letter from Carla Behnfeldt, Counsel, Phlx, to Sonia Patton, Staff Attorney, Division, Commission, dated July 11, 2000 (''Amendemnt No. 2''). Amendment No. 2 makes certain clarifying changes to the Exchange's summary of comments received from members, participants, and others set forth in Section II.C. of this filing.

resolution or to set forth in the Rules of the Board of Governors such rules with respect to permits as the Board may from time to time determine to be advisable, including, without limitation, rules governing the terms and conditions of permits and the number thereof, the transferability or non-transferability of permits, the qualifications that must be met for a person or entity (whether a member or a non-member of the Corporation) to be issued a permit, and the dues and other charges to be paid to the Corporation in connection with such permits. The Board of Governors may authorize any committee thereof or the Chairman of the Board of Governors to exercise any powers of the Board of Governors with respect to permits.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend its Certificate of Incorporation by adding a new Article Twenty-First (''Article Twenty-First'') that authorizes the Exchange's Board of Governors (''Board'') to issue trading permits. Specifically, Article Twenty-First authorizes the Board to issue permits to conduct business on the Exchange, and to adopt rules or resolutions governing these permits.[5] Specifically, Article Twenty-First authorizes the Board to adopt rules governing, among other things, the terms, conditions, number, and transferability of permits, the qualifications that members and non-members must meet to be issued a permit, and the dues and other charges to be paid to the Exchange in connection with the permits. Article Twenty-First also permits the Board to authorize the Chairman of the Board or any Board committee to exercise any powers of the Board with respect to the permits.

Article Twenty-First is intended to give the Board the flexibility to create a means, other than the purchase or lease of an Exchange membership, for qualified persons to acquire trading rights on the Exchange. The Exchange's Certificate of Incorporation provides that the purpose of the Exchange is to ''act as and to provide a securities exchange where the [Exchange's] members and other persons authorized by it can [do business]''[6] Proposed Article Twenty-First makes clear that such ''other persons'' authorized to do business at the Exchange include holders of trading permits authorized by the Board.

2. Statutory Basis

The proposed rule change is consistent with section 6(b) of the Act[7] in general, and furthers the objectives of section 6(b)(5)[8] in particular, in that it is designed to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The proposed rule change is not designed to permit unfair discrimination between customers, issuers, brokers or dealers and will permit the Board to provide greater access to the Exchange through trading permits that do not require a lease of a membership or a significant initial investment of capital to purchase a membership.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change will impose any inappropriate burden on competition. By lowering the cost of access to the Exchange, the proposed rule change is intended to permit increased participation in the market and therefore promote competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Although written comments were not solicited regarding Article Twenty-First, the Exchange issued a circular dated September 27, 1999, which announced certain action taken at the September 22, 1999 Phlx Board meeting, including the approval of changes to the Certificate of Incorporation authorizing trading permits. That circular invited telephone comments to be made to the Chairman.[9] The Exchange also issued a circular dated October 28, 1999, announcing Board approval of Rule 23 governing the terms and conditions of proposed equity trading permits (''ETPs'').

The Exchange received 17 written comments concerning the concept of trading permits generally and equity trading permits in particular, including one undated petition received on November 12, 1999, from 19 owners and members.[10] A number of comments were critical of the proposal without stating the basis of the criticism.[11] The principal substantive comments are discussed below.[12]

The majority of the commenters were seat owners predicting, and objecting to, a decline in seat prices and dilution in the value of memberships as a result of

[5] The Exchange acknowledges that any such action undertaken pursuant to Board resolution and not proposed to be set forth in the rules of the Exchange would nonetheless be filed with the Commission to the extent required pursuant to Section 19(b) of the Act and Commission rules thereunder.

[6] Phlx Certificate of Incorporation, Article Third (emphasis added). The Exchange notes that the Commission has previously approved the issuance by the Exchange of foreign currency options participations (''FCO Participations'') pursuant to which both Exchange members and non-members may trade foreign currency options on the Exchange. *See* Securities Exchange Act Release No. 19134 (Oct. 14, 1982), 47 FR 46949 (Oct. 21, 1982).

[7] 15 U.S.C. 78f(b).

[8] 15 U.S.C. 78f(b)(5).

[9] One individual addressed the topic of permits at the Board's September 22, 1999 meeting, and thereafter provided those comments to the Exchange in written form at the Exchange's request.

[10] Letter dated October 4, 1999 from Isabelle Benton (''Benton Letter''); Letter dated October 16, 1999 from Mark F. Desiderio, to the Commission (''Desiderio Letter''); Letter dated October 4, 1999 from Doris D. Elwell to Chairman Arthur Levitt, Commission (''Elwell Letter''); Letter dated October 28, 1999 from Harry Green (''First Green Letter''); Letter dated November 3, 1999 from Harry Green (''Second Green Letter''); Letter dated October 1, 1999 from Karen D. Janney (''Janney Letter''); E-mail dated July 8, 1999 from William J. Kramer (''First Kramer E-mail''); E-mail dated October 6, 1999 from William J. Kramer (''Second Kramer E-mail''); E-mail dated August 17, 1999 from Robert Leff (''First Leff E-mail''); E-mail dated December 16, 1999, from Robert Leff (''Second Leff E-mail''); Letter dated September 23, 1999 from PBL Partners, LLC (''PBL Letter''); Letter dated September 28, 1999 from George E. Snyder III (''Synder Letter''); Undated petition received on November 12, 1999, from George E. Snyder III and 18 other owners and members (''Petition''); Letter dated July 20, 1999 from Stephen J. Taylor Jr. (''Taylor Letter''); E-mail dated August 24, 1999 from Steve Tayolr (''Taylor E-mail''); Letter dated July 22, 1999 from Matthew D. Wayne, Esq. (''Wayne Letter''); and Letter dated September 23, 1999, enclosing an outline of remarks delivered by Matthew D. Wayne on behalf of Paul Liang at the September 22, 1999 Phlx Board of Governors meeting (''Liang Letter''). A number of these written comments dealt generally with both trading permits and the Exchange's proposed capital funding fee and were filed with the Commission on October 27, 1999 in connection with SR–Phlx–99–43, the Exchange's original proposed rule change regarding the capital funding fee. *See* Securities Exchange Act Release No. 42405 (Feb. 8, 2000), 65 FR 8226 (Feb. 17, 2000). The Commission granted permanent approval to the capital funding fee on June 29, 2000. *See* Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000).

[11] *See e.g.* PBL Letter (stating without elaboration that issuing ETPs is flawed on both business and legal grounds).

[12] *See supra,* note 3.

the issuance of permits.[13] Certain commenters predicted lawsuits against the Exchange if ETPs were issued,[14] and one commenter stated that a campaign to hurt one lessor in particular has ''blinded'' people.[15] Another commenter suggested that if they are issued, ETPs should be ''phased in.''[16] The Exchange has determined in its business judgment, however, that the potential benefits to the Exchange of the trading permits, including the potential for increased access and enhanced competition on the trading floor and the opportunity to attract additional order flow and new business, justify any possible dilution of memberships and may, in the longer term, result in higher prices for regular memberships. The Exchange is also of the view that the benefits of the ETP program to the Exchange are such that a phasing-in approach would not be desirable. The Exchange further believes that it is proceeding appropriately with respect to ETPs and that any lawsuit of the kind alluded to by certain commenters would be groundless. The Exchange believes that ETPs are in the best interests of the Exchange and its membership as a whole (including both lessee members and lessor owners), and notes that the Exchange's stated purpose in Article Third of its Certificate of Incorporation is ''[t]o act as and to provide a securities exchange where [its] members and other persons authorized by it'' can deal in securities.

The Petition submitted by George E. Synder III demanded that any proposed rules regarding the issuance of trading permits be put to a vote of owner-members. One comment letter stated that seat owners should be eligible to vote on all issues that come before the membership,[17] and another stated that creation of ETPs requires a membership vote.[18] However, neither the Certificate of Incorporation nor the By-laws require a vote to be taken by either seat owners or members on the subject of issuance of trading permits. Further, practically all voting rights are vested in ''members''[19] rather than seat owners under Phlx's Certificate of Incorporation and By-laws.[20]

One commenter stated that the Exchange's Certificate of Incorporation and By-laws do not permit the creation of ETPs, and that creation of ETPs requires a By-law amendment.[21] The Exchange believes that the Certificate of Incorporation already permits ETPs, and that a By-law amendment is therefore not required.[22] The Exchange notes that the amendment to the Certificate of Incorporation proposed in Article Twenty-First would clearly authorize permits in any event and would supersede any inconsistent provision in the By-laws as a matter of basic corporate law.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx.

All submissions should refer to File No. SR–Phlx–00–02 and should be submitted by September 22, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[23]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22481 Filed 8–31–00; 8:45 am]

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[13] *See* Benton Letter, Elwell Letter, First and Second Green Letters, Janney Letter, Synder Letter dated July 20, 1999, Taylor Letter, Wayne Letter, and First and Second Leff E-mails.

[14] *See* Benton Letter, Wayne Letter, and First Kramer E-mail.

[15] *See* Second Kramer E-mail.

[16] *See* Taylor Letter and Taylor E-mail.

[17] *See* Second Green Letter.

[18] *See* Liang Letter.

[19] In this instance, the term ''member'' refers to the holder of legal title of the seat.

[20] *See* Article Thirteenth of the Exchange's Certificate of Incorporation and Phlx By-law Article XII, Section 12–6. Seat owners (*i.e.,* holders of ''equitable'' title to an Exchange membership) are entitled to vote in any decision relating to a compromise or arrangement between the Phlx and its creditors or its members, or relating to a reorganization of the Phlx. Other voting rights belong to the members (*i.e.,* holders of legal title to an Exchange membership).

[21] *See* Liang Letter.

[22] As noted above, the Exchange's stated purpose in Article Third of its Certificate of Incorporation is ''[t]o act as and to provide a securities exchange where [its] members and other persons authorized by it'' can deal in securities. Phlx's Foreign Currency Options Participants, for example, have traded on the Exchange since the early 1980's.

[23] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43212; File No. SR–Phlx–00–03]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendments No. 1 and 2 by the Philadelphia Stock Exchange, Inc. Relating to the Issuance of Equity Trading Permits

August 25, 200.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on January 12, 2000, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed amendments to the proposed rule change on May 30, 2000[3] and July 12, 2000.[4] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its rules to provide for the issuance of

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] On May 30, 2000, the Exchange submitted a new Form 19b–4, which replaces and supersedes the original filing in its entirety (''Amendment No. 1'').

[4] *See* Letter from Carla Behnfeldt, Counsel, Phlx, to Sonia Patton, Staff Attorney, Division of Market Regulation, Commission, dated July 11, 2000 (''Amendment No. 2''). Amendment No. 2 makes certain clarifying changes to the Exchange's summary of comments received from members, participants, and others set forth in Section II.C. of this notice. The substance of Amendment No. 2 has been incorporated into this filing.

Equity Trading Permits (''ETPs''). The text of proposed Rule 23 is as follows. All language is being added.

Rule 23

Equity Trading Permits—

(a) *Classes of Equity Trading Permits.* Two classes of Equity Trading Permits (''ETPs'') may be issued by the Exchange to applicants pursuant to resolution of the Board of Governors for such fee as may be established from time to time by the Board. The two classes of ETPs shall be Regular ETPs and Off-Floor ETPs, which are collectively referred to as ETPs.

(b) *Requirement for Issuance.* An ETP holder must be at least the minimum age of majority required to be responsible for his contracts in each jurisdiction in which he conducts business, and must meet all qualifications that are required for membership in the Exchange. Applications must be approved by the Exchange, and applicants who are not Exchange members must be admitted by the Exchange. The admissions process for applicants who are not members of the Exchange will be the same as that required for membership applicants for admission, and the decision to grant or deny an application for admission shall be made by the Admissions Committee under its established procedures. No person whose application for an ETP has been approved by the Exchange shall be admitted to the privileges thereof until he shall have signed a pledge to abide by the By-laws and rules of the Exchange as the same have been or shall be from time to time amended and by all rules, regulations, requirements, orders, directions or decisions adopted or made in accordance therewith and submit to the Exchange's disciplinary jurisdiction.

(c) *Rights of ETP Holders.* Except as may be otherwise set forth in this Rule 23 or in other Rules or effective Commission filings, and ETP holder shall have the right to transact business on the floor of the Exchange to the same extent and in the same manner as a member of the Exchange without options privileges and shall be deemed to have the same rights and obligations as a member without options privileges. An ETP holder shall not be entitled to vote in any election or on any amendment to the By-laws or on any other matter, to petition or to be counted as part of a quorum at meetings of members, or to share in any distribution of the assets or funds of the Exchange in the event of any voluntary or involuntary liquidation, dissolution, or winding up of the affairs of the Exchange, or to purchase options privileges. ETP holders are eligible to serve on the Board of Governors and on Exchange committees if elected or appointed and subject to existing qualification requirements for service, to the same extent as members. Specialist members who elect to sell or lease their memberships in favor of Regular ETPs shall continue to be specialists in their allocated securities.

(d) *Limitation on Rights of Off-Floor ETP Holders.* An Off-Floor ETP holder may, if accompanied by a regular member, visit the Floor of the Exchange but shall not have the privilege of transacting business thereon. An Off-Floor ETP holder shall be authorized to maintain electronic or telephonic access to (i) the floor facilities of a member or member organization or a Regular ETP holder, (ii) the Philadelphia Stock Exchange Automated Communication and Execution System (''PACE'') and (iii) such other automated trading systems of the Exchange as may be made available to members of the Exchange without options privileges.

(e) *Obligations of ETP Holders.* An ETP holder shall be subject to such obligations and duties (including the payment of fees and charges of the Exchange) as may be imposed on Exchange members from time to time, *provided* that ETP holder shall not be subject to annual membership dues, technology fees or capital assessments. All provisions of the Certificate of Incorporation, By-laws and the rules, regulations, requirements, orders, directions and decisions adopted or made in accordance therewith which by their terms are applicable to Exchange members shall be deemed to also apply to ETP holders unless the application thereof shall be inconsistent with the provisions of this Rule 23. All references in such documents to ''non-members'' shall not be construed to apply to ETP holders.

(f) *Transferability of ETPs.* An ETP may not be transferred by lease, sale, gift, involuntary transfer, or any other means or as collateral to secure any obligation, except that an ETP may be transferred within the holder's ETP organization to (i) an individual who has applied for and been approved by the Admissions Committee as an ETP holder, or (ii) to an ''inactive nominee'' who is registered as such with the Exchange.

(g) *ETP Organizations.* An individual ETP holder who is associated with a broker-dealer shall qualify such broker-dealer as an ETP firm or an ETP corporation (either, an ''ETP organization''). Except as may be otherwise set forth in this Rule 23 or in other Rules or effective Commission filings, an ETP organization shall have the same rights and obligations as a member organization of the Exchange. If the ETP pursuant to which an ETP organization is thus qualified shall terminate, such organization is thus qualified shall terminate, such organization shall cease to be an ETP organization of the Exchange. Every applicant whose fees are to be paid by such ETP organization shall file, along with his or her ETP application, an agreement between the ETP applicant and the ETP organization (an ''ETP Use Agreement'') which provides that the ETP organization may direct the transfer of the ETP to another qualified individual within the ETP organization and that the ETP holder may not object to such transfer.

(h) *Termination of ETPs.*

(i) *By the Exchange.* An ETP holder may be suspended or expelled on the same basis as a member. The Exchange reserves the right to amend the terms of, to discontinue offering or to terminate existing ETPs of one or more classes at any time upon thirty days written notice.

(ii) *By the ETP Holder.* An ETP holder must provide the Exchange thirty days written notice prior to termination of the ETP. Notice of intent to terminate an ETP shall be given by the Exchange to the membership in the same manner as notice of a proposed transfer of a membership.

(iii) *Effect of Termination.* The ETP holder and the ETP organization shall remain liable for all obligations incurred as an ETP holder or ETP organization until they are discharged. The Exchange may draw upon any security provided pursuant to Rule 23(i) for the payment of any such obligations at any time if they remain unpaid as of the date of termination. Upon the termination of an ETP, all rights and privileges granted pursuant thereto shall terminate.

(i) *Security For Exchange Fees and Other Claims.*

(i) Each ETP organization shall be required to provide security to the Exchange for the payment of any claims pursuant to By-law 15–3 upon termination of any ETP issued to an individual affiliated with the ETP organization, as though such security were the proceeds for the sale of a membership. This security may consist of:

(A) a deposit with the Exchange in the amount of $50,000 to be held, together with all other such deposits made pursuant to this rule, in a segregated account, and which may be invested by the Exchange in United States government obligations or any other investments which provide safety and liquidity of the principal invested, interest or income on which deposit shall be paid periodically by the Exchange to such ETP organization;

(B) an acceptable letter of credit from a financial institution acceptable to the Exchange, in the amount of $50,000, proceeds of which may be applied by the Exchange upon termination of any ETP issued to an individual affiliated with such ETP organization in the same manner as proceeds of membership sales under By-law 15–3; or

(C) an acceptable guaranty by a financial institution acceptable to the Exchange guaranteeing the payment by the ETP organization, upon termination of any ETP issued to any individual affiliated with such organization, of any claims listed in By-law 15–3 up to $50,000.

(ii) The security required to be provided pursuant to this rule shall not be calculated based upon the number of ETPs issued to affiliates of the ETP organization, but shall be the same regardless of the number of such ETPs issued to its affiliates. At such time as no ETP holders remain associated with the ETP organization, any remaining security shall be released to the ETP organization following payment of claims pursuant to By-law 15–3 and upon execution by the ETP holder and ETP organization of releases satisfactory to the Board of Governors.

(iii) The obligation to provide security pursuant to this rule shall not apply to member organizations or ETP organizations which have been in good standing at the Exchange for the previous year. Any security provided pursuant to this Rule 23(i) shall be returned at such time as the member organization or ETP organization shall have been in good standing for one year.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to adopt new Rule 23 relating to the issuance by the Exchange of ETPs. Specifically, Rule 23 would govern the terms and conditions of ETPs, which are intended to confer access privileges to the Exchange's equity trading floor.[5]The purpose of the proposed rule change is to reduce the cost of access to the Exchange's equity trading floor and to attract additional order flow and new business and services.

Proposed Rule 23 establishes two classes of ETPs. Regular Equity Trading Permits (''Regular ETPs'') authorize their holders to trade equity securities on any facility of the Exchange, in any capacity permitted to members, including as a specialist. Off-Floor Equity Trading Permits (''Off-Floor ETPs'') allow holders electronic and telephonic access, but not physical access, to the Exchange floor.

Proposed Rule 23(a) provides that the two clases of ETPs may be issued by the Exchange to applicants pursuant to resolution of the Board of governors (''Board'') for such fee as may be established from time to time by the Board.[6]

Proposed Rule 23(b) requires an ETP holder to be at least the minimum age of majority required to be responsible for his contracts in each jurisdiction in which he conducts business, and to meet all qualifications required for Exchange membership. It also requires ETP applications to be approved by the Exchange. The application process for applicants who are not members of the Exchange would also include an admissions determination by the Exchange's Admissions Committee. The Exchange notes that ETP applicants who are members of the Exchange when they apply for an ETP would have already received a favorable admissions determination by the Exchange's Admissions Committee. With respect to ETP applicants who are not Exchange members, the admissions process would be the same as that currently required in connection with membership applicants, and the decision to grant or deny an applicant for admission as the ETP holder would be made by the Admissions Committee under its established procedures.[7]Proposed Rule 23(b) also requires the applicant to sign a pledge to abide by the By-laws and rules of the Exchange and to submit to the Exchange's disciplinary jurisdiction.

Proposed Rule 23(c) provides that, except as may be otherwise set forth in Rule 23 or in other rules of the Exchange or effective Commission filings, and ETP holder will have the right to transact business on the floor of the Exchange to the same extent and in the same manner, and would be deemed to have the same rights and obligations, as a member of the Exchange without options privileges.[8] It also establishes that an ETP holder would not be entitled by virtue of the ETP to vote in any election or on any amendment to the By-laws or an any other matter, or to petition or to be counted as part of a quorum at meetings of members. ETP holders would, however, be eligible to serve on the Board of Governors and on Exchange committees if elected or appointed and subject to existing qualification requirements for service, to the same extent as members. Because an ETP confers no equity interest in Exchange assets or property, Rule 23(c) establishes clearly that an ETP would not entitle its holder to share in any distribution of the assets or funds of the Exchange in the event of any voluntary or involuntary liquidation, dissolution, or winding up of the affairs of the Exchange, or to purchase options privileges. Finally, Rule 23(c) provides that specialist members who elect to sell or lease their memberships in favor of Regular ETPs would continue to be specialists in their allocated securities.

Proposed Rule 23(d) establishes the rights of holders of Off-Floor ETPs. An Off-Floor ETP holder would be able, if accompanied by a regular member, to visit the floor of the Exchange, but we would not have the privilege of transacting business on it. Consequently, and Off-Floor ETP holder would have the same rights as a Regular ETP holder. I particular, an Off-Floor ETP holder be eligible to apply for specialist privileges. With this exception, an Off-Floor ETP holder would be authorized, for the purpose of trading equity securities, to maintain electronic or telephonic access to (i) the floor facilities on the equities floor of the Exchange of a member or member organization or a Regulator ETP holder, (ii) the Philadelphia Stock Exchange Automated Communication and Execution System (''PACE''),[9] and (iii) such other automated trading systems of the Exchange as may be made available to members of the Exchange without options privileges.

Proposed Rule 23(e) establishes the ability of the Exchange to impose fees and charges on EIP holders. An EIP holder would be subject to the same obligations and duties (including the payment of Exchange fees and charges) imposed on Exchange members, except that EIP holders would not be charged annual membership dues, technology fees, or any capital assessments that could be imposed in the future.[10] Rule 23(e) establishes that all provisions of the Exchange's Certificate of Incorporation and By-laws, and the rules, regulations, requirements, orders, directions and decisions adopted pursuant to them which by their terms are applicable to Exchange members would also apply to EPT holders unless their application is inconsistent with the provisions of Rule 23. Likewise, all references in such documents to ''non-members'' would not be construed to apply to ETP holders. Consistent with proposed Rule 23(e), Phlx intends to charge a $200 application fee for every ETP application made by members and non-members. Non-member applicants for ETPs would also be required to complete the same admissions process required by the Exchange for membership applicants, and would be charged the $1,500 initiation fee upon issuance of the ETP just as members are charged this fee upon election to membership. After an ETP is issued, its holder would be subject to the same fees as Phlx members (except as otherwise noted in proposed Rule 23(e)) in addition to a monthly ETP fee.[11]

Proposed Rule 23(f) makes clear that, unlike a membership, an ETP may not be transferred by lease, sale, gift, involuntary transfer, or any other means or as collateral to secure any obligation, except that an ETP may be transferred within the holder's ETP organization to (i) an individual who has applied for and been approved by the

[5] In connection with the proposed rule change, the Exchange is also proposing new Article Twenty-First to the Exchange's Certificate of Incorporation to authorize the issuance of permits to conduct business on the Exchange. *See* SR–Phlx–00–02. The effectiveness of the proposed rule change is contingent upon the Commission's approval of SR-Phlx–00–02 and the filing of the amendment of the Exchange's Certificate of Incorporation with the Delaware Secretary of State. The Exchange is also proposing to amend its schedule of dues, fees, and charges to provide that the Exchange's existing application fee and initiation fee apply to ETPs, and to impose monthly ETP fees. See SR–Phlx–00–04. Finally, Stock Clearing Corporation of Philadelphia (''SCCP'') has proposed a change to its certificate of incorporation and to SCCP Rule 3 pursuant to which SCCP may treat ETP holders as Phlx members for purposes of clearing services it provides. See SR–SCCP–00–01.

[6] The Phlx Board approved the issuance of ETPs pursuant to Rule 23, as well as monthly ETP fees, on October 27, 1999. SR–Phlx–00–04, filed contemporaneously with this filing, requests Commission approval of these fees.

[7] Phlx Rule 901, Denial of and Conditions of Membership, sets forth certain criteria for membership decisions which would also apply to any determination to issue an ETP to an applicant who is not already a Phlx member.

[8] The Commission has in the past approved the Exchange's issuance of Foreign Currency Options Participations (''FCO Participations''). Like holders of FCO Participations, ETP holders would generally be subject to Phlx's rules and By-laws but would be entitled to all the rights and privileges granted to Phlx members. *See* Securities Exchange Act Release No. 19134 (Oct. 14, 1982), 47 FR 46949 (Oct. 21, 1982).

[9] PACE is the Exchange's automatic order routing and execution system on the equity trading floor. PACE accepts orders for manual and automatic execution in accordance with the provisions of Rule 229, which governs the PACE System and defines its objectives and parameters.

[10] In particular, they would not be subject by virtue of the ETP to the Exchange's $1,500 capital funding fee. *See* Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000). Fees proposed to be assessed by the Exchange with respect to ETPs are described in SR–Phlx–00–04.

[11] *See* SR–Phlx–00–04, filed concurrently with this proposed rule change, which requests approval of monthly ETP fees.

Admissions Committee as an ETP holder, or (ii) an ''inactive nominee'' registered as such with the Exchange.

Proposed rule 23(g) provides that an individual ETP holder associated with a broker-dealer would be required to qualify such broker-dealer as an ETP firm or an ETP corporation just as a member would register it as a member firm or member corporation under current Exchange rules.[12] Except to the extent otherwise set forth in Rule 23 or in other Exchange rules or effective Commission filings, an ETP organization would have the same rights and obligations as a member organization of the Exchange. The organization would cease to be an ETP organization of the Exchange upon termination of the ETP pursuant to which the ETP organization is qualified.

Proposed Rule 23(g) also requires every ETP applicant whose fees are to be paid by such ETP organization to file, along with his or her ETP application, an agreement between the ETP applicant and the ETP organization (an ''ETP Use Agreement'') providing that the ETP organization may direct the transfer of the ETP to another qualified individual within the ETP organization and the EPT holder may not object to such transfer. The ETP Use Agreement is in some respects analogous to the A-B-C Agreement provided for in Exchange Rule 930 pursuant to which a member contributes the use of a membership to the membership organization. Like the A-B-C Agreement provided for in Rule 940, the ETP Use Agreement would restrict the use of the ETP by its holder in the event of the holder's termination of his association with the ETP organization.[13]

Proposed Rule 23(h) permits the Exchange to suspend or expel an individual ETP holder on the same basis as a member. It also permits the Exchange to amend the terms of, to discontinue offering or to terminate existing ETPs of one or more classes at any time upon thirty days written notice. Similarly, proposed Rule 23(h) requires an ETP holder to provide the Exchange thirty days written notice prior to termination of the ETP. The Exchange is required to provide notice of an ETP's termination to the membership in the same manner it provides notice of a proposed transfer of a membership. The ETP holder would remain liable for all obligations incurred as an ETP holder until these obligations are discharged, and the Exchange is authorized to draw upon any security provided pursuant to Rule 23(i), discussed below, for the payment of such obligations at any time if they remain unpaid as of the date of termination.

Proposed Rule 23(i) requires ETP organizations to provide acceptable security for payment of any claims pursuant to By-law 15–3 upon termination of an ETP. The security requirement may be met, at the option of the ETP organization, by providing a letter of credit or other guaranty acceptable to the Exchange, or by depositing $50,000 with the Exchange to be held in a segregated account with all other such deposits and held by the Exchange as security.[14] The security required is the same for each ETP organization, regardless of the number of ETPs issued to its associated persons, and is unrelated to any security requirement established by SCCP.[15] The requirement does not apply to member organizations or ETP organizations that have been in good standing at the Exchange for the previous year. Consequently, ETP organizations in good standing for one year after providing such security will be entitled to its return, subject to any prior or pending claims. Finally, proposed Rule 23(i) makes clear that at such time as no ETP holders remain associated with the ETP organization, the Exchange shall release any remaining security following payment of claims pursuant to By-law 15–3 and upon execution by the ETP holder and ETP organization of releases satisfactory to the Board of Governors.

The Exchange expects to first undertake the ETP offering by distributing an informational circular and an ETP Application Form to be completed and returned to the Exchange together with payment of the Exchange's application fee.[16] In addition to the ETP Application Form, applicants who are not Exchange members will be required to supply to the Admissions Committee all information required for that Committee to make an admissions determination under its established procedures, as discussed above.

2. Statutory Basis

The proposed rule change is consistent with section 6(b) of the Act[17] in general, and furthers the objectives of section 6(b)(5)[18] in particular, in that it is designed to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The proposed rule change is not designed to permit unfair discrimination between customers, issuers, brokers or dealers. Specifically, the proposed rule change will increase the range of options available to persons seeking access to the Exchange's equity floor. ETPs should help facilitate transactions by allowing more broker-dealers direct access to the Phlx equity market and attracting greater order flow. The proposal is intended to enhance the depth and liquidity of the Phlx equity market by bringing additional capital and market participants to the trading floor. Providing holders of ETPs with direct access to the Phlx equity floor should assist public customers in getting the best execution of their orders by providing them with additional firms through which orders to the Phlx can be routed.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change will impose any inappropriate or unnecessary burden on competition. On the contrary, the Exchange believes that the proposed rule change will enhance competition among Exchange members and between the Exchange and other markets.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Although written comments were not solicited from members, participants, or others on proposed Rule 23, the Exchange issued a circular dated September 27, 1999 that announced certain action taken at the September 1999 Phlx Board meeting. These actions included approval of changes to Phlx's Certificate of Incorporation authorizing permits and invited telephone comments to the Chairman of the Board. The Exchange also issued a circular dated October 28, 1999, announcing Board approval of proposed Rule 23. The Exchange received 17 written comments concerning the concept of trading permits generally and equity trading permits in particular, including one undated petition received on November 12, 1999, from 19 owners and members.[19] A number of comments were

[12] Like Exchange members, an ETP holder would be required to be associated with a registered broker-dealer.

[13] The A-B-C Agreement contains additional provisions arising from the division of equitable and legal title to membership, a concept which is inapplicable to ETPs.

[14] The Exchange does not believe that filing with the Commission for approval of each determination it makes regarding the acceptability of a particular form of or issuer of a letter of credit or guaranty will be required. Nevertheless, the Exchange currently intends that financial institutions that are approved to issue letters of credit as margin for foreign currency options pursuant to existing Phlx Rule 722(h) will be acceptable institutions for purposes of issuing guarantees or letters of credit under proposed Rule 23(i).

[15] *See* SCCP Rule 4.

[16] The Exchange will not accept ETP Applications or application fees until the ETP proposal is approved by the Commission. It may, however, circulate informational circulars regarding the proposed ETP program prior to such approval. Further, the Exchange may elect to commence offering Regular ETPs prior to offering Off-Floor ETPs, in which case the ETP Application Forms would be modified accordingly by deleting the reference to Off-Floor ETPs, which reference would be reinserted when Off-Floor ETPs are made available by the Exchange.

[17] 15 U.S.C. 78f(b).

[18] 15 U.S.C. 78f(b)(5).

[19] Letter dated October 4, 1999 from Isabelle Benton (''Benton Letter''); Letter dated October 16, 1999 from Mark F. Desiderio, Esq. to the Commission (''Desiderio Letter''); Letter dated October 4, 1999 from Doris D. Elwell to Chairman Arthur Levitt, Commission (''Elwell Letter''); Letter dated October 28, 1999 from Harry Green (''First Green Letter''); Letter dated November 3, 1999 from Harry Green (''Second Green Letter''); Letter dated October 1, 1999 from Karen D. Janney (''Janney Letter''); E-mail dated July 8, 1999 from William J. Kramer (''First Kramer E-mail''); E-mail dated October 6, 1999 from William J. Kramer (''Second Kramer E-mail''); E-mail dated August 17, 1999 from Robert Leff (''First Leff E-mail''); E-mail dated December 16, 1999, from Robert Leff (''Second Leff E-mail''); Letter dated September 23, 1999 from PBL Partners, LLC (''PBL Letter''); Letter dated September 28, 1999 from George E. Snyder III (''Snyder Letter''); Undated petition received on November 12, 1999, from George E. Snyder III and 18 other owners and members (''Petition''); Letter dated July 20, 1999 from Stephen J. Taylor Jr. (''Taylor Letter''); E-mail dated August 24, 1999 from Steve Taylor (''Taylor E-mail''); Letter dated July 22, 1999 from Matthew D. Wayne, Esq. (''Wayne Letter''); and Letter dated September 23,

critical of the proposal without stating the basis of the criticism.[20] The principal substantive comments are discussed below.

The majority of the commenters were seat owners predicting, and objecting to, a decline in seat prices and dilution in the value of memberships as a result of the issuance of permits.[21] Certain commenters predicted lawsuits against the Exchange if ETPs were issued,[22] and one commenter stated that a campaign to hurt one lessor in particular has ''blinded'' people.[23] Another commenter suggested that if they are issued, ETPs should be ''phased in.''[24] The Exchange has determined in its business judgment, however, that the potential benefits to the Exchange of the trading permits, including the potential for increased access and enhanced competition on the trading floor and the opportunity to attract additional order flow and new business, justify any possible dilution of memberships and may, in the longer term, result in higher prices for regular memberships. The Exchange is also of the view that the benefits of the ETP program to the Exchange are such that a phasing-in approach would not be desirable. The Exchange further believes that it is proceeding appropriately with respect to ETPs and that any lawsuit of the kind alluded to by certain commenters would be groundless. The Exchange believes that ETPs are in the best interests of the Exchange and its membership as a whole (including both lessee members and lessor owners), and notes that the Exchange's stated purpose in Article Third of its Certificate of Incorporation is ''[t]o act as and to provide a securities exchange where [its] members and other persons authorized it'' can deal in securities.

The Petition submitted by George E. Snyder III demanded that any proposed rules regarding the issuance of trading permits be put to a vote of owner-members. One comment letter stated that seat owners should be eligible to vote on all issues that come before the membership,[25] and another stated that creation of ETPs requires a membership vote.[26] However, neither the Certificate of Incorporation nor the By-laws require a vote to be taken by either seat owners or members on the subject of issuance of trading permits. Further, practically all voting rights are vested in ''members''[27] rather than seat owners under Phlx's Certificate Incorporation and By-laws.[28]

One commenter stated that the Exchange's Certificate of Incorporation and By-law do not permit the creation of ETPs, and that creation of ETPs requires a By-law amendment.[29] The Exchange believes that the Certificate of Incorporation already permits ETPs, and that a By-law amendment is therefore not required.[30] The Exchange notes that the amendment to the Certificate of Incorporation proposed in Article Twenty-First would clearly authorize permits in any event and would supersede any inconsistent provision in the By-laws as a matter of basic corporate law.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if its finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Phlx consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR–Phlx–00–03 and should be submitted by September 22, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[31]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22482 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

1999, enclosing an outline of remarks delivered by Matthew D. Wayne on behalf of Paul Liang at the September 22, 1999 Phlx Board of Governors meeting (''Liang Letter''). A number of these written comments dealt generally with both trading permits and the Exchange's proposed capital funding fee and were filed with the Commission on October 27, 1999 in connection with SR–Phlx–99–43, the Exchange's original proposed rule change regarding the capital funding fee.

[20] *See e.g.* PBL Letter (stating without elaboration that issuing ETPs is flawed on both business and legal grounds).

[21] *See* Benton Letter, Elwell Letter, First and Second Green Letters, Janney Letter, Snyder Letter dated July 20, 1999, Taylor Letter, Wayne Letter, and First and Second Leff E-mails.

[22] *See* Benton Letter, Wayne Letter, and First Kramer E-mail.

[23] *See* Second Kramer E-mail.

[24] *See* Taylor Letter and Taylor E-mail.

[25] *See* Second Green Letter.

[26] *See* Liang Letter.

[27] In this instance, the term ''member'' refers to the holder of legal title of the seat.

[28] *See,* Article Thirteenth of the Exchange's Certificate of Incorporation and Phlx By-law Article XII, Section 12–6. Seat owners, (*i.e,* holders of ''equitable'' title to an Exchange membership) are entitled to vote in any decision relating to a compromise or arrangement between the Phlx and its creditors or its members, or relating to a reorganization of the Phlx. Other voting rights belong to the members (*i.e.,* holders of legal title to an Exchange membership).

[29] *See* Liang Letter.

[30] As noted above, the Exchange's stated purpose in Article Third of its Certificate of Incorporation is ''[t]o act as and to provide a securities exchange where [its] members and other persons authorized by it'' can deal in securities. Phlx's Foreign Currency Options Participants, for example, have traded on the Exchange since the early 1980's.

[31] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43213; File No. SR–Phlx–00–04]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to the Issuance of Equity Trading Permits and Establishment of Related Fees and Amendment No. 1 Thereto

August 25, 2000.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on January 12, 2000, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. On May 30, 2000, the Exchange filed Amendment No. 1 to the proposal.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its schedule of dues, fees and charges in connection with its proposal to issue equity trading permits. A copy of the proposed schedule is available at the Exchange and at the Commission.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* Letter from Carla Behnfeldt, Counsel, Phlx, to Sonia Patton, Attorney, Division of Market Regulation, Commission, dated May 25, 2000. (''Amendment No. 1''). In Amendment No. 1, among other things, the Exchange clarified the circumstances under which, and to whom, the Application Fee and the Initiation Fee will be charged.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange has proposed, in a separate filing with the Commission, to adopt new Rule 23 relating to the issuance by the Exchange of equity trading permits (''ETPs'').[4] ETPs would confer access privileges to the Exchange's equity trading floor and certain of the rights of members of the Exchange to ETP holders. In this filing, the Exchange proposes to apply the Exchange's existing application fee to all applicants for ETPs, and to apply an initiation fee to those applicants who become ETP holders who are not Exchange members at the time of application.[5] The Exchange also proposed to amend its schedule of fees, dues and other charges to include monthly ETP fees.[6]

Backbground. In SR–Phlx–00–03, the Exchange proposes to issue two classes of ETPs: Regular Equity Trading Permits (''Regular ETPs'') and Off-Floor Equity Trading Permits (''Off-Floor ETPs''). Regular ETPs would confer the rights held by members of the Exchange without options privileges, except as provided in Rule 23 or in other Exchange rules. Consequently, Regular ETPs would permit their holders to trade equity securities on any facility of the Exchange, including as a specialist. Off-Floor ETPs would confer the same rights as Regular ETPs, except for physical access to the Exchange floor. Holders of ETPs would have no voting rights, and ETPs would be transferable except as provided in proposed Rule 23.

Application Fee. The Exchange proposes to charge a $200 application fee for every ETP application submitted to the Exchange. This charge would apply whether the application is made by a current Exchange member, foreign currency options participant (''FCO Participant''), or by an individual with no pre-existing relationship with the Exchange.

Initiation Fee. The Exchange further proposes to charge ETP applicants who are not Exchange members when the ETP application is submitted, a $1,500 initiation fee. The initiation fee will be charged if the applicant is admitted as an ETP holder pursuant to the Exchange's established procedures in place for new members.[7] The $1,500 initiation fee will be imposed on ETP holders when admitted, to the same extent it is imposed on members when elected to membership.[7]

Monthly ETP Fee. The Exchange proposes to charge a monthly fee of $2,000 for each Regular ETP and $500 for each Off-Floor ETP (''Monthly ETP Fee''). To limit the Exchange's administrative costs in connection with ETPs, the Monthly ETP Fee would not be prorated in the event an ETP is issued or terminated in the middle of a month. The review from the Monthly ETP Fee is intended to help fund the Exchange's costs of providing a marketplace for its members and other qualified persons using its trading facilities. The Exchange believes that the higher Monthly ETP Fee for Regular ETP holders is appropriate in view of the greater privileges conferred by a Regular ETP (including the right to apply for specialist privileges) and because the Exchange will incur higher costs in connection with those ETP holders who may be physically present on the trading floor while conducting their Exchange business.

Other Fees and Charges. ETP holders would be subject to the same fees as other Phlx members except for membership dues and the technology fee.[9] Additionally, ETP holders would not be subject to any capital assessments the Exchange may impose.[10] The Exchange notes that all Exchange fees may be modified from time to time in accordance with Exchange procedures and the provisions of the Act.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6 of the Act[11] in general, and with section 6(b)(4),[12] in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and other persons using Phlx's facilities. The proposed rule change takes into account the nature of the differing interests of holders of legal and equitable titles to exchange memberships and ETP holders.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Phlx does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received from members, participants or others regarding this proposed amendment to the schedule of dues, fees and other charges.[13]

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[4] *See* SR–Phlx–00–03, filed with the Commission concurrently with this filing. In connection with proposed Rule 23, the Exchange has also proposed to add Article Twenty-First (''Article Twenty-First'') to the Exchange's Certificate of Incorporation which would generally authorize the issuance of permits to conduct business on the Exchange. *See* SR–Phlx–00–02.

[5] The Exchange currently charges a $200 application fee for membership and foreign currency options participation applications. An initiation fee of $1,500 is imposed on members upon their election to membership and on non-member foreign currency options participants upon the purchase of foreign currency options participations.

[6] The Commission recently granted permanent approval to the $1,500 monthly capital funding fee. *See* Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000).

[7] *See* SR–Phlx–00–03 proposing the issuance of ETPs pursuant to proposed Rule 23, and Phlx By-law 12–4 which describes the process of application for election to membership.

[8] *See* Phlx By-law 12–8(a) which imposes the $1,500 initiation fee on members upon their election to membership.

[9] Membership dues would not be assessed on ETP holders because they would not have a voting membership interest in the Exchange. Also, the Exchange's technology fee was intended to cover system software modifications, Year 2000 modifications, specific system development and maintenance costs, SIAC and OPRA communication charges, and ongoing system maintenance charges. *See* Securities Exchange Act Release No. 38349 (March 12, 1997), 1997 SEC LEXIS 576 (March 12, 1997). ETP holders would not be assessed the technology fee because the Exchange intends the Monthly ETP Fee to be a single charge covering all overhead costs attributable to ETP holders.

[10] The Exchange notes that ETP holders would not, by virtue of the ETP, be holders of equitable title to Exchange memberships and thus would not be subject, by virtue of the ETP, to the Exchange's $1,500 capital funding fee. *See* Securities Exchange Act Release No. 42993 (June 29, 2000), 65 FR 42415 (July 10, 2000). An ETP holder by definition cannot be an owner-member, lessee or party to an A–B–C Agreement with a member organization. Therefore, ETP holders will not be entitled to the monthly credit of up to $1,000 to be applied against certain fees, dues, charges and other amounts owed to the Exchange in connection with the ETP. *See* Securities Exchange Act Release No. 42791 (May 16, 2000), 65 FR 33606 (May 24, 2000).

[11] 15 U.S.C. 78f(b).

[12] 15 U.S.C. 78f(b)(4).

[13] Written comments were received in connection with the Exchange's proposal to issue ETPs and have been provided to the Commission as part of SR–Phlx–00–03, filed concurrently with this filing.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the Phlx consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx.

All submissions should refer to File No. SR–Phlx–00–04 and should be submitted September 22, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[14]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22483 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

[14] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43210; File No. SR–SCCP–00–01]

Self-Regulatory Organizations; Stock Clearing Corporation of Philadelphia; Notice of Filing of Proposed Rule Change Relating to the Eligibility of Holders of Equity Trading Permits Issued by the Philadelphia Stock Exchange, Inc. to be Participants of the Stock Clearing Corporation of Philadelphia

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1]notice is hereby given that on January 12, 2000, the Stock Clearing Corporation of Philadelphia (''SCCP'') filed with the Securities and Exchange Commission (''Commission'') and on May 31, 2000, amended the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by SCCP. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change allows holders of Equity Trading Permits (''ETPs'') issued by the Philadelphia Stock Exchange, Inc. (''PHLX'') to be eligible to become SCCP participants.

II. Self-Regulatory Organizations' Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filings with the Commission, SCCP included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. SCCP has prepared summaries, set forth in sections (A), (B), and(C) below, of the most significant aspects of these statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

SCCP Rule 3 currently provides that, subject to certain conditions, any person who is a broker-dealer registered under the Act and a member in good standing of PHLX is eligible to be a SCCP participant.[3] The proposed rule change would amend SCCP Rule 3 to permit holders of PHLX EPTs to be considered ''members'' of PHLX for purposes of SCCP's Certificate of Incorporation, By-laws, and Rules.[4] ETP holders would thus be eligible to apply to be participants in SCCP.[5]

The proposed rule change would make a corresponding change to Article 2 of SCCP's; Articles of Incorporation. Article 2 currently includes as one of SCCP's corporate purposes the carrying of securities ''for members, member firms and/or member corporations of the Philadelphia Stock Exchange * * *.'' The proposal would amend Article 2 to add a statement that SCCP's Board of Directors may determine by rule the identity of PHLX ''members, member firms and/or member corporations.'' The purpose of the proposed language is to make the providing of clearing services to PHLX ETP holders fall within SCCP's corporate purposes. The proposed rule change will also provide a clear basis upon which the SCCP board of directors can determine by rule, as and when future circumstances may warrant, the identify of such ''members, member firms and/or member corporations.''

All trades on the PHLX in equity securities are processed through SCCP and require a SCCP participant to be involved. ETP holders will not be required to be SCCP participants themselves. Like PHLX members, ETP holders may elect instead to enter into a correspondent arrangement with another SCCP participant whereby the SCCP participant assumes responsibility for the clearance and settlement of the EIP holder's trades. The proposed

[1] 15 U.S.C. 78s(b)(1).

[2] The Commission has modified the text of the summaries prepared by SCCP.

[3] Concurrently with SCCP's filing PHLX has filed with the Commission two proposed rule changes. PHLX 00–02 will add new Article Twenty-First to PHLX's Certificate of Incorporation which will enable PHLX to issue ETPs. PHLX 00–03 will implement PHLX Rule 23 which would set forth the terms and conditions of the proposed FTPs. Under PHLX Rule 23, holders of ETPs would generally have the same rights under PHLX rules as PHLX members without options privileges except that ETP holders would not have the right to vote. ETPs would not be transferable and their holders would not be entitled to any residual interests in PHLX assets upon a liquidation of PHLX. Holders of ETPs would generally be subject to the same obligations as PHLX members, except with respect to certain fees. Securities Exchange Act Release Nos. 43211 (August 25, 2000) and 43212 (August 25, 2000).

[4] Accordingly, SCCP would treat ETP holders just like PHLX members both in terms of SCCP participant qualification requirements and privileges of SCCP participant status.

[5] SCCP approves applicants for participant status only upon a determination that the applicant meets certain standards of financial condition, operational capability, and character set forth in SCCP's rules. Each participant is required to make a contribution to the SCCP's By-laws and Rules as well as with a participant's agreement. ETP holders must apply for SCCP membership and will be subject to the same admission criteria as PHXL members.

amendments to SCCP Rule 3 and to SCCP's Articles of Incorporation would simply assure that those ETP holders wishing to become SCCP participants themselves will be treated by SCCP in the same fashion as SCCP participants who are PHLX members.

SCCP believes the proposed rule change is consistent with the requirements of section 17A(b)(3)(F) of the Act and the rules and regulations thereunder.[6] That provision requires that a clearing agency be organized and its rules be designed, among other things, to promote the prompt and accurate clearance and settlement of securities transactions, to safeguard funds and securities in its possession and control, and to remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions, and that such rules not be designed to permit unfair discrimination in the admission of participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

SCCP does not believe that the proposed rule change will impose any inappropriate burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

No written comments were either solicited or received by SCCP. However, PHLX has received a number of written comments on its proposal to implement an equity trading permit program.[7]

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty-five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of SCCP.

All submissions should refer to File No. SR–SCCP–00–01 and should be submitted by September 22, 2000.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00–22485 Filed 8–31–00; 8:45 am]

BILLING CODE 8010–01–M

[6] 15 U.S.C. 78q–1.

[7] Copies of those comments have been provided to the Commission as part of SR–PHLX–00–03.

[8] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3271; Amendment #5]

State of Minnesota

In accordance with information received from the Federal Emergency Management Agency, the above-numbered Declaration is hereby amended to extend the deadline for filing applications for physical damage as a result of this disaster for victims located in Yellow Medicine and Chippewa Counties in the State of Minnesota until September 25, 2000. These two counties were recently added to this declaration.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage for all other counties is August 29, 2000, and for economic injury the deadline is March 30, 2001.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Dated: August 24, 2000.

Herbert L. Mitchell,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 00–22409 Filed 8–31–00; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Region III Advisory Council; Public Meeting

The National Home Health Care Roundtable, Regulatory Fairness Board will hold a public hearing on September 14, 2000, at 10:00 am until 3:00 pm located at the Hyatt Regency Baltimore, at 300 Light Street, Baltimore, Maryland to help improve communication and cooperation between small home health care businesses and the U.S. Health Care Financing Administration on regulatory enforcement and compliance matters. The transcripts of these proceedings will be posted on the Internet. These transcripts are subject to limited review by the National Ombudsman the proceeding may also be video taped. The public is invited to attend the meeting but space is limited members of the public may also be able to listen to the meeting via a toll-free conference call telephone system. To reserve space at the meeting or participate by telephone, please contact the office of the National Ombudsman by the close of business on September 8, 2000. The office number is (312) 353–1744, email may be sent to *RegFair@sba.gov* and voice-mail messages may be left at 1–888–REG-FAIR.

Please include the names of any persons wishing to attend and their contact information in any e-mail or message.

Bettie Baca,

Counselor to the Administrator/Public Liaison.

[FR Doc. 00–22410 Filed 8–31–00; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 3406]

Culturally Significant Objects Imported for Exhibition Determinations: ''Manet: The Still Life Paintings''

AGENCY: United States Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C.

2459), the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, I hereby determine that the objects to be included in the exhibition ''Manet: The Still Life Paintings,'' imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with foreign lenders. I also determine that the exhibition or display of the exhibit objects at the Walters Gallery, Baltimore, Maryland, from January 30, 2001 through April 22, 2001, is in the national interest. Public Notice of these Determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of exhibit objects, contact Jacqueline Caldwell, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/619–6982). The address is U.S. Department of State, SA–44, 301 4th Street, SW., Room 700, Washington, DC 20547–0001.

Dated: August 30, 2000.

Helena Kane Finn,

Acting Assistant Secretary for Educational and Cultural Affairs, United States Department of State.

[FR Doc. 00–22633 Filed 8–31–00; 8:45 am]

BILLING CODE 4710–08–P

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Notice of Appointment of the National Genetic Resources Advisory Council

AGENCY: Office of the Under Secretary, Research, Education, and Economics, USDA.

ACTION: Notification of appointment of the National Genetic Resources Advisory Council.

SUMMARY: The Office of the Under Secretary, Research, Education, and Economics of the Department of Agriculture, in accordance with the Federal Advisory Committee Act, 5 U.S.C. App., announces members appointed to the National Genetic Resources Advisory Council. Five members were appointed from nominations to replace five members whose terms had expired. Four members continue for the remaining two years of their four-year appointment. The following appointments to the National Genetic Resources Advisory Council have been made:

Roni Sue DeNise, Department of Animal Science, University of Arizona, Tucson, AZ, David R. MacKenzie, Executive Director Northeastern Regional Association of State, Agricultural Experiment Stations, College Park, MD, Ru Nguyen, Entomologist, Florida Department of Agriculture, Gainesville, FL, Antonio Sotomayor-Rios, Agronomist, University of Puerto Rico, Mayaguez, PR, Stoney J. Wright, Agronomist, Alaska Department of Natural Resources, Palmer, AK.

The following members will continue on the Advisory Council: Neil D. Hamilton, serving as Chair, Agricultural Law Center, Drake University, Des Moines, IA, Jennie Hunter-Cevera, Maryland Biotechnology Institute, College Park, MD, Charles A. Panton, North Carolina A&T State University, Greensboro, NC, Charles G. Sattler, National Association of Animal Breeders, Columbia, MO.

Council members will serve four-year terms. In the event of a vacancy, the Secretary will appoint a new member as appropriate and subject to the provisions of the Federal Advisory Committee Act. The duties of the Council are solely advisory to the Secretary and the Director of the National Genetic Resources Program on matters concerning the National Genetic Resources Program of the USDA.

Council members will serve without pay. Reimbursement of travel expenses and per diem costs shall be made to members who would be unable to attend council meetings without such reimbursement.

FOR FURTHER INFORMATION CONTACT: Questions should be e-mailed to pbk@ars.usda.gov, faxed to 301–504–6191, or telephoned to 301–504–5541; all mailed correspondence should be sent to Peter Bretting, Designated Federal Official, USDA–ARS, Room 4–2212, George Washington Carver Center, 5601 Sunnyside Avenue, Beltsville, MD 20705–5139.

Dated: August 25, 2000.

Peter Bretting,

Assistant Administrator for Genetic Resources, USDA–ARS.

[FR Doc. 00–22501 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–03–P

DEPARTMENT OF AGRICULTURE

Forest Service

Fairfield Ranger District Sheep Allotment AMP EIS, Fairfield Ranger District, Elmore and Camas Counties, ID

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare environmental impact statement.

SUMMARY: The Forest Supervisor of the Sawtooth National Forest gives notice of the agency's intent to prepare an environmental impact statement on a proposal to update the allotment management plans for twelve sheep allotments on the Fairfield Ranger District. This will be done to determine the appropriate livestock management and associated actions, or management changes, needed to provide for recovery of Threatened, Endangered or Sensitive species and meet the requirements established through the Endangered Species Act consultation process. Currently, these grazing allotments have been determined to be ''likely to adversely affect'' the threatened Bull Trout.

The proposal includes the following sheep grazing allotments; North Fork Lime Creek, Kelley Creek, Beaver Creek, Boardman Creek, Salt/Bowns, Shake Creek, Big Water, Jumbo Mountain, Skeleton Creek, Bridge Creek, Bear Creek and Ross Fork Allotments.

The purpose and need for this proposal is a result of the U.S. Fish and Wildlife Service's (USFWS) determination that grazing activities on the Fairfield Ranger District were ''likely to adversely'' the threatened bull trout. Terms and conditions were issued by the USFWS in a biological opinion to mitigate these adverse effects. One of these required mitigation measures directs the Forest Service to analyze the scope of the effects of livestock grazing on the bull trout by the beginning of the 2001 grazing season.

The Forest Service invites comments and suggestions on the scope of the analysis to be included in the draft environmental impact statement (DEIS). In addition, the Forest Service gives notice that it is beginning a full environmental analysis and decision-making process for this proposal so that interested or affected people may know how they can participate in the environmental analysis and contribute to the final decision. The first step in the analysis process is ''scoping''. A scoping paper is available by contacting the Fairfield Ranger District, Fairfield, Idaho 83327 (208) 764–3202. This paper

provides a map identifying the general area affected by this proposal, details regarding the analysis and decision-making process, primary issues identified to date, current Forest Plan management direction for this area, potential alternatives identified to date and general information about the area and current management. The Forest Service welcomes any public comments on this proposal.

DATES: Comments concerning the scope of this analysis should be received in writing no later than October 6, 2000.

ADDRESSES: Send written comments to Gary Fullmer, District Ranger, Fairfield Ranger District, Fairfield, Idaho 83327.

FOR FURTHER INFORMATION CONTACT: Terry Fletcher, Interdisciplinary Team Leader, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, ID 83301 (208) 737–3200.

SUPPLEMENTARY INFORMATION: In June 1998, bull trout were listed as a ''threatened species'' under the Endangered Species Act. In August 1998, a Biological Assessment was completed for all grazing allotments on the District. The Biological Opinion (B.O.) issued by the U.S. Fish & Wildlife Service in March 1999 directed that grazing allotment plans be completed by the start of the 2001 grazing season. A primary requirement of the B.O. is that ''livestock shall not occupy the allotments, pastures or areas with confirmed bull trout spawning and juvenile rearing after August 15th. The preceding factors, and to insure compliance with Forest Plan Standards and Guidelines, necessitate the development of this environmental impact statement.

The decision to be made is the determination of the appropriate livestock management and associated actions or management changes needed on the twelve sheep allotments to provide for the recovery of threatened, endangered and sensitive species and meet the requirements established through the Endangered Species Act for consultation for bull trout.

RESPONSIBLE OFFICIAL: Bill LeVere, Forest Supervisor, Sawtooth National Forest, 2647 Kimberly Road East, Twin Falls, ID 83301.

The draft environmental impact statement is expected to be published in March 2001. There will be a 45-day public review and comment on the draft. The 45-day public comment period on the DEIS will commence on the day the Environmental Protection Agency publishes a ''Notice of Availability'' in the **Federal Register**. The final environmental impact statement and decision is expected to be completed in May 2001 in order that the obligations made in the biological opinion can be met.

The Forest Service believes it is important to give reviewers notice at this early stage of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp* v. *NRDC, 435 U.S. 519, 553 (1978).* Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon* v. *Hodel,* 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc.* v. *Harris,* 490 F. Supp. 1334 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.) Please note that comments you make on the draft environmental impact statement will be regarded as public information.

Bill Levere,

Forest Supervisor.

[FR Doc. 00–22434 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[00–1-S]

Designation for the Ohio Valley (IN), Idaho (ID), Lewiston (ID), Utah, and Mississippi Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA).

ACTION: Notice.

SUMMARY: GIPSA announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act): Ohio Valley Grain Inspection, Inc. (Ohio Valley); Idaho Grain Inspection Service, Inc. (Idaho); Lewiston Grain Inspection Service, Inc. (Lewiston); Utah Department of Agriculture (Utah); and Mississippi Department of Agriculture and Commerce (Mississippi).

EFFECTIVE DATES: November 1, 2000, for Ohio Valley; December 1, 2000, for Idaho, Lewiston, and Utah; and January 1, 2001 for Mississippi.

ADDRESSES: USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647–S, 1400 Independence Avenue, SW., Washington, DC 20250–3604.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the March 1, 2000, **Federal Register** (65 FR 11036), GIPSA asked persons interested in providing official services in the geographic areas assigned to Ohio Valley, Idaho, Lewiston, Utah, and Mississippi to submit an application for designation. Applications were due by March 30, 2000. Each was the sole applicant for designation to provide official services in the entire area currently assigned to them, so GIPSA did not ask for comments on the applicants.

GIPSA evaluated all available information regarding the designation criteria in Section 7(f)(l)(A) of the Act and, according to Section 7(f)(l)(B), determined that each official agency is able to provide official services in the geographic areas, specified in the March 1, 2000, **Federal Register**, for which they applied. Interested persons may obtain official services by calling the telephone numbers listed below.

Official agency	Designation start	Designation end	Telephone
Ohio Valley	11/01/2000	09/30/2003	812–423–9010
Idaho	12/01/2000	09/30/2003	208–233–8303
Lewiston	12/01/2000	09/30/2003	208–746–0451
Utah	12/01/2000	09/30/2003	801–392–2292
Mississippi	01/01/2001	09/30/2003	601–947–4095

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: August 21, 2000.

Neil E. Porter,

Director, Compliance Division.

[FR Doc. 00–22262 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

Opportunity for Designation in the Detroit (MI), Keokuk (IA), Michigan (MI), Champaign (IL), Eastern Iowa (IA), and Enid (OK) Areas, and Request for Comments on the Official Agencies Serving These Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration (GIPSA). [00–3–A]

ACTION: Notice.

SUMMARY: The designations of the official agencies listed below will end in April and May 2001. GIPSA is asking persons interested in providing official services in the areas served by these agencies to submit an application for designation. GIPSA is also asking for comments on the services provided by these currently designated agencies:

Detroit Grain Inspection Service, Inc. (Detroit);

Keokuk Grain Inspection Service (Keokuk);

Michigan Grain Inspection Service, Inc. (Michigan);

Champaign-Danville Grain Inspection Departments, Inc. (Champaign);

Eastern Iowa Grain Inspection and Weighing Service, Inc. (Eastern Iowa);

Enid Grain Inspection Company, Inc. (Enid); and

DATES: Applications and comments must be postmarked or sent by telecopier (FAX) on or before October 1, 2000.

ADDRESSES: Submit applications and comments to USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647–S, 1400 Independence Avenue, S.W., Washington, DC 20250–3604; FAX 202–690–2755. If an application is submitted by FAX, GIPSA reserves the right to request an original application. All applications and comments will be made available for public inspection at Room 1647-S, 1400 Independence Avenue, S.W., during regular business hours.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202–720–8525, email janhart@gipsadc.usda.gov.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512–1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the United States Grain Standards Act, as amended (Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

Section 7(g)(1) of the Act provides that designations of official agencies shall end not later than triennially and may be renewed according to the criteria and procedures prescribed in Section 7(f) of the Act.

1. Current Designations Being Announced for Renewal

Official agency	Main office	Designation start	Designation end
Detroit	Emmett, MI	05/01/1997	04/30/2001
Keokuk	Keokuk, IA	05/01/1997	04/30/2001
Michigan	Marshall, MI	05/01/1997	04/30/2001
Champaign	Champaign, IL	06/01/1997	05/31/2001
Eastern Iowa	Davenport, IA	06/01/1997	05/31/2001
Enid	Enid, OK	06/01/1997	05/31/2001

a. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the State of Michigan, is assigned to Detroit.

Bounded on the North by the northern Clinton County line; the eastern Clinton County line south to State Route 21; State Route 21 east to State Route 52; State Route 52 north to the Shiawassee County line; the northern Shiawassee County line east to the Genesee County line; the western Genesee County line; the northern Genesee County line east to State Route 15; State Route 15 north to Barnes Road; Barnes Road east to Sheridan Road; Sheridan Road north to State Route 46; State Route 46 east to State Route 53; State Route 53 north to the Michigan State line;

Bounded on the East by the Michigan State line south to State Route 50;

Bounded on the South by State Route 50 west to U.S. Route 127; and

Bounded on the West by U.S. Route 127 north to U.S. Route 27; U.S. Route 27 north to the northern Clinton County line.

The following grain elevator, located outside of the above contiguous geographic area, is part of this geographic area assignment: Caldonia Farmers Elevator, St. Johns, Clinton County (located inside Michigan Grain Inspection Services, Inc.'s, area).

b. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Illinois and Iowa, is assigned to Keokuk.

Adams, Brown, Fulton, Hancock, Mason, McDonough, and Pike (northwest of a line bounded by U.S. Route 54 northeast to State Route 107; State Route 107 northeast to State Route 104; State Route 104 east to the eastern Pike County line) Counties, Illinois.

Davis, Lee, and Van Buren Counties, Iowa.

c. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Michigan and Ohio, is assigned to Michigan.

Bounded on the North by the northern Michigan State line;

Bounded on the East by the eastern Michigan State line south and east to State Route 53; State Route 53 south to State Route 46; State Route 46 west to Sheridan Road; Sheridan Road south to Barnes Road; Barnes Road west to State Route 15; State Route 15 south to the Genesee County line; the northern Genesee County line west to the Shiawassee County line; the northern Shiawassee County line west to State Route 52; State Route 52 south to State Route 21; State Route 21 west to Clinton County; the eastern and northern Clinton County lines west to U.S. Route 27; U.S. Route 27 south to U.S. Route 127; U.S. Route 127 south to the Michigan-Ohio State line. In Ohio, the northern State line west to the Williams County line; the eastern Williams County line south to the Defiance County line; the northern and eastern Defiance County lines south to U.S. Route 24; U.S. Route 24 northeast to State Route 108; State Route 108 south to Putnam County; the northern and eastern Putnam County lines; the eastern Allen County line; the northern Hardin County line east to U.S. Route 68; U.S. Route 68 south to U.S. Route 47;

Bounded on the South by U.S. Route 47 west-southwest to Interstate 75 (excluding all of Sidney, Ohio); Interstate 75 south to the Shelby County line; the southern and western Shelby County lines; the southern Mercer County line; and

Bounded on the West by the Ohio-Indiana State line from the southern Mercer County line to the northern Williams County line; in Michigan, by the southern Michigan State line west to the Branch County line; the western Branch County line north to the Kalamazoo County line; the southern Kalamazoo and Van Buren County lines west to the Michigan State line; the western Michigan State lines north to the northern Michigan State line.

Michigan's assigned geographic area does not include the following grain elevators inside Michigan's area which has been and will continue to be serviced by the following official agencies:

1. Detroit Grain Inspection Service, Inc.: Caldonia Farmers Elevator, St. Johns, Clinton County, Michigan.

2. Northeast Indiana Grain Inspection, Inc.: E.M.P. Coop, Payne, Paulding County, Ohio.

d. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Illinois and Indiana, is assigned to Champaign.

Bounded on the North by the northern Livingston County line from State Route 47; the eastern Livingston County line to the northern Ford County line; the northern Ford and Iroquois County lines east to the Illinois-Indiana State line; the Illinois-Indiana State line south to U.S. Route 24; U.S. Route 24 east to U.S. Route 41;

Bounded on the East by U.S. Route 41 south to the northern Parke County line; the northern Parke and Putnam County lines; the eastern Putnam, Owen and Greene County lines;

Bounded on the South by the southern Greene County line; the southern Sullivan County line west to U.S. Route 41(150); U.S. Route 41(150) south to U.S. Route 50; U.S. Route 50 west across the Indiana-Illinois State line to Illinois State Route 33; Illinois State Route 33 north and west to the Western Crawford County line; and

Bounded on the West by the western Crawford and Clark County lines; the Southern Coles County line; the western Coles and Douglas County lines; the western Champaign County line north to Interstate 72; Interstate 72 southwest to the Piatt County line; the western Piatt County line; the southern McLean County line west to a point 10 miles west of the western Champaign County line, from this point through Arrowsmith to Pontiac along a straight line running north and south which intersects with State Route 116; State Route 116 east to State Route 47; State Route 47 north to the northern Livingston County line.

The following grain elevators, all in Illinois, located outside of the above contiguous geographic area, are part of this geographic area assignment: Moultrie Grain Association, Cadwell, Moultrie County; Tabor Grain Company (2 elevators), and McLain County Service Company, all in Farmer City, Dewitt County; and Monticello Grain Company, Monticello, Piatt County (located inside Decatur Grain Inspection, Inc.'s, area).

Champaign's assigned geographic area does not include the following grain elevators inside Champaign's area which have been and will continue to be serviced by the following official agency Titus Grain Inspection, Inc.: Kentland Elevator and Supply, Boswell; ADM, Dunn; and ADM, Raub; all in Benton County, Indiana.

e. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the States of Illinois and Iowa, is assigned to Eastern Iowa.

The southern area:

Bounded on the North, in Iowa, by Interstate 80 from the western Iowa County line east to State Route 38; State Route 38 north to State Route 130; State Route 130 east to Scott County; the western and northern Scott County lines east to the Mississippi River;

Bounded on the East, from the Mississippi River, in Illinois, by the eastern Rock Island County line; the northern Henry and Bureau County lines east to State Route 88; State Route 88 south; the southern Bureau County line; the eastern and southern Henry County lines; the eastern Knox County line;

Bounded on the South by the southern Knox County line; the eastern and southern Warren County lines; the southern Henderson County line west to the Mississippi River; in Iowa, by the southern Des Moines, Henry, Jefferson, and Wapello County lines; and

Bounded on the West by the western and northern Wapello County lines; the western and northern Keokuk County lines; the western Iowa County line north to Interstate 80.

The northern area:

Bounded on the North, in Iowa, by the northern Delaware and Dubuque County lines; in Illinois, by the northern Jo Daviess, Stephenson, Winnebago, Boone, McHenry, and Lake County lines;

Bounded on the East by the eastern Illinois State line south to the northern Will County line; the northern Will County line west to Interstate 55; Interstate 55 southwest to the southern Dupage County line;

Bounded on the South by the southern Dupage, Kendall, Dekalb, and Lee County lines; and

Bounded on the West by the western Lee and Ogle County lines; by the southern Stephenson and Jo Daviess County lines; in Iowa, by the southern Dubuque and Delaware County lines; and the western Delaware County line.

Eastern Iowa's assigned geographic area does not include the export port locations inside Eastern Iowa's area which are serviced by GIPSA.

f. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the State of Oklahoma, is assigned to Enid.

Adair, Alfalfa, Atoka, Blaine, Bryan, Caddo, Canadian, Carter, Cherokee, Choctaw, Cleveland, Coal, Comanche, Cotton, Craig, Creek, Custer, Delaware, Dewey, Garfield, Garvin, Grady, Grant, Greer, Harmon, Haskell, Hughes, Jackson, Jefferson, Johnston, Kay, Kingfisher, Kiowa, Latimer, Le Flore, Lincoln, Logan, Love, McClain, McCurtain, McIntosh, Major, Marshall,

Mayes, Murray, Muskogee, Noble, Nowata, Okfuskee, Oklahoma, Okmulgee, Osage, Ottawa, Pawnee, Payne, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Rogers, Seminole, Sequoyah, Stephens, Tillman, Tulsa, Wagoner, Washington, Washita, Woods, and Woodward Counties.

2. Opportunity for Designation

Interested persons, including Detroit, Keokuk, Michigam, Champaign, Eastern Iowa, and Enid, are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of Section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information.

DESIGNATION TERMS

Detroit, Keokuk, Michigan.	05/01/2001 to 03/31/2004.
Champaign, Eastern Iowa, Champaign.	06/01/2001 to 03/31/2004.

3. Request for Comments

GIPSA also is publishing this notice to provide interested persons the opportunity to present comments on the Detroit, Keokuk, Michigan, Champaign, Eastern Iowa, and Enid official agencies. Commenters are encouraged to submit pertinent data concerning the official agencies named, including information on the timeliness, cost, quality, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94–582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: August 21, 2000.

Neil E. Porter,

Director, Compliance Division.

[FR Doc. 00–22263 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–EN–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Dairyland Power Cooperative, Notice of Availability of an Environmental Assessment

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of availability of an environmental assessment.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS) is publishing an environmental assessment (EA) for a project proposed by Dairyland Power Cooperative (DPC) of La Crosse, Wisconsin. The project consists of constructing a natural gas-fired simple cycle, combustion turbine power generation facility in Wheaton Township in Chippewa County, Wisconsin. Total electrical output from the facility is expected to range from 71 megawatts (MW) to 98 MW depending upon operating conditions. RUS proposes to provide financial assistance to DPC for this project.

FOR FURTHER INFORMATION CONTACT: Nurul Islam, Environmental Protection Specialist, Rural Utilities Service, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW, Washington, DC 20250–1571, telephone: (202) 720–1414; e-mail: nislam@rus.usda.gov. Information is also available from George L. Johnston, Senior Environmental Biologist, DPC, 3200 East Avenue South, La Crosse, Wisconsin 54601, telephone (608) 787–1322, FAX: (608) 787–1241. His e-mail address is: *glj@dairynet.com*. RUS seeks written comments on the DPC proposal. Written comments should be submitted to RUS within 30 days of the publication of this notice to the above address.

SUPPLEMENTARY INFORMATION: DPC proposes to construct the facility at a site in Wheaton Township in Chippewa County, Wisconsin. The preferred site is located adjacent to their Elk Mound Substation, which is located north of Highway 29. The primary purpose of the facility is to meet DPC peak electrical load during hot summer weather. Under those conditions the facility's expected output is about 71 MW of power. The proposed project will consist of two simple cycle combustion turbines. Each turbine will have a maximum rating of 35.5 Mw. The generation unit consists of turbines similar to those found in commercial airline engines. The primary fuel will be natural gas and distillate oil will serve as the back up fuel for the plant. A 2.2 miles long new high-pressure gas line from the proposed generating station north to an existing gas line will provide gas supply. The total water usage will be approximately 3 million gallons per year. The generating power station will require approximately 5 acres of land. The substation facilities will also require some upgrading.

The EA is available for public review at the RUS or the headquarters of DPC at the addresses provided in this notice and at the following locations:

- Chippewa Falls Public Library, 105 West Central Street, Chippewa Falls, Wisconsin.
- I. E. Phillips Memorial Public Library, 400 Eau Claire Street, Eau Claire, Wisconsin.

Questions and comments should be sent to RUS at the address provided in this notice. RUS will accept questions and comments on the EA for 30 days from the date of publication of this notice.

Any final action by RUS related to the proposed project will be subject to, and contingent upon, compliance with all relevant Federal environmental laws and regulations and completion of environmental review procedures as prescribed by the 7 CFR Part 1794, Environmental Policies and Procedures.

Dated: August 28, 2000.

Lawrence R. Wolfe,

Acting Director, Engineering and Environmental Staff.

[FR Doc. 00–22394 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Tri-State Generation and Transmission Association, Inc.; Finding of No Significant Impact

AGENCY: Rural Utilities Service, USDA.

ACTION: Notice of finding of no significant impact.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS) has made a Finding of No Significant Impact (FONSI) with respect to the potential environmental impacts related to the construction, operation, and maintenance of a 230 kV transmission line and associated facilities. Tri-State Generation and Transmission Association, Inc. (Tri-State), of Westminster, Colorado, is proposing to construct the project. The transmission line will extend from Walsenburg, Colorado, to an area near Gladstone, New Mexico. RUS will provide financing assistance for the project.

FOR FUTHER INFORMATION CONTACT: Dennis E. Rankin, Environmental Protection Specialist, RUS, Engineering and Environmental Staff, Stop 1571, 1400 Independence Avenue, SW, Washington, DC 20250–1571, telephone: (202) 720–1953 or e-mail: drankin@rus.usda.gov.; or Karl Myers, Tri-State, P.O. Box 33695, Denver, Colorado 80233, telephone: (303) 452–6111 or e-mail: kmyers@tristategt.org.

SUPPLEMENTARY INFORMATION: The project will be approximately 115 miles in length and extend from Tri-State's existing Walsenburg Substation located at Walsenburg, Colorado, and interconnect to a proposed substation site near Gladstone, New Mexico. Facilities will be located in Huerfano and Las Animas Counties, Colorado, and Colfax County, New Mexico.

Alternative Corridor 2 was identified in the Environmental Assessment as the preferred corridor. The northern section of the preferred corridor was subsequently modified based on additional public input as a result of the local permitting process in Las Animas County, Colorado. Based on its environmental assessment of the proposed project, RUS has concluded that the construction, operation and maintenance of the project will not have a significant impact on the quality of the human environment. Therefore, RUS will not prepare an environmental impact statement for this project.

Copies of the FONSI have been sent to Federal, State, and local agencies and the public who have previously requested a copy. The FONSI can also be reviewed at libraries located in communities within the project area and at offices of San Isabel Electric Association in Pueblo, Walsenburg, and Trinidad, Colorado; Springer Electric Cooperative, Inc., in Springer, New Mexico; and Southwestern Electric Cooperative, Inc., in Clayton, New Mexico.

Dated: August 23, 2000.

Blaine D. Stockton,

Assistant Administrator, Electric Program.

[FR Doc. 00–22007 Filed 8–31–00; 8:45 am]

BILLING CODE 3410–15–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to the Procurement List.

SUMMARY: This action adds to the Procurement List services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: October 2, 2000.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Louis R. Bartalot (703) 603–7740.

SUPPLEMENTARY INFORMATION: On July 14, 2000, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (65 FR 43736) of proposed additions to the Procurement List. After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the services and impact of the additions on the current or most recent contractors, the Committee has determined that the services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4. I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the services to the Government.

2. The action will not have a severe economic impact on current contractors for the services.

3. The action will result in authorizing small entities to furnish the services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the services proposed for addition to the Procurement List.

Accordingly, the following services are hereby added to the Procurement List:

Administrative/General Support Services

U.S. Customs Service CMC, 423 Canal Street, New Orleans, Louisiana.

Food Service Attendant, Pope Air Force Base, North Carolina.

Janitorial/Custodial

Department of the Treasury, Federal Law Enforcement Training Center, Child Care Center, Building 315, Glynco, Georgia.

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

Louis R. Bartalot,

Deputy Director (Operations).

[FR Doc. 00–22490 Filed 8–31–00; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed Additions to Procurement List.

SUMMARY: The Committee has received proposals to add to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

Comments Must be Received on or Before: October 2, 2000.

ADDRESS: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Louis R. Bartalot (703) 603–7740

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action will result in authorizing small entities to furnish the commodities and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List. Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which

they are providing additional information.

The following commodities and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Commodities

Strip, Door

3920–02–000–1916
NPA: Rauch Rehabilitation & Developmental Services, Inc., New Albany, Indiana.

Protective Worksuit, General Purpose

8410–00–NSH–0025;
8410–00–NSH–0026;
8410–00–NSH–0027;
8410–00–NSH–0028;
8410–00–NSH–0029;
8410–00–NSH–0030;
8410–00–NSH–0031;
8410–00–NSH–0032.
NPA: Association for Retarded Citizens of Baldwin County, Inc., Loxley, Alabama.

Services

Janitorial/Custodial

Fitness Center, Building 1251, Ellington Field; Houston, Texas.
NPA: Center For The Retarded, Inc., Houston, Texas.

Microfiche of ''IES ONLY'' Publications, GPO Program B510–S; Washington, DC.

NPA: Alliance, Inc.; Baltimore, Maryland.

Recycling/Recovery Service

McConnell Air Force Base, Kansas.
NPA: Multi Community Diversified Services, Inc., McPherson, Kansas.

Louis R. Bartalot,

Deputy Director (Operations).

[FR Doc. 00–22491 Filed 8–31–00; 8:45 am]

BILLING CODE 6353–01–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the New Jersey Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the New Jersey Advisory Committee to the Commission will convene at 9:30 a.m. and adjourn at 2 p.m. on Friday, September 29, 2000, at the New Jersey Training and Conference Center, 200 Woolverton Avenue, Building 20, Trenton, New Jersey. The Committee will meet to: (1) Hold a briefing session with the New Jersey State Attorney General John J. Farmer, Jr., on issues pertaining to racial profiling, law enforcement responses to bias, and the State's civil rights enforcement effort; and (2) review current projects and plan new activities.

Persons desiring additional information, or planning a presentation to the Committee, should contact Ki-Taek Chun, Director of the Eastern Regional Office, 202–376–7533 (TDD 202–376–8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, August 28, 2000.

Lisa M. Kelly,

Special Assistant to the Staff Director, Regional Programs Coordination Unit.

[FR Doc. 00–22504 Filed 8–31–00; 8:45 am]

BILLING CODE 6335–01–P

COMMISSION ON CIVIL RIGHTS

Amended Notice of Public Meeting of the Wyoming Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Wyoming Advisory Committee to the Commission which was to have convened on Monday, September 18, 2000 and Tuesday, September 19, 2000, has been rescheduled. A meeting of the Committee will convene 9 a.m. and adjourn at 10 p.m. on Thursday, September 21, 2000, at the Holiday Inn Express, 1700 E. Valley Road, Torrington, Wyoming, 82240. The Committee will hold a planning and pre-briefing meeting for the community forum in the morning. The community forum/workshops will begin at 12 p.m.

The original notice for the meeting was announced in the **Federal Register** on Tuesday, August 22, 2000, FR Doc. 00–21337, Vol. 65, No. 163, p. 50954.

Persons desiring additional information should contact John Dulles, Director of the Rocky Mountain Regional Office, 303–866–1040 (TDD 303–866–1049).

Dated at Washington, DC, August 25, 2000.

Lisa M. Kelly,

Special Assistant to the Staff Director,, Regional Programs Coordination Unit.

[FR Doc. 00–22503 Filed 8–29–00; 2:17 pm]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.
Title: Census 2000 Evaluation Followup Interview.
Form Number(s): D–1301 (EFU), D–1301 (EFU) S, D–1379.
Agency Approval Number: None.
Type of Request: New collection.
Burden: 8,000 hours.
Number of Respondents: 40,000.
Avg Hours Per Response: 12 minutes.
Needs and Uses: The Census Bureau requests approval from the Office of Management and Budget (OMB) for clearance of the Evaluation Followup Interview (EFU). This instrument will be used to assist in the evaluation of Census 2000 and the Accuracy and Coverage Evaluation (A.C.E.) processes.

The Census Bureau developed the A.C.E. approach for measuring coverage of the population in the decennial census. In the A.C.E., the Census Bureau independently counts a sample of housing units and the people living in those units, then compares those results to the census. The Census Bureau then uses this comparative information to produce final estimates of the coverage for Census 2000.

The objective of the EFU is to measure and evaluate data collection and measurement error associated with the A.C.E. process. Data collection error can be caused by enumerators, respondents, or the questionnaire design. An example of error caused by a respondent is misunderstanding of the residence rules. Errors caused by an enumerator include falsifying part of a roster or reading a question incorrectly in a way that changes the meaning for the respondent. If the questionnaire does not make it clear who should be counted at a residence, error can occur, too.

The EFU is designed to collect information to evaluate the scope of data collection error. The EFU is a reinterview of some of the households in a subsample of A.C.E. clusters. It is similar to the A.C.E. Person Followup Interview (PFU), but with more questions on specific types of group quarters, other residences and move in and move out dates to help get the ''best'' residency status and person match code classifications for all sample persons. The EFU will ask about

specific people who were rostered in either the Census, the A.C.E., or both.

Affected Public: Individuals or households.

Frequency: One time.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Sections 141 and 193.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Linda Engelmeier, DOC Forms Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at LEngelme@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: August 18, 2000.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 00–22440 Filed 8–31–00; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Economics and Statistics Administration

Performance Review Board Membership

SUMMARY: Below is a listing of individuals who are eligible to serve on the Performance Review Board in accordance with the Economics and Statistics Administration Senior Executive Service (SES) Performance Appraisal System:

Carol A. Ambler
William Barron
William G. Bostic, Jr.
Chester E. Bowie
Cynthia Z.F. Clark
Nancy M. Gordon
Frederick Knickerbocker
Steve Landefeld
John F. Long
Michael S. McKay
Thomas Messenbourg
C. Harvey Monk
Walter C. Odom, Jr.
Judith N. Petty
Nancy Potok
Marvin D. Raines
Paula Schneider
John Thompson
Preston J. Waite
Katherine Wallman
James K. White
Tommy Wright

Dated: August 29, 2000.

James K. White,

Associate Under Secretary for Management Chair, Performance Review Board.

[FR Doc. 00–22551 Filed 8–31–00; 8:45 am]

BILLING CODE 3510–06–M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; Dien Duc Huynh

In the Matter of: Dien Duc Huynh currently incarcerated at: Federal Correctional Institute, Inmate Number: 10068–035, P.O. Box 5050, East Whatley Road, Oakdale, Louisiana 71463, and with an address at: 113 Buffalo Run, Maurice, Louisiana 70555.

Order Denying Export Privileges

On January 26, 2000, Dien Duc Huynh (Huynh) was convicted in the United States District Court for the Western District of Louisiana at Lafayette on multiple counts of violating the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app. § § 2401–2420 (1991 & Supp. 2000)) (the Act),[1] among other crimes. Specifically, Huynh was convinced of knowingly and intentionally exporting United States military vehicles and military vehicle parts to Vietnam without obtaining the required export license from the Department of Commerce.

Section 11(h) of the Act provides that, at the discretion of the Secretary of Commerce,[2] no person convicted of violating the Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR parts 730–774 (2000), as amended (65 FR 14862, March 20, 2000)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to Sections 766.25 and 750.8(a) of the Regulations, upon notification that a person has been convicted of violating the Act, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person's export privileges for a period of up to 10 years from the date of conviction and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of Huynh's conviction for violating the Act, and after providing notice and an opportunity for Huynh to make a written submission to the Bureau of Export Administration before issuing an Order denying his export privileges, as provided in Section 766.25 of the Regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Huynh's export privileges for a period of 10 years from the date of his conviction. The 10-year period ends on January 26, 2010. I have also decided to revoke all licenses issued pursuant to the Act in which Huynh had an interest at the time of his conviction.

Accordingly, *It Is Hereby Ordered*

I. Until January 26, 2010, Dien Duc Huynh, currently incarcerated at: Federal Correctional Institute, Inmate Number; 10068–035, P.O. Box 5050, East Whatley Road, Oakdale, Louisiana 71463, and with an address at: 113 Buffalo Run, Maurice, Louisiana 70555, may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively, referred to as ''item'') exported or to be exported from the United States, that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations, concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

[1] The Act expired on August 20, 1994. Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), which has been extended by successive Presidential Notices, the most recent being that of August 3, 2000 (65 FR 48347, August 8, 2000), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. §§ 1701–1706 (1991 & Supp. 2000)).

[2] Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act.

II. No person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States.

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the denied person, or service any item, of whatever origin, that is owned, possessed or controlled by the denied person if such service involves the user of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in Section 766.23 of the Regulations, any person, firm, corporation, or business organization related to Huynh by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until January 26, 2010.

VI. In accordance with Part 756 of the Regulations, Huynh may file an appeal from this Order with the Under Secretary for Export Administration. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Huynh. This Order shall be published in the **Federal Register**.

Dated: August 22, 2000.

Eileen M. Albanese,

Director, Office of Exporter Services.

[FR Doc. 00–22441 Filed 8–31–00; 8:45 am]

BILLING CODE 3510–DT–M

DEPARTMENT OF COMMERCE

[A–560–803]

Extruded Rubber Thread From Indonesia: Rescission of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of rescission of antidumping duty administrative review.

SUMMARY: On July 7, 2000, the Department of Commerce (''the Department'') initiated an administrative review of the antidumping duty order on extruded rubber thread from Indonesia for one manufacturer/exporter of the subject merchandise, P.T. Swasthi Parama Mulya (''Swasthi''), for the period May 12, 1999 through April 30, 2000. The Department is rescinding this review after receiving a timely withdrawal from the sole party requesting a review.

EFFECTIVE DATE: September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Russell Morris, AD/CVD Enforcement Office VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–1775.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Act''), are references to the provisions effective January 1, 1995, the effective date of the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR part 351 (1999).

Background

On May 29, 2000, Swasthi requested that the Department conduct an administrative review of its shipments for the period May 12, 1999 through April 30, 2000. On July 7, 2000, the Department published in the **Federal Register** a notice of initiation of administrative review with respect to Swasthi for the period May 12, 1999 through April 30, 2000. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocations in Part,* 65 FR 41942 (July 7, 2000). On August 14, 2000, Swasthi withdrew its request for a review and requested that the review be terminated.

Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), the Department will rescind an administrative review if a party that requested the review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Because Swasthi's request for termination was submitted within the 90-day time limit, and there were no requests for review from other interested parties, we are rescinding this review. We will issue appropriate appraisement instructions directly to the U.S. Customs Service. This notice is in accordance with section 777(i) of the Act and 19 CFR 351.213(d)(4).

Dated: August 24, 2000.

Holly A. Kuga,

Acting Deputy Assistant Secretary, Import Administration, Group II.

[FR Doc. 00–22550 Filed 8–31–00; 8:45 am]

BILLING CODE 3510–05–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 082800E]

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene a public meeting of the Texas Habitat Protection Advisory Panel (AP).

DATES: The AP meeting is scheduled to begin at 9:00 a.m. on September 19, 2000, and will conclude by 4:00 p.m.

ADDRESSES: The meeting will be held at the Courtyard by Marriott, 9190 Gulf Freeway, Houston, TX 77017; telephone: 713-910-1700.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Dr. Richard Leard, Senior Fishery Biologist, Gulf of Mexico Fishery Management Council; telephone: 813-228-2815.

SUPPLEMENTARY INFORMATION: The AP will convene to tentatively discuss the Houston-Galveston Ship Channel barge lane expansion, the monitoring plan for Wild Cow Bayou, the Corpus Christi Ship Channel deepening project, the new bridge project across LaVaca Bay, and the Nature Conservancy's EcoRegion planning efforts. The AP will also review the Council's Submerged Aquatic Vegetation Policy and the Council's Wetland Management Policy.

Although other non-emergency issues not on the agendas may come before the AP for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during these meetings. Actions of the AP will be restricted to those issues specifically identified in the agendas and any issues arising after publication of this notice that require emergency action under Section 305(c) of the Magnuson-Stevens Act, provided the public has been notified of the Council's intent to take action to address the emergency.

The Texas Habitat AP is part of a three-unit Habitat Protection AP of the Gulf of Mexico Fishery Management Council (Council). The principal role of the advisory panels is to assist the Council in addressing issues related to Essential Fish Habitat (EFH) and other habitat and ecological relationships supporting the marine resources of the Gulf of Mexico. Advisory panels serve as a first alert system to call to the Council's attention proposed projects being developed and other activities which may adversely impact the Gulf marine fisheries and their supporting habitat. The APs may also provide advice to the Council on EFH, as well as policies and procedures for addressing environmental affairs.

Copies of the agenda can be obtained by calling 813-228-2815.

Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Anne Alford at the Council (see **ADDRESSES**) by September 12, 2000.

Dated: August 29, 2000.

Richard W. Surdi,

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

[FR Doc. 00–22549 Filed 8–31–00; 8:45 am]

BILLING CODE: 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 020500A]

Marine Mammals; Scientific Research Permit (PHF#sign; 707-1531-00)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of Permit.

SUMMARY: Notice is hereby given that the University of Hawaii at Manoa, College of Social Sciences, Hawaii Hall 105, Honolulu, HI 96822, has been issued a permit to take North Pacific humpback whales (*Megaptera novaeangliae*) for purposes of scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment (see **SUPPLEMENTARY INFORMATION**).

FOR FURTHER INFORMATION CONTACT: Jeannie Drevenak, 301/713-2289.

SUPPLEMENTARY INFORMATION: On September 24, 1999, notice was published in the **Federal Register** (64 FR 51739) that a request for a scientific research permit to take the above-references species had been submitted by the above-named organization. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531*et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 222 - 226).

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Addresses: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Southwest Region, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (562/980-4001);

Protected Species Program Manager, Pacific Islands Area Office, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814-4700;

Regional Administrator, Alaska Region, 709 W. 9th Street, Federal Building, Room 461, P.O. Box 21668, Juneau, AK 99802 (907/586-7235); and

Regional Administrator, Northwest Region, 7600 Sand Point Way NE, Bin C15700, Building 1, Seattle, WA 98115-0070 (206/526-4489).

Dated: August 11, 2000.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 00–22548 Filed 8–31–00; 8:45 am]

Billing Code: 3510-22-S

COMMISSION OF FINE ARTS

Notice of Meeting

The next meeting of the Commission of Fine Arts is scheduled for September 21, 2000, at 10:00 a.m. in the Commission's offices at the National Building Museum (Pension Building), Suite 312, Judiciary Square, 441 F Street, N.W., Washington, D.C., 20001–2728. Items of discussion will include designs for projects affecting the appearance of Washington, D.C., including buildings and parks.

Inquiries regarding the agenda and requests to submit written or oral statements should be addressed to Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address or call 202–504–2200. Individuals requiring sign language interpretation for the hearing impaired should contact the Secretary at least 10 days before the meeting date.

Dated in Washington, D.C., August 24, 2000.

Charles H. Atherton,

Secretary.

[FR Doc. 00–22439 Filed 8–31–00; 8:45 am]

BILLING CODE 6330–01–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denial of Participation in the Special Access Program

August 29, 2000.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs suspending

participation in the Special Access Program.

EFFECTIVE DATE: September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Lori E. Mennitt, International Trade Specialist, Office Textiles and Apparel, U.S. Department of Commerce, (202) 482–3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The Committee for the Implementation of Textile Agreements (CITA) has determined that M. Fine & Sons has violated the requirements for participation in the Special Access Program, and has suspended M. Fine & Sons from participation in the Program for the period September 1, 2000 through February 28, 2002.

Through the letter to the Commissioner of Customs published below, CITA directs the Commissioner to prohibit entry of products under the Special Access Program by or on behalf of M. Fine & Sons during the period September 1, 2000 through February 28, 2002, and to prohibit entry by or on behalf of M. Fine & Sons under the Program of products manufactured from fabric exported from the United States during that period.

Requirements for participation in the Special Access Program are available in **Federal Register** notice 63 FR 16474, published on April 3, 1998.

Richard B. Steinkamp,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

August 29, 2000.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: The purpose of this directive is to notify you that the Committee for the Implementation of Textile Agreements has suspended M. Fine & Sons from participation in the Special Access Program for the period September 1, 2000 through February 28, 2002. You are therefore directed to prohibit entry of products under the Special Access Program by or on behalf of M. Fine & Sons during the period September 1, 2000 through February 28, 2002. You are further directed to prohibit entry of products under the Special Access Program by or on behalf of M. Fine & Sons manufactured from fabric exported from the United States during the period September 1, 2000 through February 28, 2002.

Sincerely,

Richard B. Steinkamp,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 00–22506 Filed 8–31–00; 8:45 am]

BILLING CODE 3510–PR–M

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 00–C0012]

L. L. Bean, Inc., a Corporation, Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1115.20. Published below is a provisionally-accepted Settlement Agreement with L. L. Bean, Inc., containing a civil penalty of $750,000.

DATES: Any interested person may ask the Commission not to accept this Agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by September 18, 2000.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to ''Comment 00–C0012'', Office of the Secretary, U.S. Consumer Product Safety Commission, Washington, DC 20207.

FOR FURTHER INFORMATION CONTACT: Anthony Murawski, Trial Attorney, Office of Compliance, U.S. Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504–0626, ext. 1207.

SUPPLEMENTARY INFORMATION: The text of the Agreement and Order appears below.

Dated: August 29, 2000.

Sadye E. Dunn,

Secretary.

Settlement Agreement and Order

1. L.L. Bean, Inc. (''L.L. Bean''), a corporation, enters into this Settlement Agreement and Order with the United States Consumer Product Safety Commission (''the CPSC'') in accordance with 16 CFR 1118.20 of the Commission's Procedures for Investigations, Inspections, and Inquiries under the Consumer Product Safety Act (''CPSA'').

I. The Parties

2. The Commission is an independent Federal regulatory agency responsible for the enforcement of the Consumer Product Safety Act (''CPSA''), 15 U.S.C. 2051–2084.

3. L.L. Bean is a corporation organized and existing under the laws of the State of Maine. Its principal offices are located at Casco Street, Freeport, Maine 04033.

II. Staff Allegations

The AC25 Backpack Child Carrier

4. The AC25 Backpack Child Carrier (''the AC25'') is a backpack used by adults to carry small children. As an importer and catalog retail seller of the AC25, L.L. Bean imported and, through its catalog, sold approximately 13,000 units of this carrier from January 1997 through October 1998. The AC25 is used in or around a household or residence, or in recreation, and is a ''consumer product'' as that term is defined in section 3(a) of the CPSA, 15 U.S.C. 2052(a), and L.L. Bean is a manufacturer and retailer of this consumer product, distributed in commerce, pursuant to sections 3(a)(1), (4), and (6) of the CPSA, 15 U.S.C. 2052(a)(1), (4), and (6).

5. Some children who were carried in the AC25 were able to remove the unit's shoulder straps and stand up, allowing them to fall out of the top of the AC25. In addition, some children who were carried in the AC25 were able to slip a leg out of one leg hole and into the opposite leg hole of the unit, which allowed them (a) to slide out of a leg hole and strike the ground, or (b) to slide out of a leg hole and become entangled in the unit's shoulder straps, creating a risk of strangulation.

6. From October 1997 through August 1998, L.L. Bean learned of approximately twelve incidents in which children fell out of the top or slid through a leg hole in the AC25. Seven children fell out of the carrier and landed on the ground. Two of these children suffered bruises, or minor facial abrasions, contusions, or lacerations. In addition, two children became entangled in the unit's shoulder straps, creating a risk of strangulation.

7. As a result of these incidents, from September 2 to September 16, 1998, L.L. Bean sent supplemental warnings and instructions concerning proper adjustment of the straps in the AC25 to customers who had purchased the unit.

8. From early September through October 1998, after the supplemental instructions were sent, L.L. Bean received eleven more customer reports of children falling out of the AC25, which resulted in bruises and three

children becoming entangled in the unit's shoulder straps.

9. On November 10, 1998, L.L. Bean reported the AC25 to the Commission.

10. Before November 10, 1998, L.L. Bean obtained information which reasonably supported the conclusion that (a) the AC25 contained a defect or defects that could create a substantial product hazard, or that (b) the AC25 created an unreasonable risk of serious injury or death, but L.L. Bean failed to report such information to the Commission in a timely manner, as required by section 15(b) of the CPSA, 15 U.S.C. 2064(b).

11. Based on the information is possessed before November 10, 1998, L.L. Bean knew or should have known that it was failing to provide information about the AC25 to the Commission in a timely manner, as required by section 15(b) of the CPSA, 15 U.S.C. 2065(b). Therefore, L.L. Bean ''knowingly'' failed to report under section 20(a) and (d) of the CPSA, 15 U.S.C. 2069(a) and (d), and is subject to civil penalties under section 20(a) of the CPSA, 15. U.S.C 2069(a).

W695 Backpack Child Carrier

12. The W695 Backpack Child Carrier (''the W695'') is a backpack used by adults to carry children. L.L. Bean imported and, through its catalog, sold approximately 13,000 units of this carrier from January 1993 through March 1995. The W695 is used in or around a household or residence, or in recreation, and is a ''consumer product'' as that term is defined in section 3(a) of the CPSA, 15 U.S.C. 2052(a), and L.L. Bean is a manufacturer and retailer of this consumer product, distributed in commerce, pursuant to sections 3(a)(1), (4), and (6) of the CPSA, 15 U.S.C. 2052(a)(1), (4), and (6).

13. Some children who were carried in the W695 were able to remove the unit's shoulder straps and stand up, allowing them to fall out of the top of the W695. In addition, some children who were carried in the W695 were able to slip a leg out of one leg hole and into the opposite leg hole of the unit, which allowed them (a) to slide out of a leg hole and strike the ground, or (b) to slide out of leg hole and become entangled in the unit's shoulder straps, creating a risk of strangulation.

14. From July 1993 through October 1997, L.L. Bean learned of approximately sixteen incidents in which children slipped through a leg hole or fell from the top of the W695. Three of these incidents resulted in a concussion and fractured wrist, a contusion, and a bump on the head/

15. In early November of 1998, L.L. Bean reported the AC25 to the Commission.

16. In November 1998, Commission staff met with L.L. Bean's representatives to discuss the recall of the AC25. Commission staff asked whether the company had received reports from customers of similar problems with its other backpack child carriers. During that meeting, an L.L. Bean representative told the staff that he did not know of such problems.

17. Between December 10, 1998 and February 19, 1999, following the recall of the AC25, L.L. Bean received eight more customer reports of children falling out of the W695.

18. On February 19, 1999, L.L. Bean reported the incidents described in paragraphs 14 and 17 to the Commission.

19. Before February 19, 1999, L.L. Bean obtained information which reasonably supported the conclusion that (a) the W695 contained a defect or defects that could create a substantial product hazard, or that (b) the W695 created an unreasonable risk of serious injury or death, but L.L. Bean failed to report such information to the Commission in a timely manner, as required by section 15(b) of the CPSA, 15 U.S.C. 2064(b).

20. Based on the information it possessed before February 19, 1999, L.L. Bean knew or should have known that it was failing to provide information about the W695 to the Commission in a timely manner, as required by section 15(b) of the CPSA, 15 U.S.C. 2065(b). Therefore, L.L. Bean ''knowingly'' failed to report under section 20(a) and (d) of the CPSA, 15 U.S.C. 2069(a) and(d) is subject to civil penalties under section 20(a) of the CPSA, 15 U.S.C. 2069(a).

III. Response of L.L. Bean

21. L.L. Bean denies the allegation of the staff that the W695 and the AC35 contain defects which could create a substantial product hazard pursuant to section 15(a) of the CPSA, 15 U.S.C. 2064(a), and unreasonable risk of serious injury or death, or that L.L. Bean violated the reporting requirements of section 15(b) of the CPSA, 15 U.S.C. 2064(b).

22. In November 1998, information concerning the AC25 became apparent to L.L. Bean. Promptly thereafter, L.L. Bean voluntarily reported the AC25 to the Commission and proposed a recall. L.L. Bean voluntarily implemented, in cooperation with the Commission, a comprehensive recall under the Commission's Fast Track Program. In February 1999, information concerning the W695 became apparent to L.L. Bean asa result of the recall of the AC25. Promptly thereafter, L.L. Bean voluntarily reported the W695 to the Commission and proposed a recall. L.L. Bean voluntarily implemented, in cooperation with the Commission, a comprehensive recall of the W695 under the Commission's Fast Track Program. The reports received as a result of the recall of the AC25 and described in Paragraph 17 all related to incidents that occurred prior to the meeting between L.L. Bean attorneys and Commission staffe described in paragraph 16.

23. L.L. Bean is entering into this Settlement Agreement for settlement purposes only, to avoid incurring additional legal costs, and denies any liability or wrongdoing related to the W695 or the AC25.

IV. Agreement of the Parties

24. The Commission has jurisdiction over this matter and over L.L. Bean under the Consumer Product Safety Act (CPSA), 15 U.S.C. 2501 *et seq.*

25. L.L. Bean knowingly, voluntarily and completely waives any rights it may have in the above captioned case (1) to the issuance of a Complaint in this matter, (2) to an administrative or judicial hearing with respect to the staff allegations cited herein, (3) to judicial review or other challenges or contest of the validity of the Commission's Order, (4) to a determination by the Commission as to whether a violation of section 15(b) of the CPSA, 15 U.S.C. 2064(b), has occurred, and (5) to a statement of findings of fact and conclusions of law with regard to the staff allegations.

26. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, this Settlement Agreement and Order shall be placed on the public record and shall be published in the **Federal Register** in accordance with 16 CFR 1118.20.

27. The Settlement Agreement and Order becomes effective upon final acceptance by the Commission and its service upon L.L. Bean. L.L. Bean shall pay a civil penalty in the amount of seven hundred fifty thousand ($750,000.00) within 10 calendar days of service of such final Settlement Agreement and Order.

28. Upon provisional acceptance by the Commission, the Commission may publicize the terms of the Settlement Agreement and Order.

29. L.L. Bean agrees to the entry of the attached Order, which is incorporated herein by reference, and agrees to be bound by its terms.

30. This Settlement Agreement and Order is not deemed or construed as an admission by L.L. Bean or a

determination by the Commission (a) of any liability or wrongdoing by L.L. Bean; (b) that L.L. Bean knowingly or otherwise violated any law or regulation; (c) that the AC25 and W695 Child Carriers are defective or create a substantial product hazard, or are unreasonably dangerous; (d) that either of the Child Carriers or L.L. Bean has caused any injuries; (e) of the truth of any claims or other matters alleged or otherwise stated by the Commission or any other person either against L.L. Bean or with respect to the Child Carrier. Nothing contained in this Settlement Agreement and Order precludes L.L. Bean from raising any defense in my future litigation not arising out of the terms of this Settlement Agreement and Order.

31. Compliance by L.L. Bean with the Final Settlement and Order in the above-captioned case fully resolves and settles the allegations of violations of section 15(b) of the CPSA set out above.

32. The Commission's Order in this matter is issued under the provisions of the CPSA, 15 U.S.C. 2051 *et seq.,* and a violation of this Order may subject L.L. Bean to appropriate legal action.

33. This Settlement Agreement and Order is binding upon L.L. Bean and the assigns or successors of L.L. Bean.

34. Agreements, understandings, representations, or interpretations made outside this Settlement Agreement and Order may not be used to vary or to contradict its terms.

L.L. Bean, Inc.,
Dated: August 24, 2000.

Christopher J. McCormick,

Senior Vice President, Chief Marketing Officer.

The U.S. Consumer Product Safety Commission.

Alan H. Schoem,

Assostamt Executive Director, Office of Compliance.

Eric L. Stone,

Director, Legal Division, Office of Compliance.

Dated: August 25, 2000.

Anthony Murawski,

Attorney, Legal Division, Office of Compliance.

Order

Upon consideration of the Settlement Agreement entered into between L.L. Bean, Inc., a corporation, and the staff of the U.S. Consumer Produce Safety Commission; and the Commission having jurisdiction over the subject matter and L.L. Bean, Inc., and it appearing that the Settlement Agreement and Order is in the public interest, it is

Ordered, that the Settlement Agreement be, and hereby is, accepted, and it is

Further Ordered, that, upon final acceptance of the Settlement Agreement and Order, L.L. Bean, Inc. shall pay the Commission a civil penalty in the amount of seven hundred fifty thousand dollars ($750,000) within ten (10) calendar days after service of this Final Order upon L.L. Bean, Inc.

Provisionally accepted and Provisional Order issued on the 29th day of August, 2000.

By Order of the Commission.

Sadye E. Dunn,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 00–22471 Filed 8–31–00; 8:45 am]

BILLING CODE 6355–01–M

DEPARTMENT OF DEFENSE

Office of the Secretary

TRICARE; Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Defense and Veterans Head Injury Program (DVHIP) Demonstration Project.

AGENCY: Office of the Secretary, Department of Defense (DoD).

ACTION: Notice.

SUMMARY: This notice is to advise interested parties of an extension of a demonstration project in which the DoD is participating in the Defense and Veterans Head Injury Program (DVHIP) Protocol II *Traumatic Brain Injury (TBI) Rehabilitation: A Controlled, Rendomized Multicenter Study of Two Interdisciplinary Programs with Adjuvant Pharmacotherapy.* Under the demonstration, DoD will participate in a controlled trial of cognitive therapy for TBI at four participating Department of Veterans Affairs medical facilities. Participation in these clinical trials will provide access to cognitive rehabilitation for TRICARE/CHAMPUS beneficiaries when their conditions meet the study protocol eligibility criteria. The extension of the demonstration project will assist in meeting clinical trial goals and arrival at conclusions regarding the safety and efficacy of cognitive rehabilitation in the treatment of TBI. This demonstration project is under the authority of Title 10, United States Code (U.S.C.), Chapter 55, Section 1092.

EFFECTIVE DATE: August 1, 2000.

FOR FURTHER INFORMATION CONTACT: Mr. Tariq Shahid, Medical Benefits and Reimbursement Systems, TRICARE Management Activity, Aurora, CO, 80045–6900, telephone (303) 676–3801.

SUPPLEMENTARY INFORMATION:

A. Background

On July 29, 1997, the Department provided notice in the **Federal Register** (62 FR 40506) regarding the DVHIP demonstration. The demonstration purpose is to compare traditional and cognitive rehabilitation for patients with Traumatic Brain Injury (TBI) under DVHIP Protocol II TBI Rehabilitation: A Controlled Randomized Multicenter Study of Two Interdisciplinary Programs with Adjuvant Pharmacotherapy.

TBI is the principal cause of death and disability for young Americans, at an estimated cost of over $39 billion per year. Important advances have been made in prevention and acute care, yet the costs of TBI rehabilitation have been growing exponentially. This is in spite of the fact that few, if any, TBI rehabilitation modalities have been subjected to the degree of scientific scrutiny for efficacy and cost efficiency that is usually applied to other medical treatments. The escalating economic burden that TBI places on individual families, as well as on society, is unlikely to be controlled until this issue is resolved.

The Conference Report on the Defense Appropriations Act for Fiscal Year 1992 (House Report 102–328) supported the Department of Defense (DoD) to start an initiative for DoD victims of head injuries. The DVHIP was established in February 1992, and funded in part by direct appropriations to DoD (Health Affairs) from Congress. The DVHIP represents a unique collaboration among the DoD, Department of Veterans Affairs (DVA), and the Brain Injury Association. DVHIP objectives ensure that all DVA-eligible TBI patients receive TBI-specific evaluation and follow-up, while at the same time collecting patient outcome data that will allow the DVHIP to compare the relative efficacy and cost of various TBI treatment and rehabilitation strategies, and to help define optimal care for victims of TBI.

There are four DVA facilities participating in the DVHIP study. These are located in Palo Alto, California; Minneapolis, Minnesota; Richmond, Virginia; and, Tampa, Florida. The DVHIP would provide services at its DVA facilities only for those patients who are eligible for care within the DVA system. This excluded TRICARE/CHAMPUS patients from participation in the DVHIP. The demonstration project provided access to cognitive rehabilitation for TRICARE/CHAMPUS

patients between the ages of 17–55 years.

Cognitive rehabilitation is a generic term lacking a standard definition. The term is used to describe varied systems of multidisciplinary services intended to remedy related cognitive, daily living and psychosocial ability impairments which are secondary to organic brain damage.

The current state of the medical literature does not allow for a TRICARE/CHAMPUS benefit for cognitive rehabilitation in the treatment of TBI patients. The DVHIP is conducting a randomized, prospective trial that would hasten the answers to the current questions of the contribution(s), if any, of cognitive rehabilitation. The study will address the efficacy of cognitive rehabilitation versus traditional rehabilitation of beneficiaries with TBI (moderate to severe closed head injury) in prospective randomized clinical trials.

B. TRICARE/CHAMPUS Policy

TRICARE/CHAMPUS cost shares TBI rehabilitative services such as speech therapy, physical therapy and occupational therapy. However, cognitive rehabilitation therapy, which is frequently provided as a component of TBI care, is considered unproven for brain injury under TRICARE/CHAMPUS.

TRICARE/CHAMPUS, by regulation, does not approve payment for unproven procedures. Any change in the unproven status of cognitive rehabilitation in the treatment of TBI logically awaits the findings from well-controlled studies of clinically meaningful endpoints such as the DVHIP Demonstration Project.

Because CHAMPUS relies upon outcome-based medical literature in the formulation of its coverage policy regarding cognitive rehabilitation, the DoD should assist with research protocols that will directly contribute to the body of science regarding cognitive rehabilitation. Extension of the demonstration project will assist in meeting clinical trial goals of the DVHIP study and arrival at conclusions regarding the safety and efficacy of cognitive rehabilitation in treatment of TBI.

C. Operation of the Demonstration

The Extension of the Demonstration is projected to last for no more than two years. Under the Demonstration, DoD reimburses the four participating DVA facilities at a negotiated rate which covers all professional and institutional services associated with the inpatient bed days required for the initial evaluation, rehabilitation and subsequent re-evaluations of TRICARE/CHAMPUS patients. The beneficiary cost-shares applicable under TRICARE/CHAMPUS apply under the Demonstration Project.

The TRICARE Management Activity provides for demonstration claim processing via specific contractual arrangement with a contractor. The contractors are not involved in clinical issues but direct patients to the nearest participating DVA facility for evaluation.

Dated: August 28, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer Department of Defense.

[FR Doc. 00–22407 Filed 8–31–00; 8:45 am]

BILLING CODE 5001–10–M

DEPARTMENT OF DEFENSE

Department of the Air Force

Proposed Collection; Comment Request

AGENCY: Department of the Air Force, DoD.

ACTION: Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of Admissions announces the proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by October 31, 2000.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to United States Air Force Academy, Office of Admissions, 2304 Cadet Drive, Suite 236, USAFA, CO 80840.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposed and associated collection instruments, please write to the above address, or call United States Air Force Academy, Office of Admissions, (719) 333–7291.

Title, Associated Form, and OMB Number: Air Force Academy Candidate Personal Data Record, USAFA Form 146, OMB Number 0701–0064.

Needs and Uses: The information collection requirement is necessary to obtain data on candidate's background and aptitude in determining eligibility and selection to the Air Force Academy.

Affected Public: Individuals or households.

Annual Burden Hours: 3,617.

Number of Respondents: 7,233.

Responses per Respondent: 1.

Average Burden per Response: 30 Minutes.

Frequency: 1.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

The information collected on this form is required by 10 U.S.C. 9346. The respondents are students who are applying for admission to the United States Air Force Academy. Each student's background and aptitude is reviewed to determine eligibility. If the information on this form is not collected, the individual cannot be considered for admittance to the Air Force Academy.

Janet A. Long,

Air Force Federal Register Liaison Officer.

[FR Doc. 00–22408 Filed 8–31–00; 8:45 am]

BILLING CODE 5001–05–P

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 31, 2000.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or

Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of the requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatements; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment. The Department of Education is especially interested in public comment addressing the following issues: (1) Is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: August 28, 2000.

John Tressler,

Leader, Regulatory Information Management Office of the Chief Information Office.

Office of Vocational and Adult Education

Type of Review: New.

Title: Career Cluster Cooperative Agreements with States.

Frequency: Annually.

Affected Public: State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden: Responses: 11; Burden Hours: 440.

Abstract: This collection solicits applications from States for cooperative agreements to support the development and implementation of Career Cluster curricular frameworks in 11 broad industry sectors. This information collection is being submitted under the Streamlined Clearance Process for Discretionary Grant Information Collections (1890–0001). Therefore, the 30-day public comment period notice will be the only public comment notice published for this information collection.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov,* or should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW, Room 4050, Regional Office Building 3, Washington, D.C. 20202–4651. Requests may also be electronically mailed to the internet address OCIO__IMG__Issues@ed.gov or faxed to 202–708–9346.

Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at (202) 708–6287 or via her internet address Sheila__Carey@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 00–22396 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 2, 2000.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Wai-Sinn Chan, Acting Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, N.W., Room 10235, New Executive Office Building, Washington, D.C. 20503 or should be electronically mailed to the internet address Wai-Sinn__L.__Chan@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purposes of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: August 28, 2000.

John Tressler,

Leader, Regulatory Information Management, Office of the Chief Information Officer.

Office of Special Education and Rehabilitative Services

Type of Review: New.

Title: Alternative Financing Program and the Alternative Financing Technical Assistance Program.

Frequency: Annually.

Affected Public: State, Local, or Tribal Gov't, SEAs or LEAs; Businesses or other for-profit; Not-for-profit institutions.

Reporting and Recordkeeping Hour Burden: Responses: 57; Burden Hours: 1,680.

Abstract: The program is to increase the availability of and expand opportunities for the purchase of assistive technology by creating State loan programs and to establish one grantee to give technical assistance to the State.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov,* or should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW, Room 4050, Regional Office Building 3, Washington, D.C. 20202–4651. Requests may also be electronically mailed to the internet address OCIO__IMG__Issues@ed.gov or faxed to 202–708–9346.

Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Sheila Carey at (202) 708–6287 or via her internet address Sheila__Carey@ed. gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 00–22397 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 2, 2000.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Wai-Sinn Chan, Acting Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, N.W., Room 10235, New Executive Office Building, Washington, D.C. 20503 or should be electronically mailed to the internet address Wai-Sinn__L.__Chan@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g. new, revision, extension, existing or reinstatement; (2) Title; (3) Summary of the collection; (4) Description of the need for, and proposed use of, the information; (5) Respondents and frequency of collection; and (6) Reporting and/or Recordkeeping burden. OMB invites public comment.

Dated: August 28, 2000.

John Tressler,

Leader, Regulatory Information Management, Office of the Chief Information Officer.

Office of the Undersecretary

Type of Review: New.

Title: Teacher Quality Enhancement Grants Annual Performance Reports.

Frequency: Annually.

Affected Public: Not-for-profit institutions; State, Local, or Tribal Gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 77.

Burden Hours: 10,388.

Abstract: There are three types of grants under the Teacher Quality Enhancement Grants Program: State Grants, Partnership Grants, and Recruitment Grants. The grantees of each program must annually submit the performance reports to the Department of Education so that the Department can evaluate the performance of grantees prior to awarding continuation grants, as well as use the data for their annual reports to Congress, as required by the Government's Performance and Results Act of 1993. The grantees are also legislatively mandated to submit annual reports to Congress on their progress toward the programs' goals.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov*, or should be addressed to Vivian Reese, Department of Education, 400 Maryland Avenue, SW, Room 4050, Regional Office Building 3, Washington, D.C. 20202–4651. Requests may also be electronically mailed to the internet address OCIO__IMG__Issues@ed.gov or faxed to 202–708–9346. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Jacqueline Montague at (202) 708–5359 or via her internet address Jackie__Montague@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. 00–22398 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

[CFDA No.: 84.007, 84.033, and 84.038]

Student Financial Assistance, Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant Programs

Notice of the closing date for the submission of the Federal Operations Report for the 1999–2000 award year and Application to Participate for the 2001–2002 award year (FISAP) in the Federal Perkins Loan, Federal Supplemental Educational Opportunity Grant (FSEOG), and Federal Work-Study (FWS) Programs.

SUMMARY: The Secretary gives notice to institutions of higher education of the deadline for an institution to apply for fiscal year 2001 funds—for use in the 2001–2002 award year (July 1, 2001 through June 30, 2002)—under the Federal Perkins Loan, FWS, and FSEOG programs. Under these programs, the Secretary allocates funds to institutions for students who need financial aid to meet the costs of postsecondary education. An institution is not required to establish eligibility prior to applying for funds. However, the Secretary will not allocate funds under the Federal Perkins Loan, FWS, and FSEOG programs for the 2001–2002 award year to any currently ineligible institution unless the institution files its institutional participation application and other documents required for an eligibility and certification determination by the closing date that will appear in a separate notice in the **Federal Register**. The Secretary further gives notice that an institution that had a Federal Perkins Loan Fund or expended FWS or FSEOG funds during the 1999–2000 award year (July 1, 1999 through June 30, 2000) is required to submit a Fiscal Operations Report to the Secretary to report its program expenditures as of June 30, 2000. Institutions perform both functions in one document called the FISAP.

Applicants that did not participate in the Federal Perkins Loan Program, FWS Program, or FSEOG Program in the 1999–2000 award year will be required only to submit data for the application portion of the FISAP.

FISAPs must be submitted electronically. Therefore, an institution must also complete, sign, and submit one original FISAP signature page and one original combined lobbying, debarment, and drug-free workplace certifications form (ED 80–0013, referred to as the ''compliance certifications'' form) for the 2001–2002 award year.

The Federal Perkins Loan, FWS, and FSEOG programs are authorized by parts E and C, and part A, Subpart 3, respectively, of title IV of the Higher Education Act of 1965, as amended.

DATES: *Closing Date for Submitting a FISAP and Required Signed Documents.* To ensure consideration for 2001–2002 funds, an institution must submit an electronic FISAP, the FISAP signature page, and the ''compliance certifications'' form by October 1, 2000.

An institution must submit its FISAP electronically via the Department's Student Aid Internet Gateway (formerly Title IV Wide Area Network or TIV WAN). Specific information and

instructions on this electronic transmission are provided in ''Dear Partner'' letter CB-00–10. This letter is posted at http://ifap.ed.gov

The FISAP electronic data transmission must be completed by 11:59 PM, Eastern Time, on October 1, 2000. In addition, one original completed FISAP signature page and one original, signed combined Drug-Free Workplace, Anti-Lobbying, and Debarment compliance certifications form as printed from the electronic FSIAP software must be mailed to the address indicated below by the established deadline date of October 1, 2000. Documents that are hand-delivered must be received by 5 p.m. on Friday, September 29, 2000.

ADDRESSES: *Signature Page and Compliance Certifications Form Delivered by Mail.* If these documents are delivered by mail, they must be addressed to Electronic FISAP Administrator, c/o Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland 20910–3289.

An institution must show proof of mailing these documents by October 1, 2000. Proof of mailing consists of one of the following: (1) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service, (2) a legibly dated U.S. Postal Service postmark, (3) a dated shipping label, invoice, or receipt from a commercial carrier, or (4) any other proof of mailing acceptable to the U.S. Secretary of Education.

If these documents are sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service. An institution should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying of this method, an institution should check with its local post office. An institution is encouraged to use certified or at least first-class mail.

Signature Page and Compliance Certifications Form Delivered by Hand. If these documents are delivered by hand, they must be taken to Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland.

Documents that are hand-delivered will be accepted between 9 a.m. and 5 p.m. daily (Eastern time), except Saturdays, Sundays, and Federal holidays. Documents hand-delivered must be received by 5 p.m. on September 29, 2000.

SUPPLEMENTARY INFORMATION: The 2001–2002 Campus-Based Programs FISAP Software, Instruction Book and forms were made available in July, 2000 at www.sfadownload.ed.gov and announced in Dear Partner Letter CB–00–10.

This program information package is intended to aid applicants in applying for assistance under these programs. Nothing in the program information package is intended to impose any paperwork, application content, reporting, or grantee performance requirements beyond those specifically imposed under the statute and regulations governing the programs.

Applicable Regulations

The following regulations apply to these programs:

(1) Student Assistance General Provisions, 34 CFR Part 668.

(2) General Provisions for the Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, 34 CFR Part 673.

(3) Federal Perkins Loan Program, 34 CFR Part 674.

(4) Federal Work-Study Programs, 34 CFR Part 675.

(5) Federal Supplemental Education Opportunity Grant Program, 34 CFR Part 676.

(6) Institutional Eligibility under the Higher Education Act of 1965, as amended, 34 CFR Part 600.

(7) New Restrictions on Lobbying, 34 CFR Part 82.

(8) Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants), 34 CFR Part 85.

(9) Drug-Free Schools and Campuses, 34 CFR Part 86.

FOR FURTHER INFORMATION CONTACT: Ms. Sandra Donelson, Campus-Based Operations, Student Financial Assistance, 1250 Maryland Avenue, S.W., Washington, D.C. 20202–5453. Telephone (202) 708–9751. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape or computer diskette) on request to the contact person listed in the preceding paragraph.

Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register,** in text or Adobe Portable Document Format (PDF) on the Internet at either of the following sites:
http://ocfo.ed.gov/fedreg.htm
http://www.ed.gov/news.html

To use the PDF you must have Adobe Acrobat Reader Program, which is available free at either of the previous sites. If you have questions about using the PDF call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, D.C., area at (202) 512–1530.

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http://www.access.gpo.gov/nara/index.html

Program Authority: 20 U.S.C. 1087aa *et seq.*; 42 U.S.C. 2751 et seq.; and 20 U.S.C. 1070b *et seq.*

Dated: August 28, 2000.

Greg Woods,

Chief Operating Officer, Student Financial Assistance.

[FR Doc. 00–22430 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF EDUCATION

Nationally Recognized Accrediting Agencies and State Approval Agencies

AGENCY: Department of Education.

ACTION: List of nationally recognized accrediting agencies and state approval agencies.

SUMMARY: The U.S. Secretary of Education is required by statute to publish a list of nationally recognized accrediting agencies and State approval agencies whose accreditation or approval is a required element in enabling accredited or approved institutions, programs, or both to establish eligibility to participate in Federal programs and whom the Secretary has determined to be reliable authorities regarding the quality of education or training provided by the institutions or programs these agencies accredit or approve. This document contains the current list of nationally recognized agencies and supersedes any previously published lists of these types of agencies.

SUPPLEMENTARY INFORMATION: As required by statute,[1] the Secretary issues the following list of nationally recognized accrediting agencies and State approval agencies that the

[1] 20 U.S.C. 1001(a)(5), 1094(c)(4), 1011c, 1401(a)(11)(E), 4351(3); 25 U.S.C. 1813; 38 U.S.C. 3675(a); 42 U.S.C. 298b(6).

Secretary has determined to be reliable authorities concerning the quality of education or training provided by the institutions, programs, or both that these agencies accredit or approve. The criteria the Secretary uses in determining whether a particular agency should be listed as a nationally recognized accrediting agency are in 34 CFR part 602, while the criteria for State approval agencies are in 34 CFR part 603. The dates in parentheses for each agency are the date of initial listing as a nationally recognized agency, the date of the Secretary's most recent grant of recognition to the agency, and the date of the agency's next scheduled review for continued recognition. The geographical scope of recognition of each accrediting agency is the United States, unless stated otherwise. If the Secretary has placed a limitation on the scope of an agency's recognition for purposes of Title IV of the Higher Education Act of 1965, as amended, that limitation is noted in a Title IV Note for that agency.

Note: A determination as to whether or not an agency's scope of recognition includes the accreditation of distance education applies only to agencies reviewed for recognition after November, 1999.

I. Regional Institutional Accrediting Agencies

Middle States Association of Colleges and Schools, Commission on Higher Education (1952/1996/2002). Scope of recognition: the accreditation and preaccreditation (''Candidate for Accreditation'') of institutions of higher education in Delaware, The District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, the U.S. Virgin Islands, the Republic of Panama and a limited number of freestanding American-style institutions abroad that are chartered or licensed by an appropriate agency within the Middle States region.

New England Association of Schools and Colleges, Commission on Institutions of Higher Education (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of institutions of higher education in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont that award bachelor's, master's, or doctoral degrees, or any combination of these degrees, as well as associate degree-granting institutions in those states that include degrees in liberal arts or general studies among their offerings. This recognition extends to the Board of Trustees of the Association jointly with the Commission for decisions involving preaccreditation, initial accreditation, and adverse actions.

New England Association of Schools and Colleges, Commission on Technical and Career Institutions (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidacy'') of secondary institutions with vocational-technical programs at the 13th and 14th grade level, postsecondary institutions, and institutions of higher education that provide primarily vocational/technical education at the certificate, associate, and baccalaureate degree levels in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. This recognition extends to the Board of Trustees of the Association jointly with the Commission for decisions involving preaccreditation, initial accreditation, and adverse actions. Title IV Note: Any vocational/technical schools accredited by this agency that offer non-degree, postsecondary education and that wish to use that accreditation to establish eligibility to participate in Title IV programs must be accredited by the agency as offering education through the 13th or 14th grade level.

North Central Association of Colleges and Schools, Commission on Institutions of Higher Education (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of degree-granting institutions of higher education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, Wyoming, and the Navajo Nation.

North Central Association of Colleges and Schools, Executive Board of the Commission on Schools (1974/1998/2000). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of schools offering non-degree, postsecondary education in Arizona, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, Wisconsin, Wyoming, and the Navajo Nation. Title IV Note: Only those vocational/technical schools accredited by this agency that offer non-degree, postsecondary education may use that accreditation to establish eligibility to participate in Title IV programs.

Northwest Association of Schools and Colleges, Commission on Colleges (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of institutions of higher education in Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Washington.

Southern Association of Colleges and Schools, Commission on Colleges (1952/1995/2001). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of degree-granting institutions of higher education in Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of community and junior colleges in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Marianna Islands, and the Republic of the Marshall Islands.

Western Association of Schools and Colleges, Accrediting Commission for Schools (1974/1999/2003). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of adult and postsecondary schools that offer programs below the degree level in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Marianna Islands, and the Republic of the Marshall Islands. Title IV Note: Only adult and postsecondary schools accredited by this agency that offer postsecondary programs below the degree level may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities (1952/1995/2001). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of senior colleges and universities in California, Hawaii, the United States territories of Guam and American Samoa, the Republic of Palau, the Federated States of Micronesia, the Commonwealth of the Northern Marianna Islands, and the Republic of the Marshall Islands.

II. National Institutional and Specialized Accrediting Agencies

Accreditation Board for Engineering and Technology, Inc. (1952/1997/2001). Scope of recognition: The accreditation

of basic (baccalaureate) and advanced (master's) level programs in engineering, associate and baccalaureate degree programs in engineering technology, and engineering-related programs at the baccalaureate and advanced degree level. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Accreditation Commission for Acupuncture and Oriental Medicine (1988/1995/2000). Scope of recognition: The accreditation of first-professional master's degree and professional master's level certificate and diploma programs in acupuncture and Oriental medicine. Title IV Note: Only freestanding schools or colleges of acupuncture or Oriental medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Accrediting Association of Bible Colleges, Commission on Accreditation (1952/1996/2001). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of Bible colleges and institutes offering undergraduate programs.

Accrediting Bureau of Health Education Schools (1982/1998/2002). Scope of recognition: The accreditation of private, postsecondary allied health education institutions and institutions that offer predominantly allied health programs, medical assistant programs, medical laboratory technician programs, and allied health programs leading to certificates, diplomas, and the Associate of Applied Science and the Associate of Occupational Science degrees. Title IV Note: Only freestanding allied health education institutions and institutions that offer predominantly allied health programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Accrediting Commission of Career Schools and Colleges of Technology (1967/1999/2003). Scope of recognition: The accreditation of private, postsecondary, non-degree-granting institutions and degree-granting institutions, including those granting associate and baccalaureate degrees, that are predominantly organized to educate students for occupational, trade and technical careers.

Accrediting Commission on Education for Health Services Administration (1970/1995/2000). Scope of recognition: The accreditation of graduate programs in health services administration. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Accrediting Council for Continuing Education and Training (1978/1997/2002). Scope of recognition: The accreditation of institutions of higher education that offer non-collegiate continuing education programs. Title IV Note: Only those institutions classified by this agency as ''vocational'' may use accreditation by the agency to establish eligibility to participate in Title IV programs.

Accrediting Council for Independent Colleges and Schools (1956/1995/2001). Scope of recognition: The accreditation of private postsecondary institutions offering business and business-related programs and the accreditation and preaccreditation (''Recognized Candidate'') of junior and senior colleges of business (including senior colleges with master's degree programs), as well as independent, freestanding institutions offering only graduate business and business-related programs at the master's degree level. Title IV Note: The only institutions preaccredited by this agency that may use that preaccreditation to establish eligibility to participate in Title IV programs are private, non-profit junior and senior colleges of business and private, non-profit freestanding institutions offering only graduate business and business-related programs at the master's degree level.

Accrediting Council on Education in Journalism and Mass Communications (1952/1996/2001). Scope of recognition: The accreditation of units within institutions offering professional undergraduate and graduate (master's) degree programs in journalism and mass communications. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Academy for Liberal Education (1995/1997/2001). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of institutions of higher education and programs within institutions of higher education that offer liberal arts degrees at the baccalaureate level or a documented equivalency. Title IV Note: Only institutions of higher education accredited by this agency may use that accreditation to establish eligibility to participate in Title IV programs.

American Association for Marriage and Family Therapy, Commission on Accreditation for Marriage and Family Therapy Education (1978/1995/2000). Scope of recognition: The accreditation of clinical training programs in marriage and family therapy at the master's, doctoral, and postgraduate levels. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Association of Nurse Anesthetists, Council on Accreditation of Nurse Anesthesia Educational Programs (1955/1996/2002). Scope of recognition: The accreditation of institutions and programs of nurse anesthesia at the certificate, master's, or doctoral degree levels. Title IV Note: Only hospital-based nurse anesthesia programs and freestanding nurse anesthesia institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs

American Bar Association, Council of the Section of Legal Education and Admissions to the Bar (1952/1997/2000). Scope of recognition: The accreditation of programs in legal education that lead to the first professional degree in law, as well as freestanding law schools offering such programs. Title IV Note: Only freestanding law schools may use accreditation by this agency to establish eligibility to participate in Title IV programs.

American Board of Funeral Service Education, Committee on Accreditation (1972/1997/2002). Scope of recognition: The accreditation of institutions and programs awarding diplomas, associate degrees and bachelor's degrees in funeral service or mortuary science. Title IV Note: Only freestanding schools or colleges of funeral service or mortuary science may use accreditation by this agency to establish eligibility to participate in Title IV programs.

American College of Nurse-Midwives, Division of Accreditation (1982/1995/2001). Scope of recognition: The accreditation and preaccreditation (''Preaccreditation'') of basic certificate and graduate nurse-midwifery education programs for registered nurses, as well as the accreditation and preaccreditation of pre-certification nurse-midwifery education programs. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Council on Pharmaceutical Education (1952/1995/2001). Scope of recognition: The accreditation and preaccreditation (''Precandidate'' and ''Candidate'') of professional degree programs in pharmacy leading to the degrees of Baccalaureate in Pharmacy and Doctor of Pharmacy. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Dental Association, Commission on Dental Accreditation (1952/1995/2001). Scope of recognition: The accreditation of predoctoral dental education programs (programs leading to the D.D.S of D.M.D degree); dental auxiliary education programs (dental assisting, dental hygiene and dental laboratory technology); and advanced dental educational programs (general practices residency, advanced general dentistry, and the specialties of dental public health, endodontics, oral pathology, orthodontics, oral and maxillofacial surgery, pedodontics, periodontics, and prosthodontics). Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

The American Dietetic Association, Commission on Accreditation for Dietetics Education (1974/1996/2002). Scope of recognition: The accreditation of coordinated programs in dietetics at both the undergraduate and graduate level, postbaccalaureate dietetic internships, and dietetic technician programs at the associate degree level. Title IV Note: Only postbaccalaureate dietetic internship programs may use accreditation by this agency to establish eligibility to participate in Title IV programs.

American Occupational Therapy Association, Accreditation Council for Occupational Therapy Education (1952/1995/2001). Scope of recognition: The accreditation of entry-level professional occupational therapy educational programs awarding baccalaureate degrees, post-baccalaureate certificates, professional master's degrees, and combined baccalaureate/ master's degrees, and also for the accreditation of occupational therapy assistant programs leading to an associate degree or certificate. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Optometric Association, Council on Optometric Education (1952/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Reasonable Assurance'' and ''Preliminary Approval'' {for professional degree programs} and ''Candidacy Pending'' {for optometric residency programs in Veterans' Administration facilities}) of professional optometric degree programs, optometric residency programs, and optometric technician (associate degree) programs. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Osteopathic Association, Bureau of Professional Education (1952/1995/2000). Scope of recognition: The accreditation and preaccreditation (''Provisional Accreditation'') of freestanding institutions of osteopathic medicine and programs leading to the degree of Doctor of Osteopathy or Doctor of Osteopathic Medicine. Title IV Note: Only freestanding schools or colleges of osteopathic medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.

American Physical Therapy Association, Commission on Accreditation in Physical Therapy Education (1977/1996/2001). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'' status) of programs for the preparation of physical therapists and physical therapist assistants. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Podiatric Medical Association, Council on Podiatric Medical Education (1952/1995/2000). Scope of recognition: The accreditation and preaccreditation (''Candidate Status'') of freestanding colleges of podiatric medicine and programs of podiatric medicine, including first professional programs leading to the degree of Doctor of Podiatric Medicine. Title IV Note: Only freestanding schools or colleges of podiatric medicine may use accreditation by this agency to establish eligibility to participate in Title IV programs.

American Psychological Association, Committee on Accreditation (1970/1999/2004). Scope of recognition: The accreditation of doctoral programs in clinical, counseling, school and combined professional-scientific psychology, predoctoral internship programs in professional psychology, and postdoctoral residency programs in professional psychology. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Speech-Language Hearing Association, Council on Academic Accreditation (1967/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Candidacy Status'') of Master's and doctoral-level degree programs in speech-language pathology and audiology. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

American Veterinary Medical Association, Council on Education (1952/1997/2001). Scope of recognition: The accreditation and preaccreditation (''Reasonable Assurance'') of programs leading to professional degrees (D.V.M. or D.M.V.) in veterinary medicine. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Association for Clinical Pastoral Education, Inc., Accreditation Commission (1969/1998/2001). Scope of recognition: The accreditation of clinical pastoral education (CPE) centers and CPE and supervisory CPE programs. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Association of Advanced Rabbinical and Talmudic Schools, Accreditation Commission (1974/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Correspondent'' and ''Candidate'') of advanced rabbinical and Talmudic schools.

Association of Theological Schools in the United States and Canada, Commission on Accrediting (1952/1999/2003). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accredited Status'') of freestanding institutions, as well as programs affiliated with larger institutions, that offer graduate professional education for ministry and graduate study of theology. Title IV Note: Only freestanding institutions, colleges, or seminaries of theology may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Commission on Collegiate Nursing Education (1999/2000). Scope of recognition: The accreditation of nursing education programs at the baccalaureate and graduate degree levels.

Commission on Opticianry Accreditation (1985/1998/2001). Scope of recognition: The accreditation of two-year programs for the ophthalmic dispenser and one-year programs for the ophthalmic laboratory technician. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

The Council on Chiropractic Education, Commission on Accreditation (1974/1997/2001). Scope of recognition: The accreditation of Doctor of Chiropractic programs and single-purpose institutions offering the Doctor of Chiropractic program. Title IV

Note: Only freestanding schools or colleges of chiropractic may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Council on Education for Public Health (1974/1997/2002). Scope of recognition: The accreditation and preaccreditation (''Preaccreditation'') of graduate schools of public health, graduate programs in community health education outside schools of public health, and graduate programs in community health/preventive medicine outside schools of public health. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Council on Naturopathic Medical Education (1987/1995/1999). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of institutions and graduate programs in Naturopathy that lead to the degree of Doctor of Naturopathy (N.D.) or Doctor of Naturopathic Medicine (N.M.D.). Title IV Note: Only freestanding schools or colleges of naturopathic medicine or naturopathy may use accreditation by this agency to establish eligibility to participate in Title IV programs. NOTE: The agency was last reviewed for continued recognition in December 1999. The Secretary's decision regarding recognition is still pending.

Council on Occupational Education (1969/1997/2000). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of non-degree granting postsecondary occupational/vocational institutions and those postsecondary occupational/vocational education institutions that grant the applied associate degree in specific vocational/occupational fields.

Distance Education and Training Council, Accrediting Commission (1959/1996/2001). Scope of recognition: The accreditation of private and non-private distance education institutions offering non-degree and associate, baccalaureate, and master's degree programs primarily through the distance learning method. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Joint Review Committee on Educational Programs in Nuclear Medicine Technology (1974/1995/2001). Scope of recognition: The accreditation of higher education programs for the nuclear medicine technologist. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Joint Review Committee on Education in Radiologic Technology (1957/1995/2001). Scope of recognition: The accreditation of educational programs for radiographers and radiation therapists. Title IV Note: Only hospital-based radiologic technology programs and freestanding radiologic technology institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.

Liaison Committee on Medical Education (1952/1997/2002). Scope of recognition: The accreditation of medical education programs leading to the M.D. degree. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

Montessori Accreditation Council for Teacher Education, Commission on Accreditation (1995/1999/2003). Scope of recognition: The accreditation of Montessori teacher education institutions and programs evaluated by the following review committees: the American Montessori Society Review Committee and the Independent Review Committee. Title IV Note: Only freestanding Montessori teacher education schools may use accreditation by this agency to establish eligibility to participate in Title IV programs. Further, that accreditation must have been granted in conjunction with the accrediting activities of the review committees listed above.

National Accrediting Agency for Clinical Laboratory Sciences (1974/1996/2001). Scope of recognition: The accreditation of programs in Clinical Laboratory Science/Medical Technology, Clinical Laboratory Technician/Medical Laboratory Technician-Associate Degree, Clinical Laboratory Technician/Medical Laboratory Technician-Certificate, Histologic Technician/Histotechnologist, and Pathologists' Assistant. Title IV Note: Only hospital-based clinical laboratory science programs and freestanding laboratory science institutions may use accreditation by this agency to establish eligibility to participate in Title IV programs.

National Accrediting Commission of Cosmetology Arts and Sciences (1970/1999/2004). Scope of recognition: The accreditation of postsecondary schools and departments of cosmetology arts and sciences.

National Association of Nurse Practitioners in Women's Health, Council on Accreditation (1996/1998/2002). Scope of recognition: The accreditation of women's health nurse practitioner programs. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

National Association of Schools of Art and Design, Commission on Accreditation (1966/1997/2002). Scope of recognition: The accreditation of institutions and units within institutions offering degree-granting and non-degree-granting programs in art, design, or art/design-related disciplines. Title IV Note: Only freestanding schools or colleges of art and design may use accreditation by this agency to establish eligibility to participate in Title IV programs.

National Association of Schools of Dance, Commission on Accreditation (1983/1997/2002). Scope of recognition: The accreditation of institutions and units within institutions offering degree-granting and non-degree-granting programs in dance and dance-related disciplines. Title IV Note: Only freestanding schools or colleges of dance may use accreditation by this agency to establish eligibility to participate in Title IV programs.

National Association of Schools of Music, Commission on Accreditation, Commission on Non-Degree-Granting Accreditation, Commission on Community/Junior College Accreditation (1952/1997/2002). Scope of recognition: The accreditation of institutions and units within institutions offering degree-granting and non-degree-granting programs in music and music-related disciplines, including community/junior colleges and independent degree-granting and non-degree-granting institutions. Title IV Note: Only freestanding schools or colleges of music may use accreditation by this agency to establish eligibility to participate in Title IV programs.

National Association of Schools of Theatre, Commission on Accreditation (1982/1997/2002). Scope of recognition: The accreditation of institutions and units within institutions offering degree-granting and non-degree-granting programs in theatre and theatre-related disciplines. Title IV Note: Only freestanding schools or colleges of theatre may use accreditation by this agency to establish eligibility to participate in Title IV programs.

National Council for Accreditation of Teacher Education (1952/1995/2000). Scope of recognition: The accreditation of professional education units providing baccalaureate and graduate degree programs for the preparation of teachers and other professional personnel for elementary and secondary

schools. Title IV Note: Accreditation by this agency does not enable the entities it accredits to establish eligibility to participate in Title IV programs.

National League for Nursing Accrediting Commission (1952/1998/2001). Scope of recognition: The accreditation of programs in practical nursing, and diploma, associate, baccalaureate and higher degree nurse education programs. Title IV Note: Only diploma programs and practical nursing programs not located in a regionally accredited college or university may use accreditation by this agency to establish eligibility to participate in Title IV programs.

New York State Board of Regents (1952/1995/2000). Scope of recognition: The accreditation (registration) of collegiate degree-granting programs or curricula offered by institutions of higher education located in the state of New York and of credit-bearing certificate and diploma programs offered by degree-granting institutions of higher education located in the state of New York.

Transnational Association of Christian Colleges and Schools, Accreditation Commission (1991/1999/2004). Scope of recognition: The accreditation and preaccreditation (''Candidate for Accreditation'') of postsecondary institutions that offer certificates, diplomas, and associate, baccalaureate, and graduate degrees, including institutions that offer distance education.

III. State Approval Agencies for Public Postsecondary Vocational Education

Kansas Board of Regents (1975/1998/2002).

Missouri State Board of Education (1974/1999/2003).

New York State Board of Regents (1974/1998/2002).

Oklahoma Board of Career and Technology Education (1976/1998/2002). Scope of recognition: The approval of public postsecondary vocational education offered at institutions in the State of Oklahoma that are not under the jurisdiction of the Oklahoma State Regents for Higher Education.

Oklahoma State Regents for Higher Education (1976/1996/2000). Scope of recognition: The approval of public postsecondary vocational education in the state of Oklahoma for which credit earned is applied toward a degree, diploma, or other postsecondary academic or collegiate award given at State institutions comprising the Oklahoma State System of Higher Education.

Puerto Rico Human Resources and Occupational Development Council (1983/2000/2004).

Utah State Board for Applied Technology Education (1976/1998/2002).

IV. State Approval Agencies for Nurse Education

Iowa Board of Nursing (1969/1998/2002).
Maryland Board of Nursing (1985/1998/2002).
Missouri State Board of Nursing (1970/1999/2003).
Montana Board of Nursing (1969/2000/2004).
New Hampshire Board of Nursing (1969/1999/2003).
New York State Board of Regents (1969/1998/2002).

FOR FURTHER INFORMATION CONTACT: Karen W. Kershenstein, Director, Accreditation and State Liaison, U.S. Department of Education, 1990 K Street NW, Room 7105, Washington, D.C. 20006–8509. Telephone: (202) 219–7011. The e-mail address for Dr. Kershenstein is:
Karen__Kershenstein@ed.gov

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Program Authority: 20 U.S.C. 1001(a)(5), 1094(c)(4), 1011c, 1401(a)(11)(E), 4351(3); 25 U.S.C. 1813; 38 U.S.C. 3675(a); 42 U.S.C. 298b(6).

Dated: August 25, 2000.

A. Lee Fritschler,

Assistant Secretary, Office of Postsecondary, Education.

[FR Doc. 00–22400 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–U

DEPARTMENT OF EDUCATION

[CFDA No.: 84.007, 84.033, and 84.038]

Student Financial Assistance; Federal Perkins Loan, Federal Work-Study, and Federal Supplemental Educational Opportunity Grant Programs

Notice of the closing date for submitting waivers of the allocation reduction provisions of the Federal Perkins Loan, Federal Work-Study (FWS), and Federal Supplemental Educational Opportunity Grant (FSEOG) programs.

SUMMARY: Under sections 413D(d)(2), 442(d)(2), and 462(i)(4) of the Higher Education Act of 1965, as amended, if an institution returns to the Department for reallocation more than ten percent of its Federal Perkins Loan, FWS, or FSEOG allocation for an award year, the institution will have its allocation for the second succeeding award year for that program reduced by the dollar amount returned. The Secretary may waive this requirement for an institution if the Secretary finds that enforcement of the requirement would be contrary to the interest of that program. The Secretary considers the enforcement of this requirement contrary to the interest of that program only if the institution returns more than ten percent of its allocation due to circumstances beyond the institution's control that are not expected to recur. Accordingly, we give notice to institutions that returned more than ten percent of their 1999–2000 award year allocations under the Federal Perkins Loan, FWS, or FSEOG programs of the deadline date for submitting a written request to waive the allocation reduction provisions for those programs for the 2001–2002 award year.

DATES: *Closing Date for Submitting a Waiver Request and Supporting Information or Documents.* If an institution returned more than ten percent of its Federal Perkins Loan, FWS, or FSEOG allocation for the 1999–2000 award year and wants a waiver of the allocation reduction provision under that program for the 2001–2002 award year, it must submit a waiver request, provide a written explanation for its return of those funds, and submit any additional documentation to support its explanation by October 1, 2000.

An institution requests a waiver by selecting the ''Yes'' box in Part II, Section C, Line 6 of its Fiscal Operation Report for 1999–2000 and Application to Participate for 2001–2002 (FISAP). Provide a written explanation of the circumstances that caused the underuse of allocation on the electronic FISAP ''Additional Information Screen.'' The institution must transmit its request and explanation electronically by the established FISAP deadline of October 1, 2000.

In addition, an institution may mail or have hand-delivered any additional documentation that its supports its waiver request. The documentation may be included with the FISAP signature page and certification forms. The documentation must be mailed to one of the addresses indicated in this notice by the established deadline date of October 1, 2000. Documents that are hand-delivered must be received by 5 p.m. on Friday, September 29, 2000.

We will not consider any waiver request from an institution that submits its request and supporting information or documents after the closing date.

ADDRESSES: *Supporting Documents Delivered by Mail.* If these documents are delivered by mail, they must be addressed to Electronic FISAP Administrator, c/o Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland 20910–3289.

An institution must show proof of mailing these documents by October 1, 2000. Proof of mailing consists of one of the following: (1) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service, (2) a legibly dated U.S. Postal Service postmark, (3) a dated shipping label, invoice, or receipt from a commercial carrier, or (4) any other proof of mailing acceptable to the U.S. Secretary of Education.

If these documents are sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing: (1) A private metered postmark, or (2) a mail receipt that is not dated by the U.S. Postal Service. An institution should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an institution should check with its local post office. An institution is encouraged to use certified or at least first-class mail.

Supporting Documents Delivered by Hand. If these documents are delivered by hand, they must be taken to Universal Automation Labs (UAL), Suite 500, 8300 Colesville Road, Silver Spring, Maryland.

Documents that are hand-delivered will be accepted between 9 a.m. and 5 p.m. daily (Eastern Time), except Saturdays, Sundays, and Federal holidays. Documents hand-delivered must be received by 5 p.m. on September 29, 2000.

Applicable Regulations

The following regulations apply:

(1) Student Assistance General Provisions, 34 CFR Part 668.

(2) General Provisions for the Federal Perkins Loan Program, Federal Work-Study Program, and Federal Supplemental Educational Opportunity Grant Program, 34 CFR Part 673.

(3) Federal Perkins Loan Program, 34 CFR Part 674.

(4) Federal Work-Study Program, 34 CFR Part 675.

(5) Federal Supplemental Educational Opportunity Grant Program, 34 CFR Part 676.

(6) Institutional Eligibility Under the Higher Education Act of 1965, as amended, 34 CFR Part 600.

(7) New Restrictions on Lobbying, 34 CFR Part 82

(8) Governemntwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirments for Drug-Free Workplace (Grants) 34 CFR Part 85

(9) Drug-Free Schools and Campuses, 34 CFR Part 86.

FOR FURTHER INFORMATION CONTACT: For technical assistance concerning the waiver request or other operational procedures of the campus-based programs, contact: Ms. Sandra K. Donelson, Campus-Based Operations, Student Financial Assistance, 1250 Maryland Avenue, SW., Washington, D.C. 20202–5453. Telephone (202) 708–9751. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

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Program Authority: 20 U.S.C. 1087aa *et seq.*; 42 U.S.C. 2751 *et seq.*; and 20 U.S.C. 1070b *et seq.*

Dated: August 28, 2000.

Greg Woods,

Chief Operating Officer, Office of Student Financial Assistance.

[FR Doc. 00–22429 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EC00–118–001]

Arizona Public Service Company, Pinnacle West Capital Corporation, Pinnacle West Energy Corportation; Notice of Filing

August 28, 2000.

Take notice that on August 23, 2000, Arizona Public Service Corporation (APS), Pinnacle West Capital Corporation (PWCC), and Pinnacle West Energy Corportation (PWE) (collectively, Applicants), submitted a supplement to the Application under Section 203 of the Federal Power Act, 16 U.S.C. 824b (1994), and Part 33 of the Federal Energy Regulatory Commission's (FERC or the Commission) Regulations, 18 CFR 33.1–33.10, submitted by Applicants on July 28, 2000 in Docket No. EC00–118–000.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before September 7, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public

inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22473 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Casco Bay Energy Company, LLC, Duke Energy Oakland, LLC, Duke Energy Trenton, LLC, Duke Energy South Bay, LLC, Duke Energy Morro Bay, LLC, and Duke Energy Moss Landing, LLC; Notice of Filing

August 28, 2000.

Take notice that Casco Bay Energy Company, LLC, Duke Energy Oakland, LLC, Duke Energy Trenton, LLC, Duke Energy South Bay, LLC, Duke Energy Morro Bay, LLC, and Duke Energy Moss Landing, LLC (collectively the Applicants) filed on August 23, 2000, an amended request for approval of the disposition of jurisdictional assets that may result from the transfer of the Applicants' limited liability company membership interests among the Applicants' upstream affiliates.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before September 7, 2000. Protests will be considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22474 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP97–14–009]

Midwestern Gas Transmission Company; Notice of Compliance Filing

August 28, 2000.

Take notice that on August 22, 2000 Midwestern Gas Transmission Company (Midwestern), P.O. Box 2511, Houston, Texas 77252, tendered for filing and acceptance executed copies of certain transportation service agreements between Midwestern and Nicor Gas (Nicor). Midwestern states that the purpose of the filing is to comply with the Federal Energy Regulatory Commission's (Commission) June 30, 2000 Letter Order in the referenced proceeding. Midwestern further states that the attached agreements will become effective November 1, 2000.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission's and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22413 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP00–103–001]

Northern Natural Gas Company; Notice of Compliance Filing

August 28, 2000.

Take notice that Northern Natural Gas Company (Northern) on August 22, 2000, tendered for filing to become part of Northern's F.E.R.C. Gas Tariffs, the following tariff sheets proposed to be effective on April 18, 2000:

Fifth Revised Volume No. 1

Sixth Revised Sheet No. 5

Original Volume No. 2

11 Revised Sheet No. 1A.3
162 Revised Sheet No. 1C
Fourth Revised Sheet No. 353

The above sheets represent cancellation of Rate Schedule X–25 from Northern's Original Volume No. 2 F.E.R.C. Gas Tariff, and its associated deletion from the Table of Contents in Northern's Volume Nos. 1 and 2 tariffs.

Copies of the filing were served upon the company's customers and interested state Commissions.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22416 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Docket No. EC00–120–000]

South Beloit Water, Gas and Electric Company; Notice of Filing

August 28, 2000.

Take notice that on August 24, 2000, South Beloit Water, Gas and Electric Company (SBWGE) filed Exhibit H to their Application that was filed on August 3, 2000.

Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions and protests should be filed on or before September 7, 2000. Protests will be

considered by the Commission to determine the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http:www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22472 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP96–312–031]

Tennessee Gas Pipeline Company; Notice of Compliance Filing

August 28, 2000.

Take notice that on August 22, 2000 Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, tendered for filing and acceptance an executed copy of a transportation service agreement between Tennessee and Nicor Gas (''Nicor''). Tennessee states that the purpose of the filing is to comply with the Federal Energy Regulatory Commission's (''Commission'') June 29, 2000 Letter Order in the referenced proceeding. Tennessee further states that the attached transportation agreement will become effective November 1, 2000.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Rules and Regulations. All such protests must be filed as provided in Section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22415 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP00–496–001]

Total Peaking Services, L.L.C.; Notice of Proposed Changes in FERC Gas Tariff

August 28, 2000.

Take notice that on August 21, 2000, Total Peaking Services, L.L.C. (Total Peaking) tendered for filing various revised tariff sheets to address several minor housekeeping matters, specifically, changing Total Peaking's address, creating a new Internet Web Site, and correcting several typographical errors.

Any person desiring to protest this filing should file a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Section 385.211 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22414 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG00–246–000, et al.]

Badger Generating Company, LLC, et al.; Electric Rate and Corporate Regulation Filings

August 24, 2000.

Take notice that the following filings have been made with the Commission:

1. Badger Generating Company, LLC

[Docket No. EG00–246–000]

Take notice that on August 21, 2000, Badger Generating Company, LLC (Badger), a limited liability company with its principal place of business at 7500 Old Georgetown Road, Bethesda, Maryland 20814, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations.

Badger proposes to construct, own or lease and operate a natural gas-fired, combined cycle power plant of approximately 1050 MW capacity on one of two alternative sites in southeastern Wisconsin. The proposed power plant is expected to commence commercial operation in 2003. All output from the plant will be sold by Badger exclusively at wholesale.

Comment date: September 14, 2000, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

2. Orion Power Holdings, Inc., Astoria Generating Company, L.P., Carr Street Generating Station, L.P., Erie Boulevard Hydropower, L.P., and Orion Power MidWest, L.P.

[Docket No. EC00–129–000]

Take notice that on August 21, 2000, Orion Power Holdings, Inc., Astoria Generating Company, L.P., Carr Street Generating Station, L.P., Erie Boulevard Hydropower, L.P., and Orion Power MidWest, L.P. (collectively Applicants), tendered for filing an application pursuant to Section 203 of the Federal Power Act (FPA) to authorize a transfer in control of the Applicants by offering shares of Orion Power's common stock to the public.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

3. WFEC GENCO, L.L.C.

[Docket No. EG00–247–000]

Notice of Application For Commission Determination of Exempt Wholesale Generator Status

August 24, 2000.

Take notice that on August 21, 2000, WFEC GENCO, L.L.C. (Applicant), P.O. Box 656, 701–B N.E. 7th Street, Anadarko, Oklahoma, 73005, filed with the Federal Energy Regulatory Commission (Commission) an application for determination of exempt wholesale generator status pursuant to

Part 365 of the Commission's Regulations.

Applicant, an Oklahoma limited liability company, intends to own and/or operate two eligible facilities in Oklahoma. The facilities will consist of two 45–MW combustion turbine generating units, as well as interconnecting transmission facilities necessary to effect sales of electric energy at wholesale.

Comment date: May 5, 2000, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

4. Mid-Atlantic Energy Development Company

[Docket No. ER00–3216–001]

Take notice that on August 21, 2000, Mid-Atlantic Energy Development Company (Mid-Atlantic), tendered for filing an amendment to its application in this proceeding that included a Statement of Policy and Code of Conduct with Respect to the Relationship between Mid-Atlantic and the FirstEnergy Operating Companies.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

5. Duquesne Light Company

[Docket No. ER00–3447–000]

Take notice that on August 21, 2000, Duquesne Light Company (DLC), tendered for filing a Service Agreement dated August 18, 2000 with H.Q. Energy Services (U.S.) Inc., under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds H.Q. Energy Services (U.S.) Inc. as a customer under the Tariff.

DLC requests an effective date of August 18, 2000, for the Service Agreement.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

6. Duquesne Light Company

[Docket No. ER00–3448–000]

Take notice that on August 21, 2000, Duquesne Light Company (DLC), tendered for filing a Service Agreement dated August 18, 2000 with H.Q. Energy Services (U.S.) Inc. under DLC's Open Access Transmission Tariff (Tariff). The Service Agreement adds H.Q. Energy Services (U.S.) Inc. as a customer under the Tariff.

DLC requests an effective date of August 18, 2000, for the Service Agreement.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

7. Southern Indiana Gas and Electric Company

[Docket No. ER00–3449–000]

Take notice that on August 21, 2000, Southern Indiana Gas and Electric Company (SIGECO), tendered for filing Service Agreements for Firm and Non-Firm Transmission Service under Part II of its Transmission Services Tariff with Public Service Company of Colorado and The Energy Authority, Inc., and a Service Agreement for Firm Point-to-Point Transmission with Cinergy Services, Inc.

Copies of the filing were served upon each of the parties to the Service Agreement.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

8. Virginia Electric and Power Company

[Docket No. ER00–3450–000]

Take notice that on August 21, 2000, Virginia Electric and Power Company (Virginia Power or the Company), tendered for filing the following Service Agreement for Firm Point-to-Point Transmission Service by Virginia Electric and Power Company to DTE Energy Marketing, Inc. designated as Service Agreement No. 294 under the Company's Retail Access Pilot Program, pursuant to Attachment L of the Company's Open Access Transmission Tariff, FERC Electric Tariff, Second Revised Volume No. 5, to Eligible Purchasers effective June 7, 2000.

Virginia Power requests an effective date of August 21, 2000, the date of filing of the Service Agreements.

Copies of the filing were served upon DTE Energy Marketing, Inc., the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

9. Virginia Electric and Power Company

[Docket No. ER00–3451–000]

Take notice that on August 21, 2000, Virginia Electric and Power Company (Virginia Power or the Company), tendered for filing a Service Agreement for Firm Point-to-Point Transmission Service by Virginia Electric and Power Company to Allegheny Energy Supply Company, LLC designated as Service Agreement No. 293 under the Company's Retail Access Pilot Program, pursuant to Attachment L of the Company's Open Access Transmission Tariff, FERC Electric Tariff, Second Revised Volume No. 5, to Eligible Purchasers effective June 7, 2000.

Virginia Power requests an effective date of August 21, 2000, the date of filing of the Service Agreements.

Copies of the filing were served upon Allegheny Energy Supply Company, LLC, the Virginia State Corporation Commission, and the North Carolina Utilities Commission.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

10. Commonwealth Edison Company

[Docket No. ER00–3452–000]

Take notice that on August 21, 2000, Commonwealth Edison Company (ComEd), tendered for filing 15 Short-Term Firm Transmission Service Agreements with Central Illinois Light Company (CIL), Commonwealth Edison Company, in its Wholesale Merchant Function (WMD), DTE Energy Trading, Inc. (DTE), Enron Power Marketing, Inc. (EPMI), Entergy Power Marketing Corp. (EPMC), Merchant Energy Group of the Americas, Inc. (MEGA), MIECO Inc. (MIECO), Morgan Stanley Capital Group, Inc. (MSCGI), NewEnergy, Inc. (NEI), Northern States Power Company (NSP), Skygen Energy Marketing, LLC (Skygen), Wisconsin Electric Power Company (WEP), Wabash Valley Power Association, Inc. (WVPA), Rainbow Energy Marketing Corporation (REMC) and Virginia Electric and Power Company (VEP) under the terms of ComEd's Open Access Transmission Tariff (OATT). These Agreements have been amended to provide that Transmission Customers must confirm accepted requests for service within the reservation timing requirements established in the Commission's Order No. 638. These Agreements amend and supersede agreements already on file with the Commission.

ComEd requests an effective date of May 30, 2000 for the Agreements, and accordingly, seeks waiver of the Commission's notice requirements.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

11. Northeast Utilities Service Company

[Docket No. ER00–3453–000]

Take notice that on August 21, 2000, Northeast Utilities Service Company (NUSCO), on behalf of its affiliates, The Connecticut Light and Power Company, Western Massachusetts Electric Company, Holyoke Water Company, Holyoke Power and Electric Company, and Public Service Company of New Hampshire, submitted pursuant to section 35.15, 18 CFR 35.15 of the Commission's Regulations, a notice of termination of the Amended and

Restated Power Sales Agreement (including Schedule A and Schedule B) between NUSCO and Citizens Power Sales LLC (formerly Citizens Lehman Power Sales), under the NU System Companies' Sale for Resale Tariff No. 6. NUSCO requests the termination of the rate schedules be made effective the later of November 1, 2000 or such date that certain condition precedents to the termination of these rate schedules have occurred.

NUSCO states that a copy of this filing has been mailed to Citizens Power Sales LLC and the Connecticut Department of Public Utility Control.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

12. Duke Power, a division of Duke Energy Corporation

[Docket No. ER00–3454–000]

Take notice that on August 21, 2000, Duke Power, a division of Duke Energy Corporation (Duke Power), tendered for filing FERC Electric Rate Schedule No. 5—Wholesale Market-Based Rate Tariff Providing For Sales Of Capacity, Energy, Or Ancillary Services And Resale Of Transmission Rights.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

13. Potomac Electric Power Company

[Docket No. ER00–3455–000]

Take notice that on August 21, 2000, Potomac Electric Power Company (Pepco), tendered for filing a service agreement pursuant to Pepco FERC Electric Tariff, Original Volume No. 5, entered into between Pepco and Koch Energy Trading, Inc.

An effective date of May 1, 2000, for this service agreement, with waiver of notice, is requested.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

14. Oklahoma Gas and Electric Company

[Docket No. ER00–3456–000]

Take notice that on August 21, 2000, Oklahoma Gas and Electric Company (OG&E), tendered for filing, an Interconnection Agreement with ONEOK Power Marketing Company (ONEOK). The Interconnection Agreement provides for interconnection of the ONEOK facility to the OG&E transmission system at the rates, terms, charges, and conditions set forth therein.

OG&E is requesting that the Interconnection Agreement becomes effective as of August 14, 2000 and is also requesting waiver of the Commission's Notice requirements.

Copies of this filing have been served upon the Oklahoma Corporation Commission, the Arkansas Public Service Commission and on ONEOK .

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

15. Badger Generating Company, LLC

[Docket No. ER00–3457–000]

Take notice that on August 21, 2000, Badger Generating Company, LLC (Badger), tendered for filing pursuant to section 205 of the Federal Power Act, and Part 35 of the Commission's Regulations, a Petition for authorization to make sales of capacity, energy, and certain Ancillary Services at market-based rates; to reassign transmission capacity; and to resell firm transmission rights (FTRs). Badger proposes to construct a natural gas-fired, combined cycle power plant of approximately 1050 MW capacity on one of two alternative sites in southeastern Wisconsin.

Comment date: September 11, 2000, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/ online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22412 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EG00–226–000, et al.]

Newington Energy, L.L.C., et al. Electric Rate and Corporate Regulation Filings

August 25, 2000.

Take notice that the following filings have been made with the Commission:

1. Newington Energy, L.L.C.

[Docket No. EG00–225–000]

Take notice that on July 10, 2000, Newington Energy, L.L.C. (NEL), a Delaware limited liability company with its principal place of business at 111 Broadway, New York, NY 10006, tendered for filing with the Federal Energy Regulatory Commission an amendment to its application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's Regulations. On August 18, 2000, NEL filed an Amendment No. 1 to its application amending numbered paragraph 6 of such application.

NEL proposes to own and operate a nominally rated approximately 525 MW natural gas-fired, combined cycle power plant in the town of Newington, New Hampshire. The proposed power plant is expected to commence commercial operation in May, 2002. All capacity and energy from the plant will be sold exclusively at wholesale.

Comment date: September 15, 2000, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those the concern the adequacy or accuracy of the application.

2. American Electric Power Service Corporation

[Docket No. ER00–3463–000]

Take notice that on August 22, 2000, the American Electric Power Service Corporation (AEPSC), tendered for filing executed Firm and Non-Firm Point-to-Point Transmission Service Agreements for MidAmerican Energy Company. The agreements are pursuant to the AEP Companies' Open Access Transmission Service Tariff (OATT) that has been designated as the Operating Companies of the American Electric Power System FERC Electric Tariff Revised Volume No. 6, effective June 15, 2000.

AEPSC requests waiver of notice to permit the Service Agreements to be made effective for service billed on and after August 1, 2000.

AEPSC also requests termination on August 19, 2000, of a firm service

agreement executed October 1, 1999, by Illinova Power Marketing, Inc. under AEP Companies' FERC Electric Tariff Original Volume No. 4. Dynegy Power Marketing, Inc., merger partner to Illinova Corporation, requested the termination of the service agreement.

A copy of the filing was served upon the Parties and the state utility regulatory commissions of Arkansas, Indiana, Kentucky, Louisiana, Michigan, Ohio, Oklahoma, Tennessee, Texas, Virginia and West Virginia.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

3. MidAmerican Energy Company

[Docket No. ES00–51–000]

Take notice that on August 22, 2000, MidAmerican Energy Company (MidAmerican) submitted an application pursuant to section 204 of the Federal Power Act seeking authorization to issue and sell bonds, notes, debentures, guarantees or other evidences of long-term indebtedness in a principal amount not to exceed $500 million. MidAmerican seeks authorization for a two-year period commencing October 21, 2000, and terminating October 20, 2002.

MidAmerican also requests a waiver of the Commission's competitive bidding and negotiated placement requirements of 18 CFR 34.2.

Comment date: September 15, 2000, in accordance with Standard Paragraph E at the end of this notice.

4. Alcoa Power Generating Inc.

[Docket No. ER00–3465–000]

Take notice that on August 22, 2000 Alcoa Power Generating Inc. (APGI), tendered for filing a service agreement between British Columbia Power Exchange Corporation (British Columbia) and APGI under APGI's Market Rate Tariff No. 1 (MR–1). This Tariff was accepted for filing by the Commission on July 13, 1999, in Docket No. ER99–2932–000.

APGI requests waiver of the Commission's prior notice requirement and requests an effective date of July 16, 2000.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

5. New York Independent System Operator, Inc.

[Docket No. ER00–3462–000]

Take notice that on August 22, 2000, the New York Independent System Operator, Inc. (NYISO), tendered for filing proposed revisions to section 5.14 of its Market Administration and Control Area Services Tariff.

The NYISO requests an effective date of 60 days after this filing (October 23, 2000).

Copies of this filing were served upon all persons who have signed the NYISO Market Administration and Control Area Services Tariff.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

6. California Power Exchange Corporation

[Docket No. ER00–3461–000]

Take notice that on August 22, 2000, California Power Exchange Corporation (CalPX), tendered for filing a proposed amendment to Original Sheet No. 96 of its FERC Electric Service Tariff No. 2. That amendment seeks Commission authorization to implement a maximum price limit resolution which was approved by the CalPX Board of Governors on August 16, 2000 (a copy of which is included in CalPX's submittal).

CalPX proposes an effective date as soon as possible but no later than 60 days after filing.

Copies of the filing were served on all CalPX participants, the California Public Utilities Commission and the Official Service List in Docket No. EL00–95–000. The filing is also posted on the CalPX website at www.CalPX.com.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

7. Tucson Electric Power Company

[Docket No. ER00–3460–000]

Take notice that on August 22, 2000, Tucson Electric Power Company tendered for filing one (1) umbrella service agreement (for short-term firm service) and one (1) service agreement (for non-firm service) pursuant to Part II of Tucson's Open Access Transmission Tariff, which was filed in Docket No. OA 96–140–000.

The details of the service agreement is as follows:

(1) Umbrella Agreement for Short-Term Firm Point-to-Point Transmission Service dated as of August 7, 2000 by and between Tucson Electric Power Company and American Electric Power Service Corporation—FERC Electric Tariff Vol. No. 2, Service Agreement No. 116. No service has commenced at this time.

(2) Form of Service Agreement for Non-Firm Point-to Point Transmission Service dated as of August 7, 2000 by and between Tucson Electric Power Company and American Electric Power Service Corporation—FERC Electric Tariff Vol. No. 2, Service Agreement No. 117. No service has commenced at this time.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

8. Alliant Energy Corporate Services, Inc.

[Docket No. ER00–3459–000]

Take notice that on August 22, 2000, Alliant Energy Corporate Services, Inc. tendered for filing executed Service Agreements for short-term firm point-to-point transmission service and non-firm point-to-point transmission service, establishing TXU Energy Trading Company as a point-to-point Transmission Customer under the terms of the Alliant Energy Corporate Services, Inc., transmission tariff.

Alliant Energy Corporate Services, Inc., requests an effective date of July 31, 2000, and accordingly, seeks waiver of the Commission's notice requirements.

A copy of this filing has been served upon the Illinois Commerce Commission, the Minnesota Public Utilities Commission, the Iowa Department of Commerce, and the Public Service Commission of Wisconsin.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

9. Nevada Power Company

[Docket No. ER00–3458–000]

Take notice that on August 22, 2000, Nevada Power Company (Nevada Power), tendered for filing executed Service Agreements (Agreements) with Cargill-Alliant, LLC for Non-Firm and Short-Term Firm Transmission Service under Sierra Pacific Resources Operating Companies, FERC Electric Tariff, Original Volume No. 1, Open Access Transmission Tariff (Tariff).

Nevada Power filed the executed Agreements with the Commission in compliance with Section 13.4 and 14.4 of the Tariff and applicable Commission regulations. Nevada Power also submitted Original Sheet Nos. 173 and 173A (Attachment E) to the Tariff, which is an updated list of all current subscribers. Nevada Power requests waiver of the Commission's notice requirements to permit and effective date of August 23, 2000 for Attachment E, and to allow the Agreements to become effective according to their terms.

Copies of this filing were served upon the Public Utilities Commission of Nevada, the Public Utilities Commission of California and all interested parties.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

10. Nevada Power Company

[Docket No. ER00–2015–003]

Sierra Pacific Power Company

[Docket No. ER00–2018–003]

Take notice that on August 22, 2000, Nevada Power Company (Nevada Power) and Sierra Pacific Power Company (Sierra), tendered for filing pursuant to Section 205 of the Federal Power Act and the Commission's Order in the above-referenced proceeding dated May 31, 2000, a revised section 5.1 to the Transition Power Purchase Contracts that will apply to sales from the divested generation to Nevada Power and Sierra. The revisions are intended to comply with the requirement in the Commission's May 31 Order regarding the notice that must be given of the amount of capacity taken under the contracts.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

11. Entergy Services, Inc.

[Docket Nos. ER99–2854–002; EL99–87–002; ER95–112–011; and ER96–586–006]

Take notice that on August 22, 2000, Entergy Services, Inc. (Entergy Services), on behalf of Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana, Inc., Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (collectively, the Entergy Operating Companies), tendered for filing a compliance refund report in accordance with the Commission orders issued in Docket Nos. ER95–112–010 and ER96–586–005 and Docket Nos. ER99–2854–001 and EL99–87–001.

Comment date: September 12, 2000, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 00–22411 Filed 8–31–00; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Notice of Intent to Prepare an Environmental Impact Statement for the Proposed Sundance Energy Project, Coolidge, Arizona

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of intent to prepare an Environmental Impact Statement.

SUMMARY: In accordance with section 102(2) of the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. 4332, the Western Area Power Administration (Western) intends to prepare an Environmental Impact Statement (EIS) regarding the proposal by PPL Global to construct an electric generating facility on private property and to interconnect this facility with an existing Western transmission line and Western's grid in the vicinity of Coolidge, Arizona. Two 4.5-mile long transmission lines would connect the proposed power generating facility with a point of interconnection on Western's Liberty-Coolidge 230-kilovolt (kV) transmission line west of Coolidge. In addition, a 1.5-mile, 230-kV transmission line would connect the power plant with Western's Signal Substation. An existing 115-kV transmission line from the Signal Substation to the Coolidge Substation would be upgraded to 230-kV and other work inside the Signal Substation would be required to upgrade it.

In this notice, Western announces its intention to prepare an EIS for the proposed project. Western's scoping efforts will include notification of the general public, Federal, State, local, and tribal agencies of the proposed action, public scoping meetings, and the solicitation of issues to be considered in the EIS.

DATES: The dates for scoping meetings will be announced at least 15 days prior to the meeting date. The announcement will be published in the **Federal Register**, with the local media, and posted on Western's web page, www.wapa.gov. Written comments on the scope of the EIS for the proposed transmission interconnection and electric generating facility should be received within October 31, 2000 in order to be incorporated in the Draft EIS.

ADDRESSES: If you are interested in receiving future information for the proposed project or wish to submit written comments, please contact Mr. John Holt, Environment Manager, Desert Southwest Customer Service Region, Western Area Power Administration, P.O. Box 6457, Phoenix, AZ 85005–6457, phone (602) 352–2780, fax (602) 352–2956, e-mail jholt@wapa.gov.

FOR FURTHER INFORMATION CONTACT: For general information on the U.S. Department of Energy's NEPA review procedures or status of a NEPA review, contact Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, EH–42, U.S. Department of Energy, 1000 Independence Avenue SW., Washington, DC 20585, telephone (202) 586–4600 or (800) 472–2756.

SUPPLEMENTARY INFORMATION: PPL Global proposes to construct the Sundance Energy Project on private lands in Pinal County, approximately 5 miles southwest of Coolidge, Arizona. The project would be a non-utility merchant plant that would sell power during peak demand periods to wholesale-only contract or the on-the-spot market customers. All economic costs of the project will be borne by PPL Global.

The Project would consist of a nominal 600-megawatt natural gas-fired, simple cycle peaking facility and on-site supporting infrastructure including: an administration building, warehouse storage, water treatment facilities, inlet air cooling system to optimize inlet air combustion, gas conditioning equipment, and new on-site access roads. The Project would be designed to operate primarily during on-peak hours. The Project's water consumption would be about 600 acre/feet per year. The water source would be excess Central Arizona Project water delivered through an existing irrigation canal at the site, a new groundwater well, or a combination of both. The generating facility and infrastructure would occupy less than 40 acres of a 280-acre parcel of rural property controlled by PPL Global. Additional proposed on-site facilities would include an interconnection with an existing natural gas transmission pipeline that runs through the project property and the construction of 14 miles of natural gas pipeline to connect with another existing natural gas transmission pipeline southwest of the proposed power plant.

The Project would entail construction of new 230-kV transmission lines and the upgrade of Western's Signal-Coolidge 115-kV transmission line to 230-kV to interconnect with Western's existing Liberty-Coolidge 230-kV transmission Line.

Because of the potential for incorporating new generation into Western's system, and the proposed interconnections with the existing system, Western has determined the need to prepare an EIS in accordance with U.S. Department of Energy's (DOE) NEPA Implementing Procedures found at 10 CFR 1021, Appendix D6 to Subpart D. Although State and local agencies are responsible for issuing permits for the proposed electric generating facility, the EIS will include the analysis of effects from construction and operation of the generating facility as part of the proposed action.

The EIS will be prepared in accordance with the requirements of NEPA and DOE's NEPA Implementing Procedures in conjunction with the Council of Environmental Quality regulations. Full public participation and disclosure are planned for the entire EIS process. Western anticipates the EIS process will take about 15 months. It will include public information/scoping meetings; coordination and involvement with appropriate Federal, State, local, and tribal government agencies; public review and hearing on the published Draft EIS; a published Final EIS; a review period; and publication of a Record of Decision (ROD). Publication of the ROD is anticipated in the fall of 2001.

Dated: August 22, 2000.

Michael S. Hacskaylo,

Administrator.

[FR Doc. 00–22510 Filed 8–31–00; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Notice of Wetlands Involvement for the Captain Jack-Olinda 500-kV Transmission Line Access Road Creek Crossing

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of wetlands involvement.

SUMMARY: The Western Area Power Administration (Western) proposes to install culverts at the access road crossing of a tributary to Miners Creek about 2 miles southwest of Big Bend, California, and about 2,500 feet east of the confluence of Miners Creek and the Pit River. An existing bridge at the creek crossing has collapsed, denying access to a dead-end transmission structure on the Captain Jack-Olinda 500-kilovolt (kV) transmission line. If access to the structure is not restored, Western's maintenance crews would need to bulldoze across the creek to reach the structure in the event of structure damage or other emergency. Per a review of the flood hazard maps for Shasta County, California, Western determined that creek crossing does not involve a 100-year floodplain. However, a field review indicates that wetlands associated with the creek and its floodplain could be affected by the crossing. In accordance with the U.S. Department of Energy's Floodplain/Wetland Review Requirements (10 CFR part 1022), Western will prepare a wetland assessment as part of an environmental assessment for the creek crossing and will perform the proposed actions in a manner so as to avoid or minimize potential harm to, or within, the affected wetland.

DATES: Comments on the proposed floodplain action are due to the address below no later than September 18, 2000.

ADDRESSES: Comments should be addressed to Ms. Nancy Werdel, Environment Manager, Sierra Nevada Customer Service Region, Western Area Power Administration, 114 Parkshore Drive, Folsom, CA, 95630–4710, fax (916) 985–1934, e-mail werdel@wapa.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Dave Swanson, Environmental Specialist, Western Area Power Administration, P.O. Box 281213, Lakewood, CO, 80228–8213, telephone (720) 962–7261, fax (720) 962–7263, e-mail swanson@wapa.gov.

SUPPLEMENTARY INFORMATION: The proposal to install culverts at the creek crossing of the tributary to Miners Creek would involve construction activities that could affect the wetlands of the tributary. Construction activities may include the placement of culverts within the creek bed, grading at and near the banks of the creek, and filling road bed material over and around the culverts. The environmental assessment will examine the installation of culverts and alternative crossing methods. The creek crossing is located in Shasta County, California, in T. 36 N., R. 1 W., Section 2. Maps and further information are available from Western from the contacts above.

Dated: August 22, 2000.

Michael S. Hacskaylo,

Administrator.

[FR Doc. 00–22511 Filed 8–31–00; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Western Area Power Administration

Washoe Project, Stampede Division—Rate Order No. WAPA–93

AGENCY: Western Area Power Administration, DOE.

ACTION: Notice of rate order.

SUMMARY: The Deputy Secretary of the Department of Energy (DOE) has confirmed and approved Rate Order No. WAPA–93 and Rate Schedule SNF–5 placing into effect provisional nonfirm energy rates for the Washoe Project, Stampede Division (Stampede), of the Western Area Power Administration (Western). The provisional rates will be in effect for an interim basis until the Federal Energy Regulatory Commission (FERC) confirms, approves, and places them into effect on a final basis or until they are replaced by other rates. The provisional rates will provide sufficient revenue to pay all annual costs, including interest expense, and repay the power investment in the allowable period.

DATES: The provisional rates will be effective from October 1, 2000, and continue on an interim basis until FERC confirms, approves, and places the rate schedule into effect on a final basis for 5 years ending September 30, 2005, or until the rate schedule is superseded.

FOR FURTHER INFORMATION CONTACT: Ms. Debbie Dietz, Rates Manager, Sierra Nevada Customer Service Region, Western Area Power Administration, 114 Parkshore Drive, Folsom, California 95630–4710, (916) 353–4453, e-mail ddietz@wapa.gov.

SUPPLEMENTARY INFORMATION: The Deputy Secretary of Energy approved the existing Rate Schedule SNF–4 for Stampede nonfirm energy on September 29, 1995 (Rate Order No. WAPA–67, 60 FR 53785, October 17, 1995). FERC confirmed and approved the rate schedule on March 31, 1997, under FERC Docket No. EF96–5161–000 (78 FERC ¶ 61364). The existing Rate Schedule is effective from October 1, 1995, through September 30, 2000, and is being superseded by Rate Schedule SNF–5.

To serve project use loads and market the energy from Stampede, Western's contract with Sierra Pacific Resources (Sierra) provides for the Stampede

Energy Exchange Account (SEEA). SEEA is an annual energy exchange account for Stampede energy. Under this contract, Sierra accepts delivery of all energy generated from Stampede into Sierra's electrical system. The dollar value of the Stampede energy received by Sierra during any month is credited into the SEEA at the provisional floor rate. Western uses the SEEA to benefit project use facilities, market energy from Stampede to preference entities over Sierra's transmission system, and sell a portion of the energy to Sierra. As long as Western has a balance in the SEEA, Western and Sierra agree to do any combination of the above transactions in any month. After project use requirements have been met, available nonfirm energy is sold to Sierra at the provisional floor rate or to other entities, giving priority to preference customers, at a rate not greater than the provisional ceiling rate but no lower than the provisional floor rate. Beginning January 1, 2005, energy available after meeting project use requirements will be sold to the Central Valley Project (CVP) at the provisional ceiling rate, as provided in the CVP 2004 Marketing Plan. The formula for the provisional floor rate is equal to 85 percent of the then effective, nontime differentiated rate provided in Sierra's California Quarterly Short-Term Purchase Price Schedule for as-available purchases from qualifying facilities with capacities of 100 kilowatts (kW) or less. This provisional floor rate is used to calculate the value of the SEEA for the benefit of project use facilities. Western applied the ratio of the projected costs for project use service to the projected revenue from Stampede generation recorded in the SEEA, to the projected power costs to calculate the nonreimbursable costs. The reimbursable costs are reduced by revenues from sales made at less than the ceiling rate. The remaining reimbursable costs and the estimated energy remaining after meeting project use service were used to calculate the ceiling rate necessary to repay Stampede costs.

Under Rate Schedule SNF–5, the provisional nonfirm energy rate is 17.89 mills per kilowatthour (mills/kWh) for the floor rate and 90.07 mills/kWh for the ceiling rate. This table compares existing and provisional rates.

Nonfirm energy rates	Existing rates as of October 1, 1995 mills/kWh	Provisional rates beginning October 1, 2000 mills/kWh	Percent change
Rate Schedule	SNF–4	SNF–5	
Floor Rate	19.26	17.89	−7
Ceiling Rate	80.44	90.07	12

Provisional Rates for Stampede Nonfirm Energy

Provisional rates for the sale of Stampede nonfirm energy consist of floor and ceiling rates and are designed to recover an annual revenue requirement including investment repayment, interest, project use costs, and operation and maintenance expenses. A power repayment study indicates the provisional ceiling rate provides sufficient revenue to repay all annual costs, including interest expense, and the investment in the allowable period. Other analyses indicate the provisional floor rate provides sufficient revenue to pay annual operation and maintenance expenses.

The provisional rates for Stampede nonfirm energy are developed under the Department of Energy Organization Act (42 U.S.C. 7101–7352), through which the power marketing functions of the Secretary of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), and other acts that specifically apply to the project involved, were transferred to and vested in the Secretary of Energy.

By Amendment No. 3 to Delegation Order No. 0204–108, published November 10, 1993 (58 FR 59716), the Secretary of Energy delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to Western's Administrator; and (2) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to FERC. In Delegation Order No. 0204–172, effective November 24, 1999, the Secretary of Energy delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary.

Western followed the DOE procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions, 10 CFR part 903, in developing these provisional rates.

Rate Order No. WAPA–93, confirming, approving, and placing the proposed Stampede nonfirm energy rates into effect on an interim basis, is issued. The new Rate Schedule SNR–5 will be submitted promptly to FERC for confirmation and approval on a final basis.

Dated: August 22, 2000.

T. J. Glauthier,

Deputy Secretary.

Order Confirming, Approving, and Placing the Washoe Project, Stampede Division Nonfirm Power Service Rates Into Effect on an Interim Basis

These rates are developed under the Department of Energy Organization Act (42 U.S.C. 7101–7352), through which the power marketing functions of the Secretary of the Interior and the Bureau of Reclamation under the Reclamation Act of 1902 (ch. 1093, 32 Stat. 388), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)), and other acts specifically applicable to the project involved, were transferred to and vested in the Secretary of Energy (Secretary).

By Amendment No. 3 to Delegation Order No. 0204–108, published November 10, 1993 (58 FR 59716), the Secretary delegated (1) the authority to develop long-term power and transmission rates on a nonexclusive basis to Western's Administrator; and (2) the authority to confirm, approve, and place into effect on a final basis, to remand, or to disapprove such rates to the Federal Energy Regulatory Commission (FERC). In Delegation Order No. 0204–172, effective November 24, 1999, the Secretary

delegated the authority to confirm, approve, and place such rates into effect on an interim basis to the Deputy Secretary. Existing DOE procedures for public participation in power rate adjustments are found in 10 CFR part 903. Procedures for approving Power Marketing Administration rates by FERC are found in 18 CFR part 300.

Acronyms and Definitions

As used in this rate order, the following acronyms and definitions apply:

Administrator: The Administrator of the Western Area Power Administration (Western).

CVP: Central Valley Project.

Customer: An entity with a contract and receiving service from Western's Sierra Nevada Region.

DOE: United States Department of Energy.

DOE Order RA 6120.2: An order dealing with power marketing administration financial reporting and rate-making procedures.

Energy: Measured in terms of the work it is capable of doing over a period of time. It is expressed in kWh.

Energy Rate: The rate which sets forth the charges for energy. It is expressed in mills/kWh and applied to each kWh delivered to each customer.

FERC: Federal Energy Regulatory Commission.

FY: Fiscal year; October 1 to September 30.

Interior: United States Department of the Interior.

kV: Kilovolt. The electrical unit of measure of electric potential that equals 1,000 volts.

kW: Kilowatt. The electrical unit of capacity that equals 1,000 watts.

kWh: Kilowatthour. The electrical unit of energy that equals 1,000 watts in 1 hour.

Mill: A monetary denomination of the United States that equals one tenth of a cent or one thousandth of a dollar.

Mills/kWh: Mills per kilowatthour. The unit of charge for energy.

MW: Megawatt. The electrical unit of capacity that equals 1 million watts or 1,000 kilowatts.

NEPA: National Environmental Policy Act of 1969 (42 U.S.C. 4321, *et seq.*).

Net Revenue: Revenue remaining after paying all annual expenses.

Nonfirm: A type of product and/or service that is not always available at the time requested by the customer.

O&M: Operation and maintenance.

Power: Capacity and energy.

Preference: The requirements of Reclamation Law which provide that preference in the sale of Federal power must be given to municipalities and other public corporations or agencies and also to cooperatives and other nonprofit organizations financed in whole or in part by loans under the Rural Electrification Act of 1936 (Reclamation Project Act of 1939, section 9(c), 43 U.S.C. 485h(c)).

Project Use: Power used to operate the Lahontan National Fish Hatchery and the Marble Bluff Fish Facility, which are project use loads of the Washoe Project.

Provisional Rates: Rate schedules which have been confirmed, approved, and placed in effect on an interim basis by the Deputy Secretary of DOE.

PRS: Power repayment study.

Rate Brochure: A document prepared for public distribution explaining the rationale and background of the rate proposal contained in this rate order dated March 2000.

Reclamation: United States Department of the Interior, Bureau of Reclamation.

Reclamation Law: A series of Federal laws. Viewed as a whole, these laws create the originating framework in which Western markets power.

Revenue Requirement: The revenue required to recover the reimbursable portion of O&M expenses, project use costs, interest, deferred expenses, and repayment of Federal investment within the allowable period.

Secretary: Secretary of Energy.

SEEA: Stampede Energy Exchange Account.

Sierra: Sierra Pacific Resources, formally known as the Sierra Pacific Power Company.

Sierra Nevada Region: The Sierra Nevada Customer Service Region of Western.

Stampede: Power system of Washoe Project, Stampede Division.

Washoe Project: A Federal water project in the Lahontan Basin in west-central Nevada and east-central California.

Western: United States Department of Energy, Western Area Power Administration.

Effective Date

The provisional rates will take effect on the first day of the first full billing period beginning on or after October 1, 2000. They will be in effect pending FERC's approval of them or substitute rates on a final basis through September 30, 2005, or until superseded.

Public Notice and Comment

Western followed the DOE Procedures for Public Participation in Power and Transmission Rate Adjustments and Extensions, 10 CFR part 903, in developing these rates. Stampede is a power system which has annual sales of less than 100 million kWh and an installed capacity of less than 20,000 kW; therefore, this rate adjustment constitutes a minor rate adjustment as defined in 10 CFR part 903.2(f). Since this is a minor rate adjustment, no public meetings were scheduled; however, Western accepted comments from interested parties. Western took these steps to ensure involvement of interested parties in the rate process:

1. Published a **Federal Register** notice on March 28, 2000 (65 FR 16390), officially announcing the proposed nonfirm power rate adjustment and initiating the public consultation and comment period.

2. Mailed letters on April 3, 2000, to all Washoe customers and interested parties transmitting the **Federal Register** notice of March 28, 2000, and announcing the beginning of the consultation and comment period.

3. Made a rate brochure available to all interested parties upon request in March 2000.

4. Ended the comment period on April 27, 2000.

Project Description

The Stampede Dam and Reservoir are on the Little Truckee River about 8 miles above the junction of the Little Truckee and Truckee Rivers. The dam and reservoir are in Sierra County, California, about 11 miles northeast of the town of Truckee. The water source for the Stampede Reservoir is the Little Truckee River drainage basin containing about 136 square miles of densely wooded slopes and grass meadowlands.

When the Stampede Dam and Reservoir project was authorized in 1956, hydroelectric power development was included. However, power facilities were not constructed at the time the Stampede Dam was built during 1966–1970, because the power function was not economically justified. Nevertheless, provisions were made to facilitate the addition of power facilities at a later date.

Subsequently, preliminary reevaluation of a powerplant at Stampede was conducted and published in a special Reclamation report, *Adding Powerplants at Existing Federal Dams in California* (July 1976). In the report, Reclamation recommended construction of a Stampede powerplant. As a result, definite plan studies were initiated in FY 1977, and construction of the powerplant was completed in 1987. A one-half mile 60–kV transmission line interconnects the Stampede power facilities with Sierra's transmission system.

The Stampede Dam and Reservoir are operated for four specific purposes;

flood control, fisheries enhancement, recreation, and power generation. The powerplant is a 3.65 MW generator, and provides about 11 million kWh annually. The energy generated by the powerplant has a priority reservation for designated project use loads. All remaining energy generation is sold on a nonfirm basis, giving priority to preference entities. Energy generated at Stampede depends on the run of the river and is nonfirm.

Power Repayment Study

Western prepares a PRS each FY to determine if power revenues will be sufficient to pay the revenue requirement in the prescribed time periods. Repayment criteria are based on law, policies, and authorizing legislation.

Existing and Provisional Rates

The provisional rates for nonfirm energy sales from Stampede consist of floor and ceiling rates and are designed to recover the revenue requirement. The formula for the provisional floor rate is equal to 85 percent of the then effective, nontime differentiated rate provided in Sierra's California Quarterly Short-Term Purchase Price Schedule for as-available purchases from qualifying facilities with capacities of 100 kW or less. This table compares existing and provisional rates.

Nonfirm energy rates	Existing rates as of October 1, 1995 mills/kWh	Provisional rates beginning October 1, 2000 mills/kWh	Percent change
Rate Schedule	SNF–4	SNF–5	.....
Floor Rate	19.26	17.89	−7
Ceiling Rate	80.44	90.07	12

Certification of Rates

Western's Administrator certified that the Stampede nonfirm power rates placed into effect on an interim basis are the lowest possible rates consistent with sound business principles. The provisional rates were developed under administrative policies and applicable laws.

Discussion

To serve project use loads and market the energy from Stampede, Western's contract with Sierra provides for the SEEA. The SEEA is an annual energy exchange account for Stampede energy. Under this contract, Sierra accepts delivery of all energy generated from Stampede into Sierra's electrical system. The dollar value of the Stampede energy received by Sierra during any month is credited into the SEEA at the provisional floor rate. Western uses the SEEA to benefit project use facilities, market energy from Stampede to preference entities over Sierra's transmission system, and sell a portion of the energy to Sierra. As long as Western has a balance in the SEEA, Western and Sierra agree to do any combination of the above transactions in any month.

After meeting project use power requirements, the remaining energy available through the SEEA is sold to Sierra at the provisional floor rate or to other entities, giving priority to preference customers, at a rate not greater than the provisional ceiling rate but no lower than the provisional floor rate. Beginning January 1, 2005, energy available after meeting project use requirements will be sold to the CVP at the provisional ceiling rate, as provided in the CVP 2004 Marketing Plan.

The formula for the provisional floor rate is equal to 85 percent of the then effective, nontime differentiated rate provided in Sierra's California Quarterly Short-Term Purchase Price Schedule for as-available purchases from qualifying facilities with capacities of 100 kW or less. This provisional floor rate is used to calculate the value of the SEEA for the benefit of project use facilities. Western applied the ratio of the projected costs for project use service to the projected revenue from Stampede generation recorded in the SEEA, to the projected power costs to calculate the nonreimbursable costs. The reimbursable costs are reduced by revenues from sales made at less than the ceiling rate. The remaining reimbursable costs and the estimated energy remaining after meeting project use service were used to calculate the ceiling rate necessary to repay Stampede costs.

Statement of Revenue and Related Expenses

This table shows a summary of revenue and expense data through the 5-year cost evaluation period.

	Cost evaluation period for rate schedule SNF–5
Revenues	$3,135,275
Revenue Distribution:	
O&M	553,912
Project Use	501,830
Interest	1,201,814
Capitalized Expenses	877,719

This table shows a summary of the average annual revenues and expenses for the 5-year cost evaluation period.

	Cost evaluation period average annual revenue and expenses
Revenues	$627,055
Revenue Distribution:	
O&M	110,782
Project Use	100,366
Interest	240,363
Capitalized Expenses	175,544

Basis for Rate Development

The existing rates for Stampede nonfirm power in Rate Schedule SNF–4 expire on September 30, 2000. The provisional power rates will produce sufficient revenue to pay the revenue requirement. The provisional rates take effect on October 1, 2000, to correspond with the start of the FY and remain in effect through September 30, 2005.

Comments

During the 30-day comment period, Western did not receive any written comments either requesting information or commenting on the rate adjustment.

Environmental Compliance

In compliance with the NEPA of 1969, 42 U.S.C. 4321, *et seq.*; Council on Environmental Quality Regulations, 40 CFR parts 1500–1508; and DOE NEPA Regulations, 10 CFR part 1021, Western determined this action is categorically excluded from the preparation of an environmental assessment or an environmental impact statement.

Determination Under Executive Order 12866

Western has an exemption from centralized regulatory review under Executive Order 12866. This notice is not required to be cleared by the Office of Management and Budget.

Regulatory Flexibility Analysis

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601, *et seq.*) requires Federal agencies to do a regulatory flexibility analysis if a final rule is likely to have a significant economic impact on a substantial number of small entities and there is a legal requirement to issue a general notice of proposed rulemaking. Western has determined this action does not require a regulatory flexibility analysis since it is a rulemaking of particular applicability involving rates or services applicable to public property.

Small Business Regulatory Enforcement Fairness Act

Western determined this rule is exempt from congressional notification requirements under 5 U.S.C. 801 because the action is a rulemaking of particular applicability relating to rates or services and involves matters of procedure.

Availability of Information

Information about this rate adjustment, including PRSs, letters, memorandums, and other supporting material made or kept by Western used to develop the provisional rates, is available for public review. This information is in the Power Marketing Manager's office, Sierra Nevada Customer Service Region, Western Area Power Administration, 114 Parkshore Drive, Folsom, California.

Submission to the Federal Energy Regulatory Commission

The provisional rates herein confirmed, approved, and placed into effect, together with supporting documents, will be submitted to FERC for confirmation and final approval.

Order

In view of the foregoing and under the authority delegated to me by the Secretary of Energy, I confirm and approve on an interim basis, effective October 1, 2000, Rate Schedule SNF–5 for the Washoe Project, Stampede Division, for the Western Area Power Administration. The rate schedule will remain in effect on an interim basis, pending FERC confirmation and approval of it or substitute rates on a final basis through September 30, 2005.

Dated: August 22, 2000.

T.J. Glauthier,
Deputy Secretary of Energy.

Rate Schedule for Nonfirm Power Service

Effective: The first day of the first full billing period beginning on or after October 1, 2000, through September 30, 2005.

Available: In the area served by the Stampede Division.

Applicable: To power customers for general power service.

Character and Conditions of Service: Alternating current, 60-hertz, three-phase, delivered and metered at the voltages and points established by the contract.

Demand Charge: None.

Energy Charge: There is a floor and ceiling rate for nonfirm energy sales from Stampede. The floor rate is 85 percent of the then effective, nontime differentiated rate as provided in Sierra Pacific Power Company's California Quarterly Short-Term Purchase Price Schedule for as-available purchases from qualifying facilities with capacities of 100 kW or less. The ceiling rate is calculated by dividing the revenue requirement needed to repay all annual reimbursable power costs (less any revenue for sales made at less than the ceiling rate) by the nonfirm energy remaining after providing project use service. The ceiling rate will be calculated and customers told of changes in the ceiling rate by April 1 each year. Sales of nonfirm energy will be made at the floor or ceiling rates or at a rate between the floor and ceiling rates.

Adjustments: Stampede energy will be adjusted for losses and delivered at Donner Summit Metering Station, Gonder Substation, or another point of delivery on Sierra Pacific Power Company's system.

[FR Doc. 00–22512 Filed 8–31–00; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–2]

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

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this document announces that the following Information Collection Request (ICR) has been forwarded to the Office of Management and Budget (OMB) for review and approval: State Clean Air Act Section 507 Program Cooperative Agreement Outreach Pilot Program Evaluation, ICR No. 1958.01; this is a new collection. This generic ICR describes the nature of the information collection and its expected burden and cost.

DATES: Comments must be submitted on or before October 2, 2000.

ADDRESSES: Send comments, referencing ICR No. 1958.01, to the following address: Sandy Farmer, U.S. Environmental Protection Agency, Collection Strategies Division (Mail Code 2822), 1200 Pennsylvania Avenue, NW, Washington, DC 20460: and to the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Attention: Desk Officer for EPA, 725 17th Street, N.W., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: For a copy of the ICR contact Sandy Farmer at EPA by phone at (202) 260–2740, by e-mail at farmer.sandy@epa.gov, or download off of the Internet at http://www.epa.gov/icr and refer to EPA ICR No. 1958.01. For technical questions about the ICR contact Karen V. Brown, at EPA, by telephone (202) 260–1390, via FAX on (202) 401–2302 or, by e-mail brown.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

Title: State Clean Air Act Section 507 Program Cooperative Agreement Demonstration Outreach Pilot Program Evaluation; EPA ICR No. 1958.01 (new collection).

Abstract: The EPA Office of the Small Business Ombudsman was authorized and funded by the fiscal year 1999 VA/HUD & Independent Agencies Appropriations Act to award grants or cooperative agreements to ''Strengthen State Small Business Ombudsman (SBO) and State Technical Assistance Programs (SBAP) Created Under Section 507 of The Clean Air Act Amendments.'' The ultimate objective of these awards is to make improvements and strengthen these programs. The Congress further emphasized the important role these programs can play in promoting small business compliance with emission limitations set under State Implementation Plans to attain National Ambient Air Quality Standards. Under the Congressional mandate, EPA must report on ''the grants (cooperative agreements), their use and effectiveness,'' and also provide Congress with an estimate of emission reductions achieved by these projects more generally. Thus, through a

competitive process, ten (10) State cooperative agreement awardees are required to measure the results/impacts of their innovative developmental work and outreach efforts. In order to do this, some, but not all, awardees will need to solicit information from the small business community that voluntarily use these programs. This information will be confidential. This is a ''generic'' information request (ICR) to enable some of the 10 State SBO or SBAP Programs to collect information on the results/effectiveness of their projects so that the States and EPA can better understand which types of outreach were most effective. State SBOs/SBAPs and EPA are interested in judging the results of various measurement methods such as via comment/response cards, on-site interviews, mailed/Internet-surveys/on-site questionnaires and, telephone surveys.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15. The **Federal Register** document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on 04/18/00 (FR Vol. 65, No. 75); pages 20819–20. No comments were received.

EPA would like to again solicit comments to:

(i) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(ii) Evaluate the accuracy of the agency's estimate of the burden proposed for the collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of future information to be collected; and

(iv) Minimize the burden of the collection of information on those who are responding, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Burden Statement: The annual public reporting and recordkeeping burden for this collection is estimated to average 1.1 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjusting the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

Respondents/Affected Entities: Owners and operators within the water heater and boiler manufacturing industry, reinforced plastics and boat manufacturing industry, gasoline dispensing sites and transport vehicles, auto repair and salvage yards, and others.

Respondents/Affected Entities: 3,900.

Estimated Number of Respondents: 3,900.

Frequency of Response: once per respondent.

Estimated Total Annual Hour Burden: 4,200.

Estimated Total Annualized & Capital Cost Burden: 0.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the following addresses. Please refer to EPA ICR No. 1958.01 in any correspondence.

Dated: August 28, 2000.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 00–22524 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6610–5]

Environmental Impact Statements; Notice of Availability

RESPONSIBLE AGENCY: Office of Federal Activities, General Information (202) 564–7167 or www.epa.gov/oeca/ofa.

Weekly receipt of Environmental Impact Statements Filed August 21, 2000 Through August 25, 2000 Pursuant to 40 CFR 1506.9.

EIS No. 000293, FINAL EIS, NPS, MT, Lake McDonald/Park Headquarters Wastewater Treatment System Rehabilitation, Implementation, COE Section 404 Permit, Glacier National Park, A Portion of Waterton-Glacier International Peace Park, Flathead and Glacier Counties, MT, Due: October 02, 2000, Contact: Mary Riddle (406) 888–7898.

EIS No. 000294, FINAL SUPPLEMENT, COE, MO, St. Johns Bayou and New Madrid Floodway Project, Channel Enlargement and Improvement, Flood Control, National Economic Development (NED) New Madrid, Mississippi and Scott Counties, MO, Due: October 02, 2000, Contact: John Rumancik (901) 544–3975.

EIS No. 000295, FINAL EIS, AFS, PA, Duck and Sheriff Project Area (DSPA), Timber Management, Road Construction and Reconstruction, Trail Maintenance, Wildlife Habitat Improvement, and Recreation Management, Allegheny National Forest, Bradford Ranger District, Cherry Grove Township of Warren County, and Howe Township of Forest County, PA, Due: October 02, 2000, Contact: John Schultz (814) 362–4613.

EIS No. 000296, REVISED DRAFT EIS, AFS, CA, Programmatic EIS-Ansel Adams, John Muir and Dinkey Lakes Wildernesses, Proposed New Management Direction, Amending the Land and Resource Management Plans for the Inyo and Sierra National Forests, Implementation, Inyo, Madera, Mono and Fresno Counties, CA, Due: December 01, 2000, Contact: Mary Beth Hennessy (760) 873–2448.

EIS No. 000297, DRAFT EIS, AFS, OR, Rimrock Ecosystem Restoration Project, To Promote Healthy and Sustainable Watershed Conditions, Implementation, Umatilla National Forest, Heppner Ranger District, Grant, Morrow and Wheeler Counties, OR, Due: October 16, 2000, Contact: Andrei Rykoff (541) 678–9187.

EIS No. 000298, FINAL EIS, FHW, OH, Lancaster Bypass (FAI–US 22/US 33–9.59/9.95) Construction, Funding, Greenfield, Hocking, Berne and Pleasant Townships, Fairfield County, OH, Due: October 02, 2000, Contact: Leonard E. Brown (614) 280–6896.

EIS No. 000299, FINAL EIS, BIA, CA, Cortina Integrated Solid Waste Management Project, Development and Operation, Approval of Land Lease Cortina Indian Rancheria of Wintin Indians, Colusa County, CA, Due: October 02, 2000, Contact: William Allan (916) 978–6043.

EIS No. 000300, DRAFT EIS, BLM, NV, Newmont Gold Mining, South Operations Area Project Amendment, Operation and Expansion, Plan of Operations, Elko and Eureka Counties, NV, Due: October 31, 2000, Contact: Roger Congdon (775) 753–0200.

Amended Notices

EIS No. 000282, DRAFT EIS, MMS, TX, MS, FL, LA, AL, Programmatic EIS—Proposed Use of Floating Production, Storage and Offloading Systems on the Gulf of Mexico, Outer Continental Shelf, Western and Central Planning Areas, TX, LA, MS, AL and FL, Due: October 10, 2000, Contact: Archie Melancon (703) 787–1547.

Revision of FR notice published on 08/18/2000: CEQ Comment Date corrected from 10/20/2000 to 10/10/2000.

EIS No. 000284, DRAFT EIS, NPS, MD, Glen Echo Park Management Plan, Implementation, Town of Glen Echo, Potomac River Valley, part of the George Washington Memorial Parkway, Montgomery County, MD, Due: October 16, 2000, Contact: Audrey Calhoun (703) 289–2500.

Revision of FR Notice Published on 08/18/2000: Correction of CEQ Comment Due Date from 10/17/2000 to 10/16/2000 and Correction of agency from GSA to NPS.

Dated: August 29, 2000.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 00–22552 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6610–6]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under Section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of FEDERAL ACTIVITIES AT (202) 564–7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 14, 2000 (65 FR 20157).

Draft EISs

ERP No. D–AFS–K65226–00 Rating EO2, Sierra Nevada Forest Plan Amendment Project, Implementation, several counties, CA and NV.

Summary: EPA expressed environmental objections based on problems with purpose and need, alternative development, water and air quality impacts, analysis of cumulative effects, and the relationship of the Forest Plan Amendment to the Quincy pilot project. EPA offered specific suggestions and requests that the final EIS address the issues addressed above as well as the decision to defer consideration of strategies to address adverse impacts associated with the Forest Service road system in the planning area.

ERP No. D–AFS–L65357–ID Rating EC2, East Beaver and Miner's Creek Timber Sales and Prescribed Burning Project, Implementation, Caribou-Targhee National Forest, Dubois Ranger District, Clark County, ID.

Summary: EPA expressed concern with the preferred alternative due to potential impacts to aquatic ecosystem health and lack of data/analysis to support conclusions; uncertain funding of restoration/mitigation projects upon which impact analyses were based; and the aggressive approach to prescribed burning that may not achieve intended goals.

ERP No. D–AFS–L65360–AK Rating EC2, Madan Timber Sale, Implementation, Tongass National Forest, Wrangell Ranger District, COE Section 404 Permit and NPDES Permit, AK.

Summary: EPA expressed concerns about the potential impacts from roads and Log Transfer Facilities (LTFs) to water quality, aquatic resources, and wildlife in the project area. EPA recommends that the EIS clarify proposed road maintenance activities, try to realign roads to avoid wetlands, and decommission roads following harvesting. In addition, EPA recommends that hardened surfaces be placed at permanent LTF sites to help capture spilled fuels and that the Forest Service consult with National Marine Fisheries Service about the potential impacts of LTFs to Essential Fish Habitat.

ERP No. D–AFS–L65361–ID Rating EC2, Myrtle-Cascade Project, Implementation of Resource Management Activities, Idaho Panhandle National Forests, Bonners Ferry Ranger District, Boundary County, ID.

Summary: EPA expressed concerns about impacts to water quality from proposed reconstruction of roads without a commensurate commitment of funds to maintain or obliterate those roads, and about declines in woodland caribou populations that occurred recently, and the potential impacts of the project to the caribou population in the area. EPA recommends that the EIS discuss in greater detail the effect on water quality if obliteration is not funded and the impacts on woodland caribou from project implementation.

ERP No. D–COE–K39061–CA Rating EC2, Rancho Palos Verdes Restoration Project, Implementation, City of Rancho Palos Verdes, Los Angeles County, CA.

Summary: EPA expressed environmental concerns regarding the water quality impacts projected to occur with construction and operation of the dike, and because the Corps did not evaluate alternatives that would avoid or minimize the placement of dredged or fill material in waters of the United States. EPA expressed additional concerns regarding potential air quality impacts, cumulative impacts, and environmental justice considerations.

ERP No. D–FHW–F54013–IL Rating EO2, Chicago—St. Louis High-Speed Rail Project, Improvement from Chicago to St. Louis to enhance the Passenger Transportation Network, NPDES Permit and COE Section 404 Permit, Cook, Will, Kankakee Grundy, Livington, McLean, Sangemon, Macoupin, Jersey, Madison and St. Louis Counties, IL and St. Louis County, MO.

Summary: EPA believes the RIA Alternative is environmentally preferable and lacks objections to it. The other two alternatives, NSA and IUA, distinctly have a greater impact to the environment. EPA therefore objects to these two alternatives and requests additional information regarding potential impacts to air quality as well as to threatened and endangered species.

ERP No. D–FHW–H40168–MO Rating LO, New Mississippi River Crossing, Relocated I–70 and I–64 Connector, Funding, COE Section 404 and 10 Permits and NPDES Permit, St. Louis County, MO.

Summary: EPA had no objection to the proposed action.

ERP No. D–IBR–K36132–CA Rating EO2, Colusa Basin Drainage District, Developing an Integrated Resource Management Program for the Control of Flooding, Glenn, Colusa and Yolo Counties, CA.

Summary: EPA strongly objected to the reliance on detention dams and reservoirs since they are likely to have significant adverse impacts to scarce high value habitats and the proposed mitigation (1:1 vs 3:1 compensation). In addition it is unlikely that the proposed alternatives will comply with the CWA 404(b)(1) Alternatives Analysis. EPA believes that the flood control program should provide an overall framework for local and regional flood control and include a broad range of nonstructural, managerial, and engineering options. The Program should not preclude opportunities to implement a comprehensive basin-wide solution for

water supply, natural resource enhancement, and flood protection.

ERP No. D–UAF–J11018–WY Rating EC2, F. E. Warren Air Force Base Deactivation and Dismantlement of the Peacekeeper Missile System, To Comply with the Strategic Arms Reduction Treaty (START), Laramie, Platte and Goshen Counties, WY.

Summary: EPA expressed environmental concerns regarding potential ground water and tank removal impacts.

ERP No. DA–NOA–E64016–FL Rating LO, Florida Keys National Sanctuary Comprehensive Management Plan, New Information Concerning the Establishment of the Tortugas Marine Reserves in Seven Fishery Management Plans in the Gulf of Mexico.

Summary: While EPA has no objection to the proposed action, it did suggest that environmental justice issues and ecological monitoring be further clarified.

ERP No. DS–UAF–G11031–TX Rating EC2, Programmatic EIS—Kelly Air Force Base (AFB), Disposal and Reuse, Implementation, San Antonio County, TX.

Summary: EPA expressed environmental concerns regarding noise related impacts. In addition, EPA requested clarification of the air impact analysis and attainment status designations. EPA requested that the additional information/data be incorporated in the final EIS.

Final EISs

ERP No. F–COE–G36151–TX, Programmatic EIS—Upper Trinity River Basin Feasibility Study, To Provide Flood Damage Reduction, Environmental Restoration, Water Quality Improvement and Recreational Enhancement, Trinity River, Dallas-Fort Worth Metroplex, Dallas, Denton and Tarrant Counties, TX.

Summary: The Final EIS responded fully to EPA's comments on the Draft Programmatic Statement.

ERP No. F–FAA–F51045–OH, Cleveland Hopkins International Airport, To Provide Capacity, Facilities, Highway Improvements and Enhancement to Safety, Funding, Cugahoga County, OH.

Summary: EPA's environmental concerns identified in the draft EIS have been adequately addressed in FEIS. Consequently, our Agency has no objections to project implementation.

ERP No. F–FHW–K40234–HI, Puainako Street Extension and Widening, Traffic Circulation Improvements, Funding, South Hilo, Hawaii County, HI.

Summary: EPA continues to express concern regarding cumulative impacts and potential non-point source water pollution issues. EPA supports the commitment to including a cumulative impact analysis of the project area in subsequent regional transportation EISs and the development of detailed non-point source pollution prevention plans.

ERP No. F–IBR–K39050–CA, PROGRAMMATIC—CALFED Bay-Delta Program, Long-Term Comprehensive Plan to Restore Ecosystem Health and Improve Water Management, Implementation, San Francisco Bay—Sacramento/San Joaquin River Bay-Delta, CA.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. FA–NOA–K91007–00, Pacific Coast Salmon Plan (1997) for Amendment 14, Fishery Management Plan, Comprehensive Updating, Exclusive Economic Zone (EEZ), Off the Coasts of WA, OR and CA.

Summary: No formal comment letter was sent to the preparing agency.

Dated: August 29, 2000.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 00–22553 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–5]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of the Draft Project XL Final Project Agreement: Ortho-McNeil Pharmaceutical—Laboratory-Scale High-Temperature Catalytic Oxidation Process to Treat Low-Level Mixed Wastes.

SUMMARY: The Environmental Protection Agency (EPA) is requesting comments on a Draft Project XL Final Project Agreement (FPA) for the Ortho-McNeil Pharmaceutical, Inc. (hereafter ''OMP'') pharmaceutical research and development facility in Spring House, PA. The FPA is a voluntary agreement developed collaboratively by OMP, the Pennsylvania Department of Environmental Protection (PADEP), EPA and interested stakeholders. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the opportunity to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits.

As presented in the draft FPA, OMP proposes to determine whether dual regulatory oversight (*i.e.,* EPA's Resource Conservation and Recovery Act (RCRA) oversight and the Nuclear Regulatory Commission's (NRC's) Atomic Energy Act (AEA) oversight) is necessary to ensure protection of human health and the environment concerning the small volumes of low-level mixed wastes (*i.e.,* wastes that meet both the definition of a RCRA hazardous waste and the AEA definition of low-level radioactive waste) that are treated using a bench-scale high temperature catalytic oxidation process in the laboratory where they are generated. Specifically, OMP is seeking a waiver of all applicable RCRA requirements for the original mixed waste, as well as for the treatment residuals resulting from the catalytic oxidation of the original mixed waste. The original mixed waste and the treatment residuals will continue to be subject to NRC oversight as low-level radioactive wastes.

OMP generates small volumes of mixed wastes (typically less than 50 liters/year) as a result of radiolabeling undertaken to conduct research on a drug's bioabsorption and metabolism in the body. The low-level mixed wastes that are the focus of this XL project are comprised of an organic component (typically a solvent) and a radioactive component (typically tritium or carbon-14, depending on the drug being studied). Data gathered during a treatability study conducted by OMP since 1996 indicate that the high-temperature catalytic oxidation process effectively destroys the organic portion of the mixed waste, resulting in a low-level radioactive residual. When the sample uses tritium as the radioisotope tracer, tritiated water results from the treatment process. When the sample uses carbon-14 as the radioisotope tracer, the residual is a low-level radioactive carbon dioxide which is then converted to low-level radioactive potassium carbonate solution.

To implement this XL project, EPA and PADEP have agreed to provide the regulatory flexibility OMP seeks subject to applicable regulatory procedures. Specifically, in the near future, EPA will propose in a separate **Federal Register** notice a site-specific conditional exclusion from the definition of hazardous waste in 40 CFR 261.4(b) for the small volumes of mixed waste being generated by OMP. PADEP has also agreed to adopt the appropriate legal

implementing mechanism to allow for the XL project to proceed.

DATES: The period for submission of comments on the draft FPA ends on September 15, 2000.

ADDRESSES: All comments on the draft Final Project Agreement should be sent to: Charles Howland, U.S. EPA Region III (3OR00), 1650 Arch Street, Philadelphia, PA 19103–2029. Comments may also be faxed to Mr. Howland at (215) 814–2783. Comments may also be received via electronic mail sent to: *howland.charles@epa.gov.*

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the draft Final Project Agreement, contact: Charles Howland, U.S. EPA Region III (3OR00), 1650 Arch Street, Philadelphia, PA 19103–2029, or Mitch Kidwell, U.S. EPA (1802), 1200 Pennsylvania Ave., NW, Washington, DC 20460. The FPA and related documents are also available via the Internet at the following location: *http://www.epa.gov/ProjectXL.* Questions to EPA regarding the documents can be directed to Charles Howland at (215) 814–2645 or Mitch Kidwell at (202) 260–2515. For information on all other aspects of the XL Program, contact Christopher Knopes at the following address: Office of Policy, Economics and Innovation (1802), U.S. Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460. Additional information on Project XL, including documents referenced in this notice, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at *http://www.epa.gov/projectxl.*

Dated: August 28, 2000.

Elizabeth A. Shaw,

Director, Office of Environmental Policy Innovation.

[FR Doc. 00–22520 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–6]

Regulatory Reinvention (XL) Pilot Projects

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of the Project XL Draft Final Project Agreement: IBM East Fishkill Facility—F006 Sludge Recycling Project.

SUMMARY: EPA is requesting comments on a draft Project XL Final Project Agreement (FPA) for the International Business Machines Corporation's (hereafter ''IBM'') East Fishkill semiconductor manufacturing facility in Hopewell Junction, NY. The FPA is a voluntary agreement developed collaboratively by IBM, the New York State Department of Environmental Conservation (NYSDEC), EPA and interested stakeholders. Project XL, announced in the **Federal Register** on May 23, 1995 (60 FR 27282), gives regulated entities the opportunity to develop alternative strategies that will replace or modify specific regulatory or procedural requirements on the condition that they produce greater environmental benefits.

In the draft FPA, IBM proposes to determine whether the wastewater treatment sludge resulting, in part, from the treatment of wastewaters generated from electroplating operations at the facility and therefore designated F006 Hazardous Waste, should be subject to full regulatory controls pursuant to the Resource Conservation and Recovery Act (RCRA) when it is to be used as an ingredient to produce a product (cement) that is used in a manner constituting disposal (*i.e.*, placement on the land).

Under current RCRA regulations, a hazardous secondary material (*i.e.,* a term of art used to describe materials that are not virgin raw materials or products, and therefore may or may not be considered solid wastes, depending on how they are recycled) that is used as an ingredient to produce a product is excluded from the definition of solid waste (and thus, RCRA jurisdiction). However, this exclusion is not available if the product being produced is used in a manner constituting disposal. This XL project involves the use of the IBM wastewater treatment sludge as a substitute for ingredients normally used in the production of cement. Cement is a product that is presumed to be used in a manner constituting disposal. IBM believes the sludge that is the focus of this XL project does not require RCRA regulatory oversight to ensure that it is protective of human health and the environment, and that such oversight (and regulatory requirements for the proper permits and use of a hazardous waste manifest) effectively precludes such sludge from being recycled in a manner that is beneficial to the environment and society as a whole. EPA and the NYSDEC agree that IBM's sludge is comparable to the normal raw ingredients typically used to produce cement and believe this XL project is useful in exploring a potential approach to an overall strategy for addressing the appropriate management of a large-volume wastestream.

IBM has posed that EPA remove the wastewater treatment sludge from RCRA regulatory controls, and thus encourage (or at least not discourage) its recycling as an ingredient in cement manufacture. The draft FPA being noticed today as available in the RCRA docket presents a detailed description of the IBM East Fishkill facility, the XL project itself, and the intents and commitments on the part of signatories to the agreement. EPA expects to propose in a separate **Federal Register** notice a regulatory modification of the current regulations in the near future to allow for this XL project to be implemented (a regulatory change, subject to applicable regulatory procedures is required). NYSDEC also agrees to adopt an appropriate legal implementing mechanism to implement this XL project once EPA has promulgated its final rule that will implement the project.

Project XL was chosen as the vehicle for this project because IBM is asking EPA to reconsider a historical view of RCRA jurisdiction (*i.e.*, hazardous secondary materials that are recycled through use constituting disposal) and determine whether some identifiable subset of such hazardous secondary materials may protectively be removed from RCRA regulatory control when recycled as an ingredient in cement. This XL project may provide the Agency with a new approach for encouraging the environmentally sound recycling of a hazardous waste, and support a broader effort to address the proper management of a large-volume, but diverse wastestream (*i.e.*, F006) on a national level.

DATES: The period for submission of comments on the draft FPA ends on September 15, 2000.

ADDRESSES: All comments on the draft Final Project Agreement should be sent to: Sam Kerns, EPA Region II, 290 Broadway, New York, NY 10007–1866. Comments may also be faxed to Mr. Kerns at (212) 637–4949. Comments may also be received via electronic mail sent to: *kerns.sam@epa.gov.*

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the draft Final Project Agreement, contact: Sam Kerns, U.S. EPA Region II, 290 Broadway, New York, NY 10007–1866, or Mitch Kidwell, U.S. EPA (1802), 1200 Pennsylvania Ave., NW, Washington, DC 20460. The FPA and related documents are also available via the Internet at the following location: *http://www.epa.gov/ProjectXL.* Questions to EPA regarding the documents can be directed to Sam Kerns at (212) 637–

4139, or Mitch Kidwell at (202) 260–2515. For information on all other aspects of the XL Program, contact Christopher Knopes at the following address: Office of Policy, Economics and Innovation, U.S. EPA (1802), 1200 Pennsylvania Ave., NW, Washington, DC 20460. Additional information on Project XL, including documents referenced in this notice, other EPA policy documents related to Project XL, regional XL contacts, application information, and descriptions of existing XL projects and proposals, is available via the Internet at *http://www.epa.gov/projectxl.*

Dated: August 28, 2000.

Elizabeth A. Shaw,

Director, Office of Environmental Policy Innovation.

[FR Doc. 00–22521 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00439D; FRL–6742–2]

Pesticide Program Dialogue Committee (PPDC): InertDisclosure Stakeholder Workgroup; Open Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: This notice announces a conference call meeting of the Inert Disclosure Stakeholder Workgroup. The workgroup was established to advise the Pesticide Program Dialogue Committee on ways of making information on inert ingredients more available to the public while working within the mandates of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and related Confidential Business Information concerns.

DATES: The meeting will be held by conference call on Tuesday, September 12, 2000 from 12:00 pm to 3:00 pm EST.

ADDRESSES: Members of the public may listen to the meeting discussions on site at: Crystal Mall #2 (CM #2), 1921 Jefferson Davis Highway, Arlington, VA; conference Room 1123. Seating is limited and will be available on a first come first serve basis.

FOR FURTHER INFORMATION CONTACT: By mail: Cameo Smoot, Office of Pesticide Programs (7506C), U.S. Environmental Protection Agency, 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone: (703) 305–5454. Office locations: 11th floor, CM #2, 1921 Jefferson Davis Highway, Arlington, VA. E-mail smoot.cameo@epa.gov.

SUPPLEMENTARY INFORMATION: The Inert Disclosure Stakeholder Workgroup is composed of a participants from the following sectors: environmental/public interest and consumer groups; industry and pesticide users; Federal, State and local governments; the general public; academia and public health organizations.

The Inert Disclosure Stakeholder Workgroup, will advise the EPA through the Pesticide Program Dialogue Committee (PPDC), on potential measures to increase the availability to the public of information about inert ingredients (also called ''other ingredients'') under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Among the factors the workgroup has been asked to consider in preparing its recommendations are: existing law regarding inert ingredients and Confidential Business Information (CBI); current Agency processes and policies for disseminating inert ingredient information to the public, including procedures for the protection of CBI; informational needs for a variety of stakeholders; and business reasons for limiting the disclosure of inert ingredient information.

The Inert Disclosure Stakeholder Workgroup meeting is open to the public. Written public statements are welcome and should be submitted to the OPP administrative docket OPP–00439A. Any person who wishes to file a written statement can do so before or after the conference call. These statements will become part of the permanent file and will be provided to the Workgroup members for their information.

How and to Whom Do I Submit the Comments?

You may submit comments through the mail, in person, or electronically. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–00439A in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically.* You may submit your comments and/or data electronically by e-mail to: ''*opp-docket@epa.gov,*'' or you can submit a computer disk as described above in paragraphs 1. and 2. of this section. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–00439A. Electronic comments may also be filed online at many Federal Depository Libraries.

List of Subjects

Environmental protection. pesticides, inerts, PPDC.

Dated: August 28, 2000.

Joseph J. Merenda,

Acting Director, Office of Pesticide Programs.

[FR Doc. 00–22527 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00676; FRL–6741–4]

Tribal Pesticide Program Council (TPPC) General Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: The Tribal Pesticide Program Council (TPPC) will hold a 2–day meeting, beginning on September 27, 2000 and ending on September 28, 2000. This notice announces the location and times for the meeting and sets forth the tentative agenda topics. This meeting is open to the general public, but there will be a Tribal Caucus for internal TPPC matters, which will be closed to the general public.

DATES: The meeting will be held on September 27, 2000 from 9 a.m. to 5:30 p.m., including a Tribal Caucus from 3:30 p.m. to 4:30 p.m., and September 28, 2000 from 9 a. m. to 3:45 p.m.

Requests to participate in the meeting may be received until September 25, 2000.

ADDRESSES: The meeting will be held at the Yakama Nation - Winterlodge Cultural Heritage Center, (ask for directions to the Yakama Agency complex), Buster Lane, Toppenish, WA.

Requests to participate may be submitted by mail, electronically, or in person. Please follow the detailed instructions for each method as provided in Unit I.C. of the **SUPPLEMENTARY INFORMATION.** To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–00676 in the subject line on the first page of your response.

FOR FURTHER INFORMATION CONTACT: Lillian Wilmore, TPPC Facilitator, P.O. Box 470829; Brookline Village, MA. 02447–0829; telephone number (617) 232–5742; Fax Number (617) 277–1656; e-mail address: naecology@aol.com or Georgia A. McDuffie, Field and External Affairs Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (703) 605–0195; fax number: (703) 308–1850; e-mail address: mcduffie.georgia@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to Tribes with pesticide programs or pesticide interests. Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

B. How Can I Get Additional Information, Including Copies of this Document and Other Related Documents?

1. *Electronically.* You may obtain electronic copies of this document, and certain other related documents that might be available electronically, from the EPA Internet Home Page at http://www.epa.gov/. To access this document, on the Home Page select ''Laws and Regulations,'' ''Regulations and Proposed Rules,'' and then look up the entry for this document under the ''**Federal Register**—Environmental Documents.'' You can also go directly to the **Federal Register** listings at http://www.epa.gov/fedrgstr/.

2. *In person.* The Agency has established an official record for this action under docket control number OPP–00676. The official record consists of the documents specifically referenced in this action, any public comments received during an applicable comment period, and other information related to this action, including any information claimed as Confidential Business Information (CBI). This official record includes the documents that are physically located in the docket, as well as the documents that are referenced in those documents. The public version of the official record does not include any information claimed as CBI. The public version of the official record, which includes printed, paper versions of any electronic comments submitted during an applicable comment period, is available for inspection in the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2 (CM #2), 1921 Jefferson Davis Hwy., Arlington, VA, from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

C. How Can I Request to Participate in this Meeting?

You may submit a request to participate in this meeting through the mail, in person, or electronically. Do not submit any information in your request that is considered CBI. Your request must be received by EPA on or before September 25, 2000. To ensure proper receipt by EPA, it is imperative that you identify docket control number OPP–00676 in the subject line on the first page of your response.

1. *By mail.* Submit your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460.

2. *In person or by courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Information Resources and Services Division (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA. The PIRIB is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The PIRIB telephone number is (703) 305–5805.

3. *Electronically.* You may submit your comments electronically by e-mail to: opp-docket@epa.gov, or you can submit a computer disk as described above. Do not submit any information electronically that you consider to be CBI. Avoid the use of special characters and any form of encryption. Electronic submissions will be accepted in WordPerfect 6.1/8.0 or ASCII file format. All comments in electronic form must be identified by docket control number OPP–00676. Electronic comments may also be filed online at many Federal Depository Libraries.

D. How Should I Handle CBI that I Want to Submit to the Agency?

Do not submit any information electronically that you consider to be CBI. You may claim information that you submit to EPA in response to this document as CBI by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public version of the official record. Information not marked confidential will be included in the public version of the official record without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this notice.
8. To ensure proper receipt by EPA, be sure to identify the docket control number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Background

The first official Tribal Pesticide Program Council (TPPC) meeting was held in January 2000 in Washington, DC. The TPPC was founded, based on tribal needs, views and goals, to provide Tribes with a voice in national pesticide policy and issues. Native Ecology Initiative (NEI), a non-profit organization, was awarded the EPA cooperative agreement to form the TPPC. The formation of the TPPC has

created a strong mechanism for communication between tribes and EPA, which has led to a more effective way for tribal members to share with EPA staff their real world experience with pesticide issues in Indian country.

III. Tentative Agenda

September 27, 2000 (Wednesday)

Welcome and greetings invocation

General session - Open to all participants introductions

Report from the chairman - State of the Council

Reports from working groups

Reports from TPPC Reps to other meetings and groups

Panel and discussion on Tribal authority and jurisdictional issues under FIFRA

Presentation on Integrated Pest Management (IPM)

Tribal caucus (closed - Council members only)

Baseline assessment presentation

Wrap-up, review of agenda for day two; opportunity to place issues on TPPC agenda

September 28, 2000 (Thursday)

Welcome and greetings invocation

General session - Open to all participants, presentation and discussion on federal inspector credentials

Presentation of Shoalwater Bay Indian Tribe

New council member - pesticide concerns

Report and review on pesticide contamination of NAGPRA items

Presentation by Yakama Nation reps - overview of their history, culture, environmental program issues; Yakama agriculture

Presentation and discussion on Tribal Pesticide Program Development - What is Needed?

Wrap-Up, opportunity to place issues on TPPC agenda, and report on plans for next year

List of Subjects

Environmental protection.

Dated: August 28, 2000.

Anne E. Lindsay,

Director, Field and External Affairs Division, Office of Pesticide Programs.

[FR Doc. 00–22526 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–7]

Notice of Availability of Proposed National Pollutant Discharge Elimination System (''NPDES'') General Permit For Discharges From Concentrated Animal Feeding Operations in Arizona

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of availability of proposed NPDES general permit, and request for comments.

SUMMARY: The Regional Administrator, EPA, Region 9, is proposing to issue an NPDES general permit (permit No. AZG800000) for discharges from concentrated animal feeding operations (CAFOs) in Arizona. This document announces the availability of the proposed general permit and fact sheet for public comment. When issued, the proposed permit will establish effluent limitations, prohibitions, best management practices and other conditions governing the discharge of pollutants to waters of the United States from these CAFOs.

DATES: *Comments.* Comments on the proposed general permit must be received or postmarked no later than October 20, 2000.

Public Hearing. A public hearing to receive public comment concerning the proposed general permit will be held on October 12, 2000 at 4 pm.

ADDRESSES: *Comments.* Public comments and requests for coverage should be sent to: Environmental Protection Agency, Region 9, Attn: CWA Standards and Permits Office, WTR–5. 75 Hawthorne Street, San Francisco, California 94105–3901. EPA requests that interested parties send a copy of their comments on the proposed general permit and fact sheet to Linda Taunt, Reuse and Federal Permits Unit, Arizona Department of Environmental Quality, 3033 North Central, Phoenix, AZ 85012.

Public Hearing. The public hearing will be held at: Arizona Department of Environmental Quality, Room 1706, 3033 N. Central Avenue, Phoenix, Arizona, 85012.

FOR FURTHER INFORMATION CONTACT: Shirin Tolle or Jacques Landy, EPA, at the address listed above or telephone Shirin Tolle at (415) 744–1898 or Jacques Landy at (415) 744–1922. Copies of the proposed general permit and fact sheet will be provided upon request and are also available at EPA, Region 9's website at http://www.epa.gov/region09/water/npdes/index.html (permit link located under section heading Draft NPDES permits).

SUPPLEMENTARY INFORMATION: *Certification under section 401(a) of the Clean Water Act:* Under CWA, section 401(a)(1), EPA may not issue an NPDES permit until a certification is granted or waived in accordance with that section by the State in which the discharge originates or will originate. EPA has initiated the certification process set forth in 40 CFR 124.53 for the proposed permit. Persons wishing to comment on certification of the proposed permit should contact the Arizona Department of Environmental Quality or the appropriate Indian Tribe at the address indicated in Appendix D of the proposed permit.

Administrative Record: The proposed NPDES general permit and other related documents in the administrative record are on file and may be inspected between 8:30 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays, at the addresses shown below. U.S. EPA, Region 9, CWA Standards and Permits Office (WTR–5), 75 Hawthorne Street, San Francisco, CA 94105–3901.

Summary of Terms and Conditions of Proposed General Permit

A. *Facility Coverage.* The draft permit would cover Concentrated Animal Feeding Operations (CAFOs as defined in 40 CFR 122.23(b)) in Arizona and in Indian Country lands as set forth in Part II Section A of the permit. CAFOs which have received notice to apply for an individual permit from EPA would not be eligible for coverage under the draft permit. EPA may, pursuant to 40 CFR 122.23(c), designate an animal feeding operation as a CAFO if EPA determines that the operation is a significant contributor of pollution to the waters of the United States. Facilities that are designated as CAFOs under that provision may be eligible for coverage under this permit. An owner or operator of a CAFO eligible for coverage under the general permit may apply for an individual permit rather than seek coverage under the general permit.

An owner or operator of a CAFO seeking coverage under the general permit would be required to submit a Notice of Intent (NOI) to EPA, and to the Arizona Department of Environmental Quality (ADEQ) or the appropriate Indian Tribe. A NOI for an existing CAFO would have to be submitted within 180 days after the effective date of the permit. An owner or operator seeking coverage for a new facility would be required to submit a NOI, and additional information identified in Appendix C of the permit, at least

ninety days before the facility becomes a CAFO.

The proposed general permit will terminate five years after its effective date. In accordance with 40 CFR 122.28(b)(3), EPA may require any discharger authorized by the permit to apply for and obtain an individual NPDES permit, and terminate or revoke coverage under this general permit. Owners or operators authorized by the general permit may also request to be excluded from the general permit's coverage by applying for an individual permit.

B. *Types of Discharges Authorized.* The draft permit states that there shall be no discharge of waste, process waste water, or process waste water pollutants to waters of the United States except when storm events cause an overflow of process waste water from a facility designed, operated and maintained to contain all process generated waste waters resulting from the operation of the CAFO, plus all contaminated runoff from a 25-year, 24-hour storm event. The draft permit also prohibits discharges which would cause or contribute to the violation of a water quality standard except for discharges which are ''agricultural stormwater discharges and return flows from irrigated agriculture'' within the context of Clean Water Act, section 502(14).

C. *Effluent Limitations.* The proposed permit includes technology-based effluent limitations and standards based on the effluent limitations guidelines for the Feedlots Point Source Category, 40 CFR part 412. The permit also includes conditions designed to achieve water quality standards established under CWA, section 303, including Arizona's water quality criteria codified at Arizona Administrative Code Title 18, Chapter 11, and federally promulgated water quality standards codified at 40 CFR 131.31. Provisions requiring the use of best management practices (BMPS) to control or abate the discharge of pollutants are included in the permit pursuant to CWA, section 402(a)(1) and 40 CFR 122.43 and 122.44(k). Monitoring requirements are included pursuant to 40 CFR 122.44(h), and conditions applicable to all permits are included pursuant to 40 CFR 122.41.

A fact sheet briefly setting forth the principal facts and significant factual, legal, methodological and policy questions considered in preparing the draft permit is available as part of the public record for this action.

The draft permit contains special conditions in Part III.B. which include requirements for: a facility-specific best management practices (BMP) plan, minimum standards, development of a comprehensive nutrient management plan (CNMP), on-site and off-site disposal of waste water and wastes, and record keeping and inspections.

The facility-specific BMP plan for an existing CAFO would be developed and implemented within one year of the effective date of the permit; the plan for a new CAFO would be submitted with the NOI. The BMP plan would demonstrate the adequacy of waste water control and retention structures, and describe the maintenance, inspection and record keeping procedures, and other BMPs which the permittee will implement to assure compliance.

Minimum standards included in Part IV.B.2 of the permit are related to the location of waste water control or retention structures, chemical handling, spill prevention, closure and other aspects of operating a CAFO.

Contingent on the availability of final CNMP guidance and the availability of ''certified specialist'' training in Arizona, the permittee must complete a CNMP consistent with Natural Resources Conservation Service (NRCS) guidance.

Prior to establishment of the CNMP, CAFO facilities which land apply manure or waste water shall be required under the permit to develop and implement a nutrient management plan (NMP) in accordance with the National Resource Conservation Service (NRCS) Conservation Practice Standard—Arizona nutrient management, Code 590.

The draft permit requires the permittee to notify EPA, and the State or Indian Tribe, as appropriate, of discharges from the CAFO, and to sample and analyze the material discharged.

The draft permit includes provisions similar to standard permit conditions governing discharges in Arizona. The standard conditions delineate legal, administrative, and procedural requirements of the permit and also cover various topics including definitions, testing procedures, record retention, notification requirements, penalties for noncompliance, and permittee responsibilities.

D. *EPA issuance of General Permits.* Arizona has not received approval to issue NPDES permits and otherwise administer the NPDES program. Accordingly, EPA Region 9 is proposing to issue the general permit governing discharges from CAFOs pursuant to CWA, section 402.

EPA may issue either individual or general NPDES permits. General permits, and the conditions under which they may be issued, are described at 40 CFR 122.28. EPA may issue a general permit to regulate a category of point sources, if the sources all involve substantially similar types of operations, discharge the same types of wastes, require the same effluent limitations, require similar monitoring, and are more appropriately controlled under a general permit than under individual permits.

At present, there approximately 150 operations in Arizona whose size qualifies them as CAFO operations. EPA Region IX has determined that these CAFO operations maintain substantially similar types of operations and have the potential to discharge similar types of wastes. For these reasons, EPA Region IX believes that these facilities can be governed under a general NPDES permit.

E. *National Environmental Policy Act.* Pursuant to CWA, section 511(c), and 40 CFR Part 6, EPA has conducted an environmental review of the proposed action, and has tentatively determined that no significant impacts are anticipated and that an Environmental Impact Statement (EIS) is not required. EPA has prepared a draft environmental assessment and Finding of No Significant Impact (FNSI), which are available as part of the public record for this action. Interested persons disagreeing with the decision not to prepare an EIS may submit comments to Shirin Tolle or Jacques Landy, CWA Standards & Permits Office (WTR–5), EPA Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901.

The proposed permit requires that a person seeking coverage for a new CAFO must submit to EPA, and to the State or Indian Tribe, as appropriate, an Environmental Information Document (EID), containing the information identified in Appendix C, no later than 90 days before the operation becomes a CAFO. This requirement will provide EPA an opportunity to conduct an environmental review, determine if any significant impacts are anticipated, determine if an environmental impact statement is required and otherwise ensure compliance with NEPA requirements, with respect to the proposed new source.

7. *Endangered Species Act.* Section 7(a)(2) of the Endangered Species Act (ESA) requires that Federal agencies consult with the U.S. Fish and Wildlife Service (FWS) to insure that any action authorized, funded or carried out by them (also known as an ''agency action'') is not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of critical habitat. This permit contains conditions to

ensure that the activities regulated by it are protective of species that are listed under the ESA as endangered or threatened (known as ''listed species''), and listed species habitat that is designated under the ESA as critical (''critical habitat''). In addition, the permit's coverage does not extend to facilities likely to jeopardize the continued existence of species proposed but not yet listed as endangered or threatened or to cause the adverse modification of habitat proposed to be designated critical habitat. EPA has tentatively determined that the issuance of this permit will be a benefit to listed species and critical habitat in that discharges from operating CAFO facilities will be controlled and new and expanding facilities must undergo a National Environmental Policy Act (NEPA) review including evaluation of impacts to listed species and habitat. There is currently no federal permit in effect that provides this level of protection for CAFO facilities. After reviewing all relevant information, EPA has tentatively determined that this permit may effect, but is not likely to adversely effect listed species and critical habitat. EPA has initiated informal consultation with the Arizona Field Office of FWS to seek their concurrence with EPA's tentative determination, and will conclude this consultation prior to issuing the final permit.

G. *National Historic Preservation Act.* The National Historic Preservation Act (NHPA) and implementing regulations require the Regional Administrator, before issuing a permit, to adopt measures when feasible to mitigate potential adverse effects of the permitted activity on properties listed or eligible for listing in the National Register of Historic Places. The Act's requirements are to be implemented in cooperation with State Historic Preservation Officers and upon notice to, and when appropriate, in consultation with the Advisory Council on Historic Preservation. The proposed permit provides that CAFOs which are likely to adversely affect properties listed or eligible to be listed in the National Register of Historic Places are ineligible for coverage under the permit. The proposed permit also requires that a person seeking coverage for a new CAFO must submit to EPA, and to the State or Indian Tribe, as appropriate, an Environmental Information Document (EID), containing information related to impacts upon historical or archeological resources, no later than 90 days before the operation becomes a CAFO. This requirement will provide EPA an opportunity to ensure compliance with NHPA requirements with respect to the proposed new source.

H. *Permit Effective Date and Appeal Procedures.* To ensure smooth transition and allow current operators time to apply and prepare for the new requirements, the effective date of the general permit is proposed as the first day of the month that begins at least 45 days after the State of Arizona has granted certification of the permit under section 401(a) of the Clean Water Act.

Within 120 days following notice of EPA's final decision for the general permit under 40 CFR 124.15, any interested person may appeal the permit in the Federal Court of Appeals in accordance with section 509(b)(1) of the CWA. Persons affected by a general permit may not challenge the conditions of a general permit as a right in further Agency proceedings. They may instead either challenge the general permit in court, or apply for an individual permit as specified at 40 CFR 122.21 (and authorized at 40 CFR 122.28) and then petition the Environmental Appeals Board to review any condition of the individual permit (40 CFR 124.19 as modified on May 15, 2000, 65 FR 30886).

I. *Paperwork Reduction Act.* The information collection required by this permit has been approved by Office of Management and Budget under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.,* in submission made for the NPDES permit program and assigned OMB control numbers 2040–0086 (NPDES permit application) and 2040–0004 (discharge monitoring reports).

J. *Economic Impact (Executive Order 12866).* Under Executive Order 12866 (58 FR 51735 (Oct. 4, 1993)), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

EPA has determined that this proposed general permit is not a ''significant regulatory action'' under the terms of Executive Order 12866.

K. *Unfunded Mandates Reform Act.* Section 201 of the Unfunded Mandates Reform Act (UMRA), Public Law 104–4, generally requires Federal agencies to assess the effects of their ''regulatory actions'' on State, local, and tribal governments and the private sector. UMRA uses the term ''regulatory actions'' to refer to regulations. (See, *e.g.,* UMRA section 201, ''Each agency shall * * * assess the effects of Federal regulatory actions * * * (other than to the extent that such regulations incorporate requirements specifically set forth in law)''). UMRA section 102 defines ''regulation'' by reference to section 658 of Title 2 of the U.S. Code, which in turn defines ''regulation'' and ''rule'' by reference to section 601(2) of the Regulatory Flexibility Act (RFA). That section of the RFA defines ''rule'' as ''any rule for which the agency publishes a notice of proposed rulemaking pursuant to section 553(b) of [the Administrative Procedures Act (APA)], or any other law * * *''

As discussed in the RFA section of this notice, NPDES general permits are not ''rules'' under the APA and thus not subject to the APA requirement to publish a notice of proposed rulemaking. NPDES general permits are also not subject to such a requirement under the Clean Water Act. While EPA publishes a notice to solicit public comment on draft general permits, it does so pursuant to the CWA section 402(a) requirement to provide ''an opportunity for a hearing.'' Thus, NPDES general permits are not ''rules'' for RFA or UMRA purposes.

EPA has determined that the proposed general permit does not contain a Federal requirement that may result in expenditures of $ 100 million or more for State, local and tribal governments, in the aggregate, or the private sector in any one year.

The Agency also believes that the proposed general permit will not significantly nor uniquely affect small governments. For UMRA purposes, ''small governments'' is defined by reference to the definition of ''small governmental jurisdiction'' under the RFA. (See UMRA section 102(1), referencing 2 U.S.C. 658, which references section 601(5) of the RFA.) ''Small governmental jurisdiction'' means governments of cities, counties, towns, etc., with a population of less than 50,000, unless the agency establishes an alternative definition.

The proposed general permit also will not uniquely affect small governments because compliance with the permit conditions affects small governments in the same manner as any other entities seeking coverage under the proposed general permit.

L. *Regulatory Flexibility Act.* Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, EPA is required to prepare a Regulatory Flexibility Analysis to assess the impact of rules on small entities. Under 5 U.S.C. 605(b), no Regulatory Flexibility Analysis is required where the head of the Agency certifies that the rule will not have a significant economic impact on a substantial number of small entities.

The Agency takes the position that NPDES general permits are not subject to rulemaking requirements under APA section 553 or any other law. The requirements of APA section 553 apply only to the issuance of ''rules,'' which the APA defines in a manner that excludes permits. See APA section 551(4), (6) and (8). The CWA also does not require publication of a general notice of proposed rulemaking for general permits. EPA publishes draft general NPDES permits for public comment in the **Federal Register** in order to meet the applicable CWA procedural requirement to provide ''an opportunity for a hearing.'' See CWA section 402(a), 33 U.S.C. 1342(a).

Nevertheless, the Agency has determined that the permit will not have a significant economic impact on a substantial number of small entities. The permit requirements have been designed to minimize significant administrative and economic impacts on small entities and should not have a significant impact on regulated sources in general. Moreover, the proposed general permit reduces a significant burden on regulated sources of applying for individual permits.

M. *Signature.* Accordingly, I hereby find consistent with the provisions of the RFA, that this proposed general permit will not have a significant impact on a substantial number of small entities.

Authority: Clean Water Act, 33 U.S.C. 1251 *et seq.*

Dated: August 24, 2000.

Alexis Strauss,

Acting Regional Administrator, Region IX.

[FR Doc. 00–22523 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6863–1]

Notice of Tentative Approval and Solicitation of Requests for a Public Hearing for Public Water System Supervision Program Revision for the Commonwealth of Virginia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of tentative approval and solicitation of requests for a public hearing.

SUMMARY: Notice is hereby given in accordance with the provision of section 1413 of the Safe Drinking Water Act as amended, and the National Primary Drinking Water Regulations Implementation that the Commonwealth of Virginia has revised its approved Public Water System Supervision Primacy Program. Specifically, Virginia has revised its Administrative Penalty Authority. EPA has determined that this program revision satisfies the requirements of the Federal regulations. Therefore, EPA has decided to tentatively approve the program revisions. All interested parties are invited to submit written comments on this determination and may request a public hearing.

DATES: Comments or a request for a public hearing must be submitted by October 2, 2000. This determination shall become effective on October 2, 2000 if no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, and if no comments are received which cause EPA to modify its tentative approval.

ADDRESSES: Comments or a request for a public hearing must be submitted to the U.S. Environmental Protection Agency Region III, 1650 Arch Street, Philadelphia, PA 19103–2029. All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices:

- Drinking Water Branch, Water Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103–2029; and
- Virginia Department of Health, Division of Water Supply Engineering, 1500 East Main Street, Richmond, Virginia 23218.

FOR FURTHER INFORMATION CONTACT: Michelle Hoover, Drinking Water Branch (3WP22) at the Philadelphia address given above; telephone (215) 814–5258 or fax (215) 814–2318.

SUPPLEMENTARY INFORMATION: All interested parties are invited to submit written comments on this determination and may request a public hearing. All comments will be considered, and, if necessary, EPA will issue a response. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by October 2, 2000, a public hearing will be held. A request for public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such a hearing; and (3) the signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Dated: August 22, 2000.

Bradley M. Campbell,

Regional Administrator, EPA, Region III.

[FR Doc. 00–22522 Filed 8–31–00; 8:45 am]

BILLING CODE 6560–50–P

EXPORT-IMPORT BANK OF THE UNITED STATES

[Public Notice 42]

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

AGENCY: Export-Import Bank of the United States.

ACTION: Submission for OMB Review; Comment request.

SUMMARY: In accordance with requirements of the Paperwork Reduction Act of 1995, the Export-Import Bank of the United States (Ex-Im Bank) has submitted to the office of Management and Budget (OMB) a request to review and approve a revision of a currently approved collection described below. A request for public comments was published in 65 FR No. 167, 40660, June 30, 2000. No comments were received.

SUPPLEMENTARY INFORMATION: This notice is soliciting comments from members of the public concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the paper performance of the functions of the

agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of collection of information on those who are to respond: including through the use of appropriate automated collection techniques or other forms of information technology, *e.g.,* permitting electronic submission of responses.

Dates: Comments due on or before September 27, 2000.

OMB Number: 3048–0003.

Title and Form Number: U.S. Small Business Administration, Export-Import Bank of the United States, Joint Application for Working Capital Guarantee, EIB–SBA 84–1.

Type of Review: Revision of a currently approved collection.

Need and Use: The information requested enables the applicant to provide Ex-Im Bank with information necessary to determine eligibility for the Working Capital Guarantee Program.

Affected Public: Business and other for-profit/not-for-profit institutions, Farms.

Respondents: Entities involved in the export of U.S. goods and services, including exporters, banks, and other non-financial lending institutions that act as facilitators.

Estimated annual respondents: 600.

Estimated time per respondent: 2 hours.

Estimated annual burden: 1,200 hours.

Frequency of response: When applying for a guarantee.

Copies of these submissions may be obtained from Carlista D. Robinson, Export-Import Bank of the United States, 811 Vermont Avenue, NW., Washington, DC 20571, (202) 565–3351. Comments and recommendations concerning the submissions should be sent to Mr. David Rostker, Office of Management and Budget, Office of Information and Regulatory Affairs, NEOB—Room 10202, Washington, DC 20503.

Solomon Bush,

Alternate Liaison Officer.

[FR Doc. 00–22632 Filed 8–31–00; 8:45 am]

BILLING CODE 6690–01–M

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

August 25, 2000.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before October 31, 2000. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications Commissions, 445 12th Street, S.W., Room 1–A804, Washington, DC 20554 or via the Internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at (202) 418–0217 or via the Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Number: 3060–0727.

Title: Section 73.213—Grandfathered Short-Spaced Stations.

Form Number: FCC 301/340.

Type of Review: Extension of currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 15.

Estimated time per response: 5 hours (4.5 hours consulting engineer, 0.5 hours licensee).

Frequency of responding: Reporting, on occasion, third party disclosure.

Total annual burden: 9 hours.

Total annual costs: $10,810.

Needs and Uses: Section 73.213 requires licensees of grandfathered short-spaced FM stations seeking to modify or relocate their stations to provide a showing demonstrating that there is no increase in either the total predicted interference area or the associated population (caused or received) with respect to all grandfathered stations or increase the interference caused to any individual stations. Applicants must demonstrate that any new area predicted to lose service as a result of interference has adequate service remaining. In addition, licensees are required to serve a copy of any application for co-channel or first-adjacent channel stations proposing predicted interference caused in any area where interference is not currently predicted to be caused upon the licensee(s) of the affected short-spaced station(s).

The data are used by Commission staff to determine if the public interest will be served and that existing levels of interference will not be increased to other licensed stations. Providing copies of application(s) to affected licensee(s) will enable potentially affected parties to examine the proposals and provide them an opportunity to file informal objections against such applications.

Federal Communications Commission.

William F. Caton,

Deputy Secretary.

[FR Doc. 00–22468 Filed 8–31–00; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

[CC Docket No. 92–237; DA 00–1980]

Next Meeting of the North American Numbering Council

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: On August 29, 2000, the Commission released a public notice announcing the September 19 and 20, 2000, meeting and agenda of the North American Numbering Council (NANC). The intended effect of this action is to make the public aware of the NANC's next meeting and its agenda.

FOR FURTHER INFORMATION CONTACT: Jeannie Grimes at (202) 418–2320 or

jgrimes@fcc.gov. The address is: Network Services Division, Common Carrier Bureau, Federal Communications Commission, The Portals, 445 12th Street, SW, Suite 6A320, Washington, DC 20554. The fax number is: (202) 418–2345. The TTY number is: (202) 418–0484.

SUPPLEMENTARY INFORMATION: Released: August 29, 2000.

The North American Numbering Council (NANC) has scheduled a meeting to be held Tuesday, September 19, 2000, from 8:30 a.m. until 5:00 p.m., and on Wednesday, September 20, from 8:30 a.m., until 12 noon. The meeting will be held at the Federal Communications Commission, Portals II, 445 12th Street, SW, Room TW–C305, Washington, DC.

This meeting is open to members of the general public. The FCC will attempt to accommodate as many participants as possible. The public may submit written statements to the NANC, which must be received two business days before the meeting. In addition, oral statements at the meeting by parties or entities not represented on the NANC will be permitted to the extent time permits. Such statements will be limited to five minutes in length by any one party or entity, and requests to make an oral statement must be received two business days before the meeting. Requests to make an oral statement or provide written comments to the NANC should be sent to Jeannie Grimes at the address under **FOR FURTHER INFORMATION CONTACT,** stated above.

Proposed Agenda—Tuesday, September 19, 2000

1. Approval of June 20–21 and July 18–19, 2000, meeting minutes.
2. North American Numbering Plan Administration (NANPA) Report. Presentation of NANP exhaust (with pooling) projection; status of Central Office Code applications; update on COCUS/NRUF submissions and electronic file transfer (EFT) format. Results of 1Q00 Neutrality audit.
3. North American Numbering Plan Administration (NANPA) Oversight Working Group Report. Recommendation regarding CO Code application compensation adjustment and review of enterprise services.
4. Legal Expertise Working Group Report. Discussion of North American Numbering Plan Billing and Collection, Inc., (NBANC) recovery of NANPA past costs.
5. North American Numbering Plan Billing and Collection (NBANC) Report.
6. Numbering Resource Optimization (NRO) Working Group Report. Status of update on development of ITN and UNP recommendation (NRO R&O paragraph 231), and status of fees for reserved numbers (paragraph 25).
7. Industry Numbering Committee (INC) Report.
8. Toll Free Access Codes Issue Management Group (IMG) Report.
9. Ad Hoc Voluntary UNP Study Group Report. Presentation of Business Rule Model.
10. Local Number Portability Administration (LNPA) Working Group Report. Wireless Number Portability Subcommittee report, and status of Third Wireline Wireless Integration Report.
11. Discussion of NANC Carrier Identification Code (CIC) assignment, CC Docket 94–129 (rel. August 15, 2000).

Wednesday, September 20, 2000

12. Steering Group Report.
13. Telcordia Technologies, Inc., tutorial on unified messaging service.
14. NANC Discussion Group on charging for telephone numbers.
15. Reconsideration of establishment of a NANC Issue Management Group to study numbering resource demand from new services (e.g., unified messaging services). Presentation by JAX.com, Inc., scheduled for the October 17–18, 2000 meeting.
16. Limited Liability Corporations (LLCs) and Number Portability Administration Centers (NPAC) activity update.
17. Public Participation (5 minutes each, if any).
18. Other Business.
19. Action Items and Decisions Reached.

Federal Communications Commission.

L. Charles Keller,

Chief, Network Services Division, Common Carrier Bureau.

[FR Doc. 00–22558 Filed 8–31–00; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

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

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency has submitted the following proposed information collection to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Title: Claims for National Flood Insurance Program.

Type of Information Collection: Reinstatement, with change, of a previously approved collection for which approval has been expired.

OMB Number: 3067–0021.

Form Numbers: 81–40, 81–41, 81–41A, 81–42, 81–42A, 81–43, 81–44, 81–57, 81–58, 81–59, 81–63, 81–96, 81–98.

Abstract: The National Flood Insurance Program (NFIP) is authorized by Public Law (Pub. L.) 90–448 National Flood Insurance Act of 1968 and expanded by Public Law 93–234, Flood Disaster Protection Act of 1973 to provide low-cost federally subsidized flood insurance for existing buildings exposed to flood risks. In return communities must enact and administer construction safeguards to ensure that new construction in the flood plain will be built to eliminate or minimize future flood damage. The forms included in this collection of information provide the information that is necessary for the continued proper performance of the Agency's functions related to indemnifying policyholders for flood damage to their properties.

Affected Public: Individuals and households, Business or other for-profit, Not-for-profits institutions, Farms, Federal government and State, local or tribal governments.

Number of Respondents: 77,634.

Estimated Time per Respondent: 4 hours.

Estimated Total Annual Burden Hours: 310,536.

Frequency of Response: On occasion.

Comments: Interested persons are invited to submit written comments on the proposed information collection to the Desk Officer for the Federal Emergency Management Agency, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 within 30 days of the date of this notice.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Muriel B. Anderson, FEMA Information Collections Officer, Federal Emergency Management Agency, 500 C Street, SW, Room 316, Washington, DC 20472. Telephone number (202) 646–2625, FAX number (202) 646–3524, or email address: muriel.anderson@ fema.gov.

Dated: August 23, 2000.

Reginald Trujillo,

Director, Program Services Division, Operations Support Directorate.

[FR Doc. 00–22534 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

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

ACTION: Notice and request for comments.

SUMMARY: The Federal Emergency Management Agency has submitted the following proposed information collection to the Office of Management and Budget for review and clearance in accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Title: National Fire Academy Resident Course Evaluation Form.

Type of Information Collection: Extension of a currently approved collection.

OMB Number: 3067–0234.

Abstract: FEMA uses the National Fire Academy Course Evaluation Form to evaluate on-campus courses delivered at the NFA facility, located in Emmitsburg, Maryland. It is also used to evaluate regional courses, which are identical to the NFA resident courses offered in selected regions to students unable to travel to Emmitsburg campus, for the resident offering of the course. The data provided by students evaluating an NFA course are used to determine the need for course improvements and the degree of student satisfaction with the course experience.

Affected Public: Individuals or households participating in NFA courses on-campus or regional courses.

Number of Respondents: 5,500.

Estimated Time per Respondent: 15 minutes.

Estimated Total Annual Burden Hours: 1,375 hours.

Frequency of Response: The end of each course.

Comments: Interested persons are invited to submit written comments on the proposed information collection to the Desk Officer for the Federal Emergency Management Agency, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 within 30 days of the date of this notice.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection should be made to Muriel B. Anderson, Chief, Records Management Branch, Program Services Division, Operations Support Directorate, Federal Emergency Management Agency, 500 C Street, SW, Room 316, Washington, DC 20472, telephone number (202) 646–2625, FAX number (202) 646–3524 or e-mail address: muriel.anderson@fema.gov.

Dated: August 25, 2000.

Reginald Trujillo,

Director, Program Services Division, Operations Support Directorate.

[FR Doc. 00–22535 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1335–DR]

New York; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of New York (FEMA–1335–DR), dated July 21, 2000, and related determinations.

EFFECTIVE DATE: August 21, 2000.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is May 3–August 12, 2000.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 00–22537 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1335–DR]

New York; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of New York, FEMA–1335–DR, dated July 21, 2000, and related determinations.

EFFECTIVE DATE: August 24, 2000

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of New York is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of July 21, 2000:

Columbia, Dutchess, Livingston, Ulster, Sullivan and Yates Counties for Public Assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 00–22538 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1334–DR]

North Dakota; Amendment No. 6 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of North Dakota (FEMA–1334-DR), dated June 27, 2000, and related determinations.

EFFECTIVE DATE: August 23, 2000

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is reopened. The incident period for this declared disaster is now April 5, 2000, through and including August 12, 2000.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression

Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 00–22536 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–02–U

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1339–DR]

Ohio; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Ohio (FEMA–1339–DR), dated August 21, 2000, and related determinations.

EFFECTIVE DATE: August 21, 2000.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated August 21, 2000, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Ohio, resulting from severe storms and flooding on July 29, 2000 and continuing through August 2, 2000 is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 *et seq.* (the Stafford Act). I, therefore, declare that such a major disaster exists in the State of Ohio.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Hazard Mitigation in the designated areas and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Louis H. Botta of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following area of the State of Ohio to have been affected adversely by this declared major disaster:

Lucas County for Individual Assistance.

All counties within the State of Ohio are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.)

James L. Witt,

Director.

[FR Doc. 00–22539 Filed 8–31–00; 8:45 am]

BILLING CODE 6718–02–U

FEDERAL RESERVE SYSTEM

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: 10:00 a.m., Wednesday, September 6, 2000.

PLACE: Marriner S. Eccles Federal Reserve Board Building, 20th and C Streets, N.W., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.

2. Any matters carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Lynn S. Fox, Assistant to the Board; 202–452–3204.

SUPPLEMENTARY INFORMATION: You may call 202–452–3206 beginning at approximately 5 p.m. two business days before the meeting for a recorded announcement of bank and bank holding company applications scheduled for the meeting; or you may contact the Board's Web site at http://www.federalreserve.gov for an electronic announcement that not only lists applications, but also indicates procedural and other information about the meeting.

Dated: August 30, 2000.

Robert deV. Frierson,

Associate Secretary of the Board.

[FR Doc. 00–22621 Filed 8–30–00; 11:02 am]

BILLING CODE 6210–01–P

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 (HHS) announces the following advisory committee meeting.

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

Time and Date:

September 19, 2000—9 a.m.–5:30 p.m. EDT.

September 20, 2000—10 a.m.–3:30 p.m. EDT.

Place: Quality Hotel Courthouse Plaza, 1200 N. Courthouse Road, Arlington, VA 22201, (888) 987–2555.

Status: Open.

Purpose: At this meeting the Committee will hear presentations and hold discussions on several health data policy topics. On the first day there will be an update from HHS on the implementation of the administrative simplification provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Committee will also discuss the outcome of the August Executive Subcommittee Retreat relating to work planning, organization, and future directions. Presentations are scheduled on two quality of care data issues: the National Quality Report Card Strategy, and the Performance Measurement Coordinating Council. The first day will end with subcommittee breakout sessions. On day two the Committee will be briefed on an Institute of Medicine report on confidentiality practices of institutional review boards relating to health services research, and will discuss the World Health Organization's report on improving the performance of health systems. There will also be an update from the Interagency Working Group on summary health measures. The meeting will close with reports from Subcommittees and Working Groups.

Contact Person for More Information: Substantive program information as well as summaries of meetings and a roster of committee members may be obtained from Marjorie S. Greenberg, Executive Secretary, NCVHS, National Center for Health Statistics,

Centers for Disease Control and Prevention, Room 1110, Presidential Building, 6525 Belcrest Road, Hyattsville, Maryland 20782, telephone (301) 458–4245. Information also is available on the NCVHS home page of the HHS website http://www.ncvhs.hhs.gov/, where further information will be posted when available.

Dated: August 25, 2000.

James Scanlon,

Director, Division of Data Policy, Office of the Assistant Secretary for Planning and Evaluation.

[FR Doc. 00–22403 Filed 8–31–00; 8:45 am]

BILLING CODE 4151–05–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30DAY–64–00]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) publishes a list of information collection requests under review by the Office of Management and Budget (OMB) in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these requests, call the CDC Reports Clearance Officer at (404) 639–7090. Send written comments to CDC, Desk Officer; Human Resources and Housing Branch, New Executive Office Building, Room 10235; Washington, DC 20503. Written comments should be received within 30 days of this notice.

Proposed Project: List of Ingredients Added to Tobacco in the Manufacture of Smokeless Tobacco Products—(0920–0338)—Extension—Office of Smoking and Health (OSH)—Oral use of smokeless tobacco represents a significant health risk which can cause cancer and a number of noncancerous oral conditions, and can lead to nicotine addiction and dependence. Furthermore, smokeless tobacco use is not a safe substitute for cigarette smoking.

The Centers for Disease Control and Prevention (CDC), Office on Smoking and Health (OSH) has been delegated the authority for implementing major components of the Department of Health and Human Services' (HHS) tobacco and health program, including collection of tobacco ingredients information. HHS's overall goal is to reduce death and disability resulting from cigarette smoking and other forms of tobacco use through programs of information, education and research.

The Comprehensive Tobacco Health Education Act of 1986 (15 U.S.C. 4401 *et seq.*, Pub.L. 99–252) requires each person who manufactures, packages, or imports smokeless tobacco products to provide the Secretary of Health and Human Services with a list of ingredients added to tobacco in the manufacture of smokeless tobacco products. This legislation also authorizes HHS to undertake research, and to report to the Congress (as deemed appropriate), on the health effects of the ingredients. The total annual burden is 286 hours.

The annualized burden is 286.

Respondents	Number of respondents	Number of responses	Average burden/response (in hours)
Tobacco Manufacturers	11	1	26

Dated: August 15, 2000.

Nancy Cheal,

Acting Associate Director for Policy, Planning and Evaluation, Centers for Disease Control and Prevention (CDC).

[FR Doc. 00–22421 Filed 8–31–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[30DAY–65–00]

Agency Forms Undergoing Paperwork Reduction Act Review

The Centers for Disease Control and Prevention (CDC) publishes a list of information collection requests under review by the Office of Management and Budget (OMB) in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35). To request a copy of these requests, call the CDC Reports Clearance Officer at (404) 639–7090. Send written comments to CDC, Desk Officer; Human Resources and Housing Branch, New Executive Office Building, Room 10235; Washington, DC 20503. Written comments should be received within 30 days of this notice.

Proposed Project

List of Ingredients Added to Tobacco in the Manufacture of Cigarette Products—(0920–0210)—Renewal—The Office of Smoking and Health (OSH)—Cigarette smoking is the leading preventable cause of premature death and disability in our Nation. Each year more than 400,000 premature deaths occur as the result of cigarette smoking related diseases.

The Centers for Disease Control and Prevention (CDC), Office on Smoking and Health (OSH) has the primary responsibility for the Department of Health and Human Services' (HHS) smoking and health program. HHS's overall goal is to reduce death and disability resulting from cigarette smoking and other forms of tobacco use through programs of information, education and research.

The Comprehensive Smoking Education Act of 1984 (15 U.S.C. 1336 Pub. L. 98–474) requires each person who manufactures, packages, or imports cigarettes to provide the Secretary of Health and Human Services with a list of ingredients added to tobacco in the manufacture of cigarettes. This legislation also authorizes HHS to undertake research, and to report to the Congress (as deemed appropriate), on the health effects of the ingredients. The total annual burden is 2,660 hours.

Respondents	Number of respondents	Number of responses	Average burden/response (in hours)
Tobacco manufacturers	14	1	190

Dated: August 28, 2000.

Nancy Cheal,

Acting Associate Director for Policy, Planning and Evaluation Centers for Disease Control and Prevention (CDC).

[FR Doc. 00–22426 Filed 8–31–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Reporting of Pregnancy Success Rates From Assisted Reproductive Technology Programs

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (DHHS).

ACTION: Final Notice.

SUMMARY: This notice sets forth the requirements for Reporting of Pregnancy Success Rates from Assisted Reproductive Technology Programs as required by the Fertility Clinic Success Rate and Certification Act of 1992 (FCSRCA). This notice describes who shall report to CDC, describes the reporting system, and describes the process for reporting by each assisted reproductive technology clinic. This notice incorporates comments received by CDC on the draft notice that was published in the Federal Register on September 3, 1999 (64 FR. 48402). This Announcement supersedes the previous notice that was published in the **Federal Register**, August 26, 1997 (62 FR. 45259).

FOR FURTHER INFORMATION CONTACT: Assisted Reproductive Technology Epidemiology Unit at (770) 488–5250.

SUPPLEMENTARY INFORMATION: Section 2(a) of Pub. L. 102–493 (42 U.S.C. 263a–1(a)) requires that each assisted reproductive technology (ART) program shall annually report to the Secretary through the Centers for Disease Control and Prevention (1) pregnancy success rates achieved by such ART program and (2) the identity of each embryo laboratory used by such ART program and whether the laboratory is certified or has applied for such certification under this act.

Pub. L. 102–493, Sec. 8 (42 U.S.C. 263a–7) defines ''assisted reproductive technology'' (ART) as ''all treatments or procedures which include the handling of human oocytes or embryos, including in vitro fertilization, gamete intrafallopian transfer, zygote intrafallopian transfer, and such other specific technologies as the Secretary may include in this definition, after making public any proposed definition in such manner as to facilitate comment from any person (including any federal or other public agency).''

The Secretary is directed in Section 2(b) (42 U.S.C. 263a–1(b)) to define pregnancy success rates and ''make public any proposed definition in such a manner as to facilitate comment from any person during its development.''

Section 2(c) (42 U.S.C. 263a–1(c)) states ''the Secretary shall consult with appropriate consumer and professional organizations with expertise in using, providing, and evaluating professional services and embryo laboratories associated with assisted reproductive technologies.''

Section 6 (42 U.S.C. 263a–5) states that the Secretary, through the CDC, shall annually ''publish and distribute to the States and the public, pregnancy success rates reported to the Secretary under section 2(a)(1) and, in the case of an assisted reproductive technology program which failed to report one or more success rates as required under each section, the name of each such program and each pregnancy success rate which the program failed to report.''

In developing the definition of pregnancy success rates, CDC has consulted with representatives of the Society for Assisted Reproductive Technology (SART, a national professional association of ART clinical programs), the American Society for Reproductive Medicine (ASRM, a national society of professional individuals who work with infertility issues), and RESOLVE, the National Infertility Association (a national, nonprofit consumer organization), as well as a variety of individuals with expertise and interest in this field.

The first **Federal Register** notice that outlined reporting requirements for ART programs was published August 26, 1997 (62 FR 45259) and solicited public comment. Because SART in conjunction with CDC made a number of revisions to the reporting process shortly after the publication of the first **Federal Register** notice, a second **Federal Register** notice was published on September 3, 1999 (64 FR 48402) that incorporated changes made to the reporting process. CDC also solicited public comment on this second draft document for the Reporting of Pregnancy Success Rates from Assisted Reproductive Technology Programs. The current Announcement incorporates comments received by CDC on the September 3, 1999, draft notice and supersedes both the August 26, 1997, and the September 3, 1999, notices.

Reponse to Comments

In response to our request for comments to the September 3, 1999, draft document outlining reporting requirements, we received two letters, one from a laboratory professional organization, and one from an individual serving as the laboratory director of an ART clinic. These letters contained 15 separate comments. Responses to these comments are as follows:

1. There was concern that no consultation or communication had been conducted with the American Association of Bioanalysts (AAB) or its College of Reproductive Biology regarding the reporting requirements.

Response: The AAB was consulted early during the process in which CDC explored mechanisms to implement FCSRCA. Specifically, a representative of AAB attended a 1996 meeting convened by CDC to discuss issues related to the collection and reporting of ART clinic success rate statistics. Other professional organizations were represented as well. Although AAB did not participate in the most recent round of discussions on the clinic reporting requirements, a laboratory professional has been included in all discussions about reporting requirements.

2. There was an objection to the collection of data related to laboratory accreditation by the College of American Pathologists/American Society of Reproductive Medicine (CAP/ASRM) program.

Response: The 1992 Pub. L. 102–493 (42 U.S.C. 263a–1(a)), FCSRCA, requires CDC to report information on whether laboratories used by ART programs are certified under the CDC model state certification program. The model certification program was published in the **Federal Register**, July 21, 1999 (64 FR 39374). The model contained a set of quality standards for the performance of embryo laboratory procedures, maintenance of records, qualifications for laboratory personnel, and criteria for the inspection and certification of embryo laboratories. At this point, no state has adopted the model certification program, and thus no clinic is eligible for certification under the CDC model program. As a public service, CDC has agreed to include data on three non-federal laboratory accreditation programs in the annual ART Success Rates Reports. These are through the College of American Pathologists/American Society for Reproductive Medicine (CAP/ASRM), Joint Commission on Accreditation of Healthcare Organizations (JACHO) and the New York State Tissue Bank

certification for ART laboratories (NYSTB). CDC consulted with ASRM and SART in gathering information on laboratory accreditation agencies that currently have systems for certifying embryo laboratories. CDC does not endorse these accreditation agencies, but rather is providing available accrediting information in response to public requests. This will be clearly stated in all Success Rates Reports that contain laboratory accrediting information.

3. There was concern that there would not be sufficient external validation of a laboratory's accreditation status.

Response: For an ART clinic's laboratory to be listed in the Success Rate Report as accredited by one of the three accrediting agencies (CAP/ASRM, JACHO, NYSTB) written documentation of such accreditation must be provided to SART concurrent with data collection.

4. Because of CDC's exclusive use of the SART database and CDC's reliance on SART for external validation of reporting activities, CDC appears to be ceding its regulatory authority to a private entity (SART). DHHS should establish very clear guidelines for selecting, reviewing, and evaluating any private entity that is given responsibility for evaluating these reporting activities.

Response: While the assisted reproductive technology programs are reporting their pregnancy success rate data to CDC through SART, CDC maintains ultimate control and authority over what information is contained in the annual pregnancy success rates report.

CDC's authority to publish and disseminate the annual report is not being ceded to SART, but rather SART is serving as a valuable resource from which CDC can obtain the necessary information to fulfill its statutory obligation.

SART has maintained a national database of ART cycle-specific data reported by each of its member clinics since 1986. Prior to the decision to partner with SART, CDC reviewed the SART reporting database and system and found that it provided the necessary information to publish an annual report as required by FCSRCA. Rather than duplicate SART's reporting system and thereby burden ART clinics, CDC has contracted with SART to annually obtain a copy of their clinic specific database. Notice of this contract was published in Commerce Business Daily Journal June 2, 1997. The decision to purchase the SART database was also published in the first **Federal Register** Notice detailing ART clinic reporting requirements (62 FR 45259). As a result of the contract with CDC, clinics that are not members of SART are now also eligible to submit data to the SART reporting system in order to meet their requirement to report data under FCSRCA. SART has agreed to accept data from non-SART member clinics without imposing membership requirements.

As part of its contract with CDC, SART is required to perform validation site visits for a portion of the clinics submitting data to its reporting system. CDC oversees and participates in all stages of the data validation process. CDC is present at meetings of the validation committee and maintains final approval of all validation materials. Additionally, a CDC representative attends approximately one-third of all validation site visits as an observer.

5. A separate comment on validation activities expressed further concern that CDC contracts with SART to perform external validation visits. There was a recommendation that a separate body be used because of SART's role in the reporting process.

Response: The SART validation committee is required to include at least one non-SART member at all times. Additionally, CDC attends all validation committee meetings and a proportion of validation site visits. Finally, CDC must approve SART's validation plan and retains ultimate authority over the validation process.

6. There was concern about the external validation procedure, namely that ART cycles for which social security number is not provided to the database will not be able to be validated.

Response: Even though specific identifiers are not submitted to CDC for any ART cycle, every clinic is required to maintain a copy of all information submitted to the reporting database and must be able to link each patient, cycle, and oocyte retrieved from the reporting database to the appropriate medical and laboratory records for external validation activities on site.

7. There was concern that informed consent was not mentioned in the **Federal Register** notice.

Response: Patients are not contacted directly during the data collection/validation process. The validation team does not collect personal identifying information when conducting validation visits.

8. There was an objection to reporting data related to SART membership.

Response: Consumers and consumer groups have indicated that such information is useful. CDC provides this information as a public service.

9. There was concern that an unreasonably short time frame was given for reporting, i.e., that SART need only provide the clinics with the required software 90 days prior to the deadline for reporting.

Response: CDC agrees that clinics should have as much lead time as possible. In the usual protocol, SART issues the data collection software and statistical tabulation program at the beginning of the reporting year, which is well in advance of the 90-day deadline. This deadline exists in the event that minor changes to the tabulation program are made. The revised software can then be reissued to clinics 90 days prior to the reporting deadline.

10. There was an objection to the requirement that clinics pay a fee to a private entity for data collection. There was a request that clarification on costs and cost justifications be provided.

Response: Fees are for the purposes of covering all cost associated with reporting information, including data collection, processing, analysis, publication, and administration. Additional fees may be charged if SART needs to provide technical assistance to clinics submitting a dataset with errors.

11. There was a recommendation that pregnancy outcomes should be reported separately for cycles using a combination of ART techniques, such as in vitro fertilization and gamete intrafollopian transfer.

Response: In the national section of each ART Report, success rates for in vitro fertilization (IVF), gamete intrafallopian transfer (GIFT), and zygote intrafallopian transfer (ZIFT) are presented separately. Because the success rates are similar for each of the procedures and because there is often a small number of GIFT and ZIFT procedures at the individual clinic level, success rates for each type of ART procedure are not presented separately for each clinic.

12. There was concern about the definitions for preterm birth and stillbirth after ART.

Response: The decision to use date of transfer in defining gestational age was made by SART and CDC because date of transfer allows for a consistent definition for both fresh and frozen cycles. This issue will be discussed further and may be reconsidered at the next CDC–SART registry meeting.

13. There was an objection to reporting data related to whether ART services were available for single women.

Response: Consumers and consumer groups have indicated that such

information is useful. CDC provides this information as a public service.

14. There was an objection to the collection of ethnicity data.

Response: CDC collects data on demographics such as ethnicity in many surveillance systems. In this case, such information is intended to help describe groups that are using ART in the United States.

15. There was concern that too much information is being included in the reporting system.

Response: We have developed the ART report with consideration for the spirit of the 1992 FCSRCA (Pub. L. 102–493), consumer interests, and ART provider and clinic interests. Indeed, many providers and consumers have asked us to collect and report even more information than is currently included in the reporting system. Many providers have expressed concern that without consideration for many patient treatment factors the report will misrepresent clinic success rates. Of course, consumers are also very interested in a thorough and complete analysis, which will help in their goal of making an informed decision about ART.

Dated: August 28, 2000.

Candice Norwicki,

Acting Director, Executive Secretariat, Centers for Disease Control and Prevention (CDC).

Appendix—Notice for the Reporting of Pregnancy Success Rates From Assisted Reproductive Technology Programs

Introduction

This notice includes four sections:

I. Who Reports * * * describes who shall report to CDC.

II. Description of Reporting Process * * * describes the reporting system and process for reporting by each ART clinic.

III. Data To Be Reported * * * describes the data items and definitions to be included in the reporting database.

IV. Content of the Published Report * * * describes terms, and how pregnancy success rates will be defined and reported, and outlines the topics that will be included in the annual published reports, using the data collected in the reporting database.

I. Who Reports

The Fertility Clinic Success Rate and Certification Act of 1992 (FCSRCA) requires that each ART program shall annually report to the Secretary of the Department of Health and Human Services through the CDC.

The Society for Assisted Reproductive Technology (SART), an affiliate of the American Society for Reproductive Medicine (ASRM), maintains a national database of cycle-specific data reported by each of its members. CDC has reviewed the SART reporting database and system and finds that it provides the necessary information to publish an annual report as required by the FCSRCA. Rather than duplicate SART's reporting system, and thereby burden ART clinics and patients, CDC has contracted with SART to annually obtain a copy of their clinic specific database.

An ART program or clinic is defined as a legal entity practicing under State law, recognizable to the consumer, that provides ART to couples who have experienced infertility or are undergoing ART for other reasons. This can be an individual physician or a group of physicians who practice together and share resources and liability. This definition precludes individual physicians who practice independently from pooling their results for purposes of data reporting.

ART clinics that are participating in the ASRM/SART reporting system as described in this notice will be considered to be in compliance with federal reporting requirements of FCSRCA. Both SART and non-SART clinics shall contact SART for reporting information, instructions, and fees charged (fees are for the purposes of covering all costs associated with this activity, including data collection, processing, analysis, publication, and administration; additional fees may be charged if SART needs to provide technical assistance to clinics submitting a dataset with errors.) It is the responsibility of the practice director of each clinic performing ART to provide notification to SART of the clinic's existence and any changes in address, location, or change in key staff including the practice, medical, and lab director. Contact SART, telephone: (205) 978–5000, ext. 109.

The anticipated deadline for reporting is January 15 of the year 2 years subsequent to the reporting year in question. (For example, the anticipated deadline to report data on cycles initiated in 1999 is January 15, 2001.) The deadline will be published in Fertility and Sterility at least 90 days prior to the deadline. SART in conjunction with CDC may change the deadline if needed.

An ART clinic will be considered to not be in compliance with the federal reporting requirements of FCSRCA if the clinic was in operation in the full year that is being reported, *i.e.,* the clinic was in operation after January 1, and failed (a) to submit a dataset to SART in the required software by the reporting deadline or (b) the clinic table was not verified by signature of the medical director of the clinic by the same deadline.

The onus is on the clinic to confirm that SART has received the dataset. It is recommended that the clinic submit their data to SART as early as it is available so that any errors or reporting difficulties can be reconciled and verified before the reporting deadline which will be inflexible. In this respect, it would be prudent to submit data to SART at least 30 days in advance of the reporting deadline because errors or other problems in reporting may take up to 30 days to resolve. If problems cannot be resolved by the inflexible deadline of January 15, the clinic will be considered a non-reporter.

SART in conjunction with CDC will determine error rates for data submitted by clinics, and if data quality is deemed unsatisfactory, this finding may be published. Additionally, the program may be required to submit data 30 days prior to the deadline for the next reporting year. This requirement will allow for sufficient time to correct errors prior to the deadline for publication of the annual report. As noted earlier, additional fees may be charged if SART needs to provide technical assistance to clinics submitting a dataset with errors.

II. Description of Reporting Process

A. Reporting Activities

SART in conjunction with CDC will determine the required software for data submission. As noted above, to be in compliance with the law, a clinic must submit a dataset to SART in the required software by the reporting deadline, and verify, by signature of the medical director of the clinic, the clinic table by the same deadline.

Each year, SART will issue a unique clinic code, required computer software for their database reporting system, and all necessary reporting instructions at least 90 days in advance of the reporting deadline.

Currently, each patient receiving ART in a clinic is registered in the system with a unique, clinic-assigned code and should be entered into the reporting database when her cycle is initiated. Each cycle of each patient also receives a unique cycle code for that patient. In the reporting system, the patient is identified by the clinic code, the patient code, and the cycle code assigned by the clinic. The patient's name or other specific personal identifiers are not included in the reporting database. However, each clinic must maintain personal identifiers in the clinic database on site in order to be able to link every cycle reported to CDC to a specific patient (see below).

The following patients must be included in the reporting database: (1) All women undergoing ART, (2) all women undergoing ovarian stimulation or monitoring with the intention of undergoing ART; this includes women whose cycles are canceled for any reason, (3) all women providing donor oocytes, and (4) all women undergoing monitoring and/or an embryo thawing with the intention of transferring cryopreserved embryos.

It is anticipated that the reporting system may evolve such that data may be collected prospectively, *i.e.,* data submission will be required as cycles are initiated. (Currently data submission for all cycles is required at one time only.) Clinics will be provided at least 90 days advance notice of this or other changes in reporting requirements.

The CDC retains a copy of each of SART's annual data files. These will be maintained by CDC to be used for epidemiologic analysis and for the purpose of publishing an annual report as required by the law that includes national summary and clinic specific information.

B. External Validation of Clinic Data

Every clinic will maintain a copy of all information included in the reporting database and must be able to link each patient, cycle, and oocyte retrieved from the reporting database to the appropriate medical and laboratory records for external validation activities.

On a periodic basis, all ART clinical programs reporting their data (both SART and non-SART clinics) will be subject to external validation of their reporting activities, which will include review by appropriate professionals from outside the clinic staff. This review may include but not be limited to examination of medical and laboratory records and comparison of data in the reporting database with data in the medical record. CDC has contracted with SART to perform the validation site visits.

C. Updating of Reporting Requirements

The field of ART is a rapidly developing medical science. These reporting requirements will be periodically reviewed and updated as new knowledge concerning ART methods and techniques becomes available. Such review will include consultation with professional and consumer groups and individuals. Clinics will be notified in writing at least 90 days in advance of the reporting deadline of all changes to the reporting requirements.

III. Data To Be Reported

The current reporting system includes the following:

A. Clinic Information

Clinic name & address
Unique clinic ID number
Name(s) of embryo laboratory(s) used by clinic
Whether the laboratory is certified by a SART-accepted accrediting agency
Whether the clinic is a member of SART
Whether ART services are available for single women
Whether ART services include gestational carriers
Whether the clinic has a donor egg program, and if yes, if eggs from an individual donor are shared by multiple recipients
Whether the clinic has a donor embryo program
Whether the clinic has an embryo cryopreservation program
Total number of ART cycles performed during the reporting year

B. Patient Information

1. *Patient Demographic Information:*
   Ethnicity
   Date of Birth
   US Resident
   Zip Code
   City of Residence
   State of Residence
   Country of Residence (if not United States)
2. *Patient History:*
   Gravidity
   Prior Full-Term Births
   Prior Preterm Births
   Prior Spontaneous Abortions
   Surgical Sterilization—Patient or Partner
   Months of Infertility Since Last Live birth (if couple is not surgically sterile)
   Prior non-ART Gonadotropin Cycles
   Prior Thawed ART Cycles
   Prior Fresh ART Cycles
   Patient Maximum Follicle Stimulating Hormone (FSH) Level and Lab Upper Normal Limit for that FSH level
   Patient Maximum Estradiol Level and Lab Upper Normal Limit for that Estradiol Level
3. *ART Cycle Information:*
   Reason(s) for ART
   (Male Infertility, Endometriosis, Tubal Factor, Ovulatory Disorder/Polycystic Ovaries, Diminished Ovarian Reserve, Uterine Factor, Other, Unexplained Infertility)
   Cycle Start Date
   Suppression with Gonadotropin Releasing Hormone Analog (GnRHa)
   Ovarian Stimulation Medications Given to Patient (Clomiphene, FSH, Flare GnRHa) and Dosages
   Medications Given to Oocyte Donor and Dosages
   Intended ART Cycle Treatment Specifics:
   Oocyte Source
   (patient [autologous], donor oocyte, donor embryo)
   Oocyte/Embryo State
   (fresh, thawed)
   Intended Transfer Method(s)
   [In Vitro Fertilization (transcervical transfer); Gamete Intrafallopian Transfer; Zygote Intrafallopian Transfer/Tubal Embryo Transfer]
   Use of Gestational Carrier
   Cycle Initiated for Embryo Banking Only
   Cycle Meeting SART Criteria for Approved Research
   Did the Cycle Occur as Intended?
   Was the Cycle Canceled?
   Date of Cancellation
   Reason for Cancellation
   (Low Ovarian Response, High Ovarian Response, Failure to Survive Thaw, Inadequate Endometrial Response, Concurrent Illness, Patient Withdrawal from Treatment, Unable to Obtain Sperm Specimen)
   Complications Related to ART Treatment
   (Infection, Hemorrhage, Moderate Ovarian Hyperstimulation Syndrome, Severe Ovarian Hyperstimulation Syndrome, Medication Side Effect, Anaesthetic Complication, Psychological Stress, Death, Other Complication)
   Hospitalization for ART Complication
   Date of Oocyte Retrieval (from patient and/or from donor)
   Number of Oocytes Retrieved (both from patient and/or from donor)
   Were Oocytes Derived from the Donor Used by More Than One Recipient?
   Number of Embryos Thawed for Transfer in a Frozen Cycle
   Semen Source
   (Partner, Donor, Mixed)
   Semen Collection Method
   (Ejaculation, Epididymal Aspiration, Testicular Biopsy, Electroejaculation, Retrograde Ejaculation)
   Use of Intracytoplasmic Sperm Injection
   Use of Assisted Hatching
   Was Oocyte or Embryo Transfer Attempted?
   Transfer Date
   Number of Fresh Embryos Transferred to Uterus
   Number of Fresh Embryos Transferred to Fallopian Tubes
   Number of Oocytes Transferred to Fallopian Tubes
   Number of Fresh Embryos Cryopreserved
   Number of Thawed Embryos Transferred to Uterus
   Number of Thawed Embryos Transferred to Fallopian Tubes
   Number of Thawed Embryos Re-Frozen
4. *Outcome Information:*
   Outcome of Treatment
   (Not Pregnant, Biochemical Pregnancy, Ectopic Pregnancy, Clinical Intrauterine Gestation, Heterotopic Pregnancy, Unknown)
   Was an Ultrasound Performed?
   Ultrasound Date
   Maximum Number of Fetal Hearts Observed on Ultrasound
   Was a Medically Induced Fetal Reduction Performed?
   Induced Reduction Date
   Outcome of Pregnancy
   (Live birth, Stillbirth, Spontaneous Abortion, Induced Abortion, Maternal Death Prior to Birth, Unknown)
   Date of Pregnancy Outcome
   Source of Information for Outcome of Pregnancy
   (Verbal Confirmation Patient, Written Confirmation Patient, Verbal Confirmation Physician or Hospital, Written Confirmation Physician or Hospital)
   Number of Infants Born
   Birth weight for Each Live-born and Stillborn Infant
   Birth Defects Diagnosed for Each Live-born and Stillborn Infant
   (Genetic Defect/Chromosomal Abnormality, Cleft Lip or Palate, Neural Tube Defect, Cardiac Defect, Limb Defect, Other Defect)
   Neonatal Death of Live-born Infants

C. Definitions

The following definitions provide clarification for data included in the current reporting system:

ART—Assisted reproductive technology, defined as all treatments or procedures that include the handling of human oocytes and sperm or embryos for the purpose of establishing a pregnancy. This includes, but is not limited to in vitro fertilization and transcervical embryo transfer, gamete intrafallopian transfer, zygote intrafallopian transfer, tubal embryo transfer, embryo cryopreservation, oocyte or embryo donation, and gestational surrogacy. ART does not include assisted insemination using sperm from either a woman's partner or sperm donor.

ART cycle—ART Cycles can be stimulated (use of ovulation induction) or unstimulated (natural cycle). An ART cycle is considered any cycle in which (1) ART has been used, (2) the woman has undergone ovarian stimulation or monitoring (*i.e.* performance of sonogram, serum estradiol or LH measurements) with the intent of undergoing ART, (3) in the case of donor oocytes, a woman began medication for endometrial preparation with the intent of undergoing ART, or (4) in the case of cryopreserved embryos, a woman began medication for endometrial preparation with the intent of undergoing ART and/or embryos were thawed with the intent of transfer.

ART program or clinic—A legal entity practicing under state law, recognizable to the consumer, that provides assisted reproductive technology to couples who have

experienced infertility or are undergoing ART for other reasons. This can be an individual physician or a group of physicians who practice together, and share resources and liability. This definition precludes individual physicians who practice independently from pooling their results for purposes of data reporting.

ASRM—American Society for Reproductive Medicine.

Autologous cycle—Intent to transfer embryos derived from patient oocytes fertilized with either partner or donor sperm OR in cases of GIFT, patient oocytes transferred with either partner or donor sperm.

Birth defect—Anomalies diagnosed within the first two weeks of life that result in death or cause a serious disability requiring surgical and/or medical therapy. Specific anomalies to be identified include genetic defect/chromosomal abnormality, cleft lip or palate, neural tube defect, cardiac defect, limb defect, or other defect.

Biochemical pregnancy—A positive serum pregnancy test (Beta-hCG) without ultrasound confirmation of a gestational sac within the uterus.

Canceled cycle—An ART cycle in which ovarian stimulation or monitoring has been carried out with the intent of undergoing ART but which did not proceed to oocyte retrieval, or in the case of thawed embryo cycles, to the transfer of embryos. Reasons for cancellation include low ovarian response, high ovarian response, failure of embryo to survive thaw; inadequate endometrial response, concurrent illness, patient withdrawal from treatment, and unable to obtain sperm specimen.

Clinic ID number—An identification number assigned to each ART clinical program by the reporting database operator.

Clinical pregnancy/Clinical intrauterine gestation—An ultrasound-confirmed gestational sac within the uterus or the documented occurrence of a birth, spontaneous abortion, or induced abortion in cases of missing ultrasound data. Clinical pregnancies include all gestational sacs regardless of whether or not a heartbeat is observed or a fetal pole is established. This definition excludes ectopic pregnancy but includes pregnancies which end in live birth, stillbirth, spontaneous abortions, and induced abortions.

Clomiphene citrate—An ovulation induction medication with the trade name of Clomid® or SeroPhene®.

Complication—A medical complication for the woman related to ART procedures. Specific complications to be identified include infection, hemorrhage, moderate ovarian hyperstimulation syndrome, severe ovarian hyperstimulation syndrome, medication side effect, anaesthetic complication, psychological stress requiring intervention, and death.

Cryopreservation—A technique used in ART to preserve sperm and embryos through freezing.

Cycle start date (cycle initiation date)—The cycle start date is (1) the first day that medication to stimulate follicular development is given to a patient in a stimulated fresh, non-donor cycle, or (2) the first day of natural menses or withdrawal bleeding in an unstimulated cycle or (3) the first day the recipient (patient or gestational carrier) receives exogenous sex steroids to prepare the endometrium in a fresh donor cycle, or (4) the first day the recipient (patient or gestational carrier) receives exogenous sex steroids to prepare the endometrium in a thawed embryo cycle.

Diminished ovarian reserve—A condition of reduced fecundity related to diminished ovarian function; includes high FSH or high estradiol measured in the early follicular phase or during a clomiphene challenge test, reduced ovarian volume related to congenital, medical, surgical or other causes, or advanced maternal age (>40 years).

Donor embryo cycle—Intent to transfer donated embryos, that is, embryos derived from oocytes previously fertilized for another couple's ART therapy that were subsequently donated.

Donor oocyte cycle—Intent to transfer oocytes, or embryos derived from oocytes that were retrieved from a woman serving as an oocyte donor (sperm source may be either the patient's partner or a sperm donor selected by the patient).

Ectopic pregnancy—A pregnancy in which the fertilized egg implants outside the uterine cavity.

Embryo—The normally (2 pronuclei) fertilized egg that has undergone one or more divisions.

Embryo banking cycle—A cycle initiated with the intent of cryopreserving all fertilized embryos for later use. (This does not apply to cycles initiated with the intent to transfer embryos but for which all embryos were subsequently cryopreserved regardless of the reason.)

Embryo transfer—Attempt to introduce embryos into a woman's uterus after in vitro fertilization or attempt to introduce embryos or gametes (oocytes and sperm) into a woman's fallopian tubes; a transfer procedure is considered to have been carried out, if attempted, even if no embryos or gametes were successfully transferred.

Endometriosis—The presence of tissue resembling endometrium in locations outside the uterus such as the ovaries, fallopian tubes, and abdominal cavity; a history of all stages of endometriosis (minimal to severe) whether treated or not may be a reason for ART.

Endometrium—The lining of the uterus that is shed each month as the menstrual period. As the monthly cycle progresses, the endometrium thickens and thus provides a nourishing site for the implantation of a fertilized egg.

Estradiol (E2)—The predominant estrogen hormone produced by the ovary that has several activities important for reproduction. An elevated serum Estradiol level in the early follicular phase of a woman's menstrual cycle (day 2, 3, or 4) may indicate diminished ovarian reserve.

Fecundity—The ability to conceive.

Fertilization—The penetration of the egg by the sperm and fusion of genetic materials to result in the development of a fertilized egg (or zygote).

Fetus—The developmental stage during pregnancy from the completion of embryonic development at eight weeks of gestation until delivery.

Flare protocol—Use of a GnRH analog to directly stimulate follicle development.

Follicle—A fluid-filled sac located just beneath the surface of the ovary that contains an oocyte and cells that produce hormones.

Fresh oocyte or embryo cycle—Intent to transfer oocytes or embryos derived from oocytes retrieved during the current cycle (either from the patient or donor), *i.e.*, not thawed embryos retrieved during a previous cycle.

FSH—Follicle stimulating hormone. A gonadotropin hormone produced and released from the pituitary that stimulates the ovary to ripen a follicle for ovulation. An elevated serum FSH level in the early follicular phase of a woman's menstrual cycle (day 2, 3, or 4) or during a clomiphene challenge test (day 10 of the cycle) may indicate diminished ovarian reserve. FSH, either alone or with luteinizing hormone (LH), is also included in gonadotropin drug preparations used to stimulate follicular development during an ART cycle.

Full-term birth—A birth that reached 37 completed weeks gestation. This includes both live births and stillbirths. For the purpose of reporting prior full-term births, births are counted as birth events (*e.g.*, a triplet birth is counted as one).

Gamete intrafallopian transfer (GIFT)—An ART procedure that involves removing oocytes from a woman's ovary, combining them with sperm, and immediately transferring (via a catheter) the eggs and sperm into the fallopian tube. Fertilization takes place inside the fallopian tube.

GnRHa-Gonadotropin—releasing hormone analog (agonist or antagonist); medications used to suppress natural FSH and LH production to allow greater control when using follicle stimulation medications.

Gestational carrier (sometimes referred to as a gestational surrogate)—A woman who gestates an embryo that did not develop from her egg with the expectation of returning the infant to its intended parents.

Gestational sac—A fluid-filled structure surrounding an embryo that develops within the uterus early in pregnancy.

Gonadotropin—Hormones having a stimulating effect on the gonads (ovaries and testes). Two such hormones are secreted by the anterior pituitary: follicle stimulating hormone (FSH) and luteinizing hormone (LH). Gonadotropins (FSH, either alone or with LH) are also included in drug preparations used to stimulate follicular development during an ART cycle.

Gravidity—Total number of prior pregnancies a woman has had. This includes ectopic pregnancies, and pregnancies that ended in therapeutic abortion, spontaneous abortion, stillbirth, or live birth.

Hatching (Assisted)—A micromanipulation technique that involves making a small opening in the zona wall of the embryo in an effort to enhance implantation; various methods of assisted hatching have been utilized including chemical, laser, and mechanical methods.

Heterotopic pregnancy—A clinical intrauterine gestation in combination with an ectopic pregnancy.

Hydrosalpinx—Accumulation of watery fluid in a fallopian tube that usually results from damage to the tube.

Hypothalamus—A gland at the base of the brain that controls many functions of the body, regulates the pituitary gland, and releases gonadotropin releasing hormone (GnRH).

Induced abortion—Operative procedure to electively terminate the entire pregnancy (no gestational age limit).

Induced fetal reduction—A procedure in which the number of fetal sacs is reduced by direct medical intervention. Termination of an ectopic gestation or a heterotopic pregnancy is not considered an induced reduction. Induced reduction is used in women with multiple gestations, usually three or more, to decrease the number of fetuses a woman carries, usually to two.

Insemination—Injection of sperm into the uterus or cervix for the purpose of producing a pregnancy. Insemination cycles are not considered ART for the purposes of this notice.

Intracytoplasmic sperm injection (ICSI)—The placement of a single sperm into the ooplasm of an oocyte by micro-operative techniques.

In vitro fertilization (IVF)—A method of assisted reproduction that involves removing oocytes from a woman's ovaries, combining them with sperm in the laboratory, and after fertilization is confirmed, replacing the resulting embryo into the woman's uterus.

Live birth—A birth (delivery) in which at least one fetus was live born, *i.e.,* showed signs of life after the complete expulsion or extraction from its mother. Signs of life include breathing, beating of the heart, pulsation of the umbilical cord, or definite movement of the voluntary muscles. Any birth event in which an infant shows signs of life should be counted as a live birth, regardless of gestational age at birth. Live births are counted as birth events (*e.g.,* a triplet live birth is counted as one).

Male infertility—Infertility due to abnormal semen parameters or abnormal sperm function.

Neonatal death—Death of a live-born infant before completion of the 28th day of life.

Oocyte—The female reproductive cell, also called an egg.

Oocyte donor—A woman who undergoes an oocyte retrieval procedure with the intent of donating the oocytes retrieved to a couple(s) undergoing an ART donor oocyte cycle (see donor oocyte cycle). The donor relinquishes all parental rights to any resulting offspring, while the recipient woman retains all parental rights of any resulting offspring.

Oocyte retrieval—A procedure to collect the eggs contained within the ovarian follicles. This definition includes procedures in which oocyte recovery was attempted but not successful.

Oocyte transfer—In GIFT (see definition), transfer of retrieved eggs into a woman's fallopian tubes. Includes attempted transfers, whether or not the transfer was successful.

Ovarian monitoring—Monitoring the development of ovarian follicles by ultrasound and/or blood or urine tests.

Ovarian stimulation—Use of one or more follicle stimulation medications to stimulate the ovary to develop follicles and oocytes.

Ovarian hyperstimulation syndrome—A possible complication related to medically induced ovulation. Moderate ovarian hyperstimulation syndrome is characterized by abdominal distension and discomfort as well as nausea, vomiting and/or diarrhea; ovaries enlarged 5–12 cm; and ultrasound evidence of ascites. Severe ovarian hyperstimulation syndrome is characterized by features of moderate ovarian hyperstimulation PLUS: clinical evidence of ascites (fluid in the abdominal cavity) and/or hydrothorax (fluid in the chest) or breathing difficulties; change in blood volume, increased blood viscosity due to hemoconcentration, coagulation abnormalities, and diminished kidney perfusion and function.

Ovulatory disorder/polycystic ovaries (PCO)—One or more disorders causing reduced fecundity that is associated with structural, anatomic, or functional impairment of one or both ovaries; includes multiple ovarian cysts affecting fertility, oligo-ovulation (<6 cycles per year), anovulation (of hypothalamic or non-hypothalamic causes).

Ovulation induction—See stimulated cycle.

Pituitary—A small gland just beneath the hypothalamus in the brain which controls other hormone producing glands such as the ovaries, thyroid, and adrenal glands. Ovarian function is controlled through the secretion of follicle stimulating hormone (FSH) and luteinizing hormone (LH) from the pituitary.

Pregnancy test—A blood test that determines the level of human chorionic gonadotropin (hCG), a hormone produced by the placenta; if it is elevated, this confirms a pregnancy, which may be biochemical only, ectopic, or clinical intrauterine gestation (normally developing pregnancy).

Preterm birth—Birth at least 20 but less than 37 completed weeks gestation. This includes both live births and stillbirths. For the purposes of reporting prior preterm births, births are counted as birth events (*e.g.* a triplet birth is counted as one).

Recipient—In an ART cycle, the woman in whom embryos or oocytes are transferred; includes the female patient or a gestational carrier for the patient.

SART—Society for Assisted Reproductive Technology.

Semen—Fluid discharged at ejaculation in the male, consisting of spermatozoa in their nutrient plasma which includes secretions from the prostate, seminal vesicles, and various other glands.

Sperm—The male reproductive cell that has completed the process of meiosis and morphological differentiation.

Sperm donor—A man providing sperm for the fertilization of oocytes of a woman other than his sexual partner.

Spontaneous abortion (miscarriage)—A clinical pregnancy ending in spontaneous loss of the entire pregnancy prior to completion of 20 weeks of gestation (or 18 weeks from the date of transfer if the pregnancy was achieved using ART).

Stillbirth—Birth (delivery) at 20 weeks of gestation or later (or 18 weeks or later from the date of transfer if the pregnancy was achieved using ART) in which no fetus showed signs of life after the complete expulsion or extraction from the mother. Stillbirths are counted as birth events (*e.g.* a triplet stillbirth is counted as one).

Stimulated cycle—An ART cycle in which a woman receives medication to stimulate follicular development including the use of clomiphene citrate, follicle stimulating hormone (FSH), or follicle stimulating hormone and luteinizing hormone (FSH and LH).

Surgical sterilization—An operative procedure for the purpose of termination of fertility without reversal. Surgical sterilization includes tubal ligation, vasectomy and hysterectomy.

Thawed cycle— Intent to transfer embryos that were cryopreserved during a previous cycle and will be thawed for transfer during the current cycle (pertains to both donor and non-donor embryos).

Tubal embryo transfer (TET)—Transfer of an early stage embryo to the fallopian tube.

Tubal factor—A factor causing reduced fecundity that is associated with structural, anatomic, or functional injury of one or both fallopian tubes; the following are included: (1) Tubal ligation, not reversed, (2) hydrosalpinx (in place), and (3) any other tubal disease including but not limited to pelvic or peritubal adhesive disease, prior tubal surgery, prior ectopic pregnancy, or tubal occlusion (partial or complete without hydrosalpinx).

Ultrasound—A technique for visualizing the follicles in the ovaries and the gestational sac or fetus in the uterus, allowing the estimation of size.

Unexplained infertility—Infertility in which no etiology (male infertility, endometriosis, tubal factor, ovulatory disorders/PCO, diminished ovarian reserve, uterine factor, or other factors (such as immunologic, chromosomal, cancer chemotherapy or other systemic disease) has been identified.

Unstimulated cycle—An ART cycle in which the woman does not receive medication to stimulate follicular development such as clomiphene or follicle stimulating hormone. Instead, natural follicular development occurs.

Uterine factor—A factor causing reduced fecundity that is associated with structural, anatomic, or functional injury to the uterus whether repaired or not; includes septum, myoma, Diethylstilbestrol (DES) exposure, intrauterine adhesions, congenital anomalies.

Zygote—A normal (2 pronuclei) fertilized egg before cell division begins.

Zygote intra fallopian transfer (ZIFT)—Eggs are collected and fertilized, and the resulting zygote is then transferred to the fallopian tube.

D. Updating Data To Be Reported

Specific data items and definitions will be provided to clinics each year along with all other reporting requirements at least 90 days in advance of the reporting deadline. Data items and definitions will be periodically reviewed and updated. Such review will include consultation with professional and consumer groups and individuals.

IV. Content of Published Reports

The data reported will be used to provide a picture of the national rates of pregnancy and live birth achieved using ART as well as clinic-specific, live-birth rates. The annual report will have four components:

(A) A national component, which will provide a comprehensive picture of success rates given a variety of factors including age, reason for ART, type of ART procedure, number of embryos transferred etc. This is possible because the large number of cycles at the national level allow accurate statistical reporting of success rates that is not possible with the smaller number of cycles carried out in individual clinics.

(B) A clinic-specific component which will provide success rates for all ART cycles using fresh, non-donor embryos, success rates for ART cycles using thawed embryos, and success rates for ART cycles using donor oocytes or embryos.

Success rates will be reported by specific age groups. In addition, the clinic-specific component will provide other information that may be useful to the consumer such as types of services the clinic offers (*e.g.,* gestational surrogacy, single women), the number of cycles carried out, the percent distribution of types of ART, the types of infertility problems the clinic sees, the frequency of cancellations, the average number of embryos transferred per cycle and the percentage of multiple pregnancies and births (twins and triplets or greater).

Pregnancy and live birth success rates will be defined and characterized as described below.

For fresh, non-donor cycles, success rates will be defined as

1. The rate of *pregnancy* after completion of ART according to the number of:

a. All ovarian stimulation or monitoring procedures.

2. The rate of *live birth* after completion of ART according to the number of:

a. All ovarian stimulation or monitoring procedures.

b. Oocyte retrieval procedures.

c. Embryo (or zygote, or oocyte) transfer procedures.

For cycles using thawed embryos and cycles using donor oocytes or embryos success rates will be defined as

1.The rate of *live birth* after completion of ART according to the number of:

a. Embryo (or zygote, or oocyte) transfer procedures.

(C) An appendix containing a consumer-oriented explanation of all medical and statistical terms used in the report.

(D) An appendix containing a list of all reporting clinics and a list of all clinics that did not report data (See above, **Who Reports** section, for a full description of clinics that will be considered to not be in compliance with the federal reporting requirements of FCSRCA; such clinics will be listed as non-reporters in the published report.) This appendix will contain the names, addresses, and telephone numbers for all reporting and non-reporting clinics. It will also contain information on the laboratories used by reporting clinics.

The entire annual report will be available to the general public. As resources allow, additional information may also be published.

[FR Doc. 00–22425 Filed 8–31–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[PA #00130 et al.]

Disease, Disability and Injury Prevention and Control Special Emphasis Panel: HIV/AIDS Prevention Program Development and Technical Assistance Collaboration With Countries Targeted by the Leadership and Investment in Fighting the Epidemic (LIFE) Initiative, et al.

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (P. L. 92–463), the Centers for Disease Control and Prevention (CDC) announces the following meeting.

Name: Disease, Disability and Injury Prevention and Control Special Emphasis Panel: HIV/AIDS Prevention Program Development and Technical Assistance Collaboration with Countries Targeted by the Leadership and Investment in Fighting the Epidemic (LIFE) Initiative, PA #00130; Prevention Program Development and Technical Assistance to Improve Blood Safety and Reduce the Impact of HIV/AIDS in Countries Targeted by the LIFE Initiative, PA #00133; LIFE—Global AIDS Activity, PA #00134; HIV/AIDS Prevention Program Development and Technical Assistance Collaboration for Faith Communities in Countries Targeted by the LIFE Initiative, PA #00137; Youth-Focused HIV/AIDS Prevention Program Development and Technical Assistance Collaboration with Countries Targeted by the LIFE Initiative, PA #00138; and HIV/AIDS Prevention Program Development and Technical Assistance Collaboration for Public Health Laboratory Science with Countries Targeted by the LIFE Initiative, PA #00139.

Times and Dates: 10:00 a.m.–Noon, September 13, 2000 (Open); Noon–4:30 p.m., September 13, 2000 (Closed); 8:30 a.m.–4:30 p.m., September 14, 2000 (Closed).

Place: Centers for Disease Control and Prevention, 12 Corporate Square Boulevard, Building 12, Conference Rooms 1203 and 1307, Atlanta, GA 30329.

Status: Portions of the meeting will be closed to the public in accordance with provisions set forth in section 552b(c)(4) and (6), Title 5 U.S.C., and the Determination of the Associate Director for Management and Operations, CDC, pursuant to P. L. 92–463.

Matters to be Discussed: The meeting will include the review, discussion, and evaluation of applications received in response to Program Announcements 00130, 00133, 00134, 00137, 00138, 00139.

This notice is published less than 15 days prior to the meeting due to administrative delays.

Contact Person for More Information

Chad Martin, Special Assistant to the Director on Youth and HIV Prevention, Division of HIV/AIDS Prevention, National Center for HIV, STD, and TB Prevention, CDC, Corporate Square Office Park, 8 Corporate Square Boulevard, M/S E35, Atlanta, Georgia 30329, telephone 404/639–5217, e-mail cmartin@cdc.gov.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** Notices pertaining to announcements of meetings and other committee management activities, for the both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: August 29, 2000.

John C. Burckhardt,

Acting Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 00–22599 Filed 8–30–00; 12:58 pm]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Interim Hepatitis B Vaccine Information Materials

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services.

ACTION: Notice.

SUMMARY: A hepatitis B vaccine has recently been approved for administration in a two dose schedule to adolescents 11 to 15 years of age as an alternative to the three dose schedule. This additional schedule necessitates a revision of the vaccine information statement entitled, ''Hepatitis B Vaccine: What You Need to Know'' (dated December 16, 1998), which was developed by the CDC as required by the National Childhood Vaccine Injury Act of 1986 (NCVIA). To ensure that up-to-date information is

available regarding this additional schedule, CDC is distributing the following interim hepatitis B vaccine information statement which may be used pending completion of the formal revision process.

DATES: Effective September 1, 2000. Any health care provider administering hepatitis B vaccine approved for administration in a two dose schedule may provide the interim hepatitis B vaccine information materials contained in this notice (which are dated August 9, 2000) to parents/legal representatives prior to immunization in lieu of providing the December 16, 1998 version of the hepatitis B vaccine information materials.

FOR FURTHER INFORMATION CONTACT: Walter A. Orenstein, M.D., Director, National Immunization Program, Centers for Disease Control and Prevention, Mailstop E–05, 1600 Clifton Road, N.E., Atlanta, Georgia 30333, (404) 639–8200.

SUPPLEMENTARY INFORMATION: The National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), as amended by section 708 of Public Law 103–183, added section 2126 to the Public Health Service Act. Section 2126, codified at 42 U.S.C. 300aa-26, requires the Secretary of Health and Human Services to develop and disseminate vaccine information materials for distribution by all health care providers, whether public or private, to any patient (or to the parent or legal representative in the case of a child) receiving vaccines covered under the National Vaccine Injury Compensation Program.

Development and revision of the vaccine information materials have been delegated by the Secretary to the Centers for Disease Control and Prevention (CDC). Section 2126 requires that the materials be developed, or revised, after notice to the public with a 60-day comment period, and in consultation with the Advisory Commission on Childhood Vaccines, appropriate health care provider and parent organizations, and the Food and Drug Administration. The law also requires that the information contained in the materials be based on available data and information, be presented in understandable terms, and include:

(1) a concise description of the benefits of the vaccine,

(2) a concise description of the risks associated with the vaccine,

(3) a statement of the availability of the National Vaccine Injury Compensation Program, and

(4) such other relevant information as may be determined by the Secretary.

Vaccines initially covered under the National Vaccine Injury Compensation Program were diphtheria, tetanus, pertussis, measles, mumps, rubella, and poliomyelitis vaccines. Since April 15, 1992, any health care provider in the United States who intends to administer one of these covered vaccines is required to provide copies of the relevant vaccine information materials prior to administration of the vaccine. Effective June 1, 1999, health care providers are also required to provide copies of vaccine information materials for the following vaccines that were added to the National Vaccine Injury Compensation Program: hepatitis B, Haemophilus influenzae type b (Hib), and varicella (chickenpox) vaccines.

The materials currently in use for Td tetanus diphtheria vaccine were published in a **Federal Register** notice on June 20, 1994 (59 FR 31888). The current materials for diphtheria, tetanus, and pertussis containing vaccines, other than Td vaccine, were published in a **Federal Register** notice on January 9, 1998 (63 FR 1730); those for hepatitis B, Haemophilus influenzae type b (Hib), varicella (chickenpox), and measles, mumps, rubella vaccines on February 23, 1999 (64 FR 9042); and the current materials for polio vaccines, along with the current instructions for use of all of the vaccine information materials, were published in a **Federal Register** notice on December 17, 1999 (64 FR 70914).

Interim Hepatitis B Vaccine Information Materials

A hepatitis B vaccine has recently been approved for administration in a two dose schedule to adolescents 11 to 15 years of age as an alternative to the three dose schedule. This additional schedule necessitates a revision of the vaccine information statement entitled, ''Hepatitis B Vaccine: What You Need to Know'' (dated December 16, 1998). To ensure that up-to-date information is available regarding this schedule, CDC is distributing the following interim hepatitis B vaccine information statement, dated August 9, 2000, which may be used pending completion of the formal revision process.

Availability of Vaccine Information Materials (Vaccine Information Statements)

Copies of the interim hepatitis B vaccine information materials and the other CDC vaccine information materials, and instructions for their use, can be downloaded from the CDC website at: http://www.cdc.gov/nip/publications/VIS/. Single camera-ready copies of the vaccine information materials, and copies of the instructions for their use, are also available from State health department immunization programs.

Hepatitis B Vaccine: What You Need to Know

1. Why get Vaccinated?

Hepatitis B is a Serious Disease

The hepatitis B virus can cause short-term (acute) illness that leads to:

- loss of appetite
- diarrhea and vomiting
- tiredness
- jaundice (yellow skin or eyes)
- pain in muscles, joints, and stomach

It can also cause long-term (chronic) illness that leads to:

- liver damage (cirrhosis)
- liver cancer
- death

About 1.25 million people in the U.S. have chronic hepatitis B virus infection.

Each year it is estimated that:

- 200,000 people, mostly young adults, get infected with hepatitis B virus
- More than 11,000 people have to stay in the hospital because of hepatitis B
- 4,000 to 5,000 people die from chronic hepatitis B

Hepatitis B vaccine can prevent hepatitis B. It is the first anti-cancer vaccine because it can prevent a form of liver cancer.

2. How is Hepatitis B Virus Spread?

Hepatitis B virus is spread through contact with the blood and body fluids of an infected person.

A person can get infected in several ways, such as:

- during birth when the virus passes from an infected mother to her baby
- by having sex with an infected person
- by injecting illegal drugs
- by being stuck with a used needle on the job
- by sharing personal items, such as a razor or toothbrush with an infected person

People can get hepatitis B infection without knowing how they got it. About ⅓ of hepatitis B cases in the United States have an unknown source.

3. Who Should Get Hepatitis B Vaccine and When?

(1) Everyone 18 years of age and younger

(2)Adults over 18 who are at risk

Adults at risk for hepatitis B infection include people who have more than one sex partner, men who have sex with other men, injection drug users, health care workers, and others who might be

exposed to infected blood or body fluids.

If you are not sure whether you are at risk, ask your doctor or nurse.

People should get 3 doses of hepatitis B vaccine according to the following schedule. If you miss a dose or get behind schedule, get the next dose as soon as you can. There is no need to start over.

HEPATITIS B VACCINATION SCHEDULE

WHEN?	WHO?		
	Infant whose mother is infected with hepatitis B virus	Infant whose mother is not infected with hepatitis B virus	Older child, adolescent, or adult
First Dose	Within 12 hours of birth	Birth–2 months of age	Any time.
Second Dose	1–2 months of age	1–4 months of age; (At least 1 month after first dose).	1–2 months after first dose.
Third Dose	6 months of age	6–18 months of age	4–6 months after first dose.

—The second dose must be given at least 1 month after the first dose.
—The third dose must be given at least 2 months after the second dose and at least 4 months after the first.
—The third dose should not be given to infants younger than 6 months of age.

Adolescents 11 to 15 years of age may need only two doses of hepatitis B vaccine, separated by 4–6 months. Ask your health care provider for details.

Hepatitis B vaccine may be given at the same time as other vaccines.

4. Some People Should not get Hepatitis B Vaccine or Should Wait

People should not get hepatitis B vaccine if they have ever had a life-threatening allergic reaction to baker's yeast (the kind used for making bread) or to a previous dose of hepatitis B vaccine.

People who are moderately or severely ill at the time the shot is scheduled should usually wait until they recover before getting hepatitis B vaccine.

Ask your doctor or nurse for more information.

5. What Are the Risks From Hepatitis B Vaccine?

A vaccine, like any medicine, is capable of causing serious problems, such as severe allergic reactions. The risk of a vaccine causing serious harm, or death, is extremely small.

Getting hepatitis B vaccine is much safer than getting hepatitis B disease.

Most people who get hepatitis B vaccine do not have any problems with it.

Mild Problems

• soreness where the shot was given, lasting a day or two (up to 1 out of 11 children and adolescents, and about 1 out of 4 adults)

• mild to moderate fever (up to 1 out of 14 children and adolescents and 1 out of 100 adults)

Severe Problems

• serious allergic reaction (very rare).

6. What if There is a Moderate or Severe Reaction?

What Should I Look for?

Any unusual condition, such as a serious allergic reaction, high fever or behavior changes. Signs of a serious allergic reaction can include difficulty breathing, hoarseness or wheezing, hives, paleness, weakness, a fast heart beat or dizziness. If such a reaction were to occur, it would be within a few minutes to a few hours after the shot.

What Should I do?

• Call a doctor or get the person to a doctor right away.

• Tell your doctor what happened, the date and time it happened, and when the vaccination was given.

• Ask your doctor, nurse, or health department to file a Vaccine Adverse Event Reporting System (VAERS) form, or call VAERS yourself at 1–800–822–7967.

7. The National Vaccine Injury Compensation Program

In the rare event that you or your child has a serious reaction to a vaccine, a federal program has been created to help you pay for the care of those who have been harmed.

For details about the National Vaccine Injury Compensation Program, call 1–800–338–2382 or visit the program's website at http://www.hrsa.gov/bhpr/vicp

8. How Can I Learn More?

• Ask your doctor or nurse. They can give you the vaccine package insert or suggest other sources of information.

• Call your local or state health department's immunization program.

• Contact the Centers for Disease Control and Prevention (CDC):

—Call 1–800–232–2522 or 1–888–443–7232 (English)
—Call 1–800–232–0233 (Espanol)
—Visit the National Immunization Program's website at http://www.cdc.gov/nip or CDC's Hepatitis Branch website at http://www.cdc.gov/ncidod/diseases/hepatitis/

U.S. Department of Health & Human Services, Centers for Disease Control and Prevention, National Immunization Program—Hepatitis B (8/9/2000) (Interim) Vaccine Information Statement
42 U.S.C. 300aa–26

Dated: August 28, 2000.

Candice Nowicki,

Acting Director, Executive Secretariat, Centers for Disease Control and Prevention (CDC).

[FR Doc. 00–22428 Filed 8–31–00; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Developmental Disabilities Council Program Performance Report.

OMB No. 0980–0172.

Description: A Development Disabilities Council Program Performance Report is required by federal statute. Each State Developmental Disabilities Council must submit an annual report for the preceding fiscal year of activities and accomplishments.

Information provided in the Program Performance Report will be used (1) in the preparation of the Annual Report to the President, the Congress, and the National Council on Disabilities and (2) to provide a national perspective on program accomplishments and

continuing challenges. The current form has been drastically reduced and streamlined to reduce burden on Councils.

Respondents: State Developmental Disabilities Councils

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Program Performance Report	55	1	22	1,210
Estimated total annual burden Hours				1,210

In compliance with the requirements of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, S.W., Washington, D.C. 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: August 29, 2000.

Bob Sargis,

Reports Clearance Officer.

[FR Doc. 00–22528 Filed 8–31–00; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Submission for OMB Review; Comment Request

Title: State Systems Profiles.

OMB No.: New.

Description: Collect Information from States on what Systems Software each State has created in support of their administration of Federal Human Services Programs.

Respondents: States.

Annual Burden Estimates:

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Survey	54	4	1	216

Estimated Total Annual Burden Hours: 216.

Additional Information: Copies of the proposed collection may be obtained by writing to The Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447, Attn: ACF Reports Clearance Officer.

OMB Comment: OMB is required to make a decision concerning the collection of information between 30 and 60 days after publication of this document in the **Federal Register**. Therefore, a comment is best assured of having its full effect if OMB receives it within 30 days of publication. Written comments and recommendations for the proposed information collection should be sent directly to the following: Office of Management and Budget, Paperwork Reduction Project, 725 17th Street, NW., Washington, DC 20503, Attn: Desk Officer for ACF.

Dated: August 28, 2000.

Bob Sargis,

Reports Clearance Officer.

[FR Doc. 00–22402 Filed 8–31–00; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[Document Identifier: HCFA–R–201]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Health Care Financing Administration, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Type of Information Collection Request: Extension of a currently approved collection;

Title of Information Collection: Incentive Arrangement Disclosure Form and Supporting Regulations in 42 CFR 417.479, 417.500, 422.208, 422.210, 434.44, 434.67, 434.70, 1003.100, 1003.101, 1003.103, 1003.106;

Form No.: HCFA–R–201 (OMB #0938–0700);

Use: Managed Care Organizations that have contracts to serve Medicare/Medicaid beneficiaries are required to disclose payment arrangements with medical groups and physicians. If any arrangement includes an incentive that places a group or physician at risk for referrals that exceeds 25% of total payments and the risk is spread over 25,000 or fewer patients, then the provider must have stop-loss insurance. This data collection will be used to determine compliance with the requirement to disclose incentives and maintain appropriate stop-loss.;

Frequency: Annually;

Affected Public: Business or other for-profit, Not-for-profit institutions, Federal Government, and State, Local or Tribal Government;

Number of Respondents: 450;

Total Annual Responses: 450;

Total Annual Hours: 45,000.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access HCFA's Web Site address at http://www.hcfa.gov/regs/prdact95.htm, or E-mail your request, including your address, phone number, OMB number, and HCFA document identifier, to Paperwork@hcfa.gov, or call the Reports Clearance Office on (410) 786–1326. Written comments and recommendations for the proposed information collections must be mailed within 60 days of this notice directly to the HCFA Paperwork Clearance Officer designated at the following address:

HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards, Attention: Dawn Willinghan (HCFA–R–201), Room N2–14–26, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

Dated: August 22, 2000.

John P. Burke III,

HCFA Reports Clearance Officer, HCFA Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.

[FR Doc. 00–22446 Filed 8–31–00; 8:45 am]

BILLING CODE 4120–03–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[HCFA–1146–N]

Medicare Program; September 21, 2000, Meeting of the Advisory Panel on Medicare Education

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of meeting.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces a meeting of the Advisory Panel on Medicare Education (the Panel) on September 21, 2000. This Panel advises and makes recommendations to the Secretary of the Department of Health and Human Services and the Administrator of the Health Care Financing Administration (HCFA) on opportunities for HCFA to optimize the effectiveness of the National Medicare Education Program and other HCFA programs that help Medicare beneficiaries understand Medicare and the range of Medicare options available with the passage of the Medicare+Choice Program. The Panel meeting is open to the public.

DATES: The meeting is scheduled for September 21, 2000 from 8:30 a.m. pst to 5:30 p.m. pst.

ADDRESSES: The meeting will be held at the Waterfront Plaza Hotel, 10 Washington Street, Jack London Square, Oakland, California 94607, Telephone: (510) 836–3800 or (800) 729–3638.

FOR FURTHER INFORMATION CONTACT: Susana Perry, Executive Director, CBS, Partnership Development Group, Health Care Financing Administration, 7500 Security Boulevard S1–08–07, Baltimore, MD 21244–1850, (410) 786–1076. Please refer to the HCFA Advisory Committees Information Line (1–877–449–5659 toll free) or (410–786–9379 local) or the Internet (http://www.hcfa.gov/events/apme/homepage.htm) for additional information and updates on committee activities or by contacting the Executive Director at (E-mail: APME@hcfa.gov). Press inquiries are handled through the HCFA Press Office at (202) 690–6145.

SUPPLEMENTARY INFORMATION: The Federal Advisory Committee Act (5 U.S.C. App. 2, section 9(a)), Public Law 92–463, grants the Secretary of Health and Human Services (the Secretary) the authority to establish an advisory committee if the Secretary finds the committee in the public interest. The Secretary signed the charter establishing this committee on January 21, 1999 (64 FR 7899, February 17, 1999). The Advisory Panel on Medicare Education (the Panel) advises us on opportunities to enhance the effectiveness of consumer education materials serving the Medicare program.

The goals of the Panel are as follows:

- Develop and implement a national Medicare education program that describes the options for selecting a health plan under Medicare.
- Enhance the Federal government's effectiveness in informing the Medicare consumer, including the appropriate use of public-private partnerships.
- Expand outreach to vulnerable and underserved communities, including racial and ethnic minorities; in the context of a national Medicare education program.
- Assemble an information base of best practices for helping consumers evaluate health plan options and building a community infrastructure for information, counseling, and assistance.

The current members are: Diane Archer, J.D., President, Medicare Rights Center; Bruce Bradley, M.B.A., Director, Managed Care Plans, General Motors Corporation; Joyce Dubow, M.U.P., Senior Policy Advisor, Public Policy Institute, AARP; Elmer Huerta, M.D., M.P.H., Director, Cancer Risk and Assessment Center, Washington Hospital Center; Bonita Kallestad, J.D., M.S., Western Minnesota Legal Services, Mid Minnesota Legal Assistance; Steven Larsen, J.D., M.A., Maryland Insurance Commissioner, Maryland Insurance Administration; Brian Lindberg, M.M.H.S., Executive Director, Consumer Coalition for Quality Health Care; Heidi Margulis, B.A., Vice President, Government Affairs, Humana, Inc.; Patricia Neuman, Sc.D., Director, Medicare Policy Project, Henry J. Kaiser Family Foundation; Elena Rios, M.D., M.S.P.H, President, National Hispanic Medical Association; Samuel Simmons, B.A., President and CEO, The National Caucus and Center on Black Aged, Inc.; Nina Weinberg, M.A., President, National Health Council; and Edward Zesk, B.A., Executive Director, Aging 2000.

The agenda for the September 21, 2000, meeting will include the following:

- A recap of the last meeting.
- A presentation on communicating effectively with all people. (Issues of cultural competency and limited English proficiency.)
- A presentation on HCFA's role in and approach to providing information to Medicare consumers with limited English proficiency.
- A listening session, where Medicare consumers, caregivers to people with limited English proficiency, and information intermediaries discuss with the APME Panel approaches to effectively communicating Medicare information to people with limited English proficiency.
- A period for public comment.
- A discussion regarding suggestions for future activities to provide information to Medicare consumers with limited English proficiency.

Individuals or organizations that wish to make 5-minute oral presentations on the agenda issues should contact the Executive Director, by 12 noon, September 15, 2000, to be scheduled. The number of oral presentations may be limited by the time available. A written copy of the oral remarks should be submitted to the Executive Director, no later than 12 noon, September 15, 2000. Anyone who is not scheduled to speak may submit written comments to the Executive Director, by 12 noon, September 15, 2000.

The meeting is open to the public, but attendance is limited to the space available. Individuals requiring sign language interpretation for the hearing impaired or other special accommodations should contact the Executive Director at least 15 days before the meeting.

(5 U.S.C. App.2, section 10(a)(1) and (a)(2))

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: August 23, 2000.

Nancy-Ann Min DeParle,

Administrator, Health Care Financing Administration.

[FR Doc. 00–22432 Filed 8–31–00; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Inspector General

Program Exclusions: July 2000

AGENCY: Office of Inspector General, HHS.

ACTION: Notice of program exclusions.

During the month of July 2000, the HHS Office of Inspector General imposed exclusions in the cases set forth below. When an exclusion is imposed, no program payment is made to anyone for any items or services (other than an emergency item or service not provided in a hospital emergency room) furnished, ordered or prescribed by an excluded party under the Medicare, Medicaid, and all Federal Health Care programs. In addition, no program payment is made to any business or facility, *e.g.,* a hospital, that submits bills for payment for items or services provided by an excluded party. Program beneficiaries remain free to decide for themselves whether they will continue to use the services of an excluded party even though no program payments will be made for items and services provided by that excluded party. The exclusions have national effect and also apply to all Executive Branch procurement and non-procurement programs and activities.

Subject city, state	Effective date
Program-related convictions:	
ABIGANTUS, ANTONIO B, LEXINGTON, KY	08/20/2000
ALONSO, RAMON, MIAMI, FL	08/20/2000
BERVERLY MANOR SAN FRANCISCO, SAN FRANCISCO, CA	02/03/2000
BEVERLY MANOR ESCONDIDO, ESCONDIDO, CA	02/03/2000
BHR AIKEN, AIKEN, SC	02/03/2000
BOLDEN, CLIFFORD E, EGLIN AFB, FL	08/20/2000
BOLDEN, GLENNIS L, MARIANNA, FL	08/20/2000
BOWLAN, TIMOTHY MARK, EDMOND, OK	08/20/2000
CALDERIN, CIRO MANUEL, MIAMI, FL	08/20/2000
CAMEJO, OLGA, MIAMI BEACH, FL	08/20/2000
CAMEJO, RAMON, MIAMI, FL	08/20/2000
CASTELLANOS, JOHN, MIAMI, FL	08/20/2000
CHAMLEY, ANNA MARIE, BEDFORD, TX	08/20/2000
CHILDERS, CHARLES DAVID, MIRAMAR, FL	08/20/2000
CIVIELLO, CHARLES, BROOKLYN, NY	08/20/2000
COLLEGE OAKS, SACRAMENTO, CA	02/03/2000
COOPER, BALYNDA RENEE, VALLEJO, CA	08/20/2000
COUNTRYSIDE ESTATES, IOLA, KS	02/03/2000
CROSSROADS ORTHOTICS PROS, VICTORIA, TX	08/20/2000
CRUZ, BEATRIZ, MIAMI, FL	08/20/2000
DARNELL, ELOISE VERGEIRE, LONG BEACH, CA	08/20/2000
DATASTANYAN, OGANES, LOS ANGELES, CA	08/20/2000
DE LA CERDA, NELSON, COLEMAN, FL	08/20/2000
DE LA ROSA, RAUL, MIAMI, FL	08/20/2000
DEL ROSARIO, MA THERESA, LONG BEACH, CA	08/20/2000
DIAZ, ROBERTO A, MIAMI, FL	08/20/2000
DOMINGUEZ, DAGMARA, MIAMI, FL	08/20/2000
DOMINGUEZ, MIRIAM, MIAMI, FL	08/20/2000
DORMAN, JAMES D, THREE RIVERS, TX	08/20/2000
FALCON, JACINTO R, MIAMI, FL	08/20/2000
FERNANDEZ, ISABEL C, MIAMI, FL	08/20/2000
FIALLO, LAMBERTO, MIAMI, FL	08/20/2000
FONTANA, HUMBERTO L, MIAMI, FL	08/20/2000
FRIEDMAN, BRUCE S, ORANGE, CT	08/20/2000
GAGLIARDO, DANIEL M, DENTON, TX	08/20/2000
GOMEZ, ANSELMO, MONTGOMERY, PA	08/20/2000
GONZALEZ, MARIA ISABEL, MIAMI, FL	08/20/2000
GONZALEZ-CABALLERO, MERCEDES, MIAMI, FL	08/20/2000
GUTIERREZ, ANGEL I, MIAMI, FL	08/20/2000
HARMON, CALVIN J, CARROLLTON, GA	08/20/2000
HEARTHSTONE, ST JOHN, KS	02/03/2000
HOSPITALITY OF MACON, MACON, GA	02/03/2000
HUNTLEY FISTER, DEBBIE IRENE, PLAINVIEW, TX	08/20/2000
HYLOND SUNNYVALE, SUNNYVALE, CA	02/03/2000
JAVID, MOHAMMAD A, RAHWAY, NJ	08/20/2000

Subject city, state	Effective date
JOSEPH, CHARLES R (BUCK), SALYERSVILLE, KY	08/20/2000
JOSEPH, BARBARA, PRESTONSBURG, KY	08/20/2000
MASSENGILL, RAYMOND E JR, INDIANAPOLIS, IN	08/20/2000
MCNUTT, CHARLES D II, GREENVILLE, SC	08/20/2000
MEDINA, JOSE, HIALEAH, FL	08/20/2000
MENDOZA, AURORA S, MIAMI, FL	08/20/2000
MERCADO-FRANCIS, JOSE, FAJARDO, PR	08/20/2000
MIRANI, HANA H, KNOXVILLE, TN	08/20/2000
MIRANI, HARESH K, KNOXVILLE, TN	08/20/2000
MORTON, BETTY J, GUILFORD, CT	08/20/2000
OLIVERA, IRELA, MIAMI, FL	08/20/2000
PHILLIPS, JUDI, ELYRIA, OH	08/20/2000
PINEWOOD TERRACE, COLVILLE, WA	02/03/2000
PURDOM, DEBORAH MARIE, TUCSON, AZ	08/20/2000
REED, BENEDICT, LOUISVILLE, KY	08/20/2000
ROBERTS, RANDALL SCOTT, WELCH, WV	08/20/2000
SAILORS, DOUGLAS W, MANCHESTER, KY	08/20/2000
SALAS, JORGE, MIAMI, FL	08/20/2000
SHESHELOVSKAYA, RIMMA, BAYSIDE, NY	08/20/2000
SOSA, JORGE LUIS, MIAMI, FL	08/20/2000
STIVENDER, HELEN M, MACCLENNY, FL	08/20/2000
STRASSMAN, ALLAN, MONROE TOWNSHIP, NJ	08/20/2000
TERRENO GARDENS, LOS GATOS, CA	02/03/2000
TEXIDOR, CARMEN, CAGUAS, PR	08/20/2000
THOMPSON, CLARK, GRANDVIEW, MO	08/20/2000
URIZA, CELINA, PEORIA, AZ	08/20/2000
VALDES, PEDRO R, MIAMI, FL	08/20/2000
VALLEJO, GUILLERMO, MIAMI, FL	08/20/2000
VERDECIA, RAMON, HIALEAH, FL	08/20/2000
WARE, CLYDE L, STONE MOUNTAIN, GA	08/20/2000
WASHINGTON, ORVILLE, DECATUR, GA	08/20/2000
ZAMORA, MANUEL, MIAMI, FL	08/20/2000
ZUBERI, REHAN, FREEHOLD, NJ	08/20/2000
Felony conviction for health care fraud:	
BOLIVAR, ISAAC RABAGO, MARANA, AZ	08/20/2000
CANNON, ANTHONY, LEWISBURG, PA	08/20/2000
CANNON, DIANE, ALDERSON, WV	08/20/2000
SCOTT, VALERIE W, WILMINGTON, DE	08/20/2000
SEGARRA, SARIS ENRIQUE, MANSFIELD, OH	08/20/2000
STALLINGS, FANNIE, NEWARK, DE	08/20/2000
Felony Control Substances Conviction:	
BARKSDALE, OLIVER, WILMINGTON, DE	08/20/2000
CONSIGLIO, DIANA M, MEADVILLE, PA	08/20/2000
DOCKERY GRIFFIN, CARLA DIANE, TRENTON, TX	08/20/2000
FRALEY, MICHELLE, TULSA, OK	08/20/2000
GEORGE, NANCY, NEW BRIGHTON, PA	08/20/2000
GRANT, JOHN L, PORTSMOUTH, VA	08/20/2000
MILLER, RICHARD C, ALGOOD, TN	08/20/2000
NOURALLAH, ABDEL NASER, OAKDALE, LA	08/20/2000
PARADIS, MILO R, PITTSBURGH, PA	08/20/2000
ROSS, JONATHAN, CHERRY HILL, NJ	08/20/2000
TRAN, PAUL CHI, HOUSTON, TX	08/20/2000
Patient abuse/neglect convictions:	
BECK, JOYCE JOAN, BRANDON, MS	08/20/2000
BELL, VADNEY, GWYNN OAK, MD	08/20/2000
BOBO, WILLIAM F, COLOMBUS, OH	08/20/2000
BYARS-BROUGHTON, LORRI ANN, LOS ANGELES, CA	08/20/2000
CROSS, JIMMIE, HAMPTON, AR	08/20/2000
DE ESCOBAR, LIDIA INFANTE, NEWHALL, CA	08/20/2000
EARL, THERESA C, MONROE, LA	08/20/2000
EDWARDS, GEORGE E, NEW CUMBERLAND, PA	08/20/2000
FIGUEROA, CATHERINE, GROTON, CT	08/20/2000
FLORES ALICE JOYCE, BARLINGTON, IA	08/20/2000
GOVAN, DWIGHT JEROME, MALVERN, AR	08/20/2000
GRIMES, CHARLES ROBERT, CONWAY, AR	08/20/2000
HAYDEN, STEVEN, WAUPACA, WI	08/20/2000
JACOBS, STEVEN D, N ATTLEBORO, MA	08/20/2000
JEFFERSON, MARGARET, SANDERSVILLE, MS	08/20/2000
JOHNSON-LEWIS, CLARA DENISE, FRESNO, CA	08/20/2000
JONES, BARBARA, LEBLANC, LA	08/20/2000
KENNERLY, VICKIE, HOUSTON, TX	08/20/2000
MCALLISTER, FELICIA P, MECHANIC FALLS, ME	08/20/2000
MORAWSKI, JOANNE, GOSHEN, NY	08/20/2000
MURPHY, SCARLETT, HAMPTON, AR	08/20/2000

Subject city, state	Effective date
NEWSON, EVA (TRONE), BOGUE CHITTO, MS	08/20/2000
PORTER, PATRICIA A, GARDEN GROVE, CA	08/20/2000
PURIFOY, LILLIE MAE, MILWAUKEE, WI	08/20/2000
PYRON, WENNIFER, DRYFORK, VA	08/20/2000
RODRIGUEZ, FELIPA M, GAUTIER, MS	08/20/2000
SCHAAP, DONALD, WILMINGTON, DE	08/20/2000
STAFFORD, KAYE B, CAMERON, NC	08/20/2000
TAINA, MARIO PUMA, SAN QUENTIN, CA	08/20/2000
TOLBERT, HARRISENE V, CHARLESTON, SC	08/20/2000
WRIGHT, WILLIAM E, CLEVELAND, OH	08/20/2000
License revocation/suspension/surrendered:	
AHMADI, MANOCHER, TEHRAN, IRAN, CA	08/20/2000
ALLAHRAKHA, MOHAMMAD A, DARIEN, IL	08/20/2000
ALLISON, TERRY L, MOLINE, IL	08/20/2000
ALLISON, ANGELA R, POWELL, TN	08/20/2000
ANDREWS, RONALD WARDELL, AMHERST, NY	08/20/2000
ARELLANO, RUEBEN R, DENVER, CO	08/20/2000
ASHKINAZI, IRMA, CHICAGO, IL	08/20/2000
ATHANS, JOHN, PHOENIX, AZ	08/20/2000
AUSTIN, LAURA MAE, TEMECULA, CA	08/20/2000
AUXIER, RHONDA E, WOODWARD, IA	08/20/2000
AVERY, ANNE F, CHICAGO, IL	08/20/2000
BALTAZAR, MARIECES ASUNCION, N HOLLYWOOD, CA	08/20/2000
BARBOUR, KENNETH A, ALEXANDRIA, VA	08/20/2000
BARZ, KRISTINE O, BOSSIER CITY, LA	08/20/2000
BEARD, RUTH ALICE SMITH, CAPE CORAL, FL	08/20/2000
BELL, HAZEL MARIE, DAYTON, MN	08/20/2000
BETTS, DANITA ROCHELLE, CHICAGO, IL	08/20/2000
BISSETT, JUDY FAY, PETERSBURG, IL	08/20/2000
BOTTOMS, MARGARET ANN FULLER, LAKE PARK, FL	08/20/2000
BOURGOIN, FREDERICK WILLIAM, ST PAUL, MN	08/20/2000
BOWDEN, RICHARD E, MANCHESTER, TN	08/20/2000
BRADFORD, CONSTANCE LEWIS, VIRGINIA BEACH, VA	08/20/2000
BRADFORD, LISA DAWN, MOUNT VERNON, IL	08/20/2000
BRANNON, ROBERT WILLIAM, HILLARD, OH	08/20/2000
BROOKHIM, ROBEN, ELIZABETH, NJ	08/20/2000
BROWN, SUZETTE, ROOSEVELT, OK	08/20/2000
BROWN, KIM D, PORTSMOUTH, VA	08/20/2000
BROWN, RUTH C, CHESAPEAKE, VA	08/20/2000
BROWN-SMITH, GEORGETTE, CHICKAMAUGA, GA	08/20/2000
CALDWELL, KATHLEEN KAY DIANA, SANTA ROSA, CA	08/20/2000
CARIAS, ANTONIO, JACKSONVILLE, FL	08/20/2000
CARROLL, JOYCE J, AURORA, CO	08/20/2000
CARTER, PHILIP STEPHEN, WILMINGTON, NC	08/20/2000
CASPERSON, MARY ANN, VALLEY CITY, ND	08/20/2000
CHAMBERS, TERESA H, LYNCHBURG, VA	08/20/2000
CHANG, KIAN K, MINOT, ND	08/20/2000
COCKRUM, ROBYN J (MORGAN), MORRISTOWN, TN	08/20/2000
COLE, SHEILA M, AURORA, CO	08/20/2000
COLTRANE, DEBORAH L, TRINITY, NC	08/20/2000
CONKIN, WILLIAM L, CORDOVA, TN	08/20/2000
COOPER, CHARLOTTE A, RICHMOND, VA	08/20/2000
COOPERSMITH, MARK S, FARMINGTON, MI	08/20/2000
CURETON, SHIRLEY D, ALEXANDRIA, VA	08/20/2000
DALIMOT, AMANTE, EDGEWOOD, NY	08/20/2000
DARNELL, BRENDA G, SAVANNAH, TN	08/20/2000
DAVENPORT, MELISSA, GULFPORT, MS	08/20/2000
DELMAN, KAREN ELIZABETH, MAHANOY CITY, PA	08/20/2000
DOLIN, MICHAEL G, ROCKVILLE CTR, NY	08/20/2000
DOLLIESLAGER, KIMBERLI S, OVERLAND PARK, KS	08/20/2000
DOROFF, CHRISTOPHER LEAGH, EAGAN, MN	08/20/2000
DUBE, LAURA L, FT OGLETHORPE, GA	08/20/2000
DYE, PHILLIP, CYPRESS, TX	08/20/2000
ELLIOTT, STEVEN DALE, WASHINGTON, IL	08/20/2000
ERICKSON, TRACY SEAMAN, FORT MORGAN, CO	08/20/2000
FECSO, DANIEL PHILLIP, LARGO, FL	08/20/2000
FIGUEROA, LORI ANN, ROCHESTER, NY	08/20/2000
FINNE, SUSAN M, NORTHBROOK, IL	08/20/2000
FRANCIS, PAUL W, ROCHESTER, NY	08/20/2000
FRENCH, JUDITH WOODARD, SAN JOSE, CA	08/20/2000
GARDNER, KENNETH M, OAK PARK, IL	08/20/2000
GARNICA, RICHARD ALAN, THOUSAND OAKS, CA	08/20/2000
GASSETT, TRACI A, CALUMET CITY, IL	08/20/2000
GILES, JAMES R, MONTROSE, CO	08/20/2000

Subject city, state	Effective date
GORDON, LOIS E, ANKENY, IA	08/20/2000
GORTZ, SUZANNA E, LYONS, IL	08/20/2000
GRANT, VICKI LYNN, W BLOOMFIELD, MI	08/20/2000
GRATZ, CAROL E, ARCADIA, FL	08/20/2000
GREENHOUSE, NILES FREDERICK, CENTRAL SQUARE, NY	08/20/2000
GRIFFIN, JENNIFER SHARP, MIAMI LAKES, FL	08/20/2000
GUEST, MARTIN DEAN, CHICAGO, IL	08/20/2000
GURRISTER, JULIE BETH, OAK LAWN, IL	08/20/2000
HANSEN, MARY LOUISE, SACRAMENTO, CA	08/20/2000
HARLINE, WESLEY GRANT, OGDEN, UT	08/20/2000
HARRIS, ARLETTE RAMONA, LAWTON, OK	08/20/2000
HENDRICKSON, ROBERT MICHAEL, RICHMOND, VA	08/20/2000
HILL, CAMILLE JULEEN, UPLAND, CA	08/20/2000
HILL, SHERRY LYNN, FAYETTEVILLE, AR	08/20/2000
HOLETON, STACEY L, COUNCIL BLUFF, IA	08/20/2000
HOPKINS, CHARLENE ANN, CINCINNATI, OH	08/20/2000
HUGENER, DENISE MARIE, SPRINGFIELD, IL	08/20/2000
HUSSAIN, SHAHID M, VILLA PARK, IL	08/20/2000
JANSEN, VICKI SUZANNE, MONTEAGLE, TN	08/20/2000
JERRELL, CHARLES L, LAGUNA BEACH, FL	08/20/2000
JOHNSON, KYMBERLIE DAWN, ST PAUL, MN	08/20/2000
JONES, LINNEA JOHNSON, BEACHWOOD, OH	08/20/2000
KENNEDY, VICKY PARSLEY, MEMPHIS, TN	08/20/2000
KERR, KATHERINE L, BURLINGTON, IA	08/20/2000
KILLEN, DEBORAH F, CLEVELAND, TN	08/20/2000
KINNAMON, ELEANOR, SAN JOSE, CA	08/20/2000
KOERNER, BRUCE I, WARRENSBURG, NY	08/20/2000
KRUEGER, KATHLEEN S SHORTELL, NAPLES, FL	08/20/2000
LANGDON, REBECCA Y, RUTLAND, VT	08/20/2000
LANTERMAN, NANCY LEE DODD, LAKELAND, FL	08/20/2000
LAUMEIER, DANA LYNN, DAVENPORT, IA	08/20/2000
LEACH, BILLY SHANE, MONROE, LA	08/20/2000
LLOYD, SLAYTER R JR, HENDERSON, NC	08/20/2000
LONG, SHEILA LINVILLE, UMPIRE, AR	08/20/2000
LONG, JAMES JOSEPH JR, WALLINGFORD, PA	08/20/2000
LONG, NANCY LYNN CARSON, ORLANDO, FL	08/20/2000
LORUSSO, JEAN BOFFI, ROME, NY	08/20/2000
LYNCH, ROBERT T, PRIOR LAKE, MN	08/20/2000
MACBETH, MARY M SZOT, WINTER SPRING, FL	08/20/2000
MARSHALL, BRONWEN K, RICHMOND, VA	08/20/2000
MATHEWS, JENNIFER E, S PITTSBURG, TN	08/20/2000
MCCLELLAN, CLAUDIA JO, SANTA BARBARA, CA	08/20/2000
MCDOWELL, LORNA ANN, WALLACE, CA	08/20/2000
MERRITT, PATRICIA JEAN, MINNEAPOLIS, MN	08/20/2000
MICKENS, CAROL LYNN, BEDFORD HILLS, NY	08/20/2000
MORROW, MARGARET S, W DES MOINES, IA	08/20/2000
MURPHY, THELMA L, BARTLETT, TN	08/20/2000
MURPHY, RICHARD J, JENNERSTOWN, PA	08/20/2000
NETTER, JEFFREY G, BROOKLYN, NY	08/20/2000
NEWBERN, CARMEN C, WAVERLY, TN	08/20/2000
NEWBURY, NICOLE M, TAMPA, FL	08/20/2000
OLIVER, ALEXANDER, BRONX, NY	08/20/2000
OLSON, JENNIFER LOU, SARASOTA, FL	08/20/2000
PADGETT, JAMES REGINALD, PASADENA, CA	08/20/2000
PALMER, ROSEMARY JUNE, SHAKOPEE, MN	08/20/2000
PAPPERT-BLACK, LINDA, PHILADELPHIA, PA	08/20/2000
PATEL, RAMBEN DAHYABHAI, PARLIN, NJ	08/20/2000
PEARCE, PAMELA A, KNOXVILLE, TN	08/20/2000
PICKENS, MARILYN A, ANCHORAGE, AK	08/20/2000
PIKE, MARY HANSON, LEESPORT, PA	08/20/2000
PIPKIN, PAUL ERIC, JACKSONVILLE, FL	08/20/2000
PITCHER, JANICE, CAVALIER, ND	08/20/2000
PLEASURE, NICHELLE N, ANCHORAGE, AK	08/20/2000
PRESSGROVE, BEVERLY, MEMPHIS, TN	08/20/2000
PRIESTLY, NIKKI RAE, MISSION, TX	08/20/2000
PROVOST, MAUREEN ELIZABETH, WOODBURY, MN	08/20/2000
PRUITT, BRENDA L, KUTTAWA, KY	08/20/2000
PURTELL, ALLISON ELAINE, LAGUNA NIGUEL, CA	08/20/2000
RAGAJI, JOHN JAMES, AKRON, OH	08/20/2000
RAMAZANOGLU, MEHMET FATIH, ALBANY, NY	08/20/2000
RAMER, CYNTHIA L, OMAHA, NE	08/20/2000
RICHARDSON, CLAUDETTE, S FLORAL PARK, NY	08/20/2000
ROLLER, MICHAEL J, MILWAUKEE, WI	08/20/2000
ROWELL, RANDY SCOTT, LEXINGTON, MS	08/20/2000

Subject city, state	Effective date
RUBIN, MARVIN JOEL, MINNEAPOLIS, MN	08/20/2000
RUPP, GWEN M, WESTMINISTER, CO	08/20/2000
SANDS, LUELLA ANNE, BLOOMINGTON, MN	08/20/2000
SANSANO, JANET TUPA, SAN DIEGO, CA	08/20/2000
SAUNDERS, FRANCIS LEON, CHICO, CA	08/20/2000
SCHIMANDLE, JEFFREY H, OKLAHOMA CITY, OK	08/20/2000
SEAMAN, TAMARA LOUISVILLE, KY	06/20/2000
SHIRK, SANDRA K, MECHANICSBURG, PA	08/20/2000
SNOW, JAMES F, PLANTSVILLE, CT	08/20/2000
STEGNER, KATHLEEN MARIE, JACKSONVILLE, FL	08/20/2000
STODDARD, PAMELA LEE, DEL RIO, TX	08/20/2000
SULLIVAN, TAMMY J, MURFREESBORO, TN	08/20/2000
SWEAT, KENDRA L, JACKSBORO, TN	08/20/2000
TAKEUCHI, ERNEST I, ANTIOCH, CA	08/20/2000
THOMPSON, LORNA, BAYVILLE, NY	08/20/2000
THROCKMORTON, ERIC B, LEXINGTON, KY	08/20/2000
TREVINO, CHERYL LYNN, SAN ANTONIO, TX	08/20/2000
TULL, JOHN HUBERT JR, TYLER, TX	08/20/2000
VANATTA, RITA, WHITE HOUSE, TN	08/20/2000
VENEZIA, JOHN ALFRED, JUPITER, FL	08/20/2000
VESTAL, GUY ROBERT, CARLSBAD, CA	08/20/2000
WALES, KELLY STOTT, STOUCHSBURG, PA	08/20/2000
WASHKO, SCOTT ANDREW, MISSOURI CITY, TX	08/20/2000
WELLS, MELISSA E, N TRURO, MA	08/20/2000
WEST, CHERYL LYNN, LARGO, FL	08/20/2000
WHITE, KRISTIAN WESLEY JEROME, WACONIA, MN	08/20/2000
WILHELM, HAROLD PHILIP, WHITE BEAR LAKE, MN	08/20/2000
WILMETH, ROBERT NEAL, BURNSVILLE, MS	08/20/2000
WOOD, KATHERINE LOUISE, MORRILTON, AR	08/20/2000
WOOLLEY, PATRICIA GUSZAK, PEN ARGYL, PA	08/20/2000
YOUNG, ROBERT JAMES, ALLENTOWN, PA	08/20/2000
YOUNTS, DONALD W, SHENANDOAH, IA	08/20/2000
ZERATSKY, LISA L, TAMPA, FL	08/20/2000
Federal/State exclusion/suspension:	
MARTIN, ANDRE E, VENTNOR, NJ	08/20/2000
MORELL, JOHN A, NEW BRITAIN, CT	08/20/2000
MORELL, ROBERT J, KENSINGTON, CT	08/20/2000
MORELL, KAREN, BERLIN, CT	08/20/2000
MORELL, GEORGE A, BERLIN, CT	08/20/2000
VAUGHAN, DANIEL M, WOLCOTT, CT	08/20/2000
Fraud/kickbacks:	
MISEVIC, GABRIEL, KANKAKEE, IL	03/26/1999
Owned/controlled by Convicted Excluded:	
MARTINEZ CHIROPRACTIC OFFICE, FRESNO, CA	08/20/2000
PEDIATRIC DENTISTRY OF GREENVILLE, GREENVILLE, SC	08/20/2000
REMOND NOWRY, D D S, INC, SUN VALLEY, CA	08/20/2000
SUPERIOR MEDICAL CORP, MIAMI BEACH, FL	08/20/2000
Default on heal loan:	
AVER, REVA B, PORTLAND, OR	07/18/2000
DIAIS, SHIHAB M, ODESSA, TX	08/20/2000
DITOMMASO, RICHARD A, PITTSBURGH, PA	08/20/2000
DUNEVITZ, BENJAMIN S, ROCKLIN, CA	08/20/2000
MARTIN, MONTE LLOYD, ENUMCLAW, WA	08/20/2000
MILLER, DONALD P, CHESTERFIELD, MO	08/20/2000
RODRIGUEZ, EDWIN O, VILLA NEVAREZ, PR	08/20/2000
SCHOONOVER, JOHN BRADLEY, LANCASTER, TX	08/20/2000
SEGOTA, DEBRA A, TUSTIN, CA	08/20/2000
SIX, LAREY G, SEARCY, AR	08/20/2000
SLAVIN, MARK B, MOORPARK, CA	08/20/2000
TA, QUOCHUAN E, SAN FRANCISCO, CA	08/20/2000
TAYLOR, DAVID L, LORTON, VA	08/20/2000
TRAINER-MASORTI, KIMBERLY J, STATE COLLEGE, PA	08/20/2000
TURNER, JAMES E, SALLISAW, OK	08/20/2000

Dated: August 4, 2000.

Calvin Anderson, Jr.,

Director, Health Care Administrative Sanctions, Office of Inspector General.

[FR Doc. 00–22142 Filed 8–31–00; 8:45 am]

BILLING CODE 4150–04–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Environmental Health Sciences; Proposed Collection; Comment Request; Environmental Factors in the Development of Polycystic Ovary Syndrome

SUMMARY: In compliance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, for opportunity for public comment on proposed data collection projects, the National Institute of Environmental Health Sciences (NIEHS), the National Institutes of Health (NIH) will publish periodic summaries of proposed projects to be submitted to the Office of Management and Budget (OMB) for review and approval.

Proposed Collection

Title: Environmental Factors in the Development of Polycystic Ovary Syndrome. *Type of Information Collection Request:* NEW. *New and Use of Information Collection:* The purpose of this study is to identify a cohort of living female twin pairs in which at least one member is likely to have Polycystic Ovary Syndrome (PCOS) for future study. Potential participants (~2,100) will come from the Mid-Atlantic Twin Registry (MATRA) and were chosen based on their answers to several questions (in a preliminary MATR survey) concerning irregular periods and a history of polycystic cystic ovaries. The instrument to be used here will be administered by telephone by professional interviewers at the MATRA. It contains 15 simple and direct questions and will take about 10 minutes to complete. Its contents deal with the frequency of menstrual periods, a history of polycystic ovaries, obesity, excess facial hair and other evidence of hyperandrogenism. Since this is such a short telephone survey, participants will receive no prior notification. Informed consent will be asked for verbally over the phone at the time of the interview. All participants will be asked about their willingness to participate in future studies if their answers meet certain criteria. The major objectives of future studies using this cohort are to determine more reliable concordance rates for PCOS in monozygotic and dizygotic twins, establish baseline heritability estimates, and develop hypotheses concerning possible pathogenetic and/or environmental factors. The findings from this study will aid in developing: (1) Genetic tests to identify high risk women; (2) preventative strategies; and (3) more effective therapies for PCSO and related syndromes such as type 2 diabetes, obesity, idiopathic hyperandrogenism, and male pattern baldness. *Frequency of Response:* One time. *Affected Public:* Individuals or households. *Type of Respondents:* Adult women. The annual reporting burden is as follows: *Estimated Number of Respondents:* 2,100. *Estimated Number of Responses per Respondent:* 1; *Average Burden Hours Per Response:* 0.167; and *Estimated Total Annual Burden Hours Requested:* 350.7. The annualized cost to respondents is estimated at $3,507.00. There are no Capital Costs to report. There are no Operating or Maintenance Costs to report.

Request for Comments

Written comments and/or suggestions from the public and affected agencies are invited on one or more of the following points: (1) Whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility; (2) The accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Ways to enhance the quality, utility, and clarity of the information to be collected; and (4) Ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

FOR FURTHER INFORMATION CONTACT: To request more information on the propose project or to obtain a copy of the data collection plans and instruments, contact Dr. Patricia C. Chulada, Clinical Research Scientist, Clinical Research Office, NIEHS, P.O. Box 12233, Research Triangle Park, NC 27709 or call non-toll-free number (919) 541–7736 or E-mail your request, including your address to: *chulada@niehs.nih.gov.*

Comments due date: Comments regarding this information collection are best assured of having their full effect if received on or before October 31, 2000.

Dated: August 10, 2000.

Francine Little,

Associate Director for Management, NIEHS.

[FR Doc. 00–22479 Filed 8–31–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel SPECIAL EMPHASIS PANEL

Date: August 29, 2000.

Time: 1:30 pm to 3:30 pm.

Agenda: To review and evaluate grant applications.

Place: 6100 Executive Blvd. 5th Floor, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Gopal M. Bhatnagar, PhD, Scientific Review Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, National Institutes of Health, PHS, DHHS, 9000 Rockville Pike, 6100 Bldg., Room 5E01, (301) Bethesda, MD 20842, 496–1485.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.209, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: August 25, 2000.

Anna Snouffer,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–22477 Filed 8–31–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Child Health and Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel.

Date: August 28–29, 2000.

Time: 8 a.m. to 12 p.m.

Agenda: To review and evaluate grant applications.

Place: The Hyatt Regency Hotel, 100 Bethesda Metro Center, Bethesda, MD 20814.

Contact Person: Jon M. Ranhand, Phd, Scientist Review Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, NIH, 6100 Executive Blvd., Room 5E03, Bethesda, MD 20892, (301) 435–6884.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.209, Contraception and Infertility Loan Repayment Program; 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research, National Institutes of Health, HHS)

Dated: August 25, 2000.

Anna Snouffer,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–22478 Filed 8–31–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Library of Medicine; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Library of Medicine Special Emphasis Panel, Enhanced Anatomical Knowledge Sources for UMLS.

Date: August 29, 2000.

Time: 10 a.m. to 12 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Library of Medicine, Building 38, Conference Room B1N–20, 8600 Rockville Pike, Bethesda, MD 20894, (Telephone Conference Call).

Contact Person: Thomas C. Rindflesch, BA, MA, PhD; Information Research Specialist; Cognitive Science Branch, Lister Hill Nat'l Ctr for Biomed Communications, National Library of Medicine, 8600 Rockville Pike, Bethesda, MD 20894.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.879, Medical Library Assistance, National Institutes of Health, HHS)

Dated: August 25, 2000.

Anna Snouffer,

Acting Director, Office of Federal Advisory Committee Policy.

[FR Doc. 00–22476 Filed 8–31–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Notice of Listing of Members of the National Institutes of Health's Senior Executive Service Performance Review Board (PRB)

The National Institutes of Health (NIH) announces the persons who will serve on the National Institutes of Health's Senior Executive Service Performance Review Board. This action is being taken in accordance with title 5, U.S.C., section 4314(c)(4), which requires that members of performance review boards be appointed in a manner to ensure consistency, stability, and objectivity in performance appraisals, and requires that notice of the appointment of an individual to serve as a member be published in the **Federal Register.**

The following persons will serve on the NIH Performance Review Board, which oversees the evaluation of performance appraisals of NIH Senior Executive Service (SES) members:

Tony Itteilag, Acting Chair
Wendy Baldwin, Ph.D.
J. Carl Barrett, Ph.D.
Colleen Barros
Robert Desimone, Ph.D.
Elvera Ehrenfeld, Ph.D.
Michael Gottesman, M.D.
Charles Leasure
Alan Leshner, Ph.D.
Yvonne Maddox, Ph.D.
John McGowan, Ph.D.
Pedro Morales, J.D.
Louise Ramm, Ph.D.

For further information about the NIH Performance Review Board, contact the Office of Human Resource Management, Senior and Scientific Employment Division, National Institutes of Health, Building 31/B3C08, Bethesda, Maryland 20892, telephone (301) 496–1443 (not a toll-free number).

Dated: August 24, 2000.

Yvonne Maddox,

Acting Deputy Director, NIH.

[FR Doc. 00–22475 Filed 8–31–00; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Office for Women's Services; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Advisory Committee for Women's Services of the Substance Abuse and Mental Health Services Administration (SAMHSA) on September 29, 2000.

The meeting of the Advisory Committee for Women's Services will include a discussion of policy and program issues relating to women's substance abuse and mental health service needs; the SAMHSA fiscal year 2000 budget; specific Committee goals for the current year, consideration of the March 30, 2000 meeting minutes; and other policy issues.

A summary of the meeting and/or a roster of committee members may be obtained from: Nancy P. Brady, Executive Secretary, Advisory Committee for Women's Services, Office for Women's Services, SAMHSA, Parklawn Building, Room 13–99, 5600 Fishers Lane, Rockville, Maryland 20857, Telephone: (301) 443–8964.

Substantive information may be obtained from the contact whose name and telephone number is listed below.

Committee Name: Advisory Committee for Women's Services.

Meeting Date: September 29, 2000.

Meeting Time: 9 a.m.–4 p.m.

Place: Doubletree Hotel—Rockville, 1750 Rockville Pike, Rockville, MD 20852.

Open: September 29, 2000.

Contact: Nancy P. Brady, Room 13–99, Parklawn Building, Telephone: (301) 443–8964.

Dated: August 22, 2000.

Toian Vaughn,

Committee Management Officer, Substance Abuse and Mental Health, Services Administration.

[FR Doc. 00–22447 Filed 8–31–00; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF THE INTERIOR

Agenda for the September 20, 2000 Public Meeting of the Advisory Commission for the San Francisco Maritime National Historical Park

Public Meeting—Firehouse, Lower Fort Mason—10 am—12:15 pm

10 am—Welcome—Neil Chaitin, Chairman, Opening Remarks—Neil Chaitin, Chairman, Approval of Minutes from Previous Meeting

10:15 am—Report of the Superintendent, William Thomas, Superintendent

10:30 am—Presidio Relocation, Wayne Boykin, Ships Manager

10:45 am—SS WAPAMA Status, Michael Bell, Project Officer

11 am—Haslett Warehouse, Marc Hayman

11:30 am—Public Comments and Questions

11:45 pm—Election of Officers

12 pm—Agenda items/Date for next meeting

William G. Thomas,

Superintendent.

[FR Doc. 00–22401 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of a Draft Environmental Assessment on Depredation Permits for the Control and Management of Gulls in the Great Lakes Region

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: This Notice advises the public that a Draft Environmental Assessment on Depredation Permits for the Control and Management of Gulls in the Great Lakes Region is available for public review. Comments and suggestions are requested.

DATES: You must submit comments on the Draft Environmental Assessment by October 2, 2000.

ADDRESSES: Copies of the Draft Environmental Assessment can be obtained by writing to Stephen Wilds, Chief, Division of Migratory Birds, U.S. Fish and Wildlife Service, 1 Federal Drive, Ft. Snelling, Minnesota 55111–4056. Written comments can be sent to the same address. All comments received, including names and addresses, will become part of the public record. You may inspect comments during normal business hours at the same address.

FOR FURTHER INFORMATION CONTACT: Stephen D. Wilds at: U.S. Fish and Wildlife Service, 1 Federal Drive, Ft. Snelling, Minnesota 55111–4056, (612) 713–5432.

SUPPLEMENTARY INFORMATION: The Draft Environmental Assessment includes a review the potential impacts of the issuance of permits which allow the destruction of ring-billed and herring gull nests and eggs and limited killing of adult and sub-adult gulls to protect property and for public health and safety reasons under the Migratory Bird Treaty Act. In recent years, the U.S. Fish and Wildlife Service (Service), in cooperation with USDA-Wildlife Services, has addressed gull problems through the issuance of depredation permits on a case-by-case basis. While this approach has provided some relief in some areas, the Service is concerned with the current gull population and the growing human conflict trends and the permit controlled management activities. The Assessment reviews gull population status and the trends in human conflicts with gulls and considers three alternative ways for permitting the control and management of depredating gulls.

William Hartwig,

Regional Director, U.S. Fish and Wildlife Service.

[FR Doc. 00–22448 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Final Environmental Impact Statement for the Proposed Cortina Integrated Waste Management Project, Cortina Rancheria of Wintun Indians, Colusa County, CA

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Bureau of Indian Affairs (BIA) intends to submit a Final Environmental Impact Statement (FEIS) for the proposed approval of a lease of approximately 443 acres held in trust by the federal government for the Cortina Band of Wintun Indians in Colusa County, California, to the Environmental Protection Agency. The BIA prepared the FEIS in cooperation with the Cortina Band. The proposed action would allow the lessee, Cortina Integrated Waste Management, Inc., to develop and operate an integrated waste management project for the purpose of promoting the socioeconomic advancement of the Cortina Band. Brief descriptions of the proposed action and alternatives follow as supplementary information.

DATES: Written comments must arrive by September 30, 2000.

ADDRESSES: If you wish to comment, you may submit your comments by any one of several methods. You may mail or hand carry written comments to Ronald M. Jaeger, Regional Director, Pacific Region, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, California, 95825–1846. You may also comment via the Internet to billallan@bia.gov. Please submit Internet comments as an ASCII file, avoiding the use of special characters and any form of encryption. Include your name, return address and the caption, ''FEIS Comments, Cortina Integrated Waste Management Project,'' on the first page of your written comments or Internet message. If you do not receive confirmation from the system that your Internet message was received, contact us directly at (916) 978–6043.

Comments, including names and home addresses of respondents, will be available for public review at the above address during regular business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except holidays. Individual respondents may request confidentiality. If you wish to withhold your name and/or address from public review or from disclosure under the Freedom of Information Act, you must

state this prominently at the beginning of your written comment. Such requests will be honored to the extent allowed by law. We will not, however, consider anonymous comments. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

To obtain a copy of the FEIS, please write or call William Allan, Environmental Protection Specialist, Pacific Region, Bureau of Indian Affairs, 2800 Cottage Way, Sacramento, CA 95825-1846, telephone (916) 978–6043.

FOR FURTHER INFORMATION CONTACT: William Allan, (916) 978–6043.

SUPPLEMENTARY INFORMATION: The proposed action is the approval of a 25 year lease, renewable for an additional 25 years, of 443 acres of the 640 acre Cortina Rancheria to Cortina Integrated Waste Management, Inc. (a California corporation that is a wholly owned subsidiary of Earthworks Industries, Inc., of Vancouver, Canada), for the development and operation of a landfill, materials recovery facility, composting facility, and petroleum-contaminated soil bio-remediation unit. Waste would be transported to these facilities for recovery of recyclable and disposal of non-recyclable materials, and recycled materials transported from the facilities to market destinations. The lease would obligate the lessee to post-closure maintenance responsibilities for a period of at least 30 years after final closure.

Alternatives to the proposed project that are considered in the FEIS include the no action alternative (no lease approval) and two reduced project alternatives. One of these two alternatives would reduce the size of the landfill by eliminating a proposed 21 acre second phase. The other would eliminate the composting and bio-remediation portions of the proposed action.

This notice is published in accordance with Sec. 1503.1 of the Council on Environmental Quality Regulations (40 CFR parts 1500 through 1508) implementing the procedural requirements of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and the Department of the Interior Manual (516 DM 1–6), and is in the exercise of the authority delegated to the Assistant Secretary—Indian Affairs by 209 DM 8.

Dated: August 25, 2000.

Kevin Gover,

Assistant Secretary—Indian Affairs.

[FR Doc. 00–22631 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–02–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–180–1200PA]

Closure and Restriction Order

AGENCY: Department of the Interior, Bureau of Land Management, Folsom Field Office, California.

SUMMARY: The Bureau of Land Management (BLM) is restricting the discharge of firearms and other weapons on approximately ten (10) acres of public land. This restriction will apply on public lands within Township 11 north, Range 10 east, section 18, the northeast quarter of the northwest quarter, Mount Diablo meridian, El Dorado County. The BLM is currently preparing a management plan for public lands adjacent to the South Fork of the American River and will encompass this particular property. However; the nature of the problems on this parcel demands interim action. This restriction will be in force upon publication in the **Federal Register** and will end on December 31, 2001. A long term solution will be decided within the plan. This area has been used as a recreational shooting area for many years. The BLM has received numerous complaints from citizens concerning the safety of recreational shooting adjacent to their homes. The frequency of complaints has risen with the construction of homes surrounding the public land. There are now many private homes in the immediate area. There is a commercial campground across the road from the BLM parcel. The BLM agrees with many of the local residents that the discharge of weapons on this public land does create a significant hazard to the public.

Prohibitions: No person shall discharge any firearm or any projectile weapon.

DATES: This prohibition shall take effect September 1, 2000 and expire on December 31, 2001.

FOR FURTHER INFORMATION CONTACT: Deane Swickard, Field Manager, 63 Natoma Street, Folsom, CA 95630, 916–985–4474.

SUPPLEMENTARY INFORMATION: The authority for this closure and restriction is contained in Title 43 of the Code of Federal Regulations, 8364.1. Any person who fails to comply with this closure and restriction order will be subject to a fine of up to $100,000 and/or up to 12 months imprisonment. These penalties are specified in 43 U.S.C. 303 and 18 U.S.C. 3623.

D.K. Swickard,

Field Manager.

[FR Doc. 00–22452 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–40–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–912–0777–HN–003E]

Notice of Special Fire Restrictions-Closure Order in Carbon County and Bear Trap Wilderness Area; Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The Bureau of Land Management is including Carbon County and the closure of river use on the Madison River through the Bear Trap Wilderness Area in the special fire restriction-closure order dated August 21, 2000. This closure for Carbon County and the Bear Trap Wilderness Area will become effective at 12:01 a.m. Tuesday, August 29, 2000. In addition, include the following exemption to Order No. MT–00–06: Exemption: Oil and Gas lessees in the performance of activities directly related to their lease.

DATES: Restrictions go into effect at 12:01 am on Tuesday, August 29, 2000, and will remain in effect until further notice.

ADDRESSES: Comments should be sent to BLM Montana State Director, Attention: Pat Mullaney, P.O. Box 36800, Billings, Montana 59107–6800.

FOR FURTHER INFORMATION CONTACT: Pat Mullaney, Fire Management Specialist, 406–896–2915.

Dated: August 28, 2000.

Mat Millenbach,

State Director.

[FR Doc. 00–22607 Filed 8–30–00; 12:37 pm]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–912–0777–HN–003E]

Notice of Special Fire Restrictions—Restrictions and Conditions of Use in the Lewistown, Billings, Miles City, Malta Field Offices

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Bureau of Land Management Montana State Director Mat Millenbach has initiated Level 4 fire restrictions, effective starting at 12:01AM August 31, 2000, on the BLM lands in the Montana counties listed below. These restrictions are in response to the region's increasing fire potentials, the current level of fire activity, and the current scarcity of fire suppression resources.

The Level 4 fire restrictions apply to BLM lands in: Liberty, Hill, Blain, Phillips, Valley, Daniels, Sheridan, Roosevelt, Chouteau, Judith Basin, Fergus, Petroleum, Garfield, McCone, Richland, Dawson, Prairie, Wibaux, Wheatland, Golden Valley, Musselshell, Yellowstone, Big Horn, Treasure, Rosebud, Custer, Powder River, Fallon, and Carter counties.

With Level 4 fire restrictions, the following activities are prohibited on BLM managed lands. Building, maintaining, attending, or using a campfire or any open fire is prohibited (43 CFR 9212.1(h)). Gas and liquid-fueled stoves and lanterns are still permitted at a signed developed, designated recreation site or campground.

Camping in contained units is confined to areas immediately adjacent to open roads. Contained units, campers, trailers, etc. are not restricted to designated areas if cooking within the contained unit. This includes pickups with toppers, but not an open pickup bed. Boats on water are considered a contained unit.

Possessing or using motorized vehicles such as, but not limited to cars, trucks, trail bikes, motorcycles and all terrain vehicles off of cleared roads is prohibited except for persons with a grazing, oil and gas or mining permit performing activities in accordance with their permit. Cleared roads are defined as roads cleared of vegetation shoulder to shoulder (43 CFR 9212.1(h))

Travel via foot or bicycle will be allowed on roads that have been closed due to the extreme fire danger.

Smoking, except within an enclosed vehicle or building; at an improved place of habitation; at a developed, designated recreation site or campground; or while stopped in an area at least 3 feet in diameter that is cleared of all flammable material, is prohibited (43 CFR 9212.1(h)).

Use of chainsaws or other equipment with internal combustion engines for felling, bucking, skidding/wood cutting, road-building, and other high fire risk operations is prohibited. Exceptions are helicopter yarding and earth moving on areas of cleared and bare soil. Sawing incidental to loading operations on cleared landings is not necessarily restricted (43 CFR 9212.1(h)).

Welding, blasting (except seismic operations confined by ten or more feet of soil, sand or cuttings), and other activities with a high potential for causing wildland fires are prohibited (43 CFR 9212.1(h)).

A patrol is required for a period of two hour following the cessation of all work activity. The patrolperson's responsibilities include checking for compliance with required fire precautions.

Exemptions: Exemptions to the above prohibitions are allowed only for any Federal, State, or local officer, or member of an organized rescue, firefighting force or law enforcement in the performance of an official duty, or persons with a permit or written authorization allowing the otherwise prohibited act or omission.

Authority for these prohibitions is pursuant to the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, *et seq.*), Sections 302(b) and 301(a); and Title 43 of the Code of Federal Regulations, Part 9210 (Fire Management), Subpart 9212 (Wildfire Prevention). These restrictions will become effective at 1:00 a.m., Mountain Daylight Time, Friday, August 11, 2000, and will remain in effect until rescinded or revoked.

Violation of this prohibition is punishable by a fine of not more than $1,000 or imprisonment for not more than 12 months, or both.

DATES: Restrictions go into effect at 12:01 am on Thursday, August 31, 2000, and will remain in effect until further notice.

ADDRESSES: Comments should be sent to BLM Montana State Director, Attention: Pat Mullaney, P.O. Box 36800, Billings, Montana 59107–6800.

FOR FURTHER INFORMATION CONTACT: Pat Mullaney, Fire Management Specialist, 406–896–2915.

Dated: August 29, 2000.

Roberta A. Moltzen,

Acting State Director.

[FR Doc. 00–22609 Filed 8–30–00; 12:37 pm]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–010–1990–EX]

Notice of Availability for the South Operations Area Project Amendment Draft Environmental Impact Statement and Notice of Comment Period and Public Meeting

AGENCY: Bureau of Land Management.

ACTION: Notice.

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act, 40 CFR 1500–1508 and 43 CFR 3809, notice is given that the Bureau of Land Management has prepared, with the assistance of a third-party consultant, a Draft Environmental Impact Statement on Newmont's proposed South Operations Area Project Amendment in northeastern Nevada, and has made copies of the document available for public review. The Draft Environmental Impact Statement analyzes the potential environmental impacts that could result from the expansion and deepening of the Gold Quarry open-pit mine and expansion of mine facilities and extension of mine dewatering for ten years beyond the current permit.

DATES: Written comments on the Draft Environmental Impact Statement will be accepted until close of business on October 31, 2000. A public meeting for oral and written comments is scheduled to be held: September 26, 2000 in Elko, Nevada, at the Bureau of Land Management Office, 3900 E. Idaho Street at 5:00 p.m.

ADDRESSES: Written comments on the Draft Environmental Impact Statement should be addressed to: Bureau of Land Management, Elko Field Office, Attn: Roger Congdon, Environmental Impact Statement Coordinator, 3900 E. Idaho Street, Elko, NV 89801. The Draft Environmental Impact Statement is available for inspection at the following locations: Bureau of Land Management Nevada State Office (Reno), Bureau of Land Management Elko Field Office, Carson City and Elko County libraries, the University of Nevada libraries in Reno and Las Vegas, and the Great Basin College library in Elko. It is also available from the Bureau of Land Management, Elko Field Office internet site at www.nv.blm.gov/elko.

FOR FURTHER INFORMATION CONTACT: For additional information, write to the above address or call Roger Congdon at (775) 753–0200.

SUPPLEMENTARY INFORMATION: Newmont proposes to continue operations at the

South Operations Area Project for an additional ten years. The mine expansion would involve an additional disturbance of 839 acres of public land and 553 acres of private land. The agency preferred alternative consists of the proposed action plus backfilling of the Mac pit, one of two small, inactive open pit mines within the project boundary.

A copy of the Draft Environmental Impact Statement has been sent to all individuals, agencies, and groups who have expressed interest in the project or as mandated by regulation or policy. A limited number of copies are available upon request from the Bureau of Land Management at the address listed above. The Environmental Impact Statement is also available at the Elko Bureau of Land Management website: www.nv.blm.gov/elko. Public participation has occurred during the Environmental Impact Statement process. A Notice of Intent was filed in the **Federal Register** in June 1997 and an open scoping period was held for 30 days. A public scoping meeting to solicit comments and ideas was held in July 1997. All comments presented to the Bureau of Land Management throughout the Environmental Impact Statement process have been considered.

Dated: August 24, 2000.

Helen Hankins,

Field Manager.

[FR Doc. 00–22285 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM–930–00–1040–DF]

Availability of Four Final Environmental Impact Statements (FEISs) and Proposed Riparian and Aquatic Habitat Management Plans (HMPs)

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

The Four documents are for:

(1) The Taos Field Office,

(2) The Farmington Field Office,

(3) The Rio Puerco Area of the Albuquerque Field Office, and

(4) The Mimbres Area of the Las Cruces Field Office.

SUMMARY: The Bureau of Land Management (BLM) announces the availability of four Final Environmental Impact Statements and Proposed Riparian and Aquatic Habitat Management Plans. The four documents are for Taos Field Office, Farmington Field Office, the Rio Puerco Area of the Albuquerque Field Office and the Mimbres Area of the Las Cruces Field Office. The agency's preferred alternative is shown in each of the above listed documents. The documents also contain the public comments received and the responses to substantive comments. Following the 30-day availability for the FEISs and the HMPs a Record of Decision (ROD) will be prepared for each project. Copies of the ROD will be mailed to those on the mailing list. Individuals wanting to comment on the changes made in preparing the FEIS or the HMP should send the comments as shown below:

ADDRESSES: Comment on the Taos Field Office Proposed Riparian and Aquatic Habitat Management Plan and FEIS should be sent to: Taos Field Office, Taos HMP/EIS/RMPA Team Leader, 226 Cruz Alta Road, Taos, NM 87571–5983.

Comment on the Farmington Field Office Proposed Riparian and Aquatic Habitat Management Plan and FEIS should be sent to: Farmington Field Office, Farmington HMP/EIS/RMPA Team Leader, 1235 La Plata Highway, Farmington, NM 87401–1808.

Comment on the Albuquerque Field Office Proposed Riparian and Aquatic Habitat Management Plan and FEIS should be sent to: Albuquerque Field Office, Rio Puerco HMP/EIS/RMPA Team Leader, 435 Montano Road, NE, Albuquerque, NM 87107–4935.

Comment on the Las Cruces Field Office Riparian and Aquatic Habitat Management Plan and FEIS should be sent to: Las Cruces Field Office, Mimbres HMP/EIS/RMPA Team Leader, 1800 Marquess Street, Las Cruces, NM 88005–3371.

All comments received will be considered in preparing the RODs. Comments must be mailed to the BLM at the address provided above during the 30-day period which ends October 10, 2000.

Comments, including names and street addresses of respondents, will be available for public review at the above address during regular business hours (8 am to 4:30 pm) Monday through Friday, except holidays.

Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such request will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

FOR FURTHER INFORMATION CONTACT:

(1) Taos Field Office—Pam Herrera—505–751–4705

(2) Farmington Field Office—Bob Moore—505–599–6311

(3) Albuquerque Field Office—Jim Silva—505–761–8901

(4) Las Cruces Field Office—Bill Merhege—505–525–4369

SUPPLEMENTARY INFORMATION: The four Proposed Riparian and Aquatic Habitat Management Plans and Final Environmental Impact Statements are being prepared to provide comprehensive riparian and aquatic management guidance for restoring and protecting riparian habitat under BLM jurisdiction.

Dated: August 25, 2000.

Richard A. Whitley,

Associate State Director, New Mexico.

[FR Doc. 00–22424 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–FB–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR–110–0777–30–24–1A; HAGO–0346]

Notice of Temporary Travel Restrictions for Motorized and Non-Motorized Mechanized Vehicles in the Cascade-Siskiyou National Monument, Oregon.

SUMMARY: All motorized and non-motorized mechanized travel is temporarily prohibited on specific roads in the recently established Cascade-Siskiyou National Monument. The affected land is located southeast of Ashland, Oregon in Jackson County.

EFFECTIVE DATES: The restrictions will become effective September 1, 2000 and will remain in effect until completion of the Cascade-Siskiyou National Monument management plan. The planning process may result in a decision to maintain or modify this prohibition.

Discussion of the Restrictions: The roads affected by these restrictions are as follows: The Schoheim Road (#41–2E–10.1). The Randcore Pass Road (#40–4E–19.2) past the junction with road #40–4E,31.0. The Skookum Creek Road (#s 40–3E–28 and 40–3E–27.2) past the junction with road #40–3E–27.1 Road #41–2E–3.0 past the point where it crosses the Pacific Crest National Scenic Trail. Road #41–2E–9.0 past the barricade in T. 41 S., R. 2 E., Section 9,

SW¼NW¼. The Lone Pine Ridge Road (#40–3E–31) past the block in T. 40 S., R. 3 E., Section 31. An unnumbered road which crosses the Oregon-California border, at the section line between Sections 7 and 18, T. 41 S., R. 4 E. An unnumbered road which crosses the Oregon-California border, at the south section line of Section 13, T. 41 S., R. 2 E.

Closure signs will be posted at the above locations. Maps of the closure area and information on the restrictions may be obtained from the Medford District Office.

This action is in accordance with the Presidential Proclamation dated June 9, 2000, which closed the Schoheim Road and directed the Secretary of the Interior to prepare a management plan that includes appropriate transportation planning. The plan will address actions, including road closures or travel restrictions, necessary to protect the objects identified in the proclamation. The temporary closure of the additional roads will protect those objects pending completion of the management plan.

Discussion of the Rules: These rules will apply to the public lands within the boundaries of the Cascade-Siskiyou National Monument, Oregon

Supplementary Rules for Cascade-Siskiyou National Monument

Under 43 CFR 8364 and 16 U.S.C. 431, the Bureau of Land Management will enforce the following rules on public land within the Cascade-Siskiyou National Monument.

1. You must not operate motorized or non-motorized mechanized vehicles on roads closed to that use.

Motorized and non-motorized vehicles include, but are not limited to: automobiles, off-road vehicles, motorcycles, all-terrain vehicles, bicycles, scooters and other wheeled vehicles.

Exemptions: Persons who are exempt from the prohibition include: (1) Any federal, state, or local officers engaged in fire, emergency and law enforcement activities; (2) BLM employees in official duties; (3) persons authorized to travel on designated routes by the Ashland Field Office Manager.

Penalties: The authority for this closure is found under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a) and 16 U.S.C. 431, any person who violates this restriction may be tried before a United States Magistrate and fined no more than $500. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

ADDRESSES: Field Office Manager, Ashland Field Office, Bureau of Land Management, 3040 Biddle Road, Medford, Oregon 97504.

FOR FURTHER INFORMATION CONTACT: John Samuelson, (541) 618–2313.

Dated: August 18, 2000.

Richard J. Drehobl,

Ashland Field Office Manager.

[FR Doc. 00–22451 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–33–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–06–00–2821–JL]

Emergency Motor Vehicle Closure

AGENCY: Bureau of Land Management, Interior.

ACTION: A temporary closure to motor vehicle use on public lands within and adjacent to the area of the Ormsby Fire (T802) administered by the Bureau of Land Management, Casper Field Office.

SUMMARY: On August 10 and 11, 2000, the Ormsby Fire burned approximately 11,050 of public, state and, private land in Converse County, Wyoming. About 4,970 acres of public land administered by the Bureau of Land Management were burned in T. 36 N., R. 76 W., secs. 4, 5, 6, 7, 8, 9 and 10; T. 36 N., R. 77 W., secs. 1, 11 and 12; T. 37 N., R. 76 W., secs. 9, 19, 20, 30 and 31; and, T. 37 N., R. 77 W., secs. 24, 25 and 26, all in the 6th Principal Meridian.

Because of the damage caused by the fire and fire-fighting activities, this closure is necessary to prevent erosion, to prevent the creation of new motor vehicle routes and to enhance fire rehabilitation efforts within and adjacent to the burned area. A map of the Ormsby Fire area is available at the Casper Field Office.

Prohibited Act: Pursuant to 43 CFR 8364.1, motorized vehicle use is prohibited on public land administered by the Bureau of Land Management within and near the boundary of the Ormsby Fire. This includes all fire lines created by bulldozers and graders. Public access routes to and through the area will be signed as closed to motor vehicles.

Penalties: The authority for this closure is found under section 303(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), 43 CFR 8360.0–7 and 43 CFR 8364.1. Any person who knowingly and willfully violates this closure and is convicted may be fined no more than $1,000 or imprisoned no more than 12 months, or both.

Exceptions: This closure applies to all motorized vehicles excluding (1) any emergency or law enforcement vehicle while being used for emergency purposes; (2) any vehicle used for planning and implementing the rehabilitation plan for the fire area; and, (3) any vehicle whose use is expressly authorized in writing by the Field Manager, Casper Field Office.

EFFECTIVE DATE: This emergency closure is effective September 1, 2000, and will continue through November 30, 2000.

FOR FURTHER INFORMATION, CONTACT: James K. Murkin, Field Manager, Casper Field Office, Bureau of Land Management, 2987 Prospector Drive, Casper, WY 82604–2968. Telephone: 307–261–7600.

Dated: August 22, 2000.

James K. Murkin,

Field Manager.

[FR Doc. 00–22450 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ–050–00–1430–ES; AZA 17382]

Arizona: Notice of Realty Action

SUMMARY: This notice modifies the proposed and initial classification orders dated April 4, 1982, and June 4, 1982, respectively, to correct the total number of acres classified to be 31 acres, more or less. The classification orders listed above classified the land for lease or patent under the Recreation and Public Purposes Act, as amended (43 U.S.C. 869, *et seq.*) but incorrectly cited the acreage affected as being 18.5 acres, more or less. The lands are currently leased to and used by the City of San Luis under the provisions of the Recreation and Public Purposes Act, as amended (43 U.S.C. 869, *et seq.*) for a wastewater treatment plant. The City will receive a patent to these lands in the near future. This notice also informs the public that the lands previously identified in the classification order listed above have been re-surveyed and are now legally described as follows:

Gila and Salt River Meridian, Arizona

T. 11 S., R. 25 W.,
sec. 2, lots 2 and 3; sec. 11, lots 27 and 28.
Containing 31.0, more or less.

SUPPLEMENTARY INFORMATION: The lands are currently classified and are segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the

mineral leasing laws. This correction does not change the former classification and segregation of these lands.

FOR FURTHER INFORMATION CONTACT: Debbie DeBock, Realty Specialist, Yuma Field Office, 2555 East Gila Ridge Road, Yuma, AZ 85365; (520) 317–3208.

Dated: August 22, 2000.

Maureen A. Merrell,

Assistant Field Manager/Acting Field Manager.

[FR Doc. 00–22449 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–32–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–060–2800/1600]

Notice of availability of planning criteria for the Proposed Falcon to Gonder 345 kV Transmission Line Project and associated Bureau of Land Management Resource Management Plan Amendments for the Shoshone-Eureka, Elko, and Egan Resource Areas in Elko, Eureka, Lander, and White Pine Counties, Nevada

AGENCY: Bureau of Land Management, Interior.

Cooperating Agencies: Nevada Division of Wildlife, Nevada State Historic Preservation Office.

ACTION: Notice of availability of planning criteria associated with the Preparation of an Environmental Impact Statement to analyze Sierra Pacific Power Company's (SPPC) Proposed Falcon to Gonder 345 kV Transmission Line Project and associated amendments to existing Bureau of Land Management (BLM) Resource Management Plans (RMP) for the purpose of establishing right-of-way utility corridors in Elko, Eureka, Lander, and White Pine Counties, Nevada.

SUMMARY: Pursuant to 43 Code of Federal Regulations 1610 the Bureau of Land Management's Battle Mountain, Elko, and Ely Field Offices (BLM) hereby give notice of the availability of planning criteria for amendments to the Shoshone-Eureka, Elko, and Egan Resource Management Plans in Elko, Eureka, Lander, and White Pine Counties, Nevada.

DATES: Written comments on the planning criteria must be postmarked or otherwise delivered by 4:30 p.m. on October 2, 2000.

ADDRESSES: Written comments should be addressed to the Bureau of Land Management, Battle Mountain Field Office, Attention: Katherine Moses, 50 Bastian Road, Battle Mountain, Nevada 89820.

FOR FURTHER INFORMATION CONTACT: Mary Craggett, Battle Mountain BLM, at (775) 635–4168 or Katherine Moses, Battle Mountain BLM, at (775) 635–4092.

SUPPLEMENTARY INFORMATION: On December 17, 1998, SPPC filed a right-of-way application with the BLM for the construction, operation, and maintenance of a 165–185 mile long 345 kV transmission line that would connect the Falcon substation (north of Dunphy, Nevada) with the Gonder substation (north of Ely, Nevada). The project would improve import and export capabilities to meet anticipated growth in SPPC's system.

Because portions of the transmission line alternatives would be outside of BLM designated utility corridors, the BLM will evaluate the need to amend the Shoshone-Eureka, Elko, and Egan RMPs to establish a new utility corridor in north central Nevada. Elko's RMP would require modifying the existing ''low visibility'' corridor along I–80 to permit a corridor crossing since anticipated impacts exceed RMP established visual standards. Depending on the preferred alignment selected, the Egan RMP may not need to be amended because alternative route segments would fall into an existing designated utility corridor. An amendment to the Shoshone-Eureka RMP could also involve deleting an existing utility planning corridor near Nevada State Highway 305.

The following criteria will be used to evaluate the need for and planning implications of RMP amendments associated with the Falcon to Gonder Transmission Project:

- Emphasize a balanced multiple-use approach to land management, protecting fragile and unique resources, yet not overly restricting the ability of other resources to provide economic goods and services.
- Ensure a system for transmission of utilities through the Resource Management Planning Areas that would allow for future expansion by multiple users.
- Minimize adverse impacts to the environment by concentrating compatible rights-of-way in designated corridors that avoid sensitive resource values.
- Select the preferred alternative based on a combination which best meets demands for public lands while minimizing disruption of the human environment.

M. Lee Douthit,

Associate Field Manager, Battle Mountain Field Office.

[FR Doc. 00–22423 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–030–2000–1060–JJ]

Notice of Intent to Remove Stray Wild Horses

AGENCY: Bureau of Land Management, Interior.

SUMMARY: The Wild, Free Roaming Horse and Burro Act (PL 92–195) requires, among other things, that wild horses that exceed the Appropriate Management Levels established for them be removed. In order to accomplish that, the Rawlins Field Office of the Bureau of Land Management (BLM) plans to remove approximately 300–400 excess horses from the Stewart Creek Herd Management Area (HMA). The removal is scheduled to begin on or about February 15, 2001, and conclude on or about April 1, 2001. The Appropriate Management Level for the Stewart Creek HMA is 150. At least 150 horses will remain in the Stewart Creek HMA after the removal is completed.

Wild Horse populations in the nearby Lost Creek, Green Mountain, and Crooks Mountain HMAs will not be directly affected by this removal and will remain within the AMLs established for them.

A detailed Gather Plan, Environmental Analysis (EA), and Record of Decision for this removal are available on request from: Chuck Reed, Bureau of Land Management, Rawlins Field Office 1300 North Third Street, P.O. Box 2047, Rawlins, WY 82301, (307) 328–4213, email: Chuck_Reed@blm.gov.

These documents are also available for review on the BLM website at www.wy.blm.gov/nepa/nfnepahome.html.

This removal action represents continued implementation of decisions previously communicated through Decision Records WY–037–EA4–121/122 dated July 11, 1994; and WY–030–EA0–037 dated February 25, 2000.

FOR FURTHER INFORMATION CONTACT: For further information please contact the Bureau of Land Management, Rawlins Field Office, 1300 North Third Street,

P.O. Box 2407, Rawlins, WY 82301, (307) 328–4200.

Kurt J. Kotter,

Field Manager.

[FR Doc. 00–21209 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Availability of Draft Director's Order Concerning National Park Service Policies and Procedures Governing its Value Analysis Program

AGENCY: National Park Service, Department of the Interior.

ACTION: Notice of availability.

SUMMARY: The National Park Service (NPS) has prepared a Director's Order setting forth its policies and procedures governing use of Value Analysis. When adopted, the policies and procedures will apply to all units of the national park system, and will supersede and replace the policies and procedures issued in July 1994.

DATES: Written comments will be accepted until September 19, 2000.

ADDRESSES: Draft Director's Order #90 is available on the Internet at http://www.nps.gov/refdesk/DOrders/index.htm. Requests for copies and written comments should be sent to Richard Turk, NPS Value Analysis Program Coordinator, Construction Program Management, P.O. Box 25287, 12795 W. Alameda Parkway, Denver, CO 80225–0287, or to his Internet address: rich_turk@nps.gov.

FOR FURTHER INFORMATION CONTACT: Rich Turk at (303) 969–2470.

SUPPLEMENTARY INFORMATION: The NPS is updating its current system of internal written instructions. When these documents contain new policy or procedural requirements that may affect parties outside the NPS, they are first made available for public review and comment before being adopted. The policies and procedures governing Value Analysis have previously been published in the form of guideline NPS–90. That guideline will be superseded by the new Director's Order 90 (and a reference manual that will be issued subsequent to the Director's Order). The draft Director's Order covers topics such as the value analysis program, thresholds for application of value analysis for construction and non-construction projects, value engineering change proposals (VECP), annual report, plan of action, coordination, and funding.

Individual respondents may request that we withhold their home address from the administrative record, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold from the record a respondent's identity, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment.

Dated: August 8, 2000.

Michael LeBorgne,

Program Manager, Construction Program Management, Office of the Associate Director, Professional Services.

[FR Doc. 00–22437 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–70–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–424]

In the Matter of Certain Cigarettes and Packing Thereof; Notice of Commission Determination Not To Review an Initial Determination; Schedule for the Filing of Written Submission on Remedy, the Public Interest, and Bonding

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (''ID'') issued by the presiding administrative law judge (''ALJ'') on June 22, 2000.

FOR FURTHER INFORMATION CONTACT: Shara L. Aranoff, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–3090, e-mail *saranoff@usitc.gov.*

SUPPLEMENTARY INFORMATION: The Commission instituted this trademark-based investigation on September 16, 1999, based on a complaint filed by Brown & Williamson Tobacco Corp. (''complainant'') alleging unfair acts in violation of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation, sale for importation, and/or sale within the United States after importation of certain cigarettes and packaging thereof, by reason of (a) infringement of 11 federally registered U.S. trademarks; (b) trademark dilution; (c) false representation of source; and (d) false advertising. The Commission's notice of investigation named Allstate Cigarette Distributors, Inc. (''Allstate''), Dood Enterprises, Inc. (''Dood''), Prestige Storage and Distribution, Inc. (''Prestige''), and R.E. Tobacco Sales, Inc. (''R.E. Tobacco'') as respondents.

On December 15, 1999, the Commission determined not to review an ID (Order No. 15) granting the motion of PTI, Inc., doing business as Ampac Trading (''PTI'' or ''intervenor''), to intervene in this investigation. On February 22, 2000, the Commission determined to review and affirm an ID (Order No. 30) granting the motion of respondent Allstate to terminate the investigation as to it based on a consent order. On March 24, 2000, the Commission determined not to review two IDs (Orders Nos. 60 and 61) granting the motions of respondents Prestige and R.E. Tobacco to terminate the investigation as to them based on consent orders. On March 24, 2000, the Commission determined not to review an ID (Order No. 59) granting complainant's motion for partial summary determination that a domestic industry exists with respect to complainant's trademarks. On April 27, 2000, the Commission determined not to review an ID (Order No. 68) granting the motion of respondent Dood to terminate the investigation as to it based on a consent order.

The ALJ held an evidentiary hearing on the merits beginning on March 20, 2000, and issued her final ID finding a violation of section 337 on June 22, 2000. She found that there had been imports of the accused products by intervenor PTI; that PTI's importation and sale of the accused cigarettes infringed complainant's trademarks; that PTI's importation and sale of accused cigarettes diluted complainant's trademarks; that PTI's importation and sale of accused cigarettes constituted a false designation of source; that complainant had failed to demonstrate that PTI engaged in false advertising with respect to the accused cigarettes; that PTI's trademark dilution and false designation of source had the threat or effect of substantially injuring the domestic industry; and that PTI was not denied due process in proceedings before the ALJ in this investigation.

Intervenor PTI filed a petition for review of the final ID, and complainants and the Commission investigative attorney filed responses to the petition.

On June 27, 2000, the Commission determined to extend the date by which it must make its determination whether to review the instant ID to August 28, 2000, and to extend the target date in this investigation to October 16, 2000.

Having examined the record in this investigation, including the ID, the Commission has determined not to review the ID.

In connection with final disposition of this investigation, the Commission may issue (1) an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) a cease and desist order that could result in intervenor being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered. If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see the Commission Opinion *In the Matter of Certain Devices for Connecting Computers via Telephone Lines*, Inv. No. 337–TA–360.

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist order would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed.

Written Submissions: The parties to the investigation, interested government agencies, and any other interested persons are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Such submissions should address the June 22, 2000, recommended determination by the ALJ on remedy and bonding. Complainant and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. The written submissions and proposed remedial orders must be filed no later than the close of business on September 11, 2000. Reply submissions must be filed no later than the close of business on September 18, 2000. No further submissions will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file with the Office of the Secretary the original document and 14 true copies thereof on or before the deadlines stated above. Any person desiring to submit a document (or portion thereof) to the Commission in confidence must request confidential treatment unless the information has already been granted such treatment during the proceedings. All such requests should be directed to the Secretary of the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment is granted by the Commission will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337), and section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Copies of the public version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202–205–2000. Hearing-impaired persons are advised that information can be obtained by contacting the Commission's TDD terminal on 202–205–1810. General information concerning the Commission may also be obtained by accessing its Internet server *(http://www.usitc.gov)*.

By order of the Commission.

Issued: August 28, 2000.

Donna R. Koehnke,

Secretary.

[FR Doc. 00–22438 Filed 8–31–00; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: International Trade Commission.

TIME AND DATE: September 11, 2000 at 11 a.m.

PLACE: Room 101, 500 E Street SW., Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agenda for future meeting: none.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 731–TA–540–541 (Review)(Certain Welded Stainless Steel Pipes from Korea and Taiwan)—briefing and vote. (The Commission is currently scheduled to transmit its determination and Commissioners' opinions to the Secretary of Commerce on September 22, 2000.)
5. Outstanding action jackets: none.

In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

Issued: August 29, 2000.

By order of the Commission:

Donna R. Koehnke,

Secretary.

[FR Doc. 00–22629 Filed 8–30–00; 12:58 pm]

BILLING CODE 7020–02–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

[USCG–2000–7833]

Draft Programmatic Environmental Impact Statement for Vessel and Facility Response Plans for Oil; On-Water Mechanical Recovery Capacity Increase for 2003 and Alternative Removal Technologies

AGENCY: Coast Guard, DOT.

ACTION: Notice of intent with request for comments.

SUMMARY: The Coast Guard announces its intent to prepare and circulate a draft Programmatic Environmental Impact Statement (PEIS) for the development of appropriate regulations to increase the oil removal capacity (Caps) requirements for tank vessels and marine transportation-related (MTR) facilities and thus, increase the available spill removal capability for oil discharges. The Coast Guard also seeks public and agency input on the development (scope) of the PEIS. Specifically, the Coast Guard requests input on any environmental concerns that the public may have related to the alternatives for increasing spill removal capability for an oil discharge, suggested analyses or methodologies for inclusion in the PEIS, and possible sources of relevant data or information.

DATES: Comments and related material must reach the Docket Management Facility on or before November 30, 2000.

ADDRESSES: To make sure your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility (USCG–2000–7833), U.S. Department of Transportation, room PL–401, 400 Seventh Street SW., Washington, D.C. 20590–0001.

(2) By delivery to room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

(3) By fax to the Docket Management Facility at 202–493–2251.

(4) Electronically through the Web Site for the Docket Management System at http://dms.dot.gov.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at http://dms.dot.gov.

FOR FURTHER INFORMATION CONTACT: For information concerning this proposed regulatory action, contact Mr. Brad McKitrick, Office of Standards Evaluations and Analysis, U.S. Coast Guard, 202–267–0995 or via email bmckitrick@comdt.uscg.mil. For questions on viewing, or submitting material to the docket, contact Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202–366–9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to submit written data, views, or comments. Persons submitting comments should please include their name and address, and identify the docket number (USCG–2000–7833). You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they were received, please enclose a stamped, self-addressed postcard or envelope.

The Coast Guard invites comments and suggestions on the proposed scope of the Programmatic Environmental Impact Statement (PEIS). The scoping process will help the Coast Guard ensure that a full range of appropriate issues related to this proposal and all reasonable alternatives are addressed.

The Coast Guard will consider all comments received during the comment period.

Background and Purpose

Under the Oil Pollution Act of 1990 (OPA 90) (Pub. L. 101–380), and Executive Order 12777, the Coast Guard is authorized to issue regulations requiring the owners and operators of tank vessels and marine transportation-related (MTR) facilities to prepare and submit response plans. In 1996, the Coast Guard published final tank vessel response plan regulations (33 CFR part 155) and final MTR facilities response plan regulations (33 CFR part 154). These regulations contain requirements for on-water oil removal capacity that planholders transporting or transferring petroleum oil are required to meet in planning for an oil discharge.

These regulations also state that the Coast Guard will periodically review the existing oil removal capacity (Caps) requirements, to determine if increases in mechanical recovery systems, and additional requirements for new response technologies, are practicable. In 1999, the Coast Guard completed an in-depth response equipment review, and subsequently increased existing mechanical on-water recovery requirements by 25% effective as of April 5, 2000 (65 FR 710). Based on that review, the Coast Guard also initiated an evaluation for the potential for additional increases in mechanical on-water recovery and new requirements for other response technologies, which would, if practicable, become effective in 2003.

Preliminary scoping indicates that there may be both beneficial and potentially adverse effects to the environment. The Coast Guard believes the effects on the environment, as a whole, will be significantly beneficial. However, since significant beneficial environmental effects are probable in conjunction with potential adverse effects, the Coast Guard has decided to prepare a PEIS. The implementing regulations of the Council on Environmental Quality's National Environmental Policy Act (NEPA) state that a significant environmental impact may exist even if an agency believes that the net balance of environmental effects are beneficial.

The PEIS for developing this regulation will be programmatic in nature and will examine the possible impacts to the environment on a national level. The PEIS will be limited in scope to the discussion of the general impacts resulting from implementing the action. The PEIS will also be prepared in accordance with NEPA, the Council on Environmental Quality's ''Regulations for Implementing the Procedural Provisions of NEPA,'' and the Coast Guard's NEPA procedures and policies—as specified in, ''National Environmental Policy Act: Implementing Procedures and Policy for Considering Environmental Impacts,'' COMDTINST M16475.1C.

Proposed Action

The proposed action is the development of appropriate regulations to increase the oil removal capacity (Caps) requirements for tank vessels and MTR facilities and thus, increase the available removal capability for oil discharges.

Need for Action

As mandated by OPA 90, and other statutes, one of the primary missions of the Coast Guard is protection of the marine environment, including implementing a variety of oil pollution prevention, preparedness and response strategies. In carrying out this responsibility, the Coast Guard promulgated regulations (33 CFR part 154) and (33 CFR part 155) in 1996, requiring the industry to have certain oil spill response equipment available by contract or other means. Based on a recently completed review of those regulations, and adoption of regional and local area pre-authorization agreements for dispersant and *in situ* burning use in accordance with the National Contingency Plan (NCP) (40 CFR part 300), the Coast Guard needs to examine the practicability of a regulatory change which could do any one of, or a combination of, the following:

- Change the amount of mechanical recovery equipment available for response.
- Impose a requirement for stockpiling of dispersant equipment.
- Impose a requirement for the stockpiling of *in situ* burning equipment.

The need for this action is outlined below.

1. Oil Pollution Act of 1990 (OPA 90). This public law was enacted in response to the EXXON VALDEZ oil spill in Alaska and other oil spills. One of the important goals of OPA 90 was to increase the overall spill response capability in the United States. The Coast Guard was one of several agencies tasked with implementing OPA 90. OPA 90 requires—

- The Coast Guard to monitor and oversee the oil transportation industry's capability to respond to oil pollution incidents from vessels and facilities engaged in transport of oil by water. To implement OPA 90, the Coast Guard promulgated regulations to require vessels and marine transportation-related facilities to develop plans describing how they will respond to an oil pollution incident, including a worst case oil discharge (refer to 2 and 3 of the *Need for Action* section); and
- Changes in the National Response System (described in 40 CFR part 300), including the establishment of Area Committees. Area Committees in cooperation with existing Regional Response Teams (RRT) were tasked with determining potential oil spill risks and with devising strategies to mitigate oil spills in the most environmentally protective manner practicable (refer to 4 and 5 of the *Need for Action* section).

2. Regulatory Requirements. In response to the OPA 90 mandate, the Coast Guard published tank vessel response plan regulations (33 CFR part 155) and MTR facilities response plans (33 CFR part 154). These regulations were published as Interim Final Rules on February 5, 1993 (58 FR 7376 and 58 FR 7330 respectively), and as Final Rules on January 12, 1996 (61 FR 1052), for vessel regulations and on February 29, 1996 (61 FR 7890), for MTR facility regulations. The goal of these regulations was to ensure prompt response to and clean up of oil discharged anywhere within United States waters.

The regulations required vessel and facility planholders to have available, by contract or other approved means, mechanical recovery equipment suitable for removing spilled oil from the environment. In establishing mechanical recovery equipment standards, the Coast Guard recognized that there were technological, and availability limits on mechanical recovery equipment. Therefore, the regulations established Caps on the amount of mechanical recovery resources that vessel and facility planholders were required to ensure available.

Capability to employ other potentially environmentally protective response technologies (*i.e.*, dispersants, and *in situ* burning) were not imposed by the regulations due to the lack of available equipment to deploy these options. However, the regulations did allow certain planholders to apply for a reduction in the amount of mechanical recovery equipment if the planholders could establish a dispersant capability based on certain conditions. These conditions were proven to be too restrictive, and no planholder applied for the ''dispersant mechanical recovery offset.''

The regulations recognized that changes in technology, equipment availability and general acceptance of certain other response technologies might occur over time. Therefore, the regulations required the Coast Guard to initiate a review of these original Caps (Response Plan Equipment Caps Review) to determine whether the mechanical recovery Caps should be increased and whether other response technologies in addition to mechanical recovery were practicable (refer to 3 of the *Need for Action* section).

3. Response Plan Equipment Caps Review. In conducting the Response Plan Equipment Caps Review (Caps Review), the Coast Guard evaluated improvements in technology, availability, and general acceptance of mechanical recovery equipment and other response technologies since the original tank vessel and MTR facility response plan regulations were promulgated (refer to 4 and 5 of the *Need for Action* section). The review concluded that there have been sufficient improvements in these areas to initiate a new regulatory project. The new regulatory project would be aimed at increasing oil removal capacity even further and thus, ensure that planholders have even better capabilities available to respond to oil discharges in the future. As outlined in the *Alternatives* section of this notice, the Coast Guard is examining the possibility of creating a new regulation which could do any one of, or a combination of, the following:

- Change the amount of mechanical recovery equipment available for response.
- Impose a requirement for stockpiling dispersant equipment.
- Impose a requirement for stockpiling *in situ* burning equipment.

4. National Contingency Plan (NCP). The NCP (40 CFR part 300) was modified in accordance with OPA 90 mandates to encourage more active government planning at the local and regional levels, and focused on developing and implementing environmentally appropriate oil spill response strategies. Specifically, the NCP directs RRTs and Area Committees to consider, as part of their planning activities, the desirability of using other response technologies in addition to mechanical recovery in mitigating the environmental impacts of an oil spill. The NCP also directs that the response technologies to be employed on any spill are those that best minimize the overall impact to the environment.

5. Pre-authorization Plans. In carrying out the NCP mandates, RRTs and Area Committees around the country have engaged in intensive examination of the environmental tradeoffs involved in responding to oil spills using mechanical recovery, dispersants and *in situ* burning. Based on these local and regional environmental evaluations, almost every RRT and coastal Area Committee has now adopted a pre-authorization or expedited approval agreement to allow the use of dispersants and *in situ* burning in response to oil spills. All of these agreements are limited in geographic extent and conditions for use. All were developed and approved through an agreement of appropriate federal and state natural resource trustees. The general acceptance of these response options imposes on the Coast Guard the responsibility to ensure their availability in the event of a spill incident where use may provide environmental benefit.

Purpose of Proposed Action

The purpose of the proposed action is to increase the oil removal capability (Caps) requirements for tank vessels and MTR facilities and thus, increase the available spill removal capability for oil discharges.

Alternatives

Reasonable alternatives that meet the established purpose and need will be evaluated and considered in detail. Currently, the Coast Guard is proposing that the PEIS examine the following alternatives:

(1) *No Action.* This alternative would not implement any new response plan regulations. This alternative would maintain the current level of mechanical recovery equipment and credit for maintaining dispersant capability (33 CFR parts 154 and 155) for responding to an oil discharge. Although this alternative will not meet the purpose and need, it will be examined in the PEIS to provide a baseline by which decision makers and the public can compare the magnitude of

environmental effects of the action alternatives.

(2) *On-water Mechanical Recovery.* Under this alternative, the Coast Guard would implement a regulation that would change the amount of mechanical recovery equipment planholders are required to have available to respond to an oil discharge. No other changes to existing regulations would be required. On-water mechanical recovery equipment is used to block the spread of oil, concentrate the oil into one area, and physically remove it from the water surface by the use of floating containment booms and skimmers.

(3) *On-water Dispersants Use.* Under this alternative the Coast Guard would implement a regulation that would require planholders to have dispersant capabilities to respond to an oil discharge. The dispersant credit in the current regulations would be eliminated. No other changes to existing regulations would be required. Dispersants, which are applied by either aircraft or vessel, act to break the oil into small droplets. These small droplets are then dispersed into the water column to be naturally degraded.

(4) *On-water In situ Burning.* Under this alternative the Coast Guard would implement a regulation that would require planholders to have *in situ* burning capabilities to respond to an oil discharge. No other changes to existing regulations would be required. In this alternative, oil would be removed off the water surface by use of floating containment booms and igniting the contained oil.

(5) *Combinations of Alternatives 2, 3, and 4.* Under this alternative, the Coast Guard would implement a regulation requiring planholders to change oil removal capabilities based on any combination of alternatives 2, 3, and 4.

None of the alternatives being considered under the proposed action would require the actual use of a particular technology, nor do they dictate the methods or circumstances with which any oil spill removal technology would be used for any specific oil spill incident. The actual use of such response technologies will continue to be at the discretion of the Federal On-scene Coordinator in accordance with the controlling guidance contained within the Regional Contingency Plans and Area Contingency Plans. However, the proposed action, depending on which alternative is chosen for implementation, may change localized infrastructure for mechanical recovery equipment, dispersant use and *in situ* burning resources. If either alternatives 3, 4 or 5, are implemented, it is anticipated that, in areas where dispersant use and *in situ* burning have been evaluated and determined to be potentially beneficial (*e.g.*, where interagency pre-authorization agreements have been adopted), there would be increased opportunities to use dispersants and *in situ* burning at incidents where those options were previously not employed solely due to the lack of ready availability.

Under all the alternatives, planholders would be required to have oil spill aerial tracking capabilities available by contract or other approved means. This requirement would provide planholders the ability to maintain visual observation of spill response operations and allow for efficient deployment of mechanical recovery resources, as well as dispersant application systems and *in situ* burning equipment.

Scope

Certain environmental issues have been tentatively identified for analysis in the PEIS. These issues are presented to facilitate public comment during the scoping process of the PEIS. It is neither intended to be all-inclusive nor a predetermined set of potential impacts. Additions to or deletions of issues may occur as a result of the scoping process. These environmental issues include the following:

(1) Endangered or threatened species: Potential impacts to endangered or threatened marine life and birds from each of the alternatives.

(2) Essential fish habitat: Potential effects to waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity from each of the alternatives.

(3) Other Biological Habitats: Potential impacts to wetlands, estuaries, shorelines and benthos from each of the alternatives.

(4) Coastal and Marine Birds: Potential impacts to coastal marine and birds from each of the alternatives.

(5) Aquatic Resources: Potential effects to marine mammals, sea turtles, open ocean fisheries, nearshore fisheries, phytoplankton, zooplankton, aquatic vegetation, and benthic organisms from each of the alternatives.

(6) Atmospheric Resources: Potential air quality impacts resulting from emissions from each of the alternatives.

(7) Water quality: Potential impact to water quality resulting from each of the alternatives.

(8) Archeological/Historic Resources: Potential impact to archeological/historic resources resulting from each of the alternatives.

(9) Socio-economics: Potential impact to recreational activities, tourism, recreational fishing, and subsistence activities due to each of the alternatives.

(10) Public Health and Safety: Potential impacts to public health and safety associated with each of the alternatives.

Public scoping meetings may be scheduled if comments indicate that a meeting would yield useful information.

Once the draft PEIS is published, the Coast Guard will hold a public meeting during the comment period. A notice of that meeting will be published in the **Federal Register**. All appropriate written and oral comments provided at the public meeting, will be considered in the preparation of the Final PEIS, and will become part of the public record (*i.e.*, names, addresses, letters of comments, comments provided during the public meeting).

Dated: August 28, 2000.

R.C. North,

Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 00–22316 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement Number ACE–00–23.901(d)(2)]

Proposed Issuance of Policy Memorandum, Notice of Compliance With the Engine Ingestion Requirements Applicable to Turbine Powered, Part 23, Normal, Utility, Acrobatic, and Commuter Category Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of policy statement; request for comments.

SUMMARY: This document proposes to adopt new policy for compliance with the engine ingestion requirements applicable to turbine powered, normal, utility, acrobatic, and commuter category airplanes.

DATES: Comments submitted must be received no later than October 2, 2000.

ADDRESSES: Send all comments on this proposed policy statement to the individual identified under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Randy Griffith, Federal Aviation Administration, Small Airplane Directorate, Regulations and Policy Branch, ACE–111, 901 Locust, Room 301, Kansas City, Missouri 64106;

telephone (816) 329–4126; fax (816) 329–4090; email: <randy.griffith@faa.gov>.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite your comments on this proposed policy statement, ACE–00–23.901(d)(2). You may submit whatever written data, views, or arguments you choose. You should mark your comments, ''Comments to policy statement ACE–00–23.901(d)(2),'' and submit in duplicate to the above address. We will consider all comments received on or before the closing date. We may change the proposals contained in this notice in light of the comments received.

You may also send comments via the Internet using the following address: *randy.griffith@faa.gov.* Comments sent via fax or the Internet must contain ''Comments to policy statement ACE–00–23.901(d)(2)'' in the subject line. You do not need to submit in duplicate. Writers should format in Microsoft Word 97 or ASCII any file attachments that are sent via the Internet.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a comment concerning design evaluation and a comment about maintenance as two separate issues.
- For each issue, state what specific change you are requesting to the proposed policy memorandum.
- Include justification (for example, reasons or data) for each request.

The Proposed Policy

Background

The current § 23.901(d)(2) requirement was incorporated by Amendment 23–53. However, the basic requirement, which has evolved into the current § 23.901(d)(2), was incorporated by Amendment 23–18.

Amendment 23–18 required that the engine installation provide continued engine operation without a sustained loss of power when operated at flight idle in rain for at least three minutes. The rate of rain ingestion was to be not less than 4 percent, by weight, of the engine induction airflow rate. The rule was incorporated due to reports of turbine engine power loss while operating in heavy rain. The intent of the rule was twofold: (1) To ensure that installation effects do not result in deterioration of the engine's rain ingestion tolerance determined by engine certification, and (2) to evaluate the engine's capability for rain ingestion for engines that were certificated before Amendment 33–6 since rain ingestion requirements were not added to 14 CFR part 33 until Amendment 33–6. Therefore, the rate of rain ingestion to be considered was based upon the part 33 engine certification requirement at the time.

Revisions of Standards

Amendment 23–29 revised the requirement to consider rated takeoff power/thrust. Also, the preamble to Amendment 23–29 further defined the intent of § 23.901(d)(2) by specifically stating that the rule is to ensure that installation effects do not result in any deterioration of the powerplant rain ingestion tolerance. Therefore, compliance with § 23.901(d)(2) required a separate determination for engine installation other than the requirements addressed by part 33 (for example, engine certification without further installation certification is inadequate to demonstrate compliance with the part 23 requirement).

Amendment 23–43 added a requirement that the installation be evaluated at the maximum installed power/thrust for takeoff. This new requirement was due to engine installations where rated takeoff power could be less than installed takeoff power; for example, de-rate thrust. The amendment also added a requirement that the engine be accelerated and decelerated safely under the rain conditions; however, Amendment 23–51 removed this consideration.

Amendment 23–53 added the current rule. The current amendment requires the installed engine to withstand ingestion of rain, hail, ice, and birds at a level not less than that established under engine certification. The significant changes with the new rule include operating concerns other than loss of power (for example, engine surges), the addition of hail, ice, and bird ingestion requirements, and replacement of specific rain quantification with the conditions used during engine certification. Under Amendment 23–53, the airplane applicant needs to evaluate the conditions used to address rain, hail, ice, and bird ingestion during engine certification and how the installation relates to these conditions.

Means of Compliance

When showing compliance with the rain ingestion requirements for all amendment levels of § 23.901(d)(2), compliance is typically accomplished with design analysis that identifies areas of concern and test. Items that you should consider when evaluating the installation include: Areas where water pooling (for example, inlet system channels, indentations, and so forth, typical of turbopropeller type inlets) or water shed (for example, wings directing water into the inlet system typical of engines mounted behind the wings) may occur. Areas such as these could cause localized ''slugs'' of water ingestion that would not normally be addressed during engine certification. Also, since the rain ingestion requirements in part 33 were not added until Amendment 33–6, the airplane applicant needs to evaluate the engine's certification basis to determine if the engine has been subjected to part 33 rain ingestion testing. If the engine does not have Amendment 33–6 or a subsequent amendment as part of the certification basis, in accordance with § 23.903(a)(2)(iii), the engine must have a safe service history of rain ingestion in similar installations.

Although testing is typically performed, if design analysis shows that the installation will not affect the water ingestion characteristics, appropriately substantiated design analysis may be adequate to demonstrate rain ingestion compliance. Proof could include, or be a combination of, items such as data from rig tests, previous tests by the applicant on a similar installation, service experience by the applicant on a similar installation, or representative developmental tests, and so forth.

If it is determined that testing for rain ingestion is required, flight test is not required. The intent of the part 23 rule is to ensure that the engine installation has the same rain ingestion tolerance as the certificated engine. Since a ground static engine test normally demonstrates engine certification compliance, use of installation ground tests at the required power/thrust settings has been the normally accepted means of compliance. You can use design analysis to determine critical configurations and conditions of the installation; possibly reducing required installation tests to those critical configurations and conditions instead of repeating the entire part 33 test conditions. Engine certification should address the results of the critical point analysis for the engine with the scope of required installation testing possibly influenced by this analysis. Therefore, it is important for the engine installer to research the conditions and requirements used for engine certification.

Other Considerations for Compliance

Amendment 23–53 also added requirements for ice, hail, and birds. Examples of installation issues normally not addressed by engine certification,

but which should be addressed for installation compliance, include the following: Ice build-up on areas where ice shed may be ingested by the engines (for example, ice shed from wings into aft mounted engines) and consideration of items such as inlet splitters, acoustic liners, and so forth, that may be damaged by impact with ice, hail, and birds.

Issued in Kansas City, Missouri on August 16, 2000.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22541 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement Number ACE–00–23.1155–01]

Proposed Issuance of Policy Memorandum, In-Flight Operation of Propellers at Pitch Settings Below the Flight Regime for Part 23/CAR 3 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of policy statement; request for comments.

SUMMARY: This document proposes to adopt new policy for certification of normal, utility, acrobatic, and commuter category turbine powered airplanes with propeller beta mode pitch settings.

DATE: Comments submitted must be received no later than October 2, 2000.

ADDRESSES: Send all comments on this proposed policy statement to the individual identified under **FOR FURTHER INFORMATION CONTACT.**

FOR FURTHER INFORMATION CONTACT: Randy Griffith, Federal Aviation Administration, Small Airplane Directorate, Regulations and Policy Branch, ACE–111, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone (816) 329–4126; fax (816) 329–4090; email: <randy.griffith@faa.gov>.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite your comments on this proposed policy statement, ACE–00–23.1155–01. You may submit whatever written data, views, or arguments you choose. You should mark your comments, ''Comments to policy statement ACE–00–23.1155-01'' and submit in duplicate to the above address. We will consider all comments received on or before the closing date. We may change the proposals contained in this notice in light of the comments received.

You may also send comments via the Internet using the following address: randy.griffith@faa.gov. Comments sent via fax or the Internet must contain ''Comments to policy statement ACE–00–23.1155–01'' in the subject line. You do not need to submit in duplicate. Writers should format in Microsoft Word 97 or ASCII any file attachments that are sent via the Internet.

Submit comments using the following format:

- Organize comments issue-by-issue. For example, discuss a comment concerning design evaluation and a comment about maintenance as two separate issues.
- For each issue, state what specific change you are requesting to the proposed policy memorandum.
- Include justification (for example, reasons or data) for each request.

The Proposed Policy

Background

The National Transportation Safety Board (NTSB) has recommended rulemaking action to amend 14 CFR part 23 to require a means to prevent in-flight operation of the propeller at pitch settings below the flight regime (beta mode). For turbine engine installations, Amendment 23-7, § 23.1155, requires that operation of the propeller controls for pitch settings below the flight regime have a means to prevent inadvertent operation. The new requirement recommended by the NTSB would be fundamentally different from the current § 23.1155. Unless the airplane is certificated for such use, beta mode could not occur in-flight, even if intentionally commanded. The Small Airplane Directorate is initiating an ARAC, Aviation Rulemaking Advisory Committee, study to determine whether a rulemaking effort should occur.

The FAA has taken actions to address previously certificated airplanes with in-flight beta capability. A fleet wide review of all turbopropeller powered transport, normal, utility, acrobatic, and commuter category airplanes was performed. As a result of the review, FAA issued Airworthiness Directives that required applicable Flight Manuals to include an operational limitation with consequence statement for in-flight beta operation.

Additionally, the safety of future type certificated airplanes, with in-flight beta capability, or currently certificated airplanes, which are being modified to add an in-flight beta capability, should be assessed. This assessment should consider both inadvertent and intentional operation of propellers in pitch settings below the flight regime.

Inadvertent In-Flight Operation

Regarding inadvertent operation, as previously mentioned, Amendment 23–7 added a requirement (§ 23.1155) that operations of the propeller controls at pitch settings below the flight regime have a means to prevent inadvertent operation. For airplanes with a certification basis before Amendment 23–7 that are modified to add in-flight beta capability, the provisions of 14 CFR part 21, § 21.101(b) should be used to evaluate the possible unsafe nature of inadvertent operation of propellers in the beta regime. If it is determined that such operation is unsafe, the issue may be addressed by showing compliance with § 23.1155 at Amendment 23–7 or subsequent.

The nature of the regulatory requirement provided by § 23.1155 allows a subjective, qualitative evaluation for compliance determination. The intent is to prevent inadvertent operation in the beta mode, even if the possibility of inadvertent operation is remote. If an operation or feature of the design can allow in-flight, inadvertent placement of the control below the flight regime, the design does not comply with the regulation. In other words, the design should be evaluated considering the types of operations that will be seen in service. Consider items such as hardware wear modes or maintenance issues that may cause the control to be inadvertently placed or creep into the beta regime over a period of time.

Intentional In-Flight Operation

On all future type certification projects, the Flight Manuals should include the appropriate operational limitations and consequence statement for in-flight beta operation.

Beta Lock-Out Systems

To add a level of assurance that in-flight beta will not occur, some airplanes have incorporated lock-out systems. These systems eliminate the ability to perform this operation in flight, even if intentionally commanded. It is important to note that the installation of a beta lock-out system can not be used in lieu of the design requirements of § 23.1155 compliance. Also, in some cases, propeller beta operation is used to show compliance with stopping distances in 14 CFR part 23, Subpart B. In accordance with Subpart B, when means other than wheel brakes are used for determining

stopping distances, the means must be ''safe and reliable.'' If beta operation is used to show compliance with stopping distances, the reliability of a system that would prevent in-flight beta operation must be such that this capability, when required, will be available to comply with 14 CFR part 23, Subpart B, and 14 CFR part 21, § 21.21(b)(2) or § 21.101(b). With a systems safety analysis, you can determine the required reliability level for the beta lock-out system based on the hazard level (for example, § 23.1309 compliance).

You should perform a systems safety analysis on airplanes with beta lock-out systems. This analysis will consider hazards such as the inability to command beta on one engine on a multiengine airplane. For example, If you command beta on both 2 engines during land roll-out, but only one propeller goes into beta mode, this might adversely affect ground controllability.

Issued in Kansas City, Missouri on August 16, 2000.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 00–22540 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use a Passenger Facility Charge (PFC) at Elko Regional Airport, Elko, NV

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to Rule on Application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use a PFC at Elko Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before October 2, 2000.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Ms. Linda Ritter, City Manager, City of Elko, at the following address: City Hall, 1751 College Avenue, Elko, Nevada 89801. Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of Elko under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303, Telephone: (650) 876–2806. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Elko Regional Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 159 of the Federal Aviation Regulations (14 CFR part 158).

On May 3, 2000, the FAA determined that the application to impose and use a PFC submitted by the city of Elko was not substantially complete within the requirements of § 158.25 of part 158. On July 11, 2000, the city of Elko submitted supplemental information to complete this application. The FAA will approve or disapprove the application, in whole or in part, no later than November 9, 2000.

The following is a brief overview of the impose and use application No. 00–02–C–00–EKO:

Level of proposed PFC: $3.00.

Proposed charge effective date: February 1, 2001.

Proposed charge expiration date: September 1, 2018.

Total estimated PFC revenue: $6,194,920.

Brief description of proposed projects: Terminal Building Expansion, Phase II–IV, Terminal Access Road-Phase II, Master Drainage Study, Commercial Apron & Connecting Taxiways, and Terminal Building.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: None.

Any person my inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTRACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Elko.

Issued in Hawthorne, California, on August 4, 2000.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 00–22543 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Impose and Use a Passenger Facility Charge (PFC) at San Jose International Airport, San Jose, CA

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at San Jose International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before October 2, 2000.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Ralph G. Tonseth, Director of Aviation, city of San Jose, Airport Department, at the following address: 1732 N. First Street, San Jose, CA 95112. Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of San Jose under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelds, Airports Program Abalyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010–1303, Telephone: (650) 876–2806. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public

comment on the application to impose and use the revenue from a PFC at San Jose International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158). On August 7, 2000, the FAA determined that the application to impose and use the revenue from a PFC submitted by the city of San Jose was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 11, 2000.

The following is a brief overview of the application (No. 00–09–C–00–SJC):

Level of proposed PFC: $3.00.

Proposed charge effective date: September 1, 2003.

Proposed charge expiration date: January 1, 2005.

Total estimated PFC revenue: $29,780,000.

Brief description of the proposed projects: Taxiway Z—Apron Reconstruction, Terminal C Fire Protection, Fiber Optic Cable to Airport Response Center and Fire Station 20, Green Island Bridge, Replacement of Security Access Control System and Closed Circuit Television System, Skyport Grade Separation, Terminal Drive Improvements, Replacement of Passive Secondary Surveillance Radar, Terminal C Restroom Upgrade, and Interim Air Cargo Ramp Expansion.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi/Commercial Operators (ATCO) filing FAA Form 1800–31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of San Jose.

Issued in Hawthorne, California, on August 7, 2000.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 00–22542 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Chemung County, New York

AGENCY: Federal Highway Administration (FHWA), New York State Department of Transportation (NYSDOT).

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for upgrading portions of NYS Route 17 to meet federal interstate standards in Chemung County, New York.

FOR FURTHER INFORMATION CONTACT: Harold J. Brown, Division Administrator, Federal Highway Administration, New York Division,Leo W. O'Brien Federal Building, 7th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone (518) 431–4127; or Peter E. White, Regional Director, New York State Department of Transportation, Region 6, 107 Broadway, Hornell, New York 14873, Telephone (607) 324–8404.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the New York State Department of Transportation, will be preparing an Environmental Impact Statement (EIS) on a proposal to upgrade a 16 kilometer (10 mile) section of Route 17/Southern Tier Expressway to a fully controlled access freeway from just east of the Water Street-Exit 57 Interchange to the Route 427—Exit 59 Interchange within the Towns of Elmira, Ashland, Chemung and City of Elmira in Chemng County, New York. The proposal would involve the elimination of existing driveway connections and at-grade intersections, construction of two-lane local road segments on new alignment (to re-establish access) and reconstruction of the Route 17 mainline pavement on this highway section.

This highway upgrade is necessary to separate local and through traffic to reduce the occurrence of accidents related to turning movements to and from Route 17 to access commercial and residential properties as well as adjoining local streets. Additionally, the proposed project is necessary to bring this portion of Route 17 up to interstate standards for future designations as I–86.

Alternatives under consideration include a ''No-build'' and a ''Build'' alternative. The No-Build alternative is an alternative that involves no new construction and/or roadway improvements. The Build alternative will include the elimination of driveways and at-grade intersections and adjustments to the local roadway system necessary to re-establish access. The Build alternative has many possible variations associated with the overall roadway section and right-of-way widths. The design process will identify the optimum combination of property acquisition and road work required.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal. The NEPA scoping process will be initiated in August 2000 and a public hearing will be held in the future at a time and place to be announced. The Draft-EIS, when prepared, will be available for public and agency review/comment.

To ensure that a full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA or NYSDOT at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Authority: 23 U.S.C. 315; 23 CFR 771.123.

Issued on: August 21, 2000.

Doug P. Conlan,

District Engineer, Federal Highway Administration, Albany, New York.

[FR Doc. 00–22464 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) Section 211.41, and 49 U.S.C. 20103, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

Lackawanna County Railroad Authority (''LCRA'')

[FRA Waiver Petition No. FRA–2000–7275]

The Lackawanna County Railroad Authority (''LCRA''), and Delaware-Lackawanna Railroad seeks a permanent waiver of compliance from certain CFR parts of Title 49, specifically: part 221, Rear End Marking Device—Passenger, Commuter and Freight Trains; part 223, Safety Glazing Standards—Locomotives, Passenger Cars and Cabooses; part 231, Railroad Safety Appliance Standards; part 238, Passenger Equipment Safety Standards; and part 239, Passenger Train Emergency Preparedness.

LCRA seeks approval of shared track usage and waiver of certain FRA regulations involving historic light rail trolley operations on the same track that will be shared with freight trains. FRA has jurisdiction over the portion of the LCRA's ''Lackawanna County Electric Trolley Station & Museum'' historic light rail operation that it is connected to the general railroad system of transportation. Specifically, the historic trolley intends to make use of 1.2 miles of the Lackawanna County Railroad Authority's and National Park Service's ''Brady Line'' and Scranton Yard in Scranton Pennsylvania. Freight and historic trolley operations will be temporally separated on this portion of track. See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment at 65 FR 42529 (July 10, 2000). See also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems at 65 FR 42626 (July 10, 2000).

Since FRA has not yet concluded its investigation of the LCRA historic trolley, the agency takes no position at this time on the merits of LCRA's stated justifications.

All communications concerning these proceedings should identify the appropriate docket number (Docket Number FRA 2000–7275) and must be submitted to the DOT Docket Management Facility, Room PL–401 (Plaza level) 400 Seventh Street, S.W., Washington, D.C. 20590. All documents in the public docket, including LCRA's detailed waiver request, are also available for inspection and copying on the Internet at the docket facility's Web site at http://dms.dot.gov. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning this proceeding are available for examination during regular business hours (9 a.m.—5 p.m.) at the above facility.

Issued in Washington, D.C. on August 29, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 00–22533 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–06–U

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petitions for Waivers of Compliance

In accordance with Title 49 Code of Federal Regulations (CFR) § 211.41, and 49 U.S.C. 20103, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for waiver of compliance with certain requirements of the Federal railroad safety regulations. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being sought.

Maryland Mass Transit Administration (''MTA'')

[FRA Waiver Petition No. FRA–2000–7054]

The Maryland Mass Transit Administration (''MTA'') seeks a permanent waiver of compliance from certain CFR parts of Title 49, specifically: part 210, Railroad Noise Emission Compliance Regulations; part 213, Track Safety Standards; part 214, Railroad Workplace Safety Standards; part 215, Railroad Freight Car Safety Standards; part 217, Railroad Operating Rules; part 218, Railroad Operating Practices; part 219, Control of Alcohol and Drug Use; part 220, Railroad Communications; part 221, Rear End Marking Devices; part 223, Safety Gazing Standards—Locomotives, Passenger Cars and Cabooses; part 225, Railroad Accidents/Incidents—Report Classification, and Investigations; part 229, Railroad Locomotive Safety Standards; part 320, Locomotive Inspection; part 231 Railroad Safety Appliance Standards; part 232, Railroad Power Brakes and Drawbars; part 233, Signal Systems Reporting Requirements; part 234, Grade Crossing Signal System Safety; part 235, Instructions Governing Applications for Approval of a Discontinuance or Material Modification of a Signal System or Relief From the Requirements of Part 236; part 236, Rules, Standards and Instructions Governing the Installation, Inspection, Maintenance and Repair of Signal and Train Control Systems, Devices and Appliances, part 238, Passenger Equipment Safety Standards; part 239, Passenger Train Emergency Preparedness; and part 240, Qualification and Certification of Locomotive Engineers.

MTA has also petitioned for grandfathering approval to operate its equipment under 49 CFR 238.203. Notice of that petition has already been published in the Federal Register at 65 FR 14336 (March 16, 2000).

MTA seeks approval of shared track usage and waiver of certain FRA regulations involving light rail passenger operations on the same track with freight trains. FRA has jurisdiction over the portion of the MTA that it is connected to the general railroad system of transportation. Specifically, certain portions of the MTA Central Light Rail Line (CLRL) rail lines are used for freight rail carrier service. The freight operator, Norfolk Southern Corporation (NS), conducts operations on the CRCL under temporal or spatial separation. See Statement of Agency Policy Concerning Jurisdiction Over the Safety of Railroad Passenger Operations and Waivers Related to Shared Use of the Tracks of the General Railroad System by Light Rail and Conventional Equipment at 65 FR 42529 (July 10, 2000). See also Joint Statement of Agency Policy Concerning Shared Use of the Tracks of the General Railroad System by Conventional Railroads and Light Rail Transit Systems at 65 FR 42626 (July 10, 2000).

Since FRA has not yet concluded its investigation of the MTA's petition, the agency takes no position at this time on the merits of MTA's stated justifications. As part of FRA's review of the petition, the Federal Transit Administration will appoint a representative to advise FRA's Safety Board, and that person will participate in the board's consideration of MTA's waiver petition.

All communications concerning these proceedings should identify the appropriate docket number (Docket Number FRA 2000–7054) and must be submitted to the DOT Docket Management Facility, Room PL–401 (Plaza level) 400 Seventh Street, S.W., Washington, D.C. 20590. All documents in the public docket, including MTA's detailed waiver request, are also available for inspection and copying on the Internet at the docket facility's Web site at http://dms.dot.gov. Communications received within 45 days of the date of this notice will be considered by FRA before final action is

taken. Comments received after that date will be considered to the extent practicable. All written communications concerning this proceeding are available for examination during regular business hours (9:00 a.m.–5:00 p.m.) at the above facility.

Issued in Washington, D.C. on August 29, 2000.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 00–22532 Filed 8–31–00; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

Performance Review Board

AGENCY: Internal Revenue Service, Treasury.

ACTION: Notice of Members of Senior Executive Service Performance Review Board.

EFFECTIVE DATE: Performance Review Board effective October 1, 2000.

FOR FURTHER INFORMATION CONTACT: Sue Greenstein, 1111 Constitution Avenue, NW., M:ES, Room 3513, Washington, DC 20224, Telephone No. (202) 622–8514.

SUPPLEMENTARY INFORMATION: As required by Chapter 43, Subchapter II, Section 4314(c)(4) of Title 5, U. S. Code and Part 430, Subpart C, section 430.307, the following executives are members of the Internal Revenue Service's Senior Executive Service Performance Review Board (PRB):

Mr. Robert E. Wenzel, Deputy Commissioner, Operations and Chairperson, PRB

Daniel L. Black, Jr., Chief, Appeals

William E. Boswell, Chief, Agency-Wide Shared Services

John M. Dalrymple, Commissioner, Wage & Investment

Charles D. Fowler, III Chief, EEO & Diversity

Joseph G. Kehoe, Commissioner, Small Business & Self-Employed

Larry R. Langdon, Commissioner, Large & Mid-Size Business

David A. Mader, Assistant Deputy Commissioner, Operations

Mark E. Matthews, Chief, Criminal Investigation

Evelyn A. Petschek, Commissioner, Tax Exempt & Government Entities

John C. Stocker, Assistant Deputy Commissioner, Modernization

David R. Williams, Chief, Communications and Liaison

Toni L. Zimmerman, Deputy Chief Information Officer (Operations)

This document does not meet the Department of Treasury's criteria for significant regulations.

Dated: August 15, 2000.

Charles O. Rossotti,

Commissioner of Internal Revenue.

[FR Doc. 00–22545 Filed 8–31–00; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Secret Service

Appointment of Performance Review Board (PRB) Members

This notice announces the appointment of members of Senior Executive Service Performance Review Boards in accordance with 5 U.S.C. 4314(c)(4) for the rating period beginning October 1, 1999, and ending September 30, 2000. Each PRB will be composed of at least three of the Senior Executive Service members listed below.

Name and Title

Kevin T. Foley—Deputy Director, U.S. Secret Service

James E. Bauer—Assistant Director, Investigations (USSS)

Carlton D. Spriggs—Assistant Director, Protective Operations (USSS)

Barbara S. Riggs—Assistant Director, Protective Research (USSS)

Dana A. Brown—Assistant Director, Administration (USSS)

Gordan S. Heddell—Assistant Director, Inspection (USSS)

Larry L. Cockell—Assistant Director, Training (USSS)

John J. Kelleher—Chief Counsel, (USSS)

FOR FURTHER INFORMATION CONTACT: Sheila M. Lumsden, Chief, Personnel Division, 950 H St., NW., Suite 7400, Washington, DC 20373, Telephone No. (202) 406–5635.

Brian Stafford,

Director.

[FR Doc. 00–22467 Filed 8–31–00; 8:45 am]

BILLING CODE 4810–42–M

Federal Register

Friday,
September 1, 2000

Part II

Department of Housing and Urban Development

Federal Property Suitable as Facilities to Assist the Homeless; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4557–N–35]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Clifford Taffet, Room 7266, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708–1234; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B–41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1–800–927–7588 for detailed instructions or write a letter to Clifford Taffet at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.,* acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following address: *Air Force:* Ms. Barbara Jenkins, Air Force Real Estate Agency (Area–MI), Bolling Air Force Base, 112 Luke Ave., Suite 104, Building 5683, Washington, DC 20332–8020; (202) 767–4184; *COE:* Ms. Shirley Middleswarth, Army Corps of Engineers, Management & Disposal Division, Pulaski Building, Room 4224, 20 Massachusetts Ave., NW, Washington, DC 20314–1000; (202) 671–0515; *DOT:* Mr Rugene Spruill, Space Management, SVC–140, Transportation Administrative Service Center, Department of Transportation, 400 7th Street, SW, Room 2310, Washington, DC, 20590; (202) 366–4246; *GSA:* Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW, Washington, DC 20405; (202) 501–0052; *Energy:* Mr. Tom Knox, Department of Energy, Office of Contract & Resource Management, MA–52, Washington, DC 20585; (202) 586–8715; *Interior:* Ms. Linda Tribby, Department of the Interior, 1849 C Street, NW, Mail Stop 5512–MIB, Washington, DC 20240; (202) 219–0728; *Navy:* Mr. Charles C. Cocks, Director, Department of the Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE, Suite 1000, Washington, DC 20374–5065; (202) 685–9200; *VA:* Mr. Anatolij Kushnir, Director, Asset & Enterprise Development Service, 181B, Department of Veterans Affairs, 811 Vermont Ave., NW, Room 419, Lafayette Bldg., Washington, DC 20420; (202) 565-5941; (These are not toll-free numbers).

Dated: August 24, 2000.

Fred Karnas, Jr.,

Deputy Assistant Secretary for Special Assistance Programs.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM FEDERAL REGISTER REPORT FOR 9/1/00

Suitable/Available Properties

Buildings (by State)

California

Bldg. 604
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010237
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 605
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010238
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 612
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010239
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 611
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010240

Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 613
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010241
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 614
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010242
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 615
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010243
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 616
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010244
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 617
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010245
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing.

Bldg. 618
Point Arena Air Force Station
Co: Mendorino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010246
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing; needs rehab.

Bldg. 4156
Tract 12–135
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020001
Status: Unutilized
Comment: 499 sq. ft.; seasonal housing, off-site use only.

3 Bachelor Enlisted Quarters
U.S. Coast Guard Station
Humboldt Bay
Samoa CA 95564–9999
Landholding Agency: DOT
Property Number: 87199810001
Status: Unutilized
Comment: 2550 sq. ft. each, 2-story, wood, most recent use—residential, needs rehab, off-site use only.

Colorado

Bldg. 964
Former Lowry AFB
Denver Co: CO 80220–
Landholding Agency: Air Force
Property Number: 18199930016
Status: Unutilized
Comment: 14,495 sq. ft., local land use controls, most recent use—child care/kitchen facility.

Connecticut

Bldgs. 31, 78, 91
Naval Submarine Base
New London
Groton Co: New London CT 06349–
Landholding Agency: Navy
Property Number: 77200030055
Status: Unutilized
Comment: Total sq. ft. = 41,809, presence of asbestos, most recent use—storage/training/repair, off-site use only.

Bldg. 406
Naval Submarine Base
New London
Groton Co: New London CT 06349–
Landholding Agency: Navy
Property Number: 77200030056
Status: Unutilized
Comment: 13,546 sq. ft., needs rehab, presence of asbestos, most recent use—shop, off-site use only.

Idaho

Bldg. 516
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199520004
Status: Excess
Comment: 4928 sq. ft., 1 story wood frame, presence of lead paint and asbestos, most recent use—offices.

Bldg. 2201
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199520005
Status: Underutilized
Comment: 6804 sq. ft., 1 story wood frame, most recent use—temporary garage for base fire dept. vehicles, presence of lead paint and asbestos shingles.

Bldg. CF603
Idaho Natl Eng & Env Lab
Scoville Co: Butte ID 83415
Landholding Agency: Energy
Property Number: 41200020004
Status: Excess
Comment: 15,005 sq. ft. cinder block, presence of asbestos/lead paint, major rehab, off-site use only.

Bldg. 202
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83428–
Landholding Agency: Interior
Property Number: 61200030003
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Bldg. 204
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83426–
Landholding Agency: Interior
Property Number: 61200030004
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Bldg. 206
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83428–
Landholding Agency: Interior
Property Number: 61200030005
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Bldg. 215
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83428–
Landholding Agency: Interior
Property Number: 61200030006
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Bldg. 217
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83428–
Landholding Agency: Interior
Property Number: 61200030007
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Bldg. 219
Palisades Dam
SV Hwy 26
Palisades Co: Bonneville ID 83428–
Landholding Agency: Interior
Property Number: 61200030008
Status: Unutilized
Comment: 1032 sq. ft., good condition, most recent use—residence, off-site use only.

Indiana

Bldg. 105, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230006
Status: Excess
Comment: 310 sq. ft., 1 story stone structure, no sanitary or heating facilities, National Register of Historic Places.

Bldg. 140, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230007
Status: Excess
Comment: 60 sq. ft., concrete block bldg., most recent use—trash house.

Bldg. 7
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810001
Status: Underutilized
Comment: 16,864 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places.

Bldg. 10
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810002
Status: Underutilized
Comment: 16,361 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places.

Bldg. 11
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810003
Status: Underutilized
Comment: 16,361 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places.

Bldg. 18
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810004
Status: Underutilized
Comment: 13,802 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places.

Bldg. 25
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810005
Status: Unutilized
Comment: 32,892 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places.

Kentucky

Green River Lock & Dam #3
Rochester Co: Butler KY 42273–
Location: SR 70 West from Morgantown, KY., approximately 7 miles to site
Landholding Agency: COE
Property Number: 31199010022
Status: Unutilized
Comment: 980 sq. ft., 2 story wood frame; two story residence; potential utilities; needs major rehab.

Kentucky River Lock and Dam 3
Pleasureville Co: Henry KY 40057–
Location: SR 421 North from Frankfort, KY. to highway 561, right on 561 approximately 3 miles to site
Landholding Agency: COE
Property Number: 31199010060
Status: Unutilized
Comment: 897 sq. ft.; 2 story wood frame; structural deficiencies.

Bldg. 1
Kentucky River Lock and Dam
Carrolton Co: Carroll KY 41008–
Location: Take I–71 to Carrolton, KY exit, go east on SR #227 to Highway 320, then left for about 1.5 miles to site
Landholding Agency: COE
Property Number: 31199011628
Status: Unutilized
Comment: 1530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab.

Bldg. 2
Kentucky River Lock and Dam
Carrolton Co: Carroll KY 41008–
Location: Take I–71 to Carrolton, KY exit, go east on SR #227 to Highway 320, then left for about 1.5 miles to site
Landholding Agency: COE
Property Number: 31199011629
Status: Unutilized
Comment: 1530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab.

Utility Bldg, Nolin River Lake
Moutardier Recreation Site
Co: Edmonson KY
Landholding Agency: COE
Property Number: 31199320002
Status: Unutilized
Comment: 541 sq. ft., concrete block, off-site use only.

Maryland

Former Orndorff Property
NPS Tract #401–61
Smithsburg Co: Washington MD 21740–
Landholding Agency: Interior
Property Number: 61200010001
Status: Excess
Comment: 1100 sq. ft. frame residence, off-site use only.

Massachusetts

Bldg. 001
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Landholding Agency: Air Force
Property Number: 18199940001
Status: Excess
Comment: 37,557 sq. ft., most recent use—shops/vehicle maintenance.

Bldg. 002
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Landholding Agency: Air Force
Property Number: 18199940002
Status: Excess
Comment: 5,580 sq. ft., most recent use—office/shops.

Bldg. 003
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Landholding Agency: Air Force
Property Number: 18199940003
Status: Excess
Comment: 3,840 sq. ft., most recent use—warehouse.

Bldg. 004
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Landholding Agency: Air Force
Property Number: 18199940004
Status: Excess
Comment: 225 sq. ft., most recent use—shop.

Bldg. 005
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Landholding Agency: Air Force
Property Number: 18199940005
Status: Excess
Comment: 8000 sq. ft., most recent use—warehouse.

Crowell Shed
Tract 41–8673
Chatham Co: Barnstable MA 02633–
Landholding Agency: Interior
Property Number: 61199940001
Status: Unutilized
Comment: 120 sq. ft. storage shed, access via 4-wheel drive only over sand trail, off-site use only.

Katz, Tract 17–2724
10 Old King's Highway
Truro Co: Barnstable MA 02666–
Landholding Agency: Interior
Property Number: 61199940002
Status: Unutilized
Comment: 878 sq. ft., cement block, most recent use—residential, off-site use only.

Carnelia, Tract 17–2725
12 Old King's Highway
Truro Co: Barnstable MA 02666–
Landholding Agency: Interior
Property Number: 61199940003
Status: Unutilized
Comment: 1391 sq. ft., concrete block, most recent use—residential, off-site use only.

Simons, Tract 17–2787
6 Head of Pamet Way
Truro Co: Barnstable MA 02666–
Landholding Agency: Interior
Property Number: 61199940004
Status: Unutilized
Comment: 1600 sq. ft., most recent use—residential, off-site use only.

Moss, Tract 17–2788
425 Ocean View Drive
Truro Co: Barnstable MA 02666–
Landholding Agency: Interior
Property Number: 61199940005
Status: Unutilized
Comment: 2496 sq. ft., residence plus 2 outbuildings, off-site use only.

Barracks 38, 39
Off Old Dew Line Road
Truro Co: Barnstable MA 02666–
Landholding Agency: Interior
Property Number: 61199940006
Status: Unutilized
Comment: 5710 sq. ft., 2-story, presence of asbestos, off-site use only.

Gips, Tract 21–4837
188 Way #626
Wellfleet Co: Barnstable MA 02667–
Landholding Agency: Interior
Property Number: 61199940007
Status: Unutilized
Comment: 2015 sq. ft., concrete block, most recent use—residential, off-site use only.

Weidlinger 19–4136
Valley Road
Wellfleet Co: Barnstable MA 02667–
Landholding Agency: Interior
Property Number: 61199940008
Status: Unutilized
Comment: 1855 sq. ft., most recent use—residential, off-site use only.

Minnesota

Project Office
Mississippi Hdqts Lakes Proj.
Remer Co: Cass MN 56672–
Landholding Agency: COE
Property Number: 31200020007
Status: Unutilized
Comment: 780 sq. ft., needs rehab.

Storage 1
Mississippi Hdqts Lakes Proj.
Remer Co: Cass MN 56672–
Landholding Agency: COE
Property Number: 31200020008
Status: Unutilized
Comment: 2240 sq. ft., needs rehab.

Storage 2
Mississippi Hdqts Lakes Proj.
Remer Co: Cass MN 56672–
Landholding Agency: COE
Property Number: 31200020009
Status: Unutilized

Comment: 180 sq. ft., needs rehab.

Mississippi

Quarters 183
Natchez Trace Parkway
Kosciusko Co: Attala MS 39090–
Landholding Agency: Interior
Property Number: 61199910004
Status: Excess
Comment: 1121 sq. ft., presence of asbestos, most recent use—residential, off-site use only.

Quarters 190
Natchez Trace Parkway
Port Gibson Co: Claiborne MS 39150–
Landholding Agency: Interior
Property Number: 61199910005
Status: Excess
Comment: 1121 sq. ft., presence of asbestos, most recent use—residential off-site use only.

Quarters 194
Natchez Trace Parkway
Ackerman Co: Choctaw MS 39725–
Landholding Agency: Interior
Property Number: 61199910006
Status: Excess
Comment: 1121 sq. ft., presence of asbestos, most recent use—residential off-site use only.

Quarters 258
Natchez Trace Parkway
Carlisle Co: Claiborne MS 39049–
Landholding Agency: Interior
Property Number: 61199910007
Status: Excess
Comment: 1121 sq. ft., presence of asbestos, most recent use—residential off-site use only.

Quarters 193
Jeff Busby Park
Rt. 3
Ackerman Co: Choctaw MS 39725–
Landholding Agency: Interior
Property Number: 61200020015
Status: Unutilized
Comment: 1121 sq. ft., presence of asbestos, most recent use—residence, off-site use only.

Nebraska

Bldg. 20
Offutt Communications Annex 4
Silver Creek Co: Nance NE 68663–
Landholding Agency: Air Force
Property Number: 18199610004
Status: Unutilized
Comment: 4714 sq. ft., most recent use—dormitory needs major repair.

New Mexico

Bldgs. 847, 6600
Kirtland AFB
Albuquerque Co: Bernalilo NM 87185–
Landholding Agency: Energy
Property Number: 41200020021
Status: Excess
Comment: 4053 sq. ft. & 1501 sq. ft., needs rehab, presence of asbestos, off-site use only.

Roberts, Thomas A
#70, County Rd. 2900
Aztec Co: San Juan NM 87410–
Landholding Agency: Interior
Property Number: 61199910017
Status: Excess
Comment: 2895 sq. ft., most recent use—residential, off-site use only.

New York

Bldg. 1452 & 297 acres
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920030
Status: Unutilized
Comment: 11,000 sq. ft. on 297 acres (67 acres of wetland), most recent use—electronic research testing, presence of asbestos/lead paint.

Bldg. 1453
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920031
Status: Unutilized
Comment: 266 sq. ft., most recent use—generator bldg., presence of asbestos.

Bldg. 1454
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Landholding Agency: Air Force
Property Number: 18199920032
Status: Unutilized
Comment: 53 sq. ft.; most recent use—switch station, presence of asbestos.

Former RPH Property
Tract 273–01
E. Fishkill Town Co: Dutchess NY 10701–
Landholding Agency: Interior
Property Number: 61200020002
Status: Unutilized
Comment: garage, 748 sq. ft./concrete block, off-site use only.

North Dakota

Office Bldg.
Lake Oahe Project
3rd & Main
Ft. Yates Co: Sioux ND 58538–
Landholding Agency: COE
Property Number: 31200020001
Status: Unutilized
Comment: 1200 sq. ft.; 2-story wood, off-site use only.

Ohio

Barker Historic House
Willow Island Locks and Dam
Newport Co: Washington OH 45768–9801
Location: Located at lock site, downstream of lock and dam structure
Landholding Agency: COE
Property Number: 31199120018
Status: Unutilized
Comment: 1600 sq. ft. bldg. with ½ acre of land, 2 story brick frame, needs rehab, on Natl Register of Historic Places, no utilities, off-site use only.

Dwelling No. 2
Delaware lake, Highway 23 North
Delaware OH 43015–
Landholding Agency: COE
Property Number: 31199810005
Status: Excess
Comment: 2-story brick w/basement, most recent use—residential, presence of asbestos/lead paint, off-site use only.

Oklahoma

Water Treatment Plant
Belle Starr, Eufaula Lake
Eufaula Co: McIntosh OK 74432–
Landholding Agency: COE
Property Number: 31199630001
Status: Excess
Comment: 16′x16′ metal, off-site use only.

Water Treatment Plant
Gentry Creek, Eufaula Lake
Eufaula Co: McIntosh OK 74432–
Landholding Agency: COE
Property Number: 31199630002
Status: Excess
Comment: 12′x16′ metal, off-site use only.

Pennsylvania

Mahoning Creek Reservoir
New Bethlehem Co: Armstrong PA 16242–
Landholding Agency: COE
Property Number: 31199210008
Status: Unutilized
Comment: 1015 sq. ft., 2 story brick residence, off-site use only.

Dwelling
Lock & Dam 6, Allegheny
River, 1260 River Rd.
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199620008
Status: Unutilized
Comment: 2652 sq. ft., 3-story brick house, in close proximity to Lock and Dam, available for interim use for nonresidential purposes.

Govt. Dwelling
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199640002
Status: Unutilized
Comment: 1421 sq. ft., 2-story brick w/basement, most recent use—residential.

Dwelling
Lock & Dam 4, Allegheny River
Natrona Co: Allegheny PA 15065–2609
Landholding Agency: COE
Property Number: 31199710009
Status: Unutilized
Comment: 1664 sq. ft., 2-story brick residence, needs repair, off-site use only.

Dwelling #1
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740002
Status: Excess
Comment: 2030 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #2
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740003
Status: Excess
Comment: 3045 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #3
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Landholding Agency: COE
Property Number: 31199740004
Status: Excess
Comment: 1847 sq. ft., most recent use—office, good condition, off-site use only.

Govt Dwelling
East Branch Lake
Wilcox Co: Elk PA 15870–9709

Landholding Agency: COE
Property Number: 31199740005
Status: Underutilized
Comment: approx. 5299 sq. ft., 1-story, most recent use—residential, off-site use only.

Dwelling #1
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740006
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #2
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Landholding Agency: COE
Property Number: 31199740007
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #1
Woodcock Creek Lake
Saegertown Co: Crawford PA 16433–0629
Landholding Agency: COE
Property Number: 31199740008
Status: Excess
Comment: 2601 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #2
Lock & Dam 6, 1260 River Road
Freeport Co: Armstrong PA 16229–2023
Landholding Agency: COE
Property Number: 31199740009
Status: Excess
Comment: 2652 sq. ft., most recent use—residential, good condition, off-site use only.

Dwelling #2
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Landholding Agency: COE
Property Number: 31199830003
Status: Excess
Comment: 1421 sq. ft., 2-story + basement, most recent use—residential.

Residence/Office
Cowanesque Lake Project
Lawrenceville Co: Tioga PA 16929–
Landholding Agency: COE
Property Number: 31199940002
Status: Unutilized
Comment: 1653 sq. ft. residence, and 2,640 sq. ft. storage bldg., need major repairs, no operating sanitary facilities.

(F) Romig Property
Tract 367–10, Kuhn Road
Boiling Springs Co: Cumberland PA 17007–
Landholding Agency: Interior
Property Number: 61200020014
Status: Unutilized
Comment: 665 sq. ft., most recent use—residence, off-site use only.

Bldg. 25—VA Medical Center
Delafield Road
Pittsburgh Co: Allegheny PA 15215–
Landholding Agency: VA
Property Number: 97199210001
Status: Unutilized
Comment: 133 sq. ft., one story brick guard house, needs rehab.

Bldg. 3, VAMC
1700 South Lincoln Avenue
Lebanon Co: Lebanon PA 17042–
Landholding Agency: VA
Property Number: 97199230012
Status: Underutilized
Comment: portion of bldg. (3850 and 4360 sq. ft.), most recent use—storage, second floor—lacks elevator access.

South Dakota

West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Mead SD 57706–
Landholding Agency: Air Force
Property Number: 18199340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remove area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage.

Virginia

Metal Bldg.
John H. Kerr Dam & Reservoir
Co: Boydton VA
Landholding Agency: COE
Property Number: 31199620009
Status: Excess
Comment: 800 sq. ft., most recent use—storage, off-site use only.

Former Keith Residence
Flank March Lane
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010002
Status: Excess
Comment: 1232 sq. ft. frame residence, off-site use only.

Former Blunk Residence
Wilderness Drive
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010003
Status: Excess
Comment: 1215 sq. ft. residence, off-site use only.

Former Brygider Residence
Plank Road
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010004
Status: Excess
Comment: 4320 sq. ft. residence, off-site use only.

Former Houston Residence
Sabre Court
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010005
Status: Excess
Comment: 1050 sq. ft. residence, off-site use only.

Former Chason Residence
Wilderness Park Drive
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010006
Status: Unutilized
Comment: 1750 sq. ft. residence, off-site use only.

Former Bowen Residence
Cavalry Court
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010007
Status: Excess
Comment: 1512 sq. ft. residence, off-site use only.

Former Jones Residence
Plantation Drive
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010008
Status: Excess
Comment: 1040 sq. ft. residence, off-site use only.

Former Busic House
Brock Rd.
Spotsylvania Co: VA 22553–
Landholding Agency: Interior
Property Number: 61200010009
Status: Excess
Comment: 4128 sq. ft. residence, off-site use only.

Washington

Bldg. 923
Yakima Training Center
Ellensburg Co: Kittitas WA 98926–
Landholding Agency: COE
Property Number: 31200010004
Status: Unutilized
Comment: 2296 sq. ft. w/basement, poor condition, most recent use—residential, off-site use only.

West Virginia

Dwelling 1
Summersville Lake
Summersville Co: Nicholas WV 26651–9802
Landholding Agency: COE
Property Number: 31199810003
Status: Excess
Comment: 1200 sq. ft., presence of asbestos/lead paint, most recent use—residential, off-site use only.

Dwelling 2
Sutton Lake
Sutton Co: Braxton WV 26651–9802
Landholding Agency: COE
Property Number: 31199810004
Status: Excess
Comment: 1100 sq. ft., most recent use—residential, off-site use only.

Old Post Office
Maple & King Streets
Martinsburg Co: Berkeley WV 25401–
Landholding Agency: GSA
Property Number: 54200030004
Status: Excess
Comment: 22,845 sq. ft., presence of asbestos/lead paint, most recent use—office/storage, included on the National Register of Historic Places.
GSA Number: 4–G–WV–537

Wisconsin

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011524
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie WI 54911–

Landholding Agency: COE
Property Number: 31199011525
Status: Unutilized
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna Co: Outagamie WI 54131–
Landholding Agency: COE
Property Number: 31199011527
Status: Unutilized
Comment: 1290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 31199011531
Status: Unutilized
Comment: 1300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie WI 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road
Landholding Agency: COE
Property Number: 31199011533
Status: Unutilized
Comment: 1952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab.

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence Co: Brown WI 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway ''D'') and River Street.
Landholding Agency: COE
Property Number: 31199011535
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie WI 54140–
Landholding Agency: COE
Property Number: 31199011536
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access.

Bldg. 8
VA Medical Center
County Highway E
Tomah Co: Monroe WI 54660–
Landholding Agency: VA
Property Number: 97199010056
Status: Underutilized
Comment: 2200 sq. ft., 2 story wood frame, possible asbestos, potential utilities, structural deficiencies, needs rehab.

Land (by State)

Alabama

VA Medical Center
VAMC
Tuskegee Co: Macon AL 36083–
Landholding Agency: VA
Property Number: 97199010053
Status: Underutilized
Comment: 40 acres, buffer to VA Medical Center, potential utilities, undeveloped.

Arkansas

Parcel 01
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010071
Status: Unutilized
Comment: 77.6 acres.

Parcel 02
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010072
Status: Unutilized
Comment: 198.5 acres.

Parcel 03
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010073
Status: Unutilized
Comment: 50.46 acres.

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010074
Status: Unutilized
Comment: 236.37 acres.

Parcel 05
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010075
Status: Unutilized
Comment: 187.30 acres.

Parcel 06
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010076
Status: Unutilized
Comment: 13.0 acres.

Parcel 07
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010077
Status: Unutilized
Comment: 0.27 acres.

Parcel 08
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010078
Status: Unutilized
Comment: 14.6 acres.

Parcel 09
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 31199010079
Status: Unutilized
Comment: 6.6 acres.

Parcel 10
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010080
Status: Unutilized
Comment: 4.5 acres.

Parcel 11
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 31199010081
Status: Unutilized
Comment: 19.50 acres.

Lake Greeson
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958–9720
Landholding Agency: COE
Property Number: 31199010083
Status: Unutilized
Comment: 46 acres.

California

Land
4150 Clement Street
San Francisco CO: San Francisco CA 94121–
Landholding Agency: VA
Property Number: 97199240001
Status: Underutilized
Comment: 4 acres; landslide area.

Iowa

40.66 acres
VA Medical Center
1515 West Pleasant St.
Knoxville Co: Marion IA 50138–
Landholding Agency: VA
Property Number: 97199740002
Status: Unutilized
Comment: golf course, easement requirements.

Kansas

Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Landholding Agency: COE
Property Number: 31199010064
Status: Unutilized
Comment: 61 acres; most recent use—recreation.

Kentucky

Tract 2625
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: Adjoining the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010025
Status: Excess
Comment: 2.57 acres; rolling and wooded.

Tract 2709–10 and 2710–2
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010026
Status: Excess
Comment: 2.00 acres; steep and wooded.

Tract 2708–1 and 2709–1

Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010027
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities.

Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 4½ miles in a southeasterly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010028
Status: Excess
Comment: 5.44 acres; steep and wooded.

Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 6½ miles west of Cadiz
Landholding Agency: COE
Property Number: 31199010029
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities.

Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 1 mile in a southerly direction from the village of Rockcastle
Landholding Agency: COE
Property Number: 31199010031
Status: Excess
Comment: 4.90 acres; wooded; no utilities

Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: Trigg Co. adjoining the city of Canton, KY on the waters of Hospon Creek
Landholding Agency: COE
Property Number: 31199010032
Status: Excess
Comment: 8.24 acres; steep and wooded.

Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 3½ miles in a southerly direction from Canton, KY
Landholding Agency: COE
Property Number: 31199010033
Status: Excess
Comment: 4.26 acres; steep and wooded.

Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 5 miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010034
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities.

Tract 4619
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199010035
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities.

Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 6½ miles south of Canton, KY
Landholding Agency: COE
Property Number: 31199010036
Status: Excess
Comment: 1.75 acres; wooded.

Tract 1217
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the north side of the Illinois Central Railroad
Landholding Agency: COE
Property Number: 31199010042
Status: Excess
Comment: 5.80 acres; steep and wooded.

Tract 1906
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010044
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities.

Tract 1907
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010045
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities

Tract 2001 #1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010046
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities.

Tract 2001 #2
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010047
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities.

Tract 2005
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 5½ miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010048
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities.

Tract 2307
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 7½ miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010049
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities.

Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 7 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010050
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities.

Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 9 miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010051
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities.

Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River
Landholding Agency: COE
Property Number: 31199010052
Status: Excess
Comment: 5.5 acres; wooded; no utilities.

Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199010053
Status: Excess
Comment: 1.40 acres; wooded; no utilities.

Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199010054
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities.

Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 2.5 miles southwest of Kuttawa, KY. on the waters of Cypress Creek
Landholding Agency: COE
Property Number: 31199010055
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities.

Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY
Landholding Agency: COE
Property Number: 31199010056
Status: Excess
Comment: 97.66 acres; steep rolling and wooded; no utilities.

Tracts 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254
Landholding Agency: COE
Property Number: 31199010058

Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities.

Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY
Landholding Agency: COE
Property Number: 31199010059
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities.

Tract 4628
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011621
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements.

Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY
Landholding Agency: COE
Property Number: 31199011622
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements.

Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY
Landholding Agency: COE
Property Number: 31199011623
Status: Unutilized
Comment: 0.70 acres, wooded; subject to utility easements.

Tract 241–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011624
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements.

Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Landholding Agency: COE
Property Number: 31199011625
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements.

Tract 215–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199011626
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements.

Tract 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 31199011627
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements.

Tract B—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 31199130002
Status: Unutilized
Comment: 10 acres, most recent use—recreational, possible periodic flooding.

Tract A—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 31199130003
Status: Unutilized
Comment: 8 acres, most recent use—recreational, possible periodic flooding.

Tract C—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 31199130005
Status: Unutilized
Comment: 4 acres, most recent use—recreational, possible periodic flooding.

Tract N–819
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Landholding Agency: COE
Property Number: 31199140009
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements.

Portion of Lock & Dam No. 1
Kentucky River
Carrolton Co: Carroll KY 41008–0305
Landholding Agency: COE
Property Number: 31199320003
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored.

Portion of Lock & Dam No. 2
Kentucky River
Lockport Co: Henry KY 40036–9999
Landholding Agency: COE
Property Number: 31199320004
Status: Underutilized
Comment: approx. 13.14 acres (sloping), access monitored.

Louisiana

Wallace Lake Dam and Reservoir
Shreveport Co: Caddo LA 71103–
Landholding Agency: COE
Property Number: 31199011009
Status: Unutilized
Comment: 10.81 acres; wildlife/forestry; no utilities.

Bayou Bodcau Dam and Reservoir
Haughton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, LA
Landholding Agency: COE
Property Number: 31199011010
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities.

Maine

Irish Ridge NEXRAD Site
Loring AFB
Fort Fairfield Co: Aroostook ME 04742–
Landholding Agency: Air Force
Property Number: 18199640017
Status: Unutilized
Comment: 3.491 acres in fee simple.

Maryland

VA Medical Center
9500 North Point Road
Fort Howard Co: Baltimore MD 21052–
Landholding Agency: VA
Property Number: 97199010020
Status: Underutilized
Comment: approx. 10 acres, wetland and periodically floods, most recent use—dump site for leaves.

Massachusetts

.07 acre
Westover Air Reserve Base
Off Rte 33
Chicopee Co: Hampden MA 01022–
Landholding Agency: Air Force
Property Number: 18199840007
Status: Excess
Comment: land, no utilities.

Minnesota

Parcel D
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake, between highways 6 and 371
Landholding Agency: COE
Property Number: 31199011038
Status: Excess
Comment: 17 acres; no utilities.

Tract 92
Sandy Lake
McGregor Co: Aitkins MN 55760–
Location: 4 miles west of highway 65, 15 miles from city of McGregor
Landholding Agency: COE
Property Number: 31199011040
Status: Excess
Comment: 4 acres; no utilities.

Tract 98
Leech Lake
Benedict Co: Hubbard MN 56641–
Location: 1 mile from city of Federal Dam, MN
Landholding Agency: COE
Property Number: 31199011041
Status: Excess
Comment: 7.3 acres; no utilities.

Land, 2.2 acres
Mississippi Hdqts. Lakes Proj.
Remer Co: Cass MN 56672–
Landholding Agency: COE
Property Number: 31200020010
Status: Unutilized
Comment: 2.2 acres; easements.

Mississippi

Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011019
Status: Underutilized
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 8
Grenada Lake

Section 20, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011020
Status: Underutilized
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 9
Grenada Lake
Sections 20, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011021
Status: Underutilized
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 10
Grenada Lake
Sections 16, 17, 18, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011022
Status: Underutilized
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 2
Grenada Lake
Section 20 and T23N, R5E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011023
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011024
Status: Underutilized
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease).

Parcel 4
Grenada Lake
Section 2 and 3. T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011025
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 5
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011026
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease).

Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011027
Status: Underutilized
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 31199011028
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011029
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 31199011030
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease).

Parcel 14
Grenada Lake
Section 3, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011031
Status: Underutilized
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011032
Status: Underutilized
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 31199011033
Status: Underutilized
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901–0903
Landholding Agency: COE
Property Number: 31199011034
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902–0903
Landholding Agency: COE
Property Number: 31199011035
Status: Underutilized
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011036
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management.

Missouri

Harry S. Truman Dam & Reservoir
Warsaw Co: Benton MO 65355–
Location: Triangular shaped parcel southwest of access road ''B'', part of Bledsoe Ferry Park Tract 150
Landholding Agency: COE
Property Number: 31199030014
Status: Underutilized
Comment: 1.7 acres; potential utilities.

Nebraska

Hastings Radar Bomb Scoring
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199810027
Status: Unutilized
Comment: 11 acres.

0.22 acres
Offutt AFB
Sarpy Co: NE 68113–
Landholding Agency: Air Force
Property Number: 18200020009
Status: Unutilized
Comment: small.

Ohio

Communications Site
Trebein Road
Beavercreek Co: Greene OH 00000–
Landholding Agency: Air Force
Property Number: 18200010008
Status: Excess
Comment: 92 acres.

Communications Site
Central Ohio, Lot #1
Randor Co: Delaware OH 00000–
Landholding Agency: Air Force
Property Number: 18200010009
Status: Excess
Comment: 11.73 acres.

Oklahoma

Pine Creek Lake
Section 27
(See County) Co: McCurtain OK
Landholding Agency: COE
Property Number: 31199010923
Status: Unutilized
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3.

Pennsylvania

Mahoning Creek Lake
New Bethlehem Co: Armstrong PA 16242–9603
Location: Route 28 north to Belknap, Road #4
Landholding Agency: COE
Property Number: 31199010018
Status: Excess
Comment: 2.58 acres; steep and densely wooded.

Tracts 610, 611, 612
Shenango River Lake
Sharpsville Co: Mercer PA 16150–
Location: I–79 North, I–80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue

Landholding Agency: COE
Property Number: 31199011001
Status: Excess
Comment: 24.09 acres; subject to flowage easement.

Tracts L24, L26
Crooked Creek Lake
Co: Armstrong PA 03051–
Location: Left bank—55 miles downstream of dam
Landholding Agency: COE
Property Number: 31199011011
Status: Unutilized
Comment: 7.59 acres; potential for utilities.

Portion of Tract L–21A
Crooked Creek Lake, LR 03051
Ford City Co: Armstrong PA 16226–
Landholding Agency: COE
Property Number: 31199430012
Status: Unutilized
Comment: Approximately 1.72 acres of undeveloped land, subject to gas rights.

Portion of Tract 119
State Rt 969
Curwensville Co: Clearfield PA 16833–
Landholding Agency: COE
Property Number: 31200010005
Status: Unutilized
Comment: approx. 17 acres, hilly wooded terrain.

Tennessee

Tract 6827
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles west of Dover, TN
Landholding Agency: COE
Property Number: 31199010927
Status: Excess
Comment: .57 acres; subject to existing easements.

Tracts 6002–2 and 6010
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3½ miles south of village of Tabaccoport.
Landholding Agency: COE
Property Number: 31199010928
Status: Excess
Comment: 100.86 acres; subject to existing easements.

Tract 11516
Barkley Lake
Ashland City Co: Dickson TN 37015–
Location: ½ mile downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010929
Status: Excess
Comment: 26.25 acres; subject to existing easements.

Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: West of Buckeye Bottom Road
Landholding Agency: COE
Property Number: 31199010930
Status: Excess
Comment: 14.48 acres; subject to existing easements.

Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010931
Status: Excess
Comment: 2.27 acres; subject to existing easements.

Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Across Fall Creek near Fall Creek camping area
Landholding Agency: COE
Property Number: 31199010932
Status: Excess
Comment: 14.85 acres; subject to existing easements.

Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 56
Landholding Agency: COE
Property Number: 31199010933
Status: Unutilized
Comment: 11 acres; subject to existing easements.

Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: East of Lamar Road
Landholding Agency: COE
Property Number: 31199010934
Status: Excess
Comment: 15.31 acres; subject to existing easements.

Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: South of Old Jefferson Pike
Landholding Agency: COE
Property Number: 31199010935
Status: Excess
Comment: 12 acres; subject to existing easements.

Tract 7206
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 31199010936
Status: Excess
Comment: 10.15 acres; subject to existing easements.

Tracts 8813, 8814
Barkley Lake
Cumberland Co: Stewart TN 37050–
Location: 1½ miles East of Cumberland City
Landholding Agency: COE
Property Number: 31199010937
Status: Excess
Comment: 96 acres; subject to existing easements.

Tract 8911
Barkley Lake
Cumberland City Co: Montgomery TN 37050–
Location: 4 miles east of Cumberland City
Landholding Agency: COE
Property Number: 31199010938
Status: Excess
Comment: 7.7 acres; subject to existing easements.

Tract 11503
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2 miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010939
Status: Excess
Comment: 1.1 acres; subject to existing easements.

Tracts 11523, 11524
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2½ miles downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 31199010940
Status: Excess
Comment: 19.5 acres; subject to existing easements.

Tract 6410
Barkley Lake
Bumpus Mills Co: Stewart TN 37028–
Location: 4½ miles SW. of Bumpus Mills
Landholding Agency: COE
Property Number: 31199010941
Status: Excess
Comment: 17 acres; subject to existing easements.

Tract 9707
Barkley Lake
Palmyer Mills Co: Montgomery TN 37142–
Location: 3 miles NE of Palmyer, TN. Highway 149
Landholding Agency: COE
Property Number: 31199010943
Status: Excess
Comment: 6.6 acres; subject to existing easements.

Tract 6949
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 1½ miles SE of Dover, TN
Landholding Agency: COE
Property Number: 31199010944
Status: Excess
Comment: 29.67 acres; subject to existing easements.

Tracts 6005 and 6017
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3 miles south of Village of Tobaccoport
Landholding Agency: COE
Property Number: 31199011173
Status: Excess
Comment: 5 acres; subject to existing easements.

Tracts K–1191, K–1135
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074–
Landholding Agency: COE
Property Number: 31199130007
Status: Underutilized
Comment: 92 acres (38 acres in floodway), most recent use—recreation.

Tract A–102
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140006
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements.

Tract A–120
Dale Hollow Lake & Dam Project
Swann Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–

Landholding Agency: COE
Property Number: 31199140007
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements.

Tracts A–20, A–21
Dale Hollow Lake & Dam Project
Red Oak Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 31199140008
Status: Underutilized
Comment: 821 acres, most recent use—recreation, subject to existing easements.

Tract D–185
Dale Hollow Lake & Dam Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570–
Landholding Agency: COE
Property Number: 31199140010
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements.

Texas

Land
Olin E. Teague Veterans Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Landholding Agency: VA
Property Number: 97199010079
Status: Underutilized
Comment: 13 acres, portion formerly landfill, portion near flammable materials, railroad crosses property, potential utilities.

Wisconsin

VA Medical Center
County Highway E
Tomah Co: Monroe WI 54660–
Landholding Agency: VA
Property Number: 97199010054
Status: Underutilized
Comment: 12.4 acres, serves as buffer between center and private property, no utilities.

Suitable/Unavailable Properties

Buildings (by State)

Alaska

Bldgs. 001A&B
Spruce Cape Loran Station
Kodiak Co: Kodiak Is. Bor. AK 99615–
Landholding Agency: DOT
Property Number: 87199720001
Status: Excess
Comment: 12492 sq. ft. steel frame, most recent use—barracks and shops, needs extensive repairs, in Tsunami evacuation area.

California

Santa Fe Flood Control Basin
Irwindale Co: Los Angeles CA 91706–
Landholding Agency: COE
Property Number: 31199011298
Status: Unutilized
Comment: 1400 sq. ft.; 1 story stucco; needs rehab; termite damage; secured area with alternate access.

Colorado

Bldg. 9023
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730010
Status: Underutilized
Comment: 4112 sq. ft., most recent use—preschool.

Bldg. 9027
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730011
Status: Underutilized
Comment: 4112 sq. ft., most recent use—child care center.

Idaho

Bldg. 224
Mountain Home Air Force
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840008
Status: Unutilized
Comment: 1890 sq. ft., no plumbing facilities, possible asbestos/lead paint, most recent use—office.

Bldg. CFA–613
Central Facilities Area
Idaho National Engineering Lab
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199630001
Status: Unutilized
Comment: 1219 sq. ft., most recent use—sleeping quarters, presence of asbestos, off-site use only.

Illinois

Bldg. 7
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010001
Status: Unutilized
Comment: 900 sq. ft.; 1 floor wood frame; most recent use—residence.

Bldg. 6
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010002
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Bldg. 5
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010003
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Bldg. 4
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010004
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Bldg. 3
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010005
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame.

Bldg. 2
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010006
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Bldg. 1
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 31199010007
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Indiana

Bldg. 24, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230005
Status: Underutilized
Comment: 4135 sq, ft, 2-story wood structure, needs minor rehab, no sanitary or heating facilities, presence of asbestos, National Register of Historic Places.

Bldg. 122
VA Northern Indiana Health Care System
Marion Campus, 1700 East 38th Street
Marion Co: Grant IN 46953–
Landholding Agency: VA
Property Number: 97199810006
Status: Unutilized
Comment: 37,135 sq. ft., presence of asbestos, most recent use—former dietetics bldg., National Register of Historic Places.

Iowa

Bldg. 00627
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310001
Status: Unutilized
Comment: 1932 sq. ft., 1-story concrete block bldg., most recent use—storage, pigeon infested, contamination investigation in progress.

Bldg. 00669
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310002
Status: Unutilized
Comment: 1113 sq. ft., 1-story concrete block bldg., contamination clean-up in process.

Maine

Mount Desert Rock Light
U.S. Coast Guard
Southwest Harbor Co: Hancock ME 04679–
Landholding Agency: DOT

Property Number: 87199240023
Status: Unutilized
Comment: 1600 sq. ft., 2-story wood frame dwelling, needs rehab, limited utilities, limited access, property is subject to severe storms.

Little River Light
U.S. Coast Guard
Cutler Co: Washington ME
Landholding Agency: DOT
Property Number: 87199240026
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame dwelling, well is contaminated, limited utilities.

Burnt Island Light
U.S. Coast Guard
Southport Co: Lincoln ME 04576–
Landholding Agency: DOT
Property Number: 87199240027
Status: Unutilized
Comment: 750 sq. ft., 2-story wood frame dwelling.

Maryland

Former Physioc Property
NPS Tract 402–29
Jugtown Co: Washington MD 21713–
Landholding Agency: Interior
Property Number: 61199820005
Status: Excess
Comment: 227 sq. ft. stone cabin, off-site use only.

Massachusetts

Ziegler House
National Park, Virginia Road
Lincoln Co: Middlesex MA 10773–
Landholding Agency: Interior
Property Number: 61199830001
Status: Unutilized
Comment: 1661 sq. ft., residential.

Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966–
Landholding Agency: DOT
Property Number: 87199240024
Status: Unutilized
Comment: 1000 sq. ft., 2-story brick dwelling, large wave action with severe ocean storms.

Assistant Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966–
Landholding Agency: DOT
Property Number: 87199240025
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame dwelling, large wave action with severe ocean storms.

Plymouth Light
Plymouth Co: Plymouth MA
Landholding Agency: DOT
Property Number: 87199420003
Status: Unutilized
Comment: 250 sq. ft. tower, and 2096 sq. ft. dwelling, wood frame, most recent use—aid to navigation/housing.

Michigan

Bldg. 50
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010790
Status: Excess
Comment: 6171 sq. ft.; 1 story; concrete block; potential utilities; possible asbestos; most recent use—Fire Department vehicle parking building.

Bldg. 14
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010833
Status: Excess
Comment: 6751 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—gymnasium.

Bldg. 16
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010834
Status: Excess
Comment: 3000 sq. ft.; 1 floor concrete block; most recent use—commissary facility.

Bldg. 15
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010864
Status: Excess
Comment: 538 sq. ft.; 1 floor; concrete/wood structure; potential utilities; most recent use—gymnasium facility.

Nebraska

Bldg. 64
Offutt AFB
Silver Creek Co: Nance NE 68113–
Landholding Agency: Air Force
Property Number: 18199720040
Status: Unutilized
Comment: 4000 sq. ft., most recent use—admin., needs major rehab, possible asbestos/lead base paint.

New Hampshire

Bldg. 127
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199320057
Status: Excess
Comment: 698 sq. ft., 1-story, concrete and metal frame, possible asbestos, access restrictions, most recent use—storage.

New Mexico

12 Bldgs.
Kirtland AFB
#862–867, 869, 870, 873–876
Kirtland AFB Co: Bernalillo NM 87117–5000
Landholding Agency: Air Force
Property Number: 18199940006
Status: Unutilized
Comment: 678 sq. ft., presence of lead, most recent use—residential, off-site use only.

Bldg. 871, 872
Kirtland AFB
Kirtland AFB Co: Bernalillo NM 87117–5000
Landholding Agency: Air Force
Property Number: 18199940007
Status: Unutilized
Comment: 1363 sq. ft., presence of lead, most recent use—residential, off-site use only.

Ohio

Bldg.—Berlin Lake
7400 Bedell Road
Berlin Center Co: Mahoning OH 44401–9797
Landholding Agency: COE
Property Number: 31199640001
Status: Unutilized
Comment: 1420 sq. ft., 2-story brick w/garage and basement, most recent use—residential, secured w/alternate access.

Pennsylvania

Tract 353
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430019
Status: Unutilized
Comment: 812 sq. ft., 2-story, log structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site.

Tract 403A
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430021
Status: Unutilized
Comment: 620 sq. ft., 2-story, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site.

Tract 403B
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430022
Status: Unutilized
Comment: 1600 sq. ft., 2-story, brick structure, needs repair, most recent use—residential, if used for habitation must be flood proofed or removed off-site.

Tract 403C
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430023
Status: Unutilized
Comment: 672 sq. ft., 2-story carriage house/stable barn type structure, needs repair, most recent use—storage/garage, if used for habitation must be flood proofed or removed.

Tract 434
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199430024
Status: Unutilized
Comment: 1059 sq. ft., 2-story, wood frame, 2 apt. units, historic property, if used for habitation must be flood proofed or removed off-site.

Tract 224
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Landholding Agency: COE
Property Number: 31199440001
Status: Unutilized
Comment: 1040 sq. ft., 2-story bldg., needs repair, historic struct., flowage easement, if habitation is desired property will be required to be flood proofed or removed off site.

Wisconsin

Former Lockmaster's Dwelling
DePere Lock
100 James Street

De Pere Co: Brown WI 54115–
Landholding Agency: COE
Property Number: 31199011526
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access.

Bldg. 2
VA Medical Center
5000 West National Ave.
Milwaukee WI 53295–
Landholding Agency: VA
Property Number: 97199830002
Status: Underutilized
Comment: 133,730 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—storage.

Land

Georgia

Land—St. Simons Boathouse
St. Simons Island Co: Glynn GA 31522–0577
Landholding Agency: DOT
Property Number: 87199540003
Status: Unutilized
Comment: .08 acres, most recent use—pier and dockage for Coast Guard boats.

Illinois

Lake Shelbyville
Shelbyville Co: Shelby & Moultrie Il 62565–9804
Landholding Agency: COE
Property Number: 31199240004
Status: Unutilized
Comment: 5 parcels of land equalling 0.70 acres, improved w/4 small equipment storage bldgs. and a small access road, easement restrictions.

Iowa

38 acres
VA Medical Center
1515 West Pleasant St.
Knoxville Co: Marion IA 50138–
Landholding Agency: VA
Property Number: 97199740001
Status: Unutilized
Comment: golf course.

Kentucky

Portion of Tract 3300
Fishtrap Lake
Co: Pike Ky 41548–
Landholding Agency: COE
Property Number: 31199830002
Status: Excess
Comment: 0.40 acre encroachment, steep hill.

Michigan

VA Medical Center
5500 Armstrong Road
Battle Creek Co: Calhoun MI 49016–
Landholding Agency: VA
Property Number: 97199010015
Status: Underutilized
Comment: 20 acres, used as exercise trails and storage areas, potential utilities.

Nebraska

Land/Offutt Comm. Annex No. 4
Silver Creek Co: Nance NE 68663–
Landholding Agency: Air Force
Property Number: 18199720041
Status: Unutilized
Comment: 354 acres, most recent use—radio transmitter site, wetlands, isolated area.

New York

VA Medical Center
Fort Hill Avenue
Canandaigua Co: Ontario NY 14424–
Landholding Agency: VA
Property Number: 97199010017
Status: Underutilized
Comment: 27.5 acres, used for school ballfield and parking, existing utilities easements, portion leased.

Pennsylvania

East Branch Clarion River Lake
Wilcox Co: Elk PA
Location: Free camping area on the right bank off entrance roadway
Landholding Agnecy: COE
Property Number: 31199011012
Status: Underutilized
Comment: 1 acre; most recent use—free campground.

Dashields Locks and Dam
(Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046–0475
Landholding Agency: COE
Property Number: 31199210009
Status: Unutilized
Comment: 0.58 acres, most recent use—baseball field.

VA Medical Center
New Castle Road
Butler Co: Butler PA 16001–
Landholding Agency: VA
Property Number: 97199010016
Status: Underutilized
Comment: Approx. 9.29 acres, used for patient recreation, potential utilities.

Land No. 645
VA Medical Center
Highland Drive
Pittsburgh Co: Allegheny PA 15206–
Location: Between Campania and Wiltsie Streets
Landholding Agency: VA
Property Number: 97199010080
Status: Unutilized
Comment: 90.3 acres, heavily wooded, property includes dump area and numerous site storm drain outfalls.

Land—34.16 acres
VA Medical Center
1400 Black Horse Hill Road
Coatesville Co: Chester PA 19320–
Landholding Agency: VA
Property Number: 97199340001
Status: Underutilized
Comment: 34.16 acres, open field, most recent use—recreation/buffer.

Tennessee

44 acres
VA Medical Center
3400 Lebanon Rd.
Murfreesboro Co: Rutherford TN 37129–
Landholding Agency: VA
Property Number: 97199740003
Status: Underutilized
Comment: intermittent use, partially landlocked, flooding.

Texas

Parcel #222
Lake Texoma
Co: Grayson TX
Location: C. Meyerheim survey A–829 J. Hamilton survey A–529
Landholding Agency: COE
Property Number: 31199010421
Status: Excess
Comment: 52.80 acres; most recent use—recreation.

Suitable/To Be Excessed

Buildings (by State)

Massachusetts

Cuttyhunk Boathouse
South Shore of Cuttyhunk Pond
Gosnold Co: Dukes MA 02713–
Landholding Agency: DOT
Property Number: 87199310001
Status: Unutilized
Comment: 2700 sq. ft., wood frame, one story, needs rehab, limited utilities, off-site use only.

Nauset Beach Light
Nauset Beach Co: Barnstable MA
Landholding Agency: DOT
Property Number: 87199420001
Status: Unutilized
Comment: 48 foot tower, cylindrical cast iron, most recent use—aid to navigation.

Light Tower, Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652–
Landholding Agency: DOT
Property Number: 87199430005
Status: Excess
Comment: 66 ft. tower, 14′9″ diameter, brick structure, scheduled to be vacated 9/94.

Keepers Dwelling
Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652–
Landholding Agency: DOT
Property Number: 87199430006
Status: Excess
Comment: 1160 sq. ft., 2-story wood frame, attached to light tower, scheduled to be vacated 9/94.

Duplex Housing Unit
Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652–
Landholding Agency: DOT
Property Number: 87199430007
Status: Excess
Comment: 2 living units, 930 sq. ft. each, 1-story each, located on eroding ocean bluff, scheduled to be vacated 9/24.

Nahant Towers
Nahant Co: Essex MA
Landholding Agency: DOT
Property Number: 87199530001
Status: Unutilized
Comment: 196 sq. ft., 8-story observation tower.

New York

Bldg. 1
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530048
Status: Excess
Comment: 4955 sq. ft., 2 story concrete block, needs rehab, most recent use—administration.

Bldg. 2
Hancock Field
Syracuse Co: Onandaga NY 13211–

Landholding Agency: Air Force
Property Number: 18199530049
Status: Excess
Comment: 1476 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop.

Bldg. 6
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530050
Status: Excess
Comment: 2466 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop.

Bldg. 11
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530051
Status: Excess
Comment: 1750 sq. ft., 1 story wood frame, needs rehab, most recent use—storage.

Bldg. 8
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530052
Status: Excess
Comment: 1812 sq. ft., 1 story concrete block, needs rehab, most recent use—repair shop communications.

Bldg. 14
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530053
Status: Excess
Comment: 156 sq. ft., 1 story wood frame, most recent use—vehicle fuel station.

Bldg. 30
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530054
Status: Excess
Comment: 3649 sq. ft., 1 story, needs rehab, most recent use—assembly hall.

Bldg. 31
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530055
Status: Excess
Comment: 8252 sq. ft., 1 story concrete block, most recent use—storage.

Bldg. 32
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530056
Status: Excess
Comment: 1627 sq. ft., 1 story concrete block, most recent use—storage.

South Carolina

5 Bldgs.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 101 Vector Ave., 112, 114, 116, 118 Intercept Ave.
Landholding Agency: Air Force
Property Number: 18199830035
Status: Unutilized
Comment: 1433 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential.

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 102 Vector Ave.
Landholding Agency: Air Force
Property Number: 18199830036
Status: Unutilized
Comment: 1545 sq. ft. + 345 sq. ft. carport, lead base paint/exterior most recent use—residential.

1 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 103 Vector Ave.
Landholding Agency: Air Force
Property Number: 18199830037
Status: Unutilized
Comment: 1445 sq. ft. + 346 sq. ft. carport, lead base paint/exterior most recent use—residential.

18 Bldg.
Charleston AFB Annex Housing
N. Charleston SC 29404–4827
Location: 104–107 Vector Ave., 108–111, 113, 115, 117, 119 Intercept Ave., 120–122 Radar Ave.
Landholding Agency: Air Force
Property Number: 18199830038
Status: Unutilized
Comment: 1265 sq. ft. + 353 sq. ft. carport, lead base paint/exterior most recent use—residential.

Land (by State)

Alaska

Gibson Cove Tract
Kodiak Co: AK 99619–
Landholding Agency: DOT
Property Number: 87199920001
Status: Unutilized
Comment: 37.55 acres, undeveloped land.

Georgia

Lake Sidney Lanier
Co: Forsyth GA 30130–
Location: Located on Two Mile Creek adj. to State Route 369
Landholding Agency: COE
Property Number: 31199440010
Status: Unutilized
Comment: 0.25 acres, endangered plant species.

Lake Sidney Lanier—3 parcels
Gainesville Co: Hall GA 30503–
Location: Between Gainesville H.S. and State Route 53 By-Pass
Landholding Agency: COE
Property Number: 31199440011
Status: Unutilized
Comment: 3 parcels totalling 5.17 acres, most recent use—buffer zone, endangered plant species.

Indiana

Brookville Lake—Land
Liberty Co: Union IN 47353–
Landholding Agency: COE
Property Number: 31199440009
Status: Unutilized
Comment: 6.91 acres, limited utilities.

Kansas

Parcel #1
Fall River Lake
Section 26
Co: Greenwood KS
Landholding Agency: COE
Property Number: 31199010065
Status: Unutilized
Comment: 126.69 acres; most recent use—recreation and leased cottage sites.

Parcel No. 2, El Dorado Lake
Approx. 1 mi east of the town of El Dorado
Co: Butler KS
Landholding Agency: COE
Property Number: 31199210005
Status: Unutilized
Comment: 11 acres, part of a relocated railroad bed, rural area.

Massachusetts

Buffumville Dam
Flood Control Project
Gale Road
Carlton Co: Worcester MA 01540–0155
Location: Portion of tracts B–200, B–248, B–251, B–204, B–247, B–200 and B–256
Landholding Agency: COE
Property Number: 31199010016
Status: Excess
Comment: 1.45 acres.

Minnesota

Tract #3
Lac Qui Parle Flood Control Project
County Rd. 13
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340006
Status: Unutilized
Comment: approximately 2.9 acres, fallow land.

Tract #34
Lac Qui Parle Flood Control Project
Marsh Lake
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 31199340007
Status: Unutilized
Comment: approx. 8 acres, fallow land.

New York

14.90 Acres
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199530057
Status: Excess
Comment: Fenced in compound, most recent use—Air Natl. Guard Communication & Electronics Group.

Tennessee

Tract D–456
Cheatham Lock and Dam
Ashland Co: Cheatham TN 37015–
Location: Right downstream bank of Sycamore Creek.
Landholding Agency: COE
Property Number: 31199010942
Status: Excess
Comment: 8.93 acres; subject to existing easements.

Texas

Corpus Christi Ship Channel
Corpus Christi Co: Neuces TX
Location: East side of Carbon Plant Road, approx. 14 miles NW of downtown Corpus Christi
Landholding Agency: COE
Property Number: 31199240001
Status: Unutilized

Comment: 4.4 acres, most recent use—farm land.

Alabama

Dwelling A
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 87199120001
Status: Excess
Reason: Floodway.

Dwelling B
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 87199120002
Status: Excess
Reason: Floodway.

Oil House
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 87199120003
Status: Excess
Reason: Floodway.

Garage
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 87199120004
Status: Excess
Reason: Floodway.

Shop Building
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 87199120005
Status: Excess
Reason: Floodway.

Bldg. 7
VA Medical Center
Tuskegee Co: Macon AL 36083–
Landholding Agency: VA
Property Number: 97199730001
Status: Underutilized
Reason: Secured Area.

Bldg. 8
VA Medical Center
Tuskegee Co: Macon AL 36083–
Landholding Agency: VA
Property Number: 97199730002
Status: Underutilized
Reason: Secured Area.

Alaska

Bldg. 203
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010296
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 165
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010298
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 150
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010299
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010300
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010301
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 11–230
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010303
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 63–320
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010307
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 103
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010309
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 110
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010310
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 112
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010311
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 113
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010312
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 114
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010313
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 115
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010314
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 118
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010315
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1018
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010317
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1025
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010318
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force

Property Number: 18199010319
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 107
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010320
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 115
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010321
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 113
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010322
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 150
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010323
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 152
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010324
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 301
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010325
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1001
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010326
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1003
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010327
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1055
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010328
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010329
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 103
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010330
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 104
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010331
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 105
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010332
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 110
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010333
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 114
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010334
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010335
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010336
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 205
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010337
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1001
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010338
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010339
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Contamination; Secured Area.

Bldg. 50
Cold Bay Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010433
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Isolated and remote; Artic environment.

Bldg. 1548, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420001
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1568, Galena Airport

Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420002
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1570, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420003
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1700, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420004
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1832, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420005
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1842, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420006
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1844, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199420007
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 1853, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199440011
Status: Unutilized
Reasons: Floodway; Secured Area.

Bldg. 142
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520013
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 110
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 18199520014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 646
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199520015
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 2541
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1770
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 18199520017
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520024
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 2
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520025
Status: Unutilized
Reasons: Not accessible by road; Extensive deterioration.

Bldg. 12
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520026
Status: Unutilized
Reasons: Not accessible by road; Extensive deterioration.

Bldg. 1
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520027
Status: Unutilized
Reasons: Not accessible by road; Extensive deterioration.

Bldg. 2
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520028
Status: Unutilized
Reasons: Not accessible by road; Extensive deterioration.

Bldg. 3
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 18199520029
Status: Unutilized
Reasons: Not accessible by road; Extensive deterioration.

Bldg. 3045
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530002
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 18
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 23
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1015
Kotzebue Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530006
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530008
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 4100
Cape Romanzof Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 200
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 2166
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530011
Status: Unutilized
Reasons: Extensive deterioration.

Bldg. 5500
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 8
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530013

Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 75
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 86
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530015
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3060
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 18199530016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 11–330
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199530017
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area; Extensive deterioration.

Bldg. 31–342
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199530022
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 32–126
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199530023
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area; Extensive deterioration.

Bldg. 21–737
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199540001
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 52–651
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199540004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 132
Tin City Long Range Radar Site
Elmendorf AFB, AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldgs. 1001, 211
Murphy Dome AF Station
Elmendorf AFB AK 99506–2270
Landholding Agency; Air Force
Property Number: 18199810004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1551
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199810030
Status: Unutilized
Reasons: Within airport runway clear zone.

Bldg. 1771
Galena Airport
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199820001
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 34–570
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199830008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 3
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 8
Oliktok Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840011
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 19
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 20
Lonely Short Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840013
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 338
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 560
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840015
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 612
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 618
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840017
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 643
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840018
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 649
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 18199840019
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 114
Indian Mountain Long Range Radar Site
Elmendorf AFB AK 99506–2270
Landholding Agency: Air Force
Property Number: 18199840020
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 34–636
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840021
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area; Extensive deterioration.

Bldg. 34–638
Elmendorf AFB
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area; Extensive deterioration.

Bldg. 140
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840023
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 145
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840024
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 310
Cape Lisburne Long Range Radar Site
Elmendorf AFB AK 99506–3240
Landholding Agency: Air Force
Property Number: 18199840025
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 27
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840026
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 30
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840027
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 42
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840028
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 212
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840029
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 213
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840030
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 223
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840031
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 452
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840032
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 502
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840033
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 503
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840034
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 522
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840035
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 587
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840036
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 588
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840037
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 598
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840038
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 605
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840039
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 613
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840040
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 614
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840041
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 615
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840042
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 616
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840043
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 617
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840044
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 624
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840045
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 700
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840046
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 718
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840047
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 727
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840048
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 731
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840049
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 751
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840050
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 753
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840051
Status: Unutilized

Reasons: Secured Area; Extensive deterioration.

Bldg. 1001
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840052
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1005
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840053
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1010
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840054
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1025
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840055
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1030
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840056
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3016
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840057
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3062
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840058
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3063
Eareckson Air Station
Shemya Island AK
Landholding Agency: Air Force
Property Number: 18199840059
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 32–189
Elmendorf Air Force Base
Anchorage Co: AK 99506–3230
Landholding Agency: Air Force
Property Number: 18199920001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 4893
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930001
Status: Unutilized
Reason: Within airport runway clear zone.

Bldg. 4905
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930002
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 4913
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930003
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 5887
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 10449
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930005
Status: Unutilized
Reasons: Secured Area.

Bldg. 12759
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18199930006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 7227
Elmendorf AFB
Elmendorf AFB Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200010001
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 7192
Elmendorf AFB
Anchorage Co: AK 99506–3240
Landholding Agency: Air Force
Property Number: 182000200001
Status: Unutilized
Reason: Secured Area.

Bldg. 7231
Elmendorf AFB
Anchorage Co: AK 99506–3240
Landholding Agency: Air Force
Property Number: 18200020002
Status: Unutilized
Reason: Secured Area.

Bldg. 14427
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200020003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 14487
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200020004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 4305
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Expensive deterioration.

Bldg. 13367
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 13559
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 13579
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 15526
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030005
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 15534
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030006
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 16512
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 17497
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 20174
Elmendorf AFB
Anchorage Co: AK 99506–
Landholding Agency: Air Force
Property Number: 18200030009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 28
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 87199210126
Status: Excess
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 19
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 87199210128
Status: Excess
Reasons: Within airport runway clear zone; Extensive deterioration; Secured Area.

Bldg. 18
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 87199210132
Status: Excess
Reasons: Within airport runway clear zone; Secured Area.
GSA Number: U–ALAS–655A

Bldg. A512
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 87199210133
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. R1, Holiday Beach
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 87199310014
Status: Unutilized
Reason: Secured Area.

Bldg. S–3
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 87199310015
Status: Unutilized
Reason: Secured Area.

Bldg. S–16
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 87199310016
Status: Unutilized
Reasons: Secured Area.

Bldg. 624
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 87199310021
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 456
Coast Guard—ISC Kodiak
Kodiak Co: Kodiak Borough AK 99615–
Landholding Agency: DOT
Property Number: 87199710002
Status: Excess
Reasons: Within airport runway clear zone; Secured Area; Extensive deterioration.

Bldg. 524A
USCG ISC Kodiak
Kodiak Co: Kodiak Is. Bor. AK 99619–
Landholding Agency: DOT
Property Number: 87199710004
Status: Excess
Reasons: Floodway; Secured Area.

Bldg. R13, USCG ISC Kodiak
Holiday Beach
Kodiak Co: Kodiak Is Bor AK 99619–
Landholding Agency: DOT
Property Number: 87199720003
Status: Excess
Reason: Secured Area.

Bldg. 172, USCG ISC Kodiak
Nyman's Peninsula
Kodiak Co: Kodiak Is Bor AK 99619–
Landholding Agency: DOT
Property Number: 87199720004
Status: Excess
Reason: Secured Area.

Bldg. 160, USCG ISC Kodiak
Comsta/Buskin Lake
Kodiak Co: Kodiak Is Bor AK 99619–
Landholding Agency: DOT
Property Number: 87199720005
Status: Excess
Reasons: Secured Area; Extensive deterioration.

Bldg. 16
Airstation Kodiak
Kodiak Co: AK 99615–
Landholding Agency: DOT
Property Number: 87200010001
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

''Gazebo''
Coast Guard
Cordova Co: AK 99574–
Landholding Agency: DOT
Property Number: 87200010002
Status: Unutilized
Reason: Extensive deterioration.

Boathouse
Coast Guard Station
Ketchikan
Ketchikan Co: AK 99901–
Landholding Agency: DOT
Property Number: 87200020001
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Arizona

Facility 90002
Holbrook Radar Site
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 18199340049
Status: Unutilized
Reason: Within airport runway clear zone.

Portion
Colorado River Basin
Salinity Project
Yuma Co: AZ 00000–
Landholding Agency: GSA
Property Number: 54200030005
Status: Surplus
Reason: Secured Area.
GSA Number: 9–I–AZ–810

Arkansas

Dwelling
Bull Shoals Lake/Dry Run Road
Oakland Co: Marion AR 72661–
Landholding Agency: COE
Property Number: 31199820001
Status: Unutilized
Reason: Extensive deterioration.

California

Bldg. 707 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010193
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 575 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010195
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 502 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010196
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 23 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 18199010197
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 100
Port Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010233
Status: Unutilized
Reason: Secured Area.

Bldg. 101
Port Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010234
Status: Underutilized
Reason: Secured Area.

Bldg. 116
Port Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010235
Status: Unutilized
Reason: Secured Area.

Bldg. 202
Port Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 18199010236
Status: Unutilized
Reason: Secured Area.

Bldg. 201
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010546
Status: Unutilized
Reason: Secured Area.

Bldg. 202
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010547
Status: Unutilized
Reason: Secured Area.

Bldg. 203
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010548
Status: Unutilized
Reason: Secured Area.

Bldg. 204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 18199010549
Status: Unutilized
Reason: Secured Area.

Bldg. 1823
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246, Coast Road, Pt Sal Rd., Miguelito CYN
Landholding Agency: Air Force
Property Number: 181990130360
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 10312
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199210026
Status: Unutilized
Reason: Secured Area.

Bldg. 16104, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246, Coast Rd., Pt Sal Rd., Miguelito Cyn
Landholding Agency: Air Force
Property Number: 18199230020
Status: Unutilized
Reason: Secured Area.

Bldg. 5428, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310015
Status: Unutilized
Reason: Secured Area.

Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199310030
Status: Unutilized
Reason: Secured Area.

Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199330016
Status: Unutilized
Reason: Secured Area.

Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340003
Status: Unutilized
Reasons: Electrical Power Generator Bldg.; Secured Area.

Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340006
Status: Unutilized
Reason: Secured Area.

Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340007
Status: Unutilized
Reason: Secured Area.

Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340008
Status: Unutilized
Reason: Secured Area.

Bldg. 7306
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340022
Status: Unutilized
Reason: Secured Area.

Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199340028
Status: Unutilized
Reason: Secured Area.

Bldg. 422
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530029
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldg. 431
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530030
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldg. 470
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530031
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 480
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530032
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 6606
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530037
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 7307
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530039
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 10717
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530041
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 10722
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199530043
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 893
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–

Landholding Agency: Air Force
Property Number: 18199620028
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 9350
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620030
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 13003
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620031
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 13222
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199620032
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 815
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630040
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1850
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630041
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1853
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630042
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1856
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630043
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1865
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630044
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1874
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630045
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1875
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630046
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1877
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630047
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630048
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1885
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630049
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1898
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630050
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 06445
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630052
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 21160
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199630055
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 06437
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 10715
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199710016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 00879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 01630
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720011
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 01797
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 01830
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720013
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 01852
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 11345
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720019
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 14019
Vandenberg AFB

Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720022
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 14026
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720023
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 16162
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199720024
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 22300
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199730002
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 08412
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740006
Status: Unutilized
Reason: Secured Area.

Bldg. 11153
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740007
Status: Unutilized
Reason: Secured Area.

Bldg. 11154
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199740008
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldgs. 2–11, 20–21
Edwards AFB
P–Area Housing
Edwards AFB Co: Kern CA 93524–
Landholding Agency: Air Force
Property Number: 18199810029
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1681
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820003
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldg. 01839
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 06519
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 06526
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820006
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 11167
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820007
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 11168
Vandenberg AFB
Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18199820008
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 827
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200010002
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldgs. 16153 &16154
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200010003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 13024
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 18200010010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Soil & Materials Testing Lab
Sausalito Co: CA 00000–
Landholding Agency: COE
Property Number: 31199920002
Status: Excess
Reason: Contamination.

Bldg. 4190 & Oubuilding
Yosemite National Park
Wawona Co: Mader a CA 95389–
Landholding Agency: Interior
Property Number: 61199910002
Status: Unutilized
Reason: Extensive Deterioration.

Parker Dam Govt Housing Camp
Township 2 North
San Bernardino Co: CA 92401–
Landholding Agency: Interior
Property Number: 61199930001
Status: Excess
Reason: Extensive deterioration.

Bldg. 517
NPS Maint Yard
Yosemite Nat Park Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61199940009
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4159
Tract 12–135
National Park Land
Yosemite Co: Maripose CA 95389–
Landholding Agency: Interior
Property Number: 61200020003
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4160
Tract 12–135
National Park Land
Yosemite Co: Maripose CA 95389–
Landholding Agency: Interior
Property Number: 61200020004
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4161
Tract 12–135
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020005
Status: Unutilized
Reason: Extensive deterioration.

Bldgs. 4091, 4092
Tract 08–136
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020006
Status: Unutilized
Reason: Extensive deterioration.

Vagim House/Garage/Laundry
Tract 08–155
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020007
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4166
Tract 05–118
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020008
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4077
Tract 08–118
National Park Land
Yosemite Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020009

Status: Unutilized
Reason: Extensive deterioration.

''Putnam House''
Yosemite National Park
Wawona Co: Mariposa CA 95389–
Landholding Agency: Interior
Property Number: 61200020016
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1131
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030025
Status: Excess
Reason: Extensive deterioration.

Bldg. 1132
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030026
Status: Excess
Reason: Extensive deterioration.

Bldg. 1141
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030027
Status: Excess
Reason: Extensive deterioration.

Bldg. 1145
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030028
Status: Excess
Reason: Extensive deterioration.

Bldg. 1256
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030029
Status: Excess
Reason: Extensive deterioration.

Bldg. 1362
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030030
Status: Excess
Reason: Extensive deterioration.

Bldg. 1363
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030031
Status: Excess
Reason: Extensive deterioration.

Bldg. 1622
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030032
Status: Excess
Reason: Extensive deterioration.

Bldg. 1623
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030033
Status: Excess
Reason: Extensive deterioration.

Bldg. 13115
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030034
Status: Excess
Reason: Extensive deterioration.

Bldg. 13125
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030035
Status: Excess
Reason: Extensive deterioration.

Bldg. 13142
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030036
Status: Excess
Reason: Extensive deterioration.

Bldg. 16134
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030037
Status: Excess
Reason: Extensive deterioration.

Bldg. 16135
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030038
Status: Excess
Reason: Extensive deterioration.

Bldg. 16136
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030039
Status: Excess
Reason: Extensive deterioration.

Bldg. 16137
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030040
Status: Excess
Reason: Extensive deterioration.

Bldg. 43432
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030041
Status: Excess
Reason: Extensive deterioration.

Bldg. 62408
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200030042
Status: Excess
Reason: Extensive deterioration.

Bldg. 801
Naval Air Station
Point Mugu
Oxnard Co: Ventura CA 93042–5001
Landholding Agency: Navy
Property Number: 77200030043
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 41
Naval Const. Battalion Ctr.
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030044
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 103
Naval Const. Battalion Ctr.
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030045
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 259
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030046
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 260
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030047
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 274
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030048
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 462
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030049
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 488
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030050
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1150
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030051
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1156
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030052
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1275
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030053
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 1321
Naval Const. Battalion Ctr
Port Hueneme Co: Ventura CA 93043–4301
Landholding Agency: Navy
Property Number: 77200030054
Status: Unutilized
Reason: Extensive deterioration.

10 Bldg.
USCG Station Humboldt Bay

Samoa Co: Humboldt CA 95564–9999
Landholding Agency: DOT
Property Number: 87199440027
Status: Excess
Reason: Extensive deterioration
Comment: Land to be relinquished to BLM (Public Domain Land).

Bldg. T102
U.S.C.G. Training Center
Petaluma Co: Sonoma CA 94952–
Landholding Agency: DOT
Property Number: 87199830001
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Colorado

Bldg. 00910
" Blue Barn"—Falcon Air Force Base
Falcon Co: El Paso CO 80912–
Landholding Agency: Air Force
Property Number: 18199530046
Status: Underutilized
Reason: Secured Area.

Bldg. 1007
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730003
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioratoin.

Bldg. 1008
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730004
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 92114
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Landholding Agency: Air Force
Property Number: 18199730012
Status: Underutilized
Reason: Within airport runway clear zone; Secured Area.

Bldg. 7067
USAF Academy
Co: El Pasco CO 80840–
Landholding Agency: Air Force
Property Number: 18199810005
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 8222
USAF Academy
Co: El Pasco CO 80840–
Landholding Agency: Air Force
Property Number: 18199810006
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 9200
USAF Academy
Co: El Pasco CO 80840–
Landholding Agency: Air Force
Property Number: 18199810007
Status: Unutilized
Reason: Within airport runway clear zone; Secured Area.

Facility 9022
U.S. A.F. Academy
El Paso Co: CO 80840–2400
Landholding Agency: Air Force
Property Number: 18200010004
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 34
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199540001
Status: Underutilized
Reasons: Contamination; Secured Area.

Bldg. 35
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199540002
Status: Underutilized
Reasons: Contamination; Secured Area.

Bldg. 36
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199540003
Status: Underutilized
Reasons: Contamination; Secured Area.

Bldg. 2
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199610039
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 7
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199610040
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 31–A
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199610041
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 33
Grand Junction Projects
Office
Grand Junction Co: Mesa CO 81503–
Landholding Agency: Energy
Property Number: 41199610042
Status: Unutilized
Reasons: Contamination; Secured Area.

Bldg. 727
Rocky Flats Environmental
Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 729
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 779
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 780
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 780A
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 780B
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 782
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 783
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 784(A–D)
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 785
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910010
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 786
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 787 (A–D)
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 875
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910013
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 880
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 886
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 308A
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 788
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199910017
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 888
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 714 A/B
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930021
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 717
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930022
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 770
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930023
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 771
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930024
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 771B
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930025
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 771C
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930026
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 772–772A
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930027
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 773
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930028
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 774
Rocky Flats Env. Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41199930029
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 776
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41200010001
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 777
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41200010002
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 778
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41200010003
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Structure 712–712A
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41200010004
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Structure 713–713A
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41200010005
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Structure 771 TUN
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: 41200010006
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Structure 776A–781
Rocky Flats Environmental Tech Site
Golden Co: Jefferson CO 80020–
Landholding Agency: Energy
Property Number: 41000010007
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Alemeda Facility
350 S. Santa Fe Drive
Denver Co: Denver CO 80223–
Landholding Agency: DOT
Property Number: 87199010014
Status: Unutilized
Reason: Other environmental.
Comment: contamination.

Connecticut

Bldg. 13
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 10
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 5
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 4
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 18199640005
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material.

Hezekiah S. Ramsdell Farm
West Thompson Lake
North Grosvenordale Co: Windham CT 06255–9801
Landholding Agency: COE
Property Number: 31199740001
Status: Unutilized
Reasons: Floodway; Extensive deterioration.

Bldgs. 25 and 26
Prospect Hill Road
Windsor Co: Hartford CT 06095–
Landholding Agency: Energy
Property Number: 41199110003
Status: Excess
Reason: Secured Area.

9 Bldgs.
Knolls Atomic Power Lab,
Windsor Site
Windsor Co: Hartford CT 06095–
Landholding Agency: Energy
Property Number: 41199540004
Status: Excess
Reason: Secured Area.

Bldg. 8, Windsor Site
Knolls Atomic Power Lab
Windsor Co: Hartford CT 06095–
Landholding Agency: Energy
Property Number: 41199830006
Status: Unutilized
Reason: Extensive deterioration.

Falkner Island Light
U.S. Coast Guard
Guilford Co: New Haven CT 06512–
Landholding Agency: DOT
Property Number: 87199240031
Status: Unutilized
Reason: Floodway.

Florida

Bldg. 1179
Patrick Air Force Base
1179 School Avenue
Co: Brevard FL 32935–
Landholding Agency: Air Force
Property Number: 18199240030
Status: Unutilized
Reasons: Extensive Deterioration; Secured Area.

Bldg. 575
Patrick Air Force Base
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199320004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Extensive Deterioration; Secured Area.

Bldg. 921
Patrick Air Force Base
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199430002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

23 Family Housing
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Location: Include Bldgs: 448, 451 thru 470, 472 and 474
Landholding Agency: Air Force
Property Number: 18199520006
Status: Excess
Reason: Within airport runway clear zone.

Bldg. 240
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 18199520007
Status: Excess
Reason: Extensive deterioration.

Bldg. 307
Patrick Air Force Base
Patrick AFB Co: Brevard, FL
Landholding Agency: Air Force
Property Number: 18199710022
Status: Unutilized
Reason: Secured Area.

Bldg. 315
Patrick Air Force Base
Patrick AFB Co: Brevard, FL
Landholding Agency: Air Force
Property Number: 18199710023
Status: Unutilized
Reason: Secured Area.

Bldg. 317
Patrick Air Force Base
Patrick AFB Co: Brevard, FL
Landholding Agency: Air Force
Property Number: 18199710024
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 318
Patrick Air Force Base
Patrick AFB Co: Brevard, FL
Landholding Agency: Air Force
Property Number: 18199710025
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Facility No. 1114
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710027
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Facility No. 10831
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710033
Status: Unutilized
Reason: Secured Area.

Facility No. 15500
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710037
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Facility No. 70662
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710037
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Facility No. 72920
Cape Canaveral Air Station
Cape Canaveral AS Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199710038
Status: Unutilized
Reasons: Secured Area.

Bldg. 895, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199710045
Status: Unutilized
Reason: Extensive deterioration.

Fac. 09010
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199810008
Status: Unutilized
Reason: Secured Area.

Bldg. 744
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3008
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3010
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820011
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 12709
Eglin AFB
Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199820012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 08807
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820013
Status: Unutilized
Reason: Secured Area.

Bldg. 08809
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 21911
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820015
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 21914
Cape Canaveral Air Station
Co: Brevard FL 32925–

Landholding Agency: Air Force
Property Number: 18199820016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 32349
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199820017
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 44608
Cape Canaveral Air Station
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18199830006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 12577
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910001
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 12576
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910002
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 12534
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910003
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 12533
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910004
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 12528
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910005
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 9281
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910006
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 9280
Eglin AFB
Santa Rosa Island
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910007
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 609
Eglin AFB
Okaloosa Co: FL 32542–5133
Landholding Agency: Air Force
Property Number: 18199910008
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 55152
Cape Canaveral Air Station
Brevard Co: FL 32925–
Landholding Agency: Air Force
Property Number: 18199910010
Status: Unutilized
Reason: Secured Area.

Facility 1737
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force
Property Number: 18199920002
Status: Unutilized
Reasons: Secured Area.

Facility 5200
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force
Property Number: 18199920003
Status: Unutilized
Reason: Secured Area.

Bldg. 1704
Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–
Landholding Agency: Air Force
Property Number: 18199930007
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Facility 90330
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32907–
Landholding Agency: Air Force
Property Number: 18199940008
Status: Unutilized
Reason: Secured Area.

Bldg. 72905
Cape Canaveral AFS
Brevard Co: FL 32907–
Landholding Agency: Air Force
Property Number: 18200020006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 62644
Cape Canaveral AFS
Brevard Co: FL 32907–
Landholding Agency: Air Force
Property Number: 18200020007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 935
Patrick AFB
Patrick AFB Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 18200030011
Status: Unutilized
Reason: Secured Area.

Facility 990
Patrick AFB
Patrick AFB Co: FL 32925–
Landholding Agency: Air Force
Property Number: 18200030012
Status: Unutilized
Reason: Secured Area.

Bldg. #3, Recreation Cottage
USCG Station
Marathon Co: Monroe FL 33050–
Landholding Agency: DOT
Property Number: 87199210008
Status: Unutilized
Reasons: Floodway; Secured Area.

Bldg. 103, Trumbo Point
Key West Co: Monroe FL 33040–
Landholding Agency: DOT
Property Number: 87199230001
Status: Unutilized
Reasons: Floodway; Secured Area.

Exchange Building
St. Petersburg Co: Pinellas FL 33701–
Landholding Agency: DOT
Property Number: 87199410004
Status: Unutilized
Reason: Floodway.

9988 Keepers Quarters A
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440009
Status: Underutilized
Reasons: Floodway; Secured Area.

9989 Keepers Quarters B
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440010
Status: Underutilized
Reasons: Floodway; Secured Area.

9990 Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440011
Status: Underutilized
Reasons: Floodway; Secured Area.

9991 Plant Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440012
Status: Underutilized
Reasons: Floodway; Secured Area.

9992 Shop Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440013
Status: Underutilized
Reasons: Floodway; Secured Area.

9993 Admin. Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440014
Status: Underutilized
Reasons: Floodway; Secured Area.

9994 Water Pump Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT

Property Number: 87199440015
Status: Underutilized
Reasons: Floodway; Secured Area.

Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440016
Status: Underutilized
Reasons: Floodway; Secured Area.

9999 Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440017
Status: Underutilized
Reasons: Floodway; Secured Area.

3 Bldgs. and Land
Peanut Island Station
Riviera Beach Co: Palm Beach FL 33419–0909
Landholding Agency: DOT
Property Number: 87199510009
Status: Unutilized
Reasons: Floodway; Secured Area.

Cape St. George Lighthouse
Co: Franklin FL 32328–
Landholding Agency: DOT
Property Number: 87199640002
Status: Unutilized
Reason: Extensive deterioration.

Georgia

Bldgs. 1180–1185
Robins AFB
Warner Robins Co: GA 31098–2207
Landholding Agency: Air Force
Property Number: 18200010005
Status: Unutilized
Reason: Extensive deterioration.

Coast Guard Station
St. Simons Island
Co: Glynn GA 31522–0577
Landholding Agency: DOT
Property Number: 87199540002
Status: Unutilized
Reason: Extensive deterioration.

Andersen South
Andersen Admin. Annex
360 housing units & a commercial structure
Mangilao GU 96923–
Landholding Agency: Air Force
Property Number: 18199840009
Status: Underutilized
Reason: Secured Area.

Hawaii

Bldgs. 16, 18, 20
Kokee AFS
Kauai Co: HI 00000–
Landholding Agency: Air Force
Property Number: 18200020005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 1740
U.S. Coast Guard Air Station
Barbers Point
Honolulu Co: HI 96862–5800
Landholding Agency: DOT
Property Number: 87199910002
Status: Unutilized
Reason: Secured Area.

Idaho

Bldg 1012
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030004
Status: Excess
Reason: Within 2000 ft of flammable or explosive material.

Bldg. 923
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030005
Status: Excess
Reason: Within 2000 ft of flammable or explosive material.

Bldg. 604
Mountain Home Air Force Base
Pine Street
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199030006
Status: Excess
Reason: Within 2000 ft of flammable or explosive material.

Bldg. 229
Mt. Home Air Force Base
1st Avenue and A Street
Mt. Home AFB Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199040857
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone.

Bldg. 4403
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83647–
Landholding Agency: Air Force
Property Number: 18199520008
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 101
Mountain Home Air Force Base
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840001
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 105
Mountain Home Air Force
Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18199840002
Status: Unutilized
Reason: Extensive deterioration.

Bldg. AFD0070
Albeni Falls Dam
Oldtown Co: Bonner ID 83822–
Landholding Agency: COE
Property Number: 31199910001
Status: Unutilized
Reason: Extensive deterioration.

Bldg. PBF–621
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610001
Status: Unutilized
Reason: Secured Area.

Bldg. CPP–1609
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610002
Status: Unutilized
Reason: Secured Area.

Bldg. CPP–691
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610003
Status: Unutilized
Reason: Secured Area.

Bldg. CPP–625
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610004
Status: Unutilized
Reason: Secured Area.

Bldg. CPP–650
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610005
Status: Unutilized
Reason: Secured Area.

Bldg. CPP–608
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610006
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–660
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610007
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–636
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610008
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–609
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610009
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–670
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610010
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–661
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610011
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–657
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610012
Status: Unutilized
Reason: Secured Area.

Bldg. TRA–669
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610013
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–637
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610014
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–635
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610015
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–638
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610016
Status: Unutilized
Reason: Secured Area.

Bldg. TAN–651
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610017
Status: Unutilized
Reason: Secured Area.

Bldg. TRA–673
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610018
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–620
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610019
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–616
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610020
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–617
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610021
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–619
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610022
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–624
Idah National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610023
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–625
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610024
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–629
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610025
Status: Unutilized
Reason: Secured Area.

Bldg. PBF–604
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610026
Status: Unutilized
Reason: Secured Area.

Bldg. TRA–641
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610034
Status: Unutilized
Reason: Secured Area.

Bldg. CF–606
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199610037
Status: Unutilized
Reason: Secured Area.

CF657/CF716
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199710005
Status: Excess
Reason: Secured Area.

TAN620/TAN656
Idaho National Engineering Laboratory
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199710009
Status: Excess
Reasons: Secured Are; Extensive deterioration.

TAN 602, 631, 663, 702, 724
Idaho National Engineering Laboratory & Environmental Lab
Test Area North
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41199830002
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

8 Bldgs.
Idaho Natl Engineering & Environmental Lab
Test Reactor North
Scovile Co: Butte ID 83415–
Location: TRA 643, 644, 655, 660, 704–706, 755
Landholding Agency: Energy
Property Number: 41199830003
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

B16–703, B16–704
Idaho Natl Eng & Env Lab
Scoville Co: Butte ID 83415–
Landholding Agency: Energy
Property Number: 41200010021
Status: Excess
Reason: Extensive deterioration.

Illinois

Calumet Harbor Station
U.S. Coast Guard
Chicago Co: Cook IL
Landholding Agency: DOT
Property Number: 87199310005
Status: Excess
Reason: Secured Area.

Indiana

Brookville Lake—Bldg.
Brownsville Rd. in Union
Liberty Co: Union IN 47353–
Landholding Agency: COE
Property Number: 31199440004
Status: Excess
Reason: Extensive deterioration.

Bldg. 21, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230001
Status: Excess
Reason: Extensive deterioration.

Bldg. 22, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230002
Status: Excess
Reason: Extensive deterioration.

Bldg. 62, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 97199230003
Status: Excess
Reason: Extensive deterioration.

Iowa

Bldg. 00671
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310009
Status: Unutilized
Reason: Fuel pump station.

Bldg. 00736
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 18199310010
Status: Unutilized
Reason: Pump station.

House, Tract 100
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530002
Status: Excess
Reason: Extensive deterioration.

Play House, Tract 100
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530003
Status: Excess
Reason: Extensive deterioration.

House, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530004
Status: Excess
Reason: Extensive deterioration.

Shed, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 3119950005
Status: Excess
Reason: Extensive deterioration.

Garage, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530006
Status: Excess
Reason: Extensive deterioration.

Machine Shed, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530007
Status: Excess
Reason: Extensive deterioration.

Barn, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530008
Status: Excess
Reason: Extensive deterioration.

2-Car Garage, Tract 122
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530009
Status: Excess
Reason: Extensive deterioration.

Barn, Tract 128
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530010
Status: Excess
Reason: Extensive deterioration.

Shed, Tract 128
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530011
Status: Excess
Reason; Extensive deterioration.

House, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530012
Status: Excess
Reason; Extensive deterioration.

Play House, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530013
Status: Excess
Reason; Extensive deterioration.

Kennel, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530014
Status: Excess
Reason; Extensive deterioration.

Corn Crib, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530015
Status: Excess
Reason; Extensive deterioration.

Barn W, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530016
Status: Excess
Reason; Extensive deterioration.

Barn E, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530017
Status: Excess
Reason; Extensive deterioration.

Shed, Tract 129
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530018
Status: Excess
Reason; Extensive deterioration.

House, Tract 130
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530019
Status: Excess
Reason; Extensive deterioration.

Out House, Tract 130
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530020
Status: Excess
Reason: Extensive deterioration.

Chicken House, Tract 130
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530021
Status: Excess
Reason: Extensive deterioration.

Shed, Tract 130
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530022
Status: Excess
Reason: Extensive deterioration.

Barn, Tract 135
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530023
Status: Excess
Reason: Extensive deterioration.

Smokehouse, Tract 135
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530024
Status: Excess
Reason: Extensive deterioration.

Shed, Tract 137
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530025
Status: Excess
Reason: Extensive deterioration.

Shed—White, Tract 137
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530026
Status: Excess
Reason: Extensive deterioration.

Leanto, Tract 137
Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199530027
Status: Excess
Reason: Extensive deterioration.

Tract 116, Camp Dodge
Johnston Co: Polk IA 50131–
Landholding Agency: COE
Property Number: 31199630006
Status: Unutilized
Reason: Extensive deterioration.

Kansas

Bldg. 2703
Forbes Field
Topeka KS
Landholding Agency: Air Force
Property Number: 18199820018
Status: Unutilized
Reason: Extensive deterioration.

Kentucky

Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll KY 41008–
Landholding Agency: COE
Property Number: 21199040416
Status: Unutilized
Reason: Spring House.

Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin KY 40601–9999
Landholding Agency: COE
Property Number: 21199040417
Status: Unutilized
Reason: Coal Storage.

Building
Kentucky River Lock and Dam No. 4
1021 Kentucky Avenue
Frankfort Co: Franklin KY 40601–9999
Landholding Agency: COE
Property Number: 21199040418
Status: Unutilized
Reason: Coal Storage.

Barn
Kentucky River Lock and Dam No. 3
Highway 561
Pleasureville Co: Henry KY 40057–
Landholding Agency: COE
Property Number: 21199040419
Status: Underutilized
Reason: Extensive deterioration.

Latrine
Kentucky River Lock and Dam No. 3
Highway 561
Pleasureville Co: Henry KY 40057–
Landholding Agency: COE
Property Number: 31199040009

Status: Unutilized
Reason: Detached Latrine.

6-Room Dwelling
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120010
Status: Unutilized
Reason: Floodway.

2-Car Garage
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120011
Status: Unutilized
Reason: Floodway.

Office and Warehouse
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120012
Status: Unutilized
Reason: Floodway.

2 Pit Toilets
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Landholding Agency: COE
Property Number: 31199120013
Status: Unutilized
Reason: Floodway.

Louisiana

Bldg. 3477
Barksdale Air Force Base
Davis Avenue
Barksdale AFB Co: Bossier LA 71110–5000
Landholding Agency: Air Force
Property Number: 18199140015
Status: Unutilized
Reason: Secured Area.

Weeks Island Facility
New Iberia Co: Iberia Parish LA 70560–
Landholding Agency: Energy
Property Number: 41199610038
Status: Underutilized
Reason: Secured Area.

Maine

Supply Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 87199240005
Status: Unutilized
Reason: Floodway.

Base Exchange, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 87199240006
Status: Unutilized
Reason: Floodway.

Engineering Shop, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 87199240007
Status: Unutilized
Reason: Floodway.

Storage Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 87199240008
Status: Unutilized
Reason: Floodway.

Squirrel Point Light
U.S. Coast Guard
Phippsburg Co: Sayadahoc ME 04530–
Landholding Agency: DOT
Property Number: 87199240032
Status: Unutilized
Reason: Floodway.

Keepers Dwelling
Heron Neck Light, U.S. Coast Guard
Vinalhaven Co: Knox ME 04841–
Landholding Agency: DOT
Property Number: 87199240035
Status: Unutilized
Reason: Extensive deterioration.

Fort Popham Light
Phippsburg Co: Sagadahoc ME 04562–
Landholding Agency: DOT
Property Number: 87199320024
Status: Unutilized
Reasons: Extensive deterioration.

Nash Island Light
U.S. Coast Guard
Addison Co: Washington ME 04606–
Landholding Agency: DOT
Property Number: 87199420005
Status: Unutilized
Reasons: Inaccessible.

Bldg.—South Portland Base
U.S. Coast Guard
S. Portland Co: Cumberland ME 04106–
Landholding Agency: DOT
Property Number: 87199420006
Status: Unutilized
Reasons: Secured Area.

Garage—Boothbay Harbor Stat.
Bootbay Harbor Co: Lincoln ME 04538–
Landholding Agency: DOT
Property Number: 87199430001
Status: Unutilized
Reasons: Secured Area.

Maryland

Bldg. 3542
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810010
Status: Unutilized
Reasons: Secured Area.

Bldg. 3543
Andrews AFB
Andrews AFB MD 20652–25177
Landholding Agency: Air Force
Property Number: 18199810011
Status: Unutilized
Reasons: Secured Area.

7 Bldgs.
Davidsonville Family Housing Annex
300, 301, 303, 305, 308, 309, 311
Davidsonville Co: Anne Arundel MD 20755–
Landholding Agency: Air Force
Property Number: 18199910011
Status: Unutilized
Reasons: Extensive deterioration.

8 Bldgs.
Davidsonville Family Housing Annex
302, 306, 307, 310, 312–315
Davidsonville Co: Anne Arundel MD 20755–
Landholding Agency: Air Force
Property Number: 18199910012
Status: Unutilized
Reasons: Extensive deterioration.

Bldgs. 38–39, 41, 43–46, 56
U.S. Coast Guard Yard
Baltimore MD 21226–
Landholding Agency: DOT
Property Number: 87199540005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 53
U.S. Coast Guard Yard
Baltimore MD 21226–
Landholding Agency: DOT
Property Number: 87199540006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 6
U.S. Coast Guard Yard, 2401 Hawkins Point Rd.
Baltimore MD 21226–1797
Landholding Agency: DOT
Property Number: 87199620001
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 59
U.S. Coast Guard Yard, 2401 Hawkins Point Rd.
Baltimore MD 21226–1797
Landholding Agency: DOT
Property Number: 87199620002
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Massachusetts

Bldg. 110
Otis Air National Guard
Otis Co: MA 02542–5028
Landholding Agency: Air Force
Property Number: 18199940009
Status: Unutilized
Reason: Secured Area.

Petricca House
97 North Great Road
Lincoln Co: Middlesex MA 01773–
Landholding Agency: Interior
Property Number: 61200020010
Status: Unutilized
Reason: Extensive deterioration.

Willow Pond Kitchen
751 Lexington Road
Concord Co: Middlesex MA 01742–
Landholding Agency: Interior
Property Number: 61200020017
Status: Unutilized
Reason: Extensive deterioration.

Schlberg House
44 Virginia Road
Lincoln Co: Middlesex MA 00000–
Landholding Agency: Interior
Property Number: 61200020018
Status: Unutilized
Reason: Extensive deterioration.

Nelson House

47 Virginia Road
Lincoln Co: Middlesex MA 00000–
Landholding Agency: Interior
Property Number: 61200020019
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 4, USCG Support Center
Commercial Street
Boston Co: Suffolk MA 02203–
Landholding Agency: DOT
Property Number: 87199240001
Status: Underutilized
Reason: Secured Area.

Eastern Point Light
U.S. Coast Guard
Gloucester Co: Essex MA 01930–
Landholding Agency: DOT
Property Number: 87199240029
Status: Unutilized
Reasons: Floodway; Secured Area.

Storage Shed
Highland Light
N. Truro Co: Barnstable MA 02652–
Location: Desoto Johnson KS 66018–
Landholding Agency: DOT
Property Number: 87199430004
Status: Unutilized
Reason: Extensive deterioration.

Westview Street Wells
Lexington Co: MA 02173–
Landholding Agency: VA
Property Number: 97199920001
Status: Unutilized
Reasons: Extensive deterioration.

Michigan

Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010810
Status: Excess
Reason: Sewage treatment and disposal facility.

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010831
Status: Excess
Reason: Water well.

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010832
Status: Excess
Reason: Water well.

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010875
Status: Excess
Reason: Gasoline Station.

Bldg. 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010876
Status: Excess
Reason: Gasoline Station.

Bldg. 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010877
Status: Excess
Reason: Pump lift station.

Bldg. 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010878
Status: Excess
Reason: Gasoline station.

Bldg. 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010889
Status: Excess
Reason: Sewer pump facility.

Bldg. 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 18199010890
Status: Excess
Reason: Water pump station.

Facility 20
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630001
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 21
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630002
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 30
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 98
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 103
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 116
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 129
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 152
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 156
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 181
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630010
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 509
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630011
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 562
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 573
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630013
Status: Unutilized
Reasons: Secured Area.

Facility 801
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 827
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 832
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force

Property Number: 18199630016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 833
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1005
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630018
Status: Unutilized
Reasons: Secured Area.

Facility 1012
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630019
Status: Unutilized
Reasons: Secured Area.

Facility 1017
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630020
Status: Unutilized
Reasons: Secured Area.

Facility 1025
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630021
Status: Unutilized
Reasons: Secured Area.

Facility 1031
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630022
Status: Unutilized
Reasons: Secured Area.

Facility 1041
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1445
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630024
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1514
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630025
Status: Unutilized
Reason: Secured Area.

Facility 1575
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630026
Status: Unutilized
Reasons: Within 2000 ft of flammable or explosive material; Secured Area.

Facility 1576
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630027
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1578
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1580
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630029
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1582
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630030
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1583
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1584
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 1585
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199630033
Status: Unutilized
Reason: Secured Area.

Facilities 246, 248, 252–254
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

7 Facilities
Selfridge Air National Guard
#240, 242, 244, 245, 247, 250, 251
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710040
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facilities 237, 238
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710041
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

5 Facilities
Selfridge Air National Guard
#228, 230, 232, 234, 236
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710042
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 114
Selfridge Air National Guard
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 18199710043
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 114
Alpena CRTC
Alpena Co: MI 49707–
Landholding Agency: Air Force
Property Number: 18199930009
Status: Unutilized
Reason: Secured Area.

Bldg. 318
Alpena CRTC
Alpena Co: MI 49707–
Landholding Agency: Air Force
Property Number: 18199930010
Status: Unutilized
Reason: Secured Area.

Minnesota

Bldg.
Upper St. Anthony Falls
Minneapolis Co: Hennepin MN 55440–
Landholding Agency: COE
Property Number: 31199930001
Status: Unutilized
Reason: Extensive deterioration.

Dwelling
Mississippi Hdqts Leech Lake Proj.
Federal Dam Co: Cass MN 56641–
Landholding Agency: COE
Property Number: 31200020002
Status: Unutilized
Reason: Extensive deterioration.

Garage 1
Mississippi Hdqts Leech Lake Proj.
Federal Dam Co: Cass MN 56641–
Landholding Agency: COE
Property Number: 31200020003
Status: Unutilized
Reason: Extensive deterioration.

Garage 2
Mississippi Hdqts Leech Lake Proj.
Federal Dam Co: Cass MN 56641–
Landholding Agency: COE
Property Number: 31200020004
Status: Unutilized
Reason: Extensive deterioration.

Mississippi

Natchez Moorings
82 L.E. Berry Road

Natchez Co: Adams MS 39121–
Landholding Agency: DOT
Property Number: 87199340002
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 6, Boiler Plant
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 97199410001
Status: Unutilized
Reason: Floodway.

Bldg. 67
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 97199410008
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 68
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 97199410009
Status: Unutilized
Reason: Extensive deterioration.

Montana

Bldg. 23
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720030
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 24
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720031
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 35
Great Falls ANG Station
Great Falls Co: Cascade MT 59404–
Landholding Agency: Air Force
Property Number: 18199720033
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 22
Great Falls IAP
Great Falls Co: Cascade MT 59404–5570
Landholding Agency: Air Force
Property Number: 18199820019
Status: Underutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 803
Malmstrom AFB
Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18199840003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 1846
Malmstrom AFB
Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18199840005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldgs. 920, 1242
Malmstrom AFB
Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18199840006
Status: Unutilized
Reason: Secured Area.

Bldg. 1411
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 18200030015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Barn/Garage
316 N. 26th Street
Billings Co: Yellowstone MT
Landholding Agency: Interior
Property Number: 61199520022
Status: Excess
Reason: Extensive deterioration.

Nebraska

Offutt Communications Annex–#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031–
Landholding Agency: Air Force
Property Number: 18199210006
Status: Unutilized
Reason: Former sewage lagoon.

Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230021
Status: Unutilized
Reasons: Extensive deterioration.

Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 18199230022
Status: Unutilized
Reasons: Extensive deterioration.

Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240007
Status: Unutilized
Reason: Secured Area.

Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240008
Status: Unutilized
Reason: Secured Area.

Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240009
Status: Unutilized
Reason: Secured Area.

Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240010
Status: Unutilized
Reason: Secured Area.

Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240011
Status: Unutilized
Reason: Secured Area.

Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 18199240012
Status: Unutilized
Reason: Secured Area.

Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320058
Status: Excess
Reason: Generator.

Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320059
Status: Excess
Reason: Contamination.

Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320060
Status: Excess
Reason: Contamination.

Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320061
Status: Excess
Reason: Contamination.

Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320062
Status: Excess
Reason: Contamination.

Bldg. 506
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320063
Status: Excess
Reason: Contamination.

Bldg. 507
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320064

Status: Excess
Reason: Contamination.

Bldg. 509
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320065
Status: Excess
Reason: Contamination.

Bldg. 511
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320066
Status: Excess
Reason: Contamination.

Bldg. 512
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320067
Status: Excess
Reason: Contamination.

Bldg. 515
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320068
Status: Excess
Reason: Contamination.

Bldg. 517
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320069
Status: Excess
Reason: Contamination.

Bldg. 519
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320070
Status: Excess
Reason: Contamination.

Bldg. 521
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320071
Status: Excess
Reason: Contamination.

Bldg. 523
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320072
Status: Excess
Reason: Contamination.

Bldg. 525
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320073
Status: Excess
Reason: Contamination.

Bldg. 526
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320074
Status: Excess
Reason: Contamination.

Bldg. 529
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320075
Status: Excess
Reason: Contamination.

Bldg. 531
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320076
Status: Excess
Reason: Contamination.

Bldg. 533
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320077
Status: Excess
Reason: Contamination.

Bldg. 534
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320078
Status: Excess
Reason: Contamination.

Bldg. 536
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320079
Status: Excess
Reason: Contamination.

Bldg. 538
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320080
Status: Excess
Reason: Contamination.

Bldg. 541
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320081
Status: Excess
Reason: Contamination.

Bldg. 542
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320082
Status: Excess
Reason: Contamination.

Bldg. 544
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320083
Status: Excess
Reason: Contamination.

Bldg. 546
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320084
Status: Excess
Reason: Contamination.

Bldg. 549
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320085
Status: Excess
Reason: Contamination.

Bldg. 550
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320086
Status: Excess
Reason: Contamination.

Bldg. 552
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320087
Status: Excess
Reason: Contamination.

Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320088
Status: Excess
Reason: Contamination.

Bldg. 555
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320089
Status: Excess
Reason: Contamination.

Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320090
Status: Excess
Reason: Contamination.

Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320091
Status: Excess
Reason: Contamination.

Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–

Landholding Agency: Air Force
Property Number: 18199320092
Status: Excess
Reason: Contamination.

27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320093
Status: Excess
Reason: Contamination.

Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320094
Status: Excess
Reason: Contamination.

Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320095
Status: Excess
Reason: Contamination.

Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320096
Status: Excess
Reason: Contamination.

Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320097
Status: Excess
Reason: Contamination.

Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320098
Status: Excess
Reason: Contamination.

Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 18199320099
Status: Excess
Reason: Contamination.

Bldg. 686
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholdng Agency: Air Force
Property Number: 18199510021
Status: Unutilized
Reason: Secured Area.

Bldg. 439
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholdng Agency: Air Force
Property Number: 18199510022
Status: Unutilized
Reason: Secured Area.

Bldg. 606
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholdng Agency: Air Force
Property Number: 18199720028
Status: Underutilized
Reason: Floodway; Secured Area.

Bldg. 675
NE Air National Guard
Lincoln Co: Lancaster NE 68524–1888
Landholdng Agency: Air Force
Property Number: 18199720029
Status: Unutilized
Reason: Floodway; Secured Area.

New Hampshire

Bldg 117
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg 129
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 18199920009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 5210
Newington POL DFS
Newington Co: Rockingham NH 03801–
Landholding Agency: Air Force
Property Number: 18199920010
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Facility 155
Pease Air National Guard
Newington Co: Rockingham NH 03803–
Landholding Agency: Air Force
Property Number: 18199930011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 124
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030013
Status: Unutilized
Reason: Secured Area.

Bldg. 125
New Boston Air Force Station
New Boston Co: Hilsboro NH 03070–5125
Landholding Agency: Air Force
Property Number: 18200030014
Status: Unutilized
Reason: Secured Area.

New Jersey

Bachardy, William House
Flatbrook-Stillwater Rd.
Wallpack Center Co: Sussex NJ 07881–
Landholding Agency: Interior
Property Number: 61200020022
Status: Unutilized
Reason: Extensive deterioration.

Piers and Wharf
Station Sandy Hook
Highlands Co: Monmouth NJ 07732–5000
Landholding Agency: DOT
Property Number: 87199240009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Chapel Hill Front Range
Light Tower
Middletown Co: Monmouth NJ 07748–
Landholding Agency: DOT
Property Number: 87199440002
Status: Unutilized
Reason: Skeletal tower.

Bldg. 103
U.S. Coast Guard Station
Sandy Hook
Middleton Co: Monmouth NJ 07737–
Landholding Agency: DOT
Property Number: 87199610002
Status: Unutilized
Reason: Secured Area.

New Mexico

Bldg. 831
833 CSG/DEER
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 181991309333
Status: Unutilized
Reason: Secured Area.

Bldg. 21
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240032
Status: Unutilized
Reason: Secured Area.

Bldg. 80
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240033
Status: Unutilized
Reason: Secured Area.

Bldg. 98
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240034
Status: Unutilized
Reason: Secured Area.

Bldg. 324
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240035
Status: Unutilized
Reason: Secured Area.

Bldg. 598
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240036
Status: Unutilized
Reason: Secured Area.

Bldg. 801
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240037
Status: Unutilized
Reason: Secured Area.

Bldg. 802
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240038
Status: Unutilized
Reason: Secured Area.

Bldg. 1095

Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240039
Status: Unutilized
Reason: Secured Area.

Bldg. 1096
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240040
Status: Unutilized
Reason: Secured Area.

Facility 321
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240041
Status: Unutilized
Reason: Secured Area.

Facility 75115
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240042
Status: Unutilized
Reason: Secured Area.

Bldg. 874
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320041
Status: Unutilized
Reason: Extensive Deterioration; Secured Area.

Bldg. 1258
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199320042
Status: Unutilized
Reason: Extensive Deterioration; Secured Area.

Bldg. 134
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430014
Status: Unutilized
Reason: Secured Area.

Bldg. 640
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430015
Status: Unutilized
Reason: Secured Area.

Bldg. 703
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430016
Status: Unutilized
Reason: Within airport runway clear zone; Secured Area.

Bldg. 813
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430017
Status: Unutilized
Reason: Secured Area.

Bldg. 821
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430018
Status: Unutilized
Reason: Secured Area.

Bldg. 829
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430019
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 867
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430020
Status: Unutilized
Reasons: Secured Area.

Bldg. 884
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430021
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 886
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430022
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Bldg. 908
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199430023
Status: Unutilized
Reasons: Secured Area.

Bldg. 599
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510001
Status: Unutilized
Reasons: Secured Area.

Bldg. 600
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199510002
Status: Unutilized
Reasons: Secured Area.

Bldg. 599
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610007
Status: Unutilized
Reasons: Secured Area.

Bldg. 600
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610008
Status: Unutilized
Reasons: Secured Area.

Bldg. 995
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199610009
Status: Unutilized
Reason: Secured Area.

Bldg. 1257
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740012
Status: Unutilized
Reason: Secured Area.

Bldg. 332
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 205
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199740014
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 1089
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830009
Status: Unutilized
Reason: Secured Area.

Bldg. 2149
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 2151
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 2176
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830012
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 2178
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199830013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldgs. 9252, 9268
Kirtland Air Force Base
Albuquerque Co: Bernalillo NM 87185–
Landholding Agency: Energy
Property Number: 41199430002
Status: Unutilized
Reason: Extensive deterioration.

Tech Area II

Kirtland Air Force Base
Albuquerque Co: Bernalillo NM 87105–
Landholding Agency: Energy
Property Number: 41199630004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 1, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810001
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 2, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810002
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 24, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 26, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 86, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 88, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810006
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 89, TA–33
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810007
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 2, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810008
Status: Underutilized
Reason: Secured Area.

Bldg. 5, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810011
Status: Unutilized
Reason: Secured Area.

Bldg. 21, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810012
Status: Unutilized
Reason: Secured Area.

Bldg. 116, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810013
Status: Unutilized
Reason: Secured Area.

Bldg. 212, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810014
Status: Unutilized
Reason: Secured Area.

Bldg. 228, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810015
Status: Unutilized
Reason: Secured Area.

Bldg. 286, TA–21
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810016
Status: Unutilized
Reason: Secured Area.

Bldg. 63, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810019
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Extensive deterioration.

Bldg. 515, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810020
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 516, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810021
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deteriortion.

Bldg. 517, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deteriortion.

Bldg. 518, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deteriortion.

Bldg. 519, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810024
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deteriortion.

Bldg. 520, TA–16
Los Alamos National Laboratory
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199810025
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deteriortion.

Bldg. 18, TA–16
Los Alamos National Lab
Los Alamos NM 87545–
Landholding Agency: Energy
Property Number: 41199840001
Status: Unutilized
Reasons: Secured Area; Extensive deteriortion.

Bldg. 31
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199930003
Status: Unutilized
Reasons: Secured Area; Extensive deteriortion.

Bldg. 4, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199930004
Status: Unutilized
Reasons: Secured Area.

Bldg. 50, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199930005
Status: Unutilized
Reasons: Secured Area.

Bldg. 88, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199930006
Status: Unutilized
Reason: Secured Area.

Bldg. 89, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199930007
Status: Unutilized
Reason: Secured Area.

Bldg. 21, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–

Landholding Agency: Energy
Property Number: 41199940001
Status: Unutilized
Reason: Secured Area.

Bldg. 57, TA–2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940002
Status: Unutilized
Reason: Secured Area.

Bldg. 28, TA–8
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940003
Status: Unutilized
Reason: Secured Area.

Bldg. 38, TA–14
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 8, TA–15
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 9, TA–15
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940006
Status: Unutilized
Reason: Secured Area.

Bldg. 22, TA–15
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940007
Status: Unutilized
Reason: Secured Area.

Bldg. 141, TA–15
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940008
Status: Unutilized
Reason: Secured Area.

Bldg. 44, TA–15
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940009
Status: Unutilized
Reasons: Secured Area.

Bldg. 2, TA–18
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 5, TA–18
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940011
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 186, TA–18
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 188, TA–18
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940013
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 254, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 44, TA–36
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940015
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 45, TA–36
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940016
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 19, TA–40
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940017
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 43, TA–40
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940018
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 258, TA–46
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41199940019
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–2, Bldg. 1
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010008
Status: Unutilized
Reason: Secured Area.

TA–2, Bldg. 44
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010009
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–3, Bldg. 208
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 1
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010011
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 2
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010012
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 3
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010013
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 5
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010014
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 6
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010015
Status: Unutilized
Reason: Secured Area.

TA–6, Bldg. 7
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010016
Status: Unutilized
Reason: Secured Area.

TA–6, Bldg. 8
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010017
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

TA–6, Bldg. 9
Los Alamos National Lab
Los Alamos Co: NM 87545–

Landholding Agency: Energy
Property Number: 41200010018
Status: Unutilized
Reason: Secured Area.

TA–14, Bldg. 5
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010019
Status: Unutilized
Reason: Secured Area.

TA–21, Bldg. 150
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010020
Status: Unutilized
Reason: Secured Area.

Bldg. 149, Bldg. TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010024
Status: Unutilized
Reason: Secured Area.

Bldg. 312, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010025
Status: Unutilized
Reason: Secured Area.

Bldg. 313, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010026
Status: Unutilized
Reason: Secured Area.

Bldg. 314, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010027
Status: Unutilized
Reason: Secured Area.

Bldg. 315, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010028
Status: Unutilized
Reason: Secured Area.

Bldg. 1, TA–8
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200010029
Status: Unutilized
Reason: Secured Area.

Bldg. 2, TA–8
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020030
Status: Unutilized
Reasons: Secured Area; Extensive deterioriation.

Bldg. 3, TA–8
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020001
Status: Unutilized
Reasons: Secured Area; Extensive deterioriation.

Bldg. 51, TA–9
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020002
Status: Unutilized
Reason: Secured Area.

Bldg. 30, TA–14
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020003
Status: Unutilized
Reason: Secured Area.

Bldg. 16, TA–3
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020009
Status: Unutilized
Reason: Secured Area.

Bldg. 339, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020010
Status: Unutilized
Reason: Secured Area.

Bldg. 340, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020011
Status: Unutilized
Reason: Secured Area.

Bldg. 341, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020012
Status: Unutilized
Reason: Secured Area.

Bldg. 342, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020013
Status: Unutilized
Reason: Secured Area.

Bldg. 343, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020014
Status: Unutilized
Reason: Secured Area.

Bldg. 345, TA–16
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020015
Status: Unutilized
Reason: Secured Area.

Bldg. 16, TA–21
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020016
Status: Unutilized
Reason: Secured Area.

Bldg. 48, TA–55
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020017
Status: Unutilized
Reason: Secured Area.

Bldg. 125, TA–55
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020018
Status: Unutilized
Reason: Secured Area.

Bldg. 162, TA–55
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020019
Status: Unutilized
Reason: Secured Area.

Bldg. 22, TA–33
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020022
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 23, TA–49
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020023
Status: Unutilized
Reason: Secured Area.

Bldg. 37, TA–53
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020024
Status: Unutilized
Reason: Secured Area.

Bldg. 121, TA–49
Los Alamos National Lab
Los Alamos Co: NM 87545–
Landholding Agency: Energy
Property Number: 41200020025
Status: Unutilized
Reason: Secured Area.

New York

Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303–5000
Landholding Agency: Air Force
Property Number: 18199010075
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 272
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140022
Status: Excess
Reason: Secured Area.

Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199140023
Status: Excess
Reason: Secured Area.

Facility 814, Griffiss AFB
NE of Weapons Storage Area

Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230001
Status: Excess
Reasons: Within airport runway clear zone; Secured Area.

Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230002
Status: Excess
Reasons: Within airport runway clear zone; Secured Area.

Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 18199230003
Status: Excess
Reasons: Within airport runway clear zone; Secured Area.

Facility 126
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240020
Status: Unutilized
Reason: Secured Area.

Facility 127
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240021
Status: Unutilized
Reason: Secured Area.

Facility 135
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240022
Status: Unutilized
Reason: Secured Area.

Facility 137
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240023
Status: Unutilized
Reason: Secured Area.

Facility 138
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240024
Status: Unutilized
Reason: Secured Area.

Facility 173
Griffiss Air Force Base
Selfridge Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240025
Status: Unutilized
Reason: Secured Area.

Facility 261
Griffiss Air Force Base
McDill Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240026
Status: Unutilized
Reason: Secured Area.

Facility 308
Griffiss Air Force Base
205 Chanute Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240027
Status: Unutilized
Reason: Secured Area.

Facility 1200
Griffiss Air Force Base
Donaldson Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199240028
Status: Unutilized
Reason: Secured Area.

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 18199330097
Status: Unutilized
Reason: Secured Area.

Bldg. 740
Niagara Falls Air Force Reserve
Niagara Falls Co: Niagara NY 14304–5001
Landholding Agency: Air Force
Property Number: 18199720026
Status: Unutilized
Reasons: Within airport runway clear zone; Floodway; Secured Area.

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199730006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 604
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 606
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810017
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 615
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810018
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 629
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810019
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 630
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810020
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 635
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810021
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 640
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810022
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 733
Hancock Field
Syracuse Co: Onondaga NY 13211–
Landholding Agency: Air Force
Property Number: 18199810023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 514
Niagara Falls ARS
Niagara Falls Co: Niagara NY 14304–4001
Landholding Agency: Air Force
Property Number: 18199810024
Status: Unutilized
Reasons: Floodway; Secured Area; Extensive deterioration.

Bldg. 614
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830014
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 722
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830015
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 750
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830016
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Bldg. 751
Niagara Falls AFR
Niagara Falls Co: Niagara NY 14305–5001
Landholding Agency: Air Force
Property Number: 18199830017
Status: Unutilized

Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Facility 1200
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920011
Status: Unutilized
Reason: No public access.

Facility 1202
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920012
Status: Unutilized
Reason: No public access.

Facility 1203
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920013
Status: Unutilized
Reason: No public access.

Facility 1204
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920014
Status: Unutilized
Reason: No public access.

Facility 1205
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920015
Status: Unutilized
Reason: No public access.

Facility 1206
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920016
Status: Unutilized
Reason: No public access.

Facility 1207
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920017
Status: Unutilized
Reason: No public access.

Facility 1208
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920018
Status: Unutilized
Reason: No public access.

Facility 1209
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920019
Status: Unutilized
Reason: No public access.

Facility 1210
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920020
Status: Unutilized
Reason: No public access.

Facility 1259
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920021
Status: Unutilized
Reason: No public access.

Facility 1260
Verona Test Annex
Town of Verona Co: Oneida NY 13478–
Landholding Agency: Air Force
Property Number: 18199920022
Status: Unutilized
Reason: No public access.

Warehouse
Whitney Lake Project
Whitney Point Co: Broome NY 13862–0706
Landholding Agency: COE
Property Number: 31199630007
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 577
Brookhaven National Lab
Upton Co: Suffolk NY 11973–
Landholding Agency: Energy
Property Number: 41199940022
Status: Excess
Reason: Extensive deterioration.

Bldg. AT–1
Knolls Atomic Power Lab
Niskayuna Co: Schenectady NY 12301–
Landholding Agency: Energy
Property Number: 41200010022
Status: Excess
Reason: Secured Area.

Bldg. AT–1
Knolls Atomic Power Lab
Niskayuna Co: Schenectady NY 12301–
Landholding Agency: Energy
Property Number: 41200020020
Status: Unutilized
Reason: Secured Area.

Former Baker Property
Tract 270–19
Beekman Co: Dutchess NY 12570–
Landholding Agency: Interior
Property Number: 61200020011
Status: Unutilized
Reason: Extensive deterioration.

(F) Depot Hill Property
Tract 270–07
Beekman Co: Dutchess NY 12564–
Landholding Agency: Interior
Property Number: 61200020012
Status: Unutilized
Reason: Extensive deterioration.

(F) Yegella Property
Tract #268–33
Pawling Co: Dutchess NY 12564–
Landholding Number: 61200020013
Status: Unutilized
Reason: Extensive deterioration.

2 Buildings
Ant Saugerties
Saugerties Co: Ulster NY 12477–
Landholding Agency: DOT
Property Number: 87199230005
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 606, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 87199240020
Status: Unutilized
Reason: Secured Area.

Bldg. 607, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 87199240021
Status: Unutilized
Reasons: Extensive deterioration; Secured Area.

Bldg. 605, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 87199240022
Status: Unutilized
Reasons: Extensive deterioration; Secured Area.

Eatons Neck Station
U.S. Coast Guard
Huntington Co: Suffolk NY 11743–
Landholding Agency: DOT
Property Number: 87199310003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 517, USCG Support Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 87199320025
Status: Unutilized
Reason: Secured Area.

Bldg. 138
U.S. Coast Guard Support
Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 87199410003
Status: Unutilized
Reason: Secured Area.

Bldg. 830
U.S. Coast Guard
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 87199420004
Status: Unutilized
Reason: Secured Area.

Bldg. 8
Rosebank—Coast Guard
Housing
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 87199530009
Status: Unutilized
Reason: Secured Area.

Bldg. 7
Rosebank—Coast Guard
Housing
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 87199530010
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 222
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT
Property Number: 87199620003
Status: Unutilized
Reason: Secured Area.

Bldg. 223
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT
Property Number: 87199620004
Status: Unutilized
Reason: Secured Area.

Bldg. 205
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT
Property Number: 87199620005
Status: Unutilized
Reason: Secured Area.

Bldg. 9
U.S. Coast Guard—Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 87199630027
Status: Excess
Reason: Secured Area.

Bldg. 10
U.S. Coast Guard—Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 87199630028
Status: Excess
Reason: Secured Area.

Bldg. 206, Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 87199630029
Status: Excess
Reason: Secured Area.

Cottage
Coast Guard Station
Wellesley Island Co: Jefferson NY 13640–
Landholding Agency: DOT
Property Number: 87199940001
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

North Carolina

Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531–5005
Landholding Agency: Air Force
Property Number: 18199120233
Status: Underutilized
Reason: Secured Area.

Bldg. 607, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 18199330041
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 910, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420022
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 912, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420023
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 914, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 18199420024
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 633, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–
Landholding Agency: Air Force
Property Number: 18199540019
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Group Cape Hatteras
Boiler Plant
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 87199240018
Status: Unutilized
Reason: Secured Area.

Group Cape Hatteras
Bowling Alley
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 87199240019
Status: Unutilized
Reason: Secured Area.

Bldg. 54
Group Cape Hatteras
Boiler Plant
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 87199340004
Status: Unutilized
Reason: Secured Area.

Bldg. 83
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 87199340005
Status: Unutilized
Reason: Secured Area.

Water Tanks
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 87199340006
Status: Unutilized
Reason: Secured Area.

USCG Gentian (WLB 290)
Fort Macon State Park
Atlantic Beach Co: Carteret NC 27601–
Landholding Agency: DOT
Property Number: 87199420007
Status: Excess
Reason: Secured Area.

Unit #71
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530011
Status: Unutilized
Reason: Floodway.

Unit #72
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530012
Status: Unutilized
Reason: Floodway.

Unit #73
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530013
Status: Unutilized
Reason: Floodway.

Unit #74
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530014
Status: Unutilized
Reason: Floodway.

Unit #75
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530015
Status: Unutilized
Reason: Floodway.

Unit #63
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530016
Status: Unutilized
Reason: Floodway.

Unit #64
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530017
Status: Unutilized
Reason: Floodway.

Unit #76
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530018
Status: Unutilized
Reason: Floodway.

Unit #68
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530019
Status: Unutilized
Reason: Floodway.

Unit #69
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530020
Status: Unutilized
Reason: Floodway.

Unit #70
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530021
Status: Unutilized
Reason: Floodway.

Unit #77
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530022
Status: Unutilized
Reason: Floodway.

Unit #78
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 87199530023
Status: Unutilized
Reason: Floodway.

Bldg. 53
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 87199630022
Status: Unutilized
Reason: Secured Area.

Quarters 1

USCG Station
Hobucken Co: Pamlico NC 28537–
Landholding Agency: DOT
Property Number: 87199940003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 9
VA Medical Center
1100 Tunnel Road
Asheville Co: Buncombe NC 28805–
Landholding Agency: VA
Property Number: 97199010008
Status: Unutilized
Reason: Extensive deterioration.

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199010724
Status: Underutilized
Reason: Secured Area.

Bldg. 50
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 18199310107
Status: Excess
Reason: Garbage incinerator.

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320034
Status: Unutilized
Reason: Secured Area.

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320038
Status: Unutilized
Reason: Secured Area.

Bldg. 895
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 18199320039
Status: Unutilized
Reason: Secured Area.

Ohio

14 Bldgs.
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Location: 6036, 38, 42, 44, 45, 49, 54, 64, 65, 69, 75
Landholding Agency: Air Force
Property Number: 18199820030
Status: Unutilized
Reason: Within airport runway clear zone.

Bldg. 6104, 08, 09
Area B, Wright-Patterson AFB
Co: Montgomery OH 45433–
Landholding Agency: Air Force
Property Number: 18199820044
Status: Unutilized
Reason: Within airport runway clear zone.

Bldg. 522
Youngstown Air Reserve
Vienna Co: Trumbull OH 44473–0910
Landholding Agency: Air Force
Property Number: 18200010007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area; Extensive deterioration.

Lab
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227–4217
Landholding Agency: COE
Property Number: 31199510002
Status: Unutilized
Reason: Secured Area.

Storage Facility
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227–4217
Landholding Agency: COE
Property Number: 31199510003
Status: Unutilized
Reason: Secured Area.

Office Building
Ohio River Division Laboratories
Mariemont Co: Hamilton OH 15227–4217
Landholding Agency: COE
Property Number: 31199510004
Status: Unutilized
Reason: Secured Area.

Bldg. 77
Fernald Environmental Management Project
Fernald Co: Hamilton OH 45013–
Landholding Agency: Energy
Property Number: 41199840003
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 82A
Fernald Environmental Management Project
Fernald Co: Hamilton OH 45013–
Landholding Agency: Energy
Property Number: 41199910018
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 16
RMI Environmental Services
Ashtabula Co: OH 44004–
Landholding Agency: Energy
Property Number: 41199930016
Status: Unutilized
Reason: Secured Area.

Bldg. 22B
Fernald Environmental Management Project
Hamilton Co: OH 45013–9402
Landholding Agency: Energy
Property Number: 41200020026
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 28A
Fernald Environmental Management Project
Hamilton Co: OH 45013–9402
Landholding Agency: Energy
Property Number: 41200020027
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 28B
Fernald Environmental Management Project
Hamilton Co: OH 45013–9402
Landholding Agency: Energy
Property Number: 41200020028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 116
VA Medical Center
Dayton Co: Montgomery OH 45428–
Landholding Agency: VA
Property Number: 97199920002
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 217
VA Medical Center
Dayton Co: Montgomery OH 45428–
Landholding Agency: VA
Property Number: 97199920003
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 402
VA Medical Center
Dayton Co: Montgomery OH 45428–
Landholding Agency: VA
Property Number: 97199920004
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 105
VA Medical Center
Dayton Co: Montgomery OH 45428–
Landholding Agency: VA
Property Number: 97199920005
Status: Unutilized
Reason: Extensive deterioration.

Oklahoma

Bldg. 010
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area.

Bldg. 305
Tulsa IAP Base
Tulsa OK 74115–1699
Landholding Agency: Air Force
Property Number: 18199820032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material Secured Area.

Bldgs. 4a, 4b, 6, 8, 9, 11, 12
NIPER
Bartlesville Co: Washington OK 74003–
Landholding Agency: Energy
Property Number: 41199720003
Status: Unutilized
Reason: Extensive deterioration.

Oregon

Bldg. 8
USCG Tongue Point Moorings
Astoria Co: OR 97103–2099
Landholding Agency: DOT
Property Number: 87199910001
Status: Unutilized
Reason: Extensive deterioration.

Duplex
Cape Blanco
Sixes Co: Curry OR 97465–
Landholding Agency: DOT
Property Number: 87199940002
Status: Unutilized
Reason: Extensive deterioration.

Pennsylvania

Z–Bldg.
Bettis Atomic Power Lab
West Mifflin Co: Allegheny PA 15122–0109
Landholding Agency: Energy
Property Number: 41199720002
Status: Excess

Reason: Extensive deterioration.

Tract 105–03
Beach Lake Co: Wayne PA 18405–9737
Landholding Agency: Interior
Property Number: 61200020020
Status: Excess
Reason: Extensive deterioration.

Mueller, Louis House
Rt. 209
Dingman's Ferry Co: Pike PA 18328–
Landholding Agency: Interior
Property Number: 61200020023
Status: Unutilized
Reason: Extensive deterioration.

Vanaria, Edward Garage
Rt. 209
Dingman's Ferry Co: Pike PA 18328–
Landholding Agency: Interior
Property Number: 61200020024
Status: Unutilized
Reason: Extensive deterioration.

Foster, Dorothy House
Freeman Tract Rd.
Bushkill Co: Monroe PA 18324–
Landholding Agency: Interior
Property Number: 61200020025
Status: Unutilized
Reason: Extensive deterioration.

Span, Irene House
Freeman Tract Rd.
Bushkill Co: Monroe PA 18324–
Landholding Agency: Interior
Property Number: 61200020026
Status: Unutilized
Reason: Extensive deterioration.

NAFA Warehouse
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 87199310011
Status: Unutilized
Reason: Secured Area.

Storage Equipment Bldg.
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 87199310001
Status: Unutilized
Reason: Secured Area.

Bldg. 115
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510001
Status: Unutilized
Reason: Secured Area.

Bldg. 117
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510002
Status: Unutilized
Reason: Secured Area.

Bldg. 118
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510003
Status: Unutilized
Reason: Secured Area.

Bldg. 119
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510004
Status: Unutilized
Reason: Secured Area.

Bldg. 120
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510005
Status: Unutilized
Reason: Secured Area.

Bldg. 122
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510006
Status: Unutilized
Reason: Secured Area.

Bldg. 128
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510007
Status: Unutilized
Reason: Secured Area.

Bldg. 129
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 87199510008
Status: Unutilized
Reason: Secured Area.

Rhode Island

Station Point Judith Pier
Narranganset Co: Washington RI 02882–
Landholding Agency: DOT
Property Number: 87199310002
Status: Unutilized
Reason: Extensive deterioration.

South Carolina

Bldg. 2012
Naval Weapons Station
Charleston
Goose Creek Co: Berkeley SC 29445–
Landholding Agency: Navy
Property Number: 77200030057
Status: Excess
Reason: Extensive deterioration.

South Dakota

Bldg. 200, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320048
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 201, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320049
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 203, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320050
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 204, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320051
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 205, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320052
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 206, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199320053
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 88470
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199340033
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199340037
Status: Unutilized
Reason: Secured Area.

Bldg. 111
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199730007
Status: Unutilized
Reason: Secured Area.

Bldg. 7530
Ellsworth AFB
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199810025
Status: Unutilized
Reason: Secured Area.

Bldg. 7504
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820034
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 4001
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820035
Status: Unutilized
Reason: Secured Area.

Bldg. 7239
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820036
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 1102
Ellsworth AFB

Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820037
Status: Unutilized
Reason: Secured Area.

Bldg. 88307
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820038
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 88320
Ellsworth AFB
Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 18199820039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 608
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920023
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Within airport runway clear zone; Secured Area.

Bldg. 3501
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920024
Status: Unutilized
Reason: Secured Area.

5 Bldgs.
Ellsworth Air Force Base
6926, 6928, 6929, 6930, 6931
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920025
Status: Unutilized
Reason: Secured Area.

Bldg. 8001
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199920026
Status: Unutilized
Reason: Secured Area.

Bldg. 609
Ellsworth AFB
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199930012
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 7911
Ellsworth AFB
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 18199930013
Status: Unutilized
Reason: Secured Area.

Mobile Home
Tract L–1295
Oahe Dam
Potter Co: SD 00000–
Landholding Agency: COE
Property Number: 31200030001
Status: Excess
Reason: Extensive deterioration.

Tennessee

Bldg. 204
Cordell Hull Lake and Dam Project
Defeated Creek Recreation Area
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011499
Status: Unutilized
Reason: Floodway.

Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 135
Landholding Agency: COE
Property Number: 31199011503
Status: Underutilized
Reason: Floodway.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Obey River Park, State Hwy 42
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140011
Status: Excess
Reason: Water treatment plant.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Lillydale Recreation Area, State Hwy 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140012
Status: Excess
Reason: Water treatment plant.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Willow Grove Recreational Area, Hwy No. 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 31199140013
Status: Excess
Reason: Water treatment plant.

Caretakers Facilities
Lock 7
Old Hickory Lock & Dam
Carthage Co: Smith TN 37030–
Landholding Agency: COE
Property Number: 31200010002
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 3004
Oak Ridge National Lab
Oak Ridge Co: Roane TN 37831–
Landholding Agency: Energy
Property Number: 41199710002
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 3004
Oak Ridge National Lab
Oak Ridge Co: Roane TN 37831–
Landholding Agency: Energy
Property Number: 41199720001
Status: Excess
Reason: Extensive deterioration.

Bldgs. 9714–3, 9714–4, 9983–AY
Y–12 Pistol Range
Oak Ridge Co: Anderson TN 37831–
Landholding Agency: Energy
Property Number: 41199720004
Status: Unutilized
Reason: Secured Area.

5 Bldgs.
K–724, K–725, K–1031, K–1131, K–1410
East Tennessee Technology Park
Oak Ridge Co: Roane TN 37831–
Landholding Agency: Energy
Property Number: 41199730001
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 9418–1
Y–12 Plant
Oak Ridge Co: Anderson TN 37831–
Landholding Agency: Energy
Property Number: 41199810026
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 9825
Y–12 Plant
Oak Ridge Co: Anderson TN 37831–
Landholding Agency: Energy
Property Number: 41199810027
Status: Unutilized
Reason: Secured Area.

Bldg. 3026
Oak Ridge Natl Lab
Oak Ridge Co: Roane TN 37831–
Landholding Agency: Energy
Property Number: 41199830001
Status: Excess
Reasons: Secured Area; Extensive deterioration.

Bldg. 3505
Oak Ridge National Lab
Oak Ridge Co: Roane TN 37831–
Landholding Agency: Energy
Property Number: 41199940020
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
E. Tennessee Tech Park
Oak Ridge Co: Roane TN 37831–
Location: K–1001, K–1301, K–1302, K–1303, K–1404, K–1405–6, K–1407, K–1408A, K–1413
Landholding Agency: Energy
Property Number: 41200010023
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Elkmont Maint/Ofc Bldg
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940011
Status: Unutilized
Reason: Extensive deterioration.

Guest House 9A
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940012
Status: Unutilized
Reason: Extensive deterioration.

Cabin 9B
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940013
Status: Unutilized
Reason: Extensive deterioration.

Cabin 12, Sneed's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940014
Status: Unutilized
Reason: Extensive deterioration.

Cabin 14, Jamerson's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940015
Status: Unutilized
Reason: Extensive deterioration.

Cabin 16, Burdette's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940016
Status: Unutilized
Reason: Extensive deterioration.

Cabin 17, Bagley's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940017
Status: Unutilized
Reason: Extensive deterioration.

Cabin 20, Andrews
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940018
Status: Unutilized
Reason: Extensive deterioration.

Cabin 25, Franklins
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940019
Status: Unutilized
Reason: Extensive deterioration.

Cabin 26, Hutchins
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940020
Status: Unutilized
Reason: Extensive deterioration.

Cabin 43, Brandau's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940021
Status: Unutilized
Reason: Extensive deterioration.

Cabin 44, Parrott's
Great Smoky Mtns Natl Park
N. District
Gatlinburg Co: Sevier TN 37738–
Landholding Agency: Interior
Property Number: 61199940022
Status: Unutilized
Reason: Extensive deterioration.

Texas

Log Cabin
Saratoga Unit
Hwy 770
Saratoga Co: Hardin TX 77585–
Landholding Agency: Interior
Property Number: 61199940023
Status: Unutilized
Reason: Extensive deterioration.

Old Exchange Bldg.
U.S. Coast Guard
Galveston Co: Galveston TX 77553–3001
Landholding Agency: DOT
Property Number: 87199310012
Status: Unutilized
Reason: Secured Area.

WPB Building
Station Port Isabel
Coast Guard Station
South Padre Island Co: Cameron TX 78597–6497
Landholding Agency: DOT
Property Number: 87199530002
Status: Unutilized
Reason: Floodway.

Aton Shops Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530003
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

WPB Storage Shed
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530004
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Flammable Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530005
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Battery Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530006
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Boat House
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530007
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Small Boat Pier
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 87199530008
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 108
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 87199630008
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056–
Landholding Agency: Air Force
Property Number: 18199040859
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area.

Vermont

Facility 100
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18199730008
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Facility 110
Burlington IAP
Burlington Co: Chittenden VT 05403–5872
Landholding Agency: Air Force
Property Number: 18200030016
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Depot Street
Downtown at the Waterfront
Burlington Co: Chittenden VT 05401–5226
Landholding Agency: DOT
Property Number: 87199220003
Status: Excess
Reason: Floodway.

Virginia

Bldg. 417
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710003
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 418
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 18199710004
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 052 & Tennis Court
USCG Reserve Training Center
Yorktown Co: York VA 23690–
Landholding Agency: DOT
Property Number: 87199230004
Status: Excess
Reason: Secured Area.

Admin. Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–5100
Landholding Agency: DOT
Property Number: 87199240014
Status: Unutilized
Reason: Secured Area.

Little Creek Station
Navamphib Base, West Annex, U.S. Coast Guard
Norfolk Co: Princess Anne VA 23520–
Landholding Agency: DOT
Property Number: 87199310004
Status: Unutilized
Reason: Secured Area.

Operations Bldg.
U.S. Coast Guard Group
Hampton Roads
Portsmouth VA 23703–
Landholding Agency: DOT
Property Number: 87199710003
Status: Unutilized
Reason: Secured Area.

Washington

Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204–
Landholding Agency: Air Force
Property Number: 18199210004
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310058
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199310065
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material; Secured Area.

Bldg. 1, Waste Annex
West of Craig Road
Co: Spokane WA 99022–
Landholding Agency: Air Force
Property Number: 18199320043
Status: Unutilized
Reason: Secured Area.

Cox House & Shed
Tracts 16–114, 16–115
Port Angeles Co: Clallam WA 98362–
Landholding Agency: Interior
Property Number: 61200030001
Status: Unutilized
Reason: Extensive deterioration.

Schott House
Tract 07–106
Port Angeles Co: Clallam WA 98362–
Landholding Agency: Interior
Property Number: 61200030002
Status: Unutilized
Reason: Extensive deterioration.

Pistol Range Bldg.
USCG Port Angeles
Port Angeles Co: Clallam WA 98362–0159
Landholding Agency: DOT
Property Number: 87199630030
Status: Unutilized
Reasons: Within airport runway clear zone; Secured Area; Extensive deterioration.

Floating Boathouse
Bellingham Co: Whatcom WA 98225–
Landholding Agency: DOT
Property Number: 87199820001
Status: Excess
Reason: Inaccessible.

Quarters 8, 10, 12, 14
USCG Station Cape Disappointment
Ilwaco Co: Pacific WA 98624–
Landholding Agency: DOT
Property Number: 87199930001
Status: Unutilized
Reason: Extensive deterioration.

West Virginia

Thomas House, Trace 173–20
New River Gorge National River
Glen Jean Co: Fayette WV 25846–
Landholding Agency: Interior
Property Number: 61199910009
Status: Excess
Reason: Extensive deterioration.

Cole House, Tract 153–07
New River Gorge National River
Fayetteville Co: Fayette WV 25840–
Landholding Agency: Interior
Property Number: 61199910010
Status: Excess
Reason: Extensive deterioration.

Vento House, Tract 173–17
New River Gorge National River
Glen Jean Co: Fayette WV 25846–
Landholding Agency: Interior
Property Number: 61199910011
Status: Excess
Reason: Extensive deterioration.

Wisconsin

Bldg. 1
Fountain City Service Base
Fountain City Co: Buffalo WI 54629–0397
Landholding Agency: COE
Property Number: 31200030002
Status: Unutilized
Reason: Extensive deterioration.

Bldg. 2
Fountain City Service Base
Fountain City Co: Buffalo WI 54629–0397
Landholding Agency: COE
Property Number: 31200030003
Status: Unutilized
Reason: Extensive deterioration.

Rawley Point Light
Two Rivers Co: Maintowoc WI
Landholding Agency: DOT
Property Number: 87199540004
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Wyoming

Bldg. 31
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010198
Status: Unutilized
Reason: Secured Area.

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010201
Status: Unutilized
Reason: Secured Area.

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 18199010202
Status: Unutilized
Reason: Secured Area.

Bldgs. 2565–2571
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720001
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

Bldgs. 2564, 2572
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720002
Status: Unutilized
Reason: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
2982–2986, 2989, 2991, 2994–2995
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720003
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

6 Bldgs.
F.E. Warren AFB
2768, 2772, 2773, 2993, 2980, 2988
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720004
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

8 Bldgs.
F.E. Warren AFB
2784, 2762–2764, 2769, 2775, 2777, 2981
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720005
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

8 Bldgs.
F.E. Warren AFB
2785–2786, 2770–2771, 2774, 2776, 2990, 2992
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199720006
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldgs. 2460–2468
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199830018
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2469, 2470, 2508–2511, 2520, 2523, 2528
Landholding Agency: Air Force
Property Number: 18199830019
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2471–2472, 2502, 2504–2507, 2544
Landholding Agency: Air Force
Property Number: 18199830020
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

8 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2473, 2500, 2503, 2547, 2557, 2601, 2613, 2625
Landholding Agency: Air Force
Property Number: 18199830021
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2512, 2514–2517, 2418, 2519, 2524, 2525
Landholding Agency: Air Force
Property Number: 18199830022
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2513, 2530, 2537, 2606, 2626, 2700, 2707, 2720, 2750
Landholding Agency: Air Force
Property Number: 18199830023
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2526, 2527, 2532–2534, 2439, 2608, 2610, 2612
Landholding Agency: Air Force
Property Number: 18199830024
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2529, 2531, 2535–2536, 2538, 2540–2543
Landholding Agency: Air Force
Property Number: 18199830025
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2545, 2546, 2548–2554
Landholding Agency: Air Force
Property Number: 18199830026
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2555, 2556, 2558, 2559, 2603, 2605, 2607, 2609, 2611
Landholding Agency: Air Force
Property Number: 18199830027
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2560, 2561, 2600, 2602, 2604, 2701, 2702, 2704, 2705
Landholding Agency: Air Force
Property Number: 18199830028
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2614, 2616, 2618, 2620, 2622, 2624, 2714, 2718, 2722
Landholding Agency: Air Force
Property Number: 18199830029
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

6 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2615, 2617, 2619, 2621, 2623, 2627
Landholding Agency: Air Force
Property Number: 18199830030
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2706, 2708–2713, 2715, 2716
Landholding Agency: Air Force
Property Number: 18199830031
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

9 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2717, 2719, 2721, 2727, 2728, 2751, 2753, 2757, 2759
Landholding Agency: Air Force
Property Number: 18199830032
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

10 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2723–2726, 2752, 2754–2756, 2758, 2703
Landholding Agency: Air Force
Property Number: 18199830033
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

4 Bldgs.
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Location: 2739, 2740, 2760, 2761
Landholding Agency: Air Force
Property Number: 18199830034
Status: Unutilized
Reasons: Secured Area; Extensive deterioration.

Bldg. 919
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 18199930015
Status: Unutilized
Reasons: Secured Area.

Bldg. 95
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199110004
Status: Unutilized
Reasons: Sewage digester for disposal plant.

Bldg. 96
Medical Center
N.W. of town at end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199110005
Status: Unutilized
Reasons: Pump house for sewage disposal plant.

Structure 99
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199110006
Status: Unutilized
Reasons: Mechanical screen for sewage disposal plant.

Structure 100
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199110007
Status: Unutilized
Reason: Dosing tank for sewage disposal plant.

Structure 101
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199110008
Status: Unutilized
Reasons: Chlorination chamber for sewage disposal.

Bldg. 97, Medical Center
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199410011
Status: Unutilized
Reason: Sewage disposal plant.

Structure 98, Medical Center
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199410012
Status: Unutilized
Reason: Sludge bed/sewage disposal plant.

Bldg. 80
Medical Center
Sheridan WY 82801–
Landholding Agency: VA
Property Number: 97199840001
Status: Unutilized
Reasons: Floodway; Extensive deterioration.

Alaska

Campion Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010430
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Isolated and remote area; Arctic environ.

Lake Louise Recreation
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010431

Status: Unutilized
Reasons: Isolated area; Not accessible by road; Isolated and remote area; Arctic coast.

Nikolski Radio Relay Site
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 18199010432
Status: Unutilized
Reasons: Isolated area; Not accessible by road; Isolated and remote area; Arctic coast.

Russian Creek Aggregate Site
USCG Support Center Kodiak
Kodiak Co: Kodiak AK 99619–
Landholding Agency: DOT
Property Number: 87199440025
Status: Excess
Reason: Floodway.

Sargent Creek Aggregate Site
USCG Support Center Kodiak
Kodiak Co: Kodiak AK 99619–
Landholding Agency: DOT
Property Number: 87199440026
Status: Excess
Reason: Floodway.

Land—Sanak Island
106+acres
Sanak Island Co: Sanak Harbor AK
Landholding Agency: DOT
Property Number: 87199640003
Status: Unutilized
Reason: Inaccessible.

Arizona

Lamoreaux Property
Case #99–030
Gilbert Co: Maricopa AZ 85296–
Landholding Agency: Interior
Property Number: 61200010013
Status: Unutilized
Reason: No public access.

Parcel SG–1–96, SG–1–138
T1N, R7E, Secs 22 & 23
Mesa Co: Maricopa AZ 85027
Landholding Agency: Interior
Property Number: 61200010014
Status: Unutilized
Reason: No public access.

58 acres
VA Medical Center
500 Highway 89 North
Prescott Co: Yavapai AZ 86313–
Landholding Agency: VA
Property Number: 97190630001
Status: Unutilized
Reason: Floodway.

20 acres
VA Medical Center
500 Highway 89 North
Prescott Co: Yavapai AZ 86313–
Landholding Agency: VA
Property Number: 97190630002
Status: Underutilized
Reason: Floodway.

Land
MacDill Air Force Base
6601 S. Manhattan Avenue
Tampa Co: Hillsborough FL 33608–
Landholding Agency: Air Force
Property Number: 18199030003
Status: Excess
Reason: Floodway.

Land—approx. 220 acres
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 87199440018
Status: Underutilized
Reasons: Floodway; Secured Area.

Wildlife Sanctuary, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 9719923004
Status: Underutilized
Reason: Inaccessible.

Kentucky

Tract 4626
Barkley Lake, Kentucky and Tennessee
Donaldson Creek Launching Area
Cadiz Co: Trigg KY 42211–
Location: 14 miles from US Highway 68
Landholding Agency: COE
Property Number: 31199010030
Status: Underutilized
Reason: Floodway.

Tract AA–2747
Wolf Creek Dam and Lake Cumberland
US HWY. 27 to Blue John Road
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010038
Status: Underutilized
Reason: Floodway.

Tract AA–2726
Wolf Creek Dam and Lake Cumberland
KY HWY. 80 to Route 769
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 31199010039
Status: Underutilized
Reason: Floodway.

Tract 1358
Barkley Lake, Kentucky and Tennessee
Eddyville Recreation Area
Eddyville Co: Lyon KY 42038–
Location: US Highway 62 to state highway 93
Landholding Agency: COE
Property Number: 31199010043
Status: Excess
Reason: Floodway.

Red River Lake Project
Stanton Co: Powell KY 40380–
Location: Exit Mr. Parkway at the Stanton and Slade Interchange, then take SR Hand 15 north to SR 613
Landholding Agency: COE
Property Number: 31199011684
Status: Unutilized
Reason: Floodway.

Barren River Lock & Dam No. 1
Richardsville Co: Warren KY 42270–
Landholding Agency: COE
Property Number: 31199120008
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy. 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 31199120009
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 4
Woodbury Co: Butler KY 42288–
Location: Off State Hwy. 403, which is off State Hwy 231
Landholding Agency: COE
Property Number: 31199120014
Status: Underutilized
Reason: Floodway.

Green River Lock & Dam No. 5
Readville Co: Butler KY 42275–
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 31199120015
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 6
Brownsville Co: Edmonson KY 42210–
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 31199120016
Status: Underutilized
Reason: Floodway.

Vacant land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural Co: Greenup KY 41144–
Landholding Agency: COE
Property Number: 31199120017
Status: Unutilized
Reason: Floodway.

Tract 6404, Cave Run Lake
U.S. Hwy 460
Index Co: Morgan KY
Landholding Agency: COE
Property Number: 31199240005
Status: Underutilized
Reason: Floodway.

Tract 6803, Cave Run Lake
State Road 1161
Pomp Co: Morgan KY
Landholding Agency: COE
Property Number: 31199240006
Status: Underutilized
Reason: Floodway.

8.04 acres
Taylorsville Lake Project
Taylorsville Co: Spenser KY 40071–9801
Landholding Agency: COE
Property Number: 3119840003
Status: Unutilized
Reason: Inaccessible.

Patriot Boat Ramp
Land
Wade & Goose Creeks
Patriot Co: Boone KY 00000–
Landholding Agency: COE
Property Number: 31200010003
Status: Unutilized
Reason: Floodway.

Maryland

Land
Brandywine Storage Annex
1776 ABW/DE Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 18199010263
Status: Unutilized
Reason: Secured Area.

Tract 131R
Youghiogheny River Lake, Rt. 2, Box 100
Friendsville Co: Garrett MD
Landholding Agency: COE
Property Number: 31199240007
Status: Underutilized
Reason: Floodway.

Michigan

Middle Marker Facility
Yipsilanti Co: Washtenaw MI 48198–
Location: 549 ft. north of intersection of Coolidge and Bradley Ave. on East side of street
Landholding Agency: DOT
Property Number: 87199120006
Status: Unutilized
Reason: Within airport runway clear zone.

Minnesota

Parcel G
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake between highways 6 and 371.
Landholding Agency: COE
Property Number: 31199011037
Status: Excess
Reason: Highway right of way.

VAMC
VA Medical Center
4801 8th Street No.
St. Cloud Co: Sterns MN 56303–
Landholding Agency: VA
Property Number: 97199010049
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material.

3.85 acres (Area #2)
VA Medical Center
4801 8th Street
St. Cloud Co: Stearns MN 56303–
Landholding Agency: VA
Property Number: 97199740004
Status: Unutilized
Reason: Landlocked.

7.48 acres (Area #1)
VA Medical Center
4801 8th Street
St. Cloud Co: Stearns MN 56303–
Landholding Agency: VA
Property Number: 97199740005
Status: Underutilized
Reason: Secured Area.

Mississippi

Parcel 1
Grenada Lake
Section 20
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 31199011018
Status: Underutilized
Reason: Within airport runway clear zone.

Missouri

Ditch 19, Item 2, Track No. 230
St. Francis Basin Project
2½ miles west of Malden
Co: Dunklin MO
Landholding Agency: COE
Property Number: 31199130001
Status: Unutilized
Reason: Floodway.

New Mexico

Facility 75100
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 18199240043
Status: Unutilized
Reason: Secured Area.

New York

Tract 1
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 97199010011
Status: Unutilized
Reason: Secured Area.

Tract 2
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 97199010012
Status: Underutilized
Reason: Secured Area.

Tract 3
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 9719010013
Status: Underutilized
Reason: Secured Area.

Tract 4
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exist 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 97199010014
Status: Unutilized
Reason: Secured Area.

North Carolina

0.52 acres
Summerall TACAN Annex
Seymour Johnson AFB
Wayne Co: NC 27530–
Landholding Agency: Air Force
Property Number: 18200020008
Status: Unutilized
Reason: Within airport runway clear zone.

North Dakota

0.23 acres
Minot Middle Marker Annex
Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 18199810001
Status: Unutilized
Reason: Within airport runway clear zone.

Ohio

Mosquito Creek Lake
Everett Hull Road Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440007
Status: Underutilized
Reason: Floodway.

Mosquito Creek Lake
Housel—Craft Rd., Boat Launch
Cortland Co: Trumbull OH 44410–9321
Landholding Agency: COE
Property Number: 31199440008
Status: Underutilized
Reason: Floodway.

36 Site Campground
German Church Campground
Berlin Center Co: Portage OH 44401–9707
Landholding Agency: COE
Property Number: 31199810001
Status: Unutilized
Reason: Floodway.

Pennsylvania

Lock and Dam #7
Monongahela River
Greensboro Co: Greene PA
Location: Left hand side of entrance roadway to project.
Landholding Agency: COE
Property Number: 31199011564
Status: Underutilized
Reason: Floodway.

Mercer Recreation Area
Shenango Lake
Transfer Co: Mercer PA 16154–
Landholding Agency: COE
Property Number: 31199810002
Status: Unutilized
Reason: Floodway.

Tract No. B–212C
Upstream from Gen. Jadwin Dam & Reservoir
Honesdale Co: Wayne PA 18431–
Landholding Agency: COE
Property Number: 31200020005
Status: Unutilized
Reason: Floodway.

Puerto Rico

119.3 acres
Culebra Island PR 00775–
Landholding Agency: Interior
Property Number: 61199210001
Status: Excess
Reason: Floodway.

South Dakota

Badlands Bomb Range
60 miles southeast of Rapid City, SD
1½ miles south of Highway 44
Co: Shannon SD
Landholding Agency: Air Force
Property Number: 18199210003
Status: Unutilized
Reason: Secured Area.

Tennessee

Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson TN 38562–
Location: Tracts 800, 802–806, 835–837, 900–902, 1000–1003, 1025
Landholding Agency: COE
Property Number: 21199040413
Status: Underutilized
Reason: Floodway.

Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham TN 37015–
Location: Tracts E–513, E–512–1 and E–512–2
Landholding Agency: COE
Property Number: 21199040415
Status: Underutilized
Reason: Floodway.

Tract 6737
Blue Creek Recreation Area
Barkley Lake, Kentucky and Tennessee
Dover Co: Stewart TN 37058–
Location: U.S. Highway 79/TN Highway 761
Landholding Agency: COE
Property Number: 31199011478
Status: Underutilized
Reason: Floodway.

Tracts 3102, 3105, and 3106
Brimstone Launching Area

Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011479
Status: Excess
Reason: Floodway.

Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 52
Landholding Agency: COE
Property Number: 31199011480
Status: Unutilized
Reason: Floodway.

Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011481
Status: Unutilized
Reason: Floodway.

Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011482
Status: Underutilized
Reason: Floodway.

Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville Co: Smith TN 38564–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011483
Status: Underutilized
Reason: Floodway.

Tracts 1710, 1716 and 1703
Flynns Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Whites Bend Road
Landholding Agency: COE
Property Number: 31199011484
Status: Underutilized
Reason: Floodway.

Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011485
Status: Underutilized
Reason: Floodway.

Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011486
Status: Unutilized
Reason: Floodway.

Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011487
Status: Unutilized
Reason: Floodway.

Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 31199011488
Status: Underutilized
Reasons: Within airport runway clear zone; Floodway.

Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011489
Status: Unutilized
Reason: Floodway.

Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 31199011490
Status: Unutilized
Reason: Floodway.

Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Brooks Ferry Road
Landholding Agency: COE
Property Number: 31199011491
Status: Unutilized
Reason: Floodway.

Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project
Stone Bridge
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 31199011492
Status: Unutilized
Reason: Floodway.

Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville Co: Davidson TN 37214–
Location: Interstate 40 to S. Mount Juliet Road.
Landholding Agency: COE
Property Number: 31199011493
Status: Underutilized
Reason: Floodway.

Tract 1811
West Fork Launching Area
Smyrna Co: Rutherford TN 37167–
Location: Florence road near Enon Springs Road
Landholding Agency: COE
Property Number: 31199011494
Status: Underutilized
Reason: Floodway.

Tract 1504
J. Perry Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna Co: Rutherford TN 37167–
Location: Lamon Road
Landholding Agency: COE
Property Number: 31199011495
Status: Underutilized
Reason: Floodway.

Tract 1500
J. Perry Priest Dam and Reservoir
Pools Knob Recreation
Smyrna Co: Rutherford TN 37167–
Location: Jones Mill Road
Landholding Agency: COE
Property Number: 31199011496
Status: Underutilized
Reason: Floodway.

Tracts 245, 257, and 256
J. Perry Priest Dam and Reservoir
Cook Recreation Area
Nashville Co: Davidson TN 37214–
Location: 2.2 miles south of Interstate 40 near Saunders Ferry Pike.
Landholding Agency: COE
Property Number: 31199011497
Status: Underutilized
Reason: Floodway.

Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 31199011498
Status: Unutilized
Reason: Floodway.

Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro Co: Jackson TN 38562–
Location: Sugar Creek Road
Landholding Agency: COE
Property Number: 31199011500
Status: Unutilized
Reason: Floodway.

Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville Co: Jackson TN 38564–
Landholding Agency: COE
Property Number: 31199011501
Status: Unutilized
Reason: Floodway.

Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 31199011502
Status: Unutilized
Reason: Floodway.

Tract 104 et al.
Cordell Hull Lake and Dam Project
Horshoe Bend Launching Area
Carthage Co: Smith TN 37030–
Location: Highway 70 N
Landholding Agency: COE
Property Number: 31199011504
Status: Underutilized
Reason: Floodway.

Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project
Lebanon Co: Wilson TN 37087—
Location: Vivrett Creek Launching Area, Alvin Sperry Road
Landholding Agency: COE
Property Number: 31199120007
Status: Underutilized

Reason: Floodway.

Tract A—142, Old Hickory Beach
Old Hickory Blvd.
Old Hickory Co: Davidson TN 37138–
Landholding Agency: COE
Property Number: 31199130008
Status: Underutilized
Reason: Floodway.

Tract D, 7 acres
Cheatham Lock & Dam
Nashville Co: Davidson TN 37207—
Landholding Agency: COE
Property Number: 31200020006
Status: Underutilized
Reason: Floodway.

Texas

Tracts 104, 105–1, 105–2 & 118
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010397
Status: Underutilized
Reason: Floodway.

Part of Tract 201–3
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010398
Status: Underutilized
Reason: Floodway.

Part of Tract 323
Joe Pool Lake
Co: Dallas TX
Landholding Agency: COE
Property Number: 31199010399
Status: Underutilized
Reason: Floodway.

Tract 702–3
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010401
Status: Unutilized
Reason: Floodway.

Tract 706
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 31199010402
Status: Unutilized
Reason: Floodway.

Utah

10.24 acres
Southern Utah Communication Site
Salt Lake UT
Landholding Agency: Air Force
Property Number: 18199810002
Status: Unutilized
Reason: Inaccessible.

Washington

Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 18199010137
Status: Unutilized
Reason: Secured Area.

Fairchild AFB
Fairchild AFB Co: Spokane WA 99011–
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 18199010138
Status: Unutilized
Reason: Secured Area.

West Virginia

Morgantown Lock and Dam
Box 3 RD #2
Morgantown Co: Monogahelia WV 26505–
Landholding Agency: COE
Property Number: 31199011530
Status: Unutilized
Reason: Floodway.

London Lock and Dam
Route 60 East
Rural Co: Kanawha WV 25126–
Location: 20 miles east of Charleston, W. Virginia
Landholding Agency: COE
Property Number: 31199011690
Status: Unutilized
Reason: .03 acres; very narrow strip of land.

Portion of Tract #101
Buckeye Creek
Sutton Co: Braxton, WV 26601–
Landholding Agency: COE
Property Number: 31199810006
Status: Excess
Reason: Inaccessible.

[FR Doc. 00–22047 Filed 8–31–00; 8:45 am]

BILLING CODE 4210–29–M

Federal Register

Friday,
September 1, 2000

Part III

Department of Education

Bilingual Education: Comprehensive School Grants; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2001 and Bilingual Education: Program Development and Implementation Grants; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2001; Notices

DEPARTMENT OF EDUCATION

[CFDA No.: 84.290U]

Bilingual Education: Comprehensive School Grants; Notice Inviting A Applications for New Awards for Fiscal Year (FY) 2001

Note to Applicants

This notice is a complete application package. Together with the statute authorizing the program and the Education Department General Administrative Regulations (EDGAR), this notice contains all of the information, application forms, and instructions needed to apply for an award under this program. The statutory authorization for this program, and the application requirements that apply to this competition, are contained in sections 7114 and 7116 of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994 (Pub. L. 103–382, enacted October 20, 1994 (the Act) (20 U.S.C. 7424 and 7426)).

Purpose of Program

This program provides grants to implement schoolwide bilingual education programs (including dual language education programs) or schoolwide special alternative instruction programs for reforming, restructuring, and upgrading all relevant programs and operations, within an individual school, that serve all or virtually all limited English proficient (LEP) children and youth in one or more schools with significant concentrations of these children and youth.

SUPPLEMENTARY INFORMATION:

''Proficiency in English and one other language is something that we need to encourage among all young people. That is why I am delighted to see and highlight the growth and promise of so many dual-language bilingual programs across the country. They are challenging young people with high standards, high expectations, and curriculum in two languages. They are the wave of the future. * * * That is why I am challenging our nation to increase the number of dual-language schools to at least 1,000 over the next five years, and with strong federal, state and local support we can have many more. * * * Our nation can only grow stronger if all our children grow up learning two languages * * * Our global economy demands it; our children deserve it.''

(From Excelencia Para Todos—Excellence for All: The Progress of Hispanic Education and the Challenges of a New Century. Remarks by U.S. Secretary of Education Richard W. Riley at Bell Multicultural High School, Washington, D.C., March 15, 2000.)

Strong language skills are becoming increasingly important at the outset of the twenty-first century as computers and the Internet facilitate and expand communication. Individuals who are proficient in multiple languages will be able to benefit the most from these new technologies that give access to information in all the languages of the world.

The new age of information highlights the importance of assisting all students to achieve competence in more than one language. Research has shown that dual language education programs are a logical and effective way to help LEP students develop their primary language skills and become proficient in English and to help native English speakers develop their English skills and become proficient in a second language.

Research has also shown that dual language education programs, in addition to fostering bilingual proficiency, provide cognitive, socio-cultural, and economic benefits. Biliterate students tend to perform better than monolingual students on tasks that call for pattern recognition and problem solving. Knowing other languages facilitates greater intercultural understanding and appreciation. Individuals with bilingual proficiency enhance their job opportunities and their community's economic competitiveness in the global marketplace.

Underscoring the importance of helping all students develop proficiency both in English and in another language, the Secretary in his remarks cited above has challenged the Nation to increase the number of schools providing dual language education programs to at least 1,000 over the next five years. Accordingly, this notice invites applications that aim to implement high-quality dual language education projects. Applicants should refer to the appendix of this notice for nonregulatory guidance on commonly asked questions about dual language education.

Only applications that meet the absolute priority for dual language education projects, as specified in this notice, will be considered for funding. Other notices will be published later inviting other types of applications for new FY 2001 awards under the Comprehensive School Grants Program and other programs, including the Foreign Language Assistance Program.

Eligible Applicants: (a) One or more local educational agencies (LEAs); or (b) one or more LEAs in collaboration with an institution of higher education, community-based organizations, other LEAs, or a State educational agency.

Deadline for Transmittal of Applications: October 20, 2000.

Deadline for Intergovernmental Review: December 19, 2000.

Available Funds: $12.5 million.

The Administration has requested $25 million for new grants under this program for FY 2001. This amount includes funds for both the dual language education awards specified in this notice and other Comprehensive School awards that will be specified in a later notice. The actual level of funding, if any, depends on final congressional action.

Estimated Range of Awards: $200,000–$300,000.

Estimated Average Size of Awards: $250,000.

Estimated Number of Awards: 50.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria reviewers use to evaluate your application. You must limit the application narrative to the equivalent of no more than 50 pages, using the following standards:

- A page is 8.5″ × 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12-point or larger or no smaller than 10 pitch (characters per inch).

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the budget justification and the cost itemization; Part IV, the assurances and certifications; or the table of contents, the one-page abstract, the resumes, the bibliography, or the letters of support. However, you must include all of the application narrative in Part III.

If, to meet the page limit, you use more than one side of the page, you use a larger page, or you use a print size, spacing, or margins smaller than the standards in this notice, we will reject your application.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, 86, 97, 98, and 99. (b) The regulations in 34 CFR part 299.

Description of Program

Funds under this program are to be used to reform, restructure, and upgrade all relevant operations and programs, within a school, that serve LEP children and youth. Before carrying out a project assisted under this program, a grantee will plan, train personnel, develop curriculum, and acquire or develop materials. In addition, grantees are authorized, under this program, to improve the education of LEP children and youth and their families by implementing family education programs, improving the instructional program for LEP children, compensating personnel who have been trained—or are being trained—to serve LEP children and youth, providing tutorials and academic or career counseling for LEP children and youth, and providing intensified instruction.

Priorities

Absolute Priority 1—Dual Language Education

Under 34 CFR 75.105(c)(3) and section 7116(i)(1) of the Act the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that provide for the development of bilingual proficiency both in English and in another language for all participating students.

Absolute Priority 2—Percentage of LEP Student Enrollment

The priority in the notice of final priority for this program, as published in the **Federal Register** on October 30, 1995 (60 FR 55245), applies to this competition.

Under 34 CFR 75.105(c)(3) and section 7114(a) of the Act, the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that serve only schools in which the number of LEP students, in each school served, equals at least 25 percent of the total student enrollment.

Competitive Priority

Within the absolute priorities specified in this notice, the Secretary under 34 CFR 75.105(c)(2)(ii) and 34 CFR 299.3(b) gives preference to applications that meet the following competitive priority. An application that meets this competitive priority is selected by the Secretary over applications of comparable merit that do not meet the priority:

Projects that will contribute to systemic educational reform in an Empowerment Zone, including a Supplemental Empowerment Zone, or an Enterprise Community designated by the United States Department of Housing and Urban Development or the United States Department of Agriculture, and are made an integral part of the Zone's or Community's comprehensive community revitalization strategies.

A list of areas that have been designated as Empowerment Zones and Enterprise Communities is provided at the end of this notice.

Invitational Priority

Within the absolute priorities specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priority. However, under 34 CFR 75.105(c)(1) an application that meets this invitational priority does not receive competitive or absolute preference over other applications:

Applicants that consider the U.S. Department of Education Professional Development Principles in planning and designing a Comprehensive School Grant project.

Those principles call for educator professional development that focuses on teachers as central to student learning, yet includes all other members of the school community; focuses on individual, collegial, and organizational improvement; respects and nurtures the intellectual and leadership capacity of teachers, principals, and others in the school community; reflects best available research and practice in teaching, learning, and leadership; enables teachers to develop further expertise in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards; promotes continuous inquiry and improvement embedded in the daily life of schools; is planned collaboratively by those who will participate in and facilitate that development; requires substantial time and other resources; is driven by a coherent long-term plan; is evaluated ultimately on the basis of its impact on teacher effectiveness and student learning; and uses this assessment to guide subsequent professional development efforts.

Selection Criteria

(a)(1) The Secretary uses the following selection criteria in 34 CFR 75.210 and sections 7114, 7116, and 7123 of the Act to evaluate applications for new grants under this competition.

(2) The maximum score for all of these criteria is 100 points.

(3) The maximum score for each criterion is indicated in parentheses.

(b) *The criteria*—(1) *Meeting the purposes of the authorizing statute.* (15 points) The Secretary reviews each application to determine how well the proposed project will implement schoolwide bilingual education programs for reforming, restructuring, and upgrading all relevant programs and operations, within an individual school, that serve all (or virtually all) children and youth of limited English proficiency in schools with significant concentrations of those children and youth.

(Authority: 20 U.S.C. 7424(a))

(2) *Need for the project.* (10 points) The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(i) The number of children and youth of limited English proficiency in the school or school district to be served, and

(ii) The characteristics of those children and youth, such as—

(A) Language spoken;

(B) Dropout rates;

(C) Proficiency in English and the native language;

(D) Academic standing in relation to the English proficient peers of those children and youth; and

(E) If applicable, the recency of immigration.

(Authority: 20 U.S.C. 7426(g)(1)(A))

(3) *Quality of the project design.* (15 points) The Secretary considers the quality of the design of the proposed project. In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(i) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(ii) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(iii) The extent to which the proposed project is part of a comprehensive effort to improve teaching and learning and support rigorous academic standards for students.

(Authority: 34 CFR 75.210(c)(2)(i), (ii), and (xviii))

(4) *Project activities.* (15 points) The Secretary reviews each application to determine—

(i) How well the proposed project will improve the education of limited English proficient students and their families by carrying out some or all of the following authorized activities:

(A) Implementing family education programs and parent outreach and training activities designed to assist parents to become active participants in the education of their children.

(B) Improving the instructional program for limited English proficient students by identifying, acquiring, and upgrading curriculum, instructional materials, educational software, and assessment procedures, and, if appropriate, applying educational technology.

(C) Compensating personnel, including teacher aides who have been specifically trained, or are being trained, to provide services to children and youth of limited English proficiency.

(D) Providing training for personnel participating in or preparing to participate in the program that will assist that personnel in meeting State and local certification requirements and, to the extent possible, obtaining college or university credit.

(E) Providing tutorials and academic or career counseling for children and youth of limited English proficiency.

(F) Providing intensified instruction.

(ii) The degree to which the program for which assistance is sought involves the collaborative efforts of institutions of higher education, community-based organizations, and the appropriate local and State educational agency or businesses; and

(iii) How well the proposed project provides for utilization of the State and national dissemination sources for program design and in dissemination of results and products.

(Authority: 20 U.S.C. 7424(b)(3); 7426(h)(6) and (i)(4)–(5))

(5) *Quality of the management plan.* (10 points) The Secretary considers the quality of the management plan for the proposed project. In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(i) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(ii) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(Authority: 34 CFR 75.210(g)(1) and (2)(i) and (iv))

(6) *Quality of project personnel.* (5 points) (i) The Secretary considers the quality of the personnel who will carry out the proposed project.

(ii) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(iii) In addition, the Secretary considers the following factors:

(A) The qualifications, including relevant training and experience, of the project director or principal investigator.

(B) The qualifications, including relevant training and experience, of key project personnel.

(Authority: 34 CFR 75.210(e)(1)–(3)(i) and (ii))

(7) *Language skills of personnel.* (5 points) The Secretary reviews each application to determine how well the proposed project meets the following requirements:

(i) The program will use qualified personnel, including personnel who are proficient in the language or languages used for instruction.

(ii) The applicant will employ teachers in the proposed program who, individually or in combination, are proficient in English, including written, as well as oral, communication skills.

(Authority: 20 U.S.C. 7426(g)(1)(E) and (h)(1))

(8) *Adequacy of resources.* (2 points) The Secretary considers the adequacy of resources for the proposed project. In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(i) The extent to which the budget is adequate to support the proposed project.

(ii) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(Authority: 34 CFR 75.210(f)(1) and (2)(iii)–(iv))

(9) *Integration of project funds.* (3 points) The Secretary reviews each application to determine how well funds received under this program will be integrated with all other Federal, State, local, and private resources that may be used to serve children and youth of limited English proficiency.

(Authority: 20 U.S.C. 7426(g)(2)(A)(iii))

(10) *Evaluation plan.* (15 points) The Secretary reviews each application to determine how well the proposed project's evaluation will meet the following requirements:

(i) Student evaluation and assessment procedures must be valid, reliable, and fair for limited English proficient students.

(ii) The evaluation must include—

(A) How students are achieving the State student performance standards, if any, including data comparing children and youth of limited English proficiency with nonlimited English proficient children and youth with regard to school retention, academic achievement, and gains in English (and, if applicable, native language) proficiency;

(B) Program implementation indicators that provide information for informing and improving program management and effectiveness, including data on appropriateness of curriculum in relationship to grade and course requirements, appropriateness of program management, appropriateness of the program's staff professional development, and appropriateness of the language of instruction; and

(C) Program context indicators that describe the relationship of the activities funded under the grant to the overall school program and other Federal, State, or local programs serving children and youth of limited English proficiency.

(Authority: 20 U.S.C. 7426(h)(3) and 7433(c)(1)–(3))

(11) *Commitment and capacity building.* (5 points) The Secretary reviews each application to determine how well the proposed project meets the following requirements:

(i) The proposed project must contribute toward building the capacity of the applicant to provide a program on a regular basis, similar to that proposed for assistance, that will be of sufficient size, scope, and quality to promise significant improvement in the education of students of limited English proficiency.

(ii) The applicant will have the resources and commitment to continue the program when assistance under this program is reduced or no longer available.

(Authority: 20 U.S.C. 7426(h)(5))

Intergovernmental Review of Federal Programs

This program is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR part 79.

One of the objectives of the Executive order is to foster an intergovernmental

partnership and a strengthened federalism. The Executive order relies on processed developed by State and local governments for coordination and review of proposed Federal financial assistance.

If you are an applicant, you must contact the appropriate State Single Point of Contact (SPOC) to find out about, and to comply with, the State's process under Executive order 12372. If you propose to perform activities in more than one State, you should immediately contact the SPOC for each of those States and follow the procedure established in each State under the Executive order. If you want to know the name and address of any SPOC, see the list in the Appendix to this application notice; or you may view the latest official SPOC list on the Web site of the Office of Management and Budget at the following address: *http://www.whitehouse.gov/omb/grants*

In States that have not established a process or chosen a program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a SPOC and any comments from State, areawide, regional, and local entitles must be mailed or hand-delivered by the date indicated in this application notice to the following address: The Secretary, E.O. 12372—CFDA# 84.290U, U.S. Department of Education, 400 Maryland Avenue, SW., room, 7E200, Washington, DC 20202–0125.

We will determine proof of mailing under 34 CFR 74.102 (Deadline date for applications). Recommendations or comments may be hand delivered until 4:30 p.m. (Washington, DC time) on the date indicated in this notice.

Please note that the above address is not the same address as the one to which an applicant submits its completed application. Do not send applications to the above address.

Instructions for Transmittal of Applications

(a) If an applicant wants to apply for a grant, the applicant must—

(1) Mail the original and two copies of the application on or before the deadline date to: U.S. Department of Education, Application Control Center, Attention: CFDA# 84.290U, Washington, DC 20202–4725; or

(2) Hand-deliver the original and two copies of the application by 4:30 p.m. (Eastern time) on or before the deadline date to: U.S. Department of Education, Application Control Center, Attention: CFDA# 84.290U, Room 3633, Regional Office Building #3, 7th and D Streets, SW., Washington, DC.

(b) An applicant must show one of the following as proof of mailing:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary.

(c) If an application is mailed through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

Note: (1) The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

(2) The Application Control Center will mail a Grant Application Receipt Acknowledgment to each applicant. If an applicant fails to receive the notification of application receipt within 15 days from the date of mailing the application, the applicant should call the U.S. Department of Education Application Control Center at (202) 708–9495.

(3) The applicant *must* indicate on the envelope and—if not provided by the Department—in Item 3 of the Application for Federal Education Assistance (ED 424) the CFDA number and suffix letter of the competition under which the application is being submitted.

Application Instructions and Forms

The appendix to this notice contains the following forms and instructions, including a statement regarding estimated public reporting burden, a notice to applicants regarding compliance with section 427 of the General Education Provisions Act (GEPA), a checklist for applicants, and various assurances, certifications, and required documentation:

a. Estimated Burden Statement.

b. Application Instructions.

c. Nonregulatory Guidance: Questions and Answers

d. Checklist for Applicants.

e. List of Empowerment Zones and Enterprise Communities.

f. Application for Federal Education Assistance (ED 424) and Instructions.

g. Group Application Certification.

h. Budget Information—Non-Construction Programs (ED 524) and Instructions.

i. Student Data.

j. Project Documentation.

k. Program Assurances.

l. Assurances—Non-Construction Programs (Standard Form 424B) and Instructions.

m. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (ED 80–0013) and Instructions.

n. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions (ED 80–0014) and Instructions.

o. Disclosure of Lobbying Activities (Standard Form LLL) and Instructions.

p. Notice to All Applicants (GEPA Requirement) and Instructions (OMB No. 1801–0004).

An applicant may submit information on a photostatic copy of the application forms, assurances, and certifications. However, one copy of the application forms, assurances, and certifications must have an original signature.

All applicants must submit ONE original signed application, including ink signatures on all forms and assurances, and TWO copies of the application. Please mark each application as *original* or *copy*. No grant may be awarded unless a complete application has been received.

FOR FURTHER INFORMATION CONTACT: Lorena Dickerson or Margarita Ackley, U.S. Department of Education, 400 Maryland Avenue, SW., Switzer Building, Room 5605, Washington, DC 20202–6510. Telephone: Lorena Dickerson (202) 205–9044; Margarita Ackley (202) 205–0506. E-mail address: Lorena__Dickerson@ed.gov; Margarita__Ackley@ed.gov.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339

Individuals with disabilities may obtain this notice in an alternate format (*e.g.,* Braille, large print, audiotape, or computer diskette) on request to the contact person listed above. Please note, however, that the Department is not able to reproduce in an alternate format the standard forms included in the notice.

Electronic Access To This Document

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To use the PDF you must have Adobe Acrobat Reader, which is available free at either of the previous sites. If you

have questions about using the PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498 or in the Washington, DC area at (202) 512–1530.

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http://www.access.gpo.gov/nara/index.html

Program Authority: 20 U.S.C. 7424.

Dated: August 25, 2000.

Art Love,

Acting Director, Office of Bilingual Education and Minority Languages Affairs.

Appendix—Estimated Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB No. 1885–0535 (Exp. 12/31/2001). The time required to complete this information collection is estimated to average 120 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. *If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to:* U.S. Department of Education, Washington, DC 20202–4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5605, Switzer Building, Washington, D.C. 20202–6510.

Application Instructions

Abstract

The narrative section should be preceded by a one-page abstract that includes a short description of the population to be served by the project, project objectives, and planned project activities.

Selection Criteria

The narrative should address fully all aspects of the selection criteria in the order listed and should give detailed information regarding each criterion. Do not simply paraphrase the criteria. Do not include resumes or curriculum vitae for project personnel; provide position descriptions instead. Do not include bibliographies, letters of support, or appendices in your application.

Empowerment Zone/Enterprise Community Priority

Applicants that wish to be considered under the competitive priority for Empowerment Zones and Enterprise Communities, as specified in a previous section of this notice, should identify in Section D of the Project Documentation Form the applicable Empowerment Zone or Enterprise Community. The application narrative should describe the extent to which the proposed project will contribute to systemic educational reform in the particular Empowerment Zone or Enterprise Community and be an integral part of the Zone's or Community's comprehensive revitalization strategies. A list of areas that have been designated as Empowerment Zones and Enterprise Communities is provided at the end of this notice.

Table of Contents

The application should include a table of contents listing the various parts of the narrative in the order of the selection criteria. The table should include the page numbers where the parts of the narrative are found.

Budget

A separate budget summary and cost itemization must be provided on the Budget Information Form (ED 524) and in the itemized budget for each project year. Budget line items should be directly related to the activities proposed to achieve the goals and objectives of the project.

Submission of Application to State Educational Agency

Section 7116(a)(2) of the authorizing statute (Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994, Pub. L. 103–382) requires all applicants except schools funded by the Bureau of Indian Affairs to submit a copy of their application to their State educational agency (SEA) for review and comment (20 U.S.C. 7426(a)(2)). Section 75.156 of the Education Department General Administrative Regulations (EDGAR) requires these applicants to submit their application to the SEA on or before the deadline date for submitting their application to the U.S. Department of Education. This section of EDGAR also requires applicants to attach to the application they submit to the U.S. Department of Education a copy of their letter that requests the SEA to comment on the application (34 CFR 75.156). This letter should be attached to the Project Documentation Form contained in this application package. APPLICANTS THAT DO NOT SUBMIT A COPY OF THEIR APPLICATION TO THEIR STATE EDUCATIONAL AGENCY IN ACCORDANCE WITH THESE STATUTORY AND REGULATORY REQUIREMENTS WILL NOT BE CONSIDERED FOR FUNDING.

Final Application Preparation

Use the Checklist for Applicants provided below to verify that your application is complete. Submit three copies of the application, including one copy with an original signature on each form that requires the signature of the authorized representative. Do not use elaborate bindings, notebooks, or covers. The application must be mailed or hand-delivered to the U.S. Department of Education Application Control Center (ACC). If mailed, the application must be postmarked by the deadline date.

Nonregulatory Guidance: Questions and Answers

What is "Dual Language Education"?

Dual language education programs (sometimes referred to as dual immersion, two-way immersion, or two-way bilingual education) aim to achieve bilingual proficiency and biliteracy in English and another language for all participating students. They integrate both language minority and language majority students for all or most of the day and use their native language resources to model language skills for peers. Dual language programs provide content instruction and literacy instruction to all students in the program in both languages.

Is a dual language education program the only effective means of achieving english proficiency for LEP students?

No. Dual language education is not the only way to achieve high standards for all students. It is only one of many successful methodologies that are recognized as sound for helping LEP students achieve proficiency in English and achieve to high academic standards.

What are some of the goals of a dual language program?

Successful dual language education programs have the following goals:

- Students will develop high levels of proficiency in their first language.
- Students will develop high levels of proficiency in a second language.
- Academic performance will be at or above grade level in both languages.
- Students will demonstrate positive cross-cultural attitudes and behaviors.

How is a successful dual language education program implemented?

Findings from research indicate that effective dual language programs:

- Include a roughly equal balance of students from the target language and English backgrounds who participate in instructional activities together.
- Provide instruction in English and in the target (non-English) language so that they achieve optimal bilingual proficiency and biliteracy. A common approach among existing dual language programs is to provide approximately equal amounts of instruction in both English and in the target (non-English) language.
- Provide a minimum of four to six years of dual language instruction to all participating students and form partnerships with middle and high schools to support the students' dual language skills past their elementary experience.
- Hold all students to the same high academic standards and provide the same core academic curriculum for students in the dual language programs as in other programs.
- Incorporate characteristics of effective schools, such as qualified personnel and family-school collaboration.

What does the research show about the impacts of dual language education programs?

There are currently more than 260 dual language programs nationwide and the

number is growing rapidly (Loeb, 1999). According to ongoing research on non-native English speakers in five urban districts, those students in dual immersion programs showed the most academic gains as compared to those in other programs (Collier, 1994). While these differences are less apparent in the early years, later success suggests longer-term benefits. Specifically, in six dual language schools in California, 93% to 100% of the non-native English-speaking fifth and sixth grade students were considered fluent in English (according to the Student Oral Language Observation Matrix); 75% to 100% of the native English speakers were considered fluent in Spanish by the fifth grade (Lindholm-Leary, 2000). Students in dual language programs show an increased likelihood for developing friendships without regard to race or ethnicity and both native and non-native English speakers showed more confidence in academic and personal matters than did their peers in other programs (Cazabon, Lambert, and Hall, 1993).

How long a planning period is necessary before implementing a dual language program?

In-depth planning is central to the program's effectiveness; thus, at least one year of planning is recommended before implementing a new dual language program. During this time, it is important to establish a planning team that includes parents, teachers, school and district administrators, and community representatives. Initial planning steps should include: carefully assessing the native language skills of the student population; identifying the academic needs of the LEP and English-speaking students; identifying the target language; researching dual language education literature; determining the type and scope of the program; establishing goals; parent outreach; assessing the qualifications and strengths of available teachers; assessing resources such as aides, materials, and funding; and developing an action plan, budget, and timeline.

Should a school with a transient student population (over 30%) consider implementing a dual language education instructional design? how could a high rate of transience affect the success of the program?

Recruiting and retaining sufficient numbers of language minority and language majority students is crucial if the dual language program is to be successful. Many programs require that parents make a long-term commitment of five to six years. For schools with highly transient student populations, if many students are expected to leave the program before realizing the potential benefits, the dual language approach is not recommended.

What grade levels should be considered for implementing a dual language instructional design?

Nearly all successful dual language programs start between Pre-K and first grade and continue through at least the end of elementary school.

What are the challenges for a middle or high school program that is interested in dual language education?

Findings from surveys of existing dual language programs indicate that starting a program at the secondary level is not recommended unless elementary schools with strong dual language programs will directly feed into the school. Middle and high schools face numerous implementation challenges, including the availability of qualified staff, appropriate materials in the non-English language, language distribution, costs for new materials, and student scheduling.

What is the recommended number of english speakers and target language speakers a school has to have in order to implement a successful dual language education program?

Each class is usually composed of 50% native English speakers and 50% native speakers of the target language. This composition is optimal so that there are native language models in both languages of instruction. A program in which, for example, no less than 40% and no more than 60% of the students are minority language speakers will still be feasible as a dual language education program.

Do all LEP students at a school have to be served by the dual language instructional model to be eligible for funding under the dual language education comprehensive school grants competition?

While a dual language program should be implemented in stages, at its conclusion, under a Comprehensive School grant, the program will have to ''serve all (or virtually all) children and youth of limited English proficiency.'' It is recommended that applicants consider starting with at least two classes at the same grade level, usually kindergarten, and continue to add one grade level per year as the program matures.

Are students from both language backgrounds in class together all day?

Students from both language backgrounds should learn together for all, or almost all, of the instructional day. In certain schools, the students may be separated for some of their language arts instruction in the first or second language, especially in the earlier grades. However, if students are separated for too much instruction, they do not have the opportunity to learn language from each other and if the students are separated for instruction over several grade levels, this tracking may lead to less challenging content for the language minority students.

Do all teachers need to be fully proficient in English and the target language in a dual language program?

Projects funded under the Bilingual Education Act are required to use personnel who are proficient in the language or languages used for instruction. In addition, the Act specifically requires that projects employ teachers who individually, or in combination, are proficient in English. Ideally, all instructional staff should be fully bilingual since an explicit goal of a dual language program is bilingualism and biliteracy for all students. The Department, however, does not read the statute as requiring that all teachers in a dual language program be fully proficient in both English and the target language. If teachers are not bilingual, instruction can be organized according to the language proficiency of the teachers for grades two and later. For grades K–1, research shows it is especially important that teachers who are providing instruction in English possess some understanding of the target language to help facilitate negotiation of meaning during instruction.

Who needs to be supportive of a dual language education program in order to help ensure its successful implementation?

Stakeholders may include district administrators, school administrators, teachers, parents, local organizations, institutions of higher education, and the broader community. Effective leadership from all parties requires an understanding of the research findings and pedagogical principles underlying dual language programs as well as a willingness to advocate for the program.

Must a program have LEP students to qualify for a Dual Language Education Comprehensive School grant under Title VII?

Yes. In order for a school to be eligible to participate in the Comprehensive School grant program at least 25% of its students must be classified as LEP. A primary purpose of projects that will be assisted under the Dual Language Education Comprehensive School Grants will be to develop the English and native language proficiency of LEP students and assist those students in mastering challenging academic content. Programs that use two languages, but do not have the number of LEP students required for a Comprehensive School grant, may be eligible for assistance under the Foreign Language Assistance Program (FLAP) grants or Program Development and Implementation (PDI) grants.

Can a dual language education program include students whose first language is neither English nor the target language?

Yes, if a school has students whose primary language is neither English nor the target language (*e.g.* a student whose first language is Vietnamese at a school implementing a Spanish/English dual language program), it can include that child in the dual language program so long as the student has some proficiency in English and provisions are made to ensure that the child has enough language resources to have meaningful access to the entire academic program.

What is the typical racial or ethnic composition of a dual language program?

There is no typical racial or ethnic composition of a dual language program. For example, a dual language Spanish/English program could include mostly Latino students as long as approximately half of them are LEP Spanish speakers and the other half uses English as their first language. Conversely, a Chinese/English program could include White, Latino, Asian, and Black

students in its group of English language speakers.

May an LEA apply for both a regular Comprehensive School grant and a Dual Language Education Comprehensive School grant under Title VII for the same school?

Yes. However, because a regular Comprehensive School grant supports the implementation of a schoolwide strategy, an LEA cannot receive more than one Comprehensive School grant to be carried out at a specific school. (An LEA can receive more than one Comprehensive School grant as long as those grants are to be carried out at separate schools.) An applicant should choose the instructional strategy that is right for its unique student population, teachers, and community and apply for the grant that is most appropriate for the particular school in question.

What should a program do to sustain its dual language activities after the grant period is completed?

Regardless of the length of the grant cycle, from the start, program coordinators are to consider methods for building their capacity to continue the program on non-Federal funds when the grant period ends. An applicant's commitment to capacity building for program continuation is one of the basic obligations that must be met by grantees under the Bilingual Education Act and will be a significant component of the criteria used in selecting applications for funding.

Checklist for Applicants

Order of the Forms and Other Items for the Application

1. Application for Federal Education Assistance Form (ED 424).
2. Group Application Certification Form (if applicable).
3. Budget Information Form (ED 524).
4. Itemized budget for each project year.
5. Student Data Form.
6. Project Documentation Form, including:

Section A—Copy of transmittal letter to SEA (if applicable); Section B—Documentation of consultation with nonprofit private school officials (if applicable); Section C—Appropriate box checked; Section D—Empowerment Zone or Enterprise Community identified (if applicable).

7. Program Assurances Form.
8. Assurances—Non-Construction Programs Form (SF 424B).
9. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements Form (ED 80–0013).
10. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions Form (ED 80–0014) (if applicable).
11. Disclosure of Lobbying Activities Form (SF LLL).
12. Notice to All Applicants (GEPA Requirement) (OMB No. 1801-0004).
13. One-page abstract.
14. Table of contents.
15. Application narrative (not to exceed 50 pages).

Transmittal of the Application

1. One original and two copies of the application to the U.S. Department of Education Application Control Center.
2. One copy to the appropriate State Educational Agency (if applicable).
3. One copy to the appropriate State Single Point of Contact (if applicable).

BILLING CODE 4000–01–P

Application for Federal Education Assistance

Note: If available, please provide application package on diskette and specify the file format

U.S. Department of Education

Form Approved
OMB No. 1875-0106
Exp. 06/30/2001

Applicant Information

1. Name and Address
Legal Name: _____

Address: _____

_____

_____ City _____ State _____ County _____ ZIP Code + 4

Organizational Unit

2. Applicant's D-U-N-S Number: |__|__|__|__|__|__|__|__|__|

3. Applicant's T-I-N |__|__| - |__|__|__|__|__|__|__|

4. Catalog of Federal Domestic Assistance #: **84._2_|_9_|_0_|_U_|** ➔

Title: **Bilingual Education: Comprehensive School Grants**

5. Project Director: _____

Address: _____

_____ City _____ State _____ Zip code + 4

Tel. #: ( ) _____-_____ Fax #: ( ) _____-_____

E-Mail Address: _____

6. Is the applicant delinquent on any Federal debt? ___Yes ____No
(If "Yes," attach an explanation.)

7. Type of Applicant *(Enter appropriate letter in the box.)* |_____|

A - State	H - Independent School District
B - County	I - Public College or University
C - Municipal	J - Private, Non-Profit College or University
D - Township	K - Indian Tribe
E - Interstate	L - Individual
F - Intermunicipal	M - Private, Profit-Making Organization
G - Special District	N - Other *(Specify)*: _____

8. Novice Applicant ___Yes ____ No

Application Information

9. Type of Submission:

-PreApplication	*-Application*
____Construction	____Construction
____Non-Construction	__X__Non-Construction

10. Is application subject to review by Executive Order 12372 process?
____ Yes *(Date made available to the Executive Order 12372 process for review)*: ____/____/_____

____ No *(If "No," check appropriate box below.)*
____ Program is not covered by E.O. 12372.
____ Program has not been selected by State for review.

11. Proposed Project Dates: ____/____/_____ ____/____/_____
Start Date: **End Date:**

12. Are any research activities involving human subjects planned at any time during the proposed project period? ____Yes _____No
a. If "Yes," Exemption(s) #: b. Assurance of Compliance #:

_____ ***OR*** _____

c. IRB approval date: ____ Full IRB **or**
_____ ____ Expedited Review

13. Descriptive Title of Applicant's Project:

Estimated Funding

14a. Federal	$ _____.00
b. Applicant	$ _____.00
c. State	$ _____.00
d. Local	$ _____.00
e. Other	$ _____.00
f. Program Income	$ _____.00
g. TOTAL	$ _____.00

ED 424 (rev 11/12/99)

Authorized Representative Information

15. To the best of my knowledge and belief, all data in this preapplication/application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

a. Typed Name of Authorized Representative
_____

b. Title: _____

c. Tel. #: ( ) _____-_____ Fax #: ( ) _____-_____

d. E-Mail Address: _____

e. Signature of Authorized Representative
_____ Date: ___/___/_____

Instructions for ED 424

1. **Legal Name and Address.** Enter the legal name of applicant and the name of the primary organizational unit which will undertake the assistance activity.

2. **D-U-N-S Number.** Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: **http://www.dnb.com/dbis/aboutdb/intlduns.htm.**

3. **Tax Identification Number.** Enter the tax identification number as assigned by the Internal Revenue Service.

4. **Catalog of Federal Domestic Assistance (CFDA) Number.** Enter the CFDA number and title of the program under which assistance is requested.

5. **Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.

6. **Federal Debt Delinquency.** Check **"Yes"** if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check **"No."**

7. **Type of Applicant.** Enter the appropriate letter in the box provided.

8. **Novice Applicant.** Check **"Yes"** only if assistance is being requested under a program that gives special consideration to novice applicants and you meet the program requirements for novice applicants. By checking "Yes" the applicant certifies that it meets the novice applicant requirements specified by ED. Otherwise, check **"No."**

9. **Type of Submission.** Self-explanatory.

10. **Executive Order 12372.** Check **"Yes"** if the application is subject to review by Executive Order 12372. Also, please enter the month, date, and four (4) digit year (e.g., 12/12/2000). Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Otherwise, check **"No."**

11. **Proposed Project Dates.** Please enter the month, date, and four (4) digit year (e.g., 12/12/2000).

12. **Human Subjects.** Check "Yes" **or** "No" If research activities involving human subjects are **not** planned **at any time** during the proposed project period, check **"No." The remaining parts of item 12 are then not applicable.**

    If research activities involving human subjects, whether or not exempt from Federal regulations for the protection of human subjects, **are** planned **at any time** during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution, check **"Yes."** If **all** the research activities are designated to be exempt under the regulations, enter, in item 12a, the exemption number(s) corresponding to one or more of the six exemption categories listed in **"Protection of Human Subjects in Research"** attached to this form. Provide sufficient information in the application to allow a determination that the designated exemptions in item 12a, are appropriate. **Provide this narrative information in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page. Skip the remaining parts of item 12.**

    If **some or all** of the planned research activities involving human subjects are covered (nonexempt), skip item 12a and continue with the remaining parts of item 12, as noted below. In addition, follow the instructions in **"Protection of Human Subjects in Research"** attached to this form to prepare the six-point narrative about the nonexempt activities. **Provide this six-point narrative in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

    If the applicant organization has an approved Multiple Project Assurance of Compliance on file with the Grants Policy and Oversight Staff (GPOS), U.S. Department of Education, or with the Office for Protection from Research Risks (OPRR), National Institutes of Health, U.S. Department of Health and Human Services, that covers the specific activity, enter the Assurance number in item 12b and the date of approval by the Institutional Review Board (IRB) of the proposed activities in item 12c. This date must be no earlier than one year before the receipt date for which the application is submitted and must include the four (4) digit year (e.g., 2000). Check the type of IRB review in the appropriate box. An IRB may use the expedited review procedure if it complies with the requirements of 34 CFR 97.110. If the IRB review is delayed beyond the submission of the application, enter **"Pending"** in item 12c. If your application is recommended/selected for funding, a follow-up certification of IRB approval from an official signing for the applicant organization must be sent to and received by the designated ED official within 30 days after a specific formal request from the designated ED official. **If the applicant organization does not have** on file with GPOS or OPRR **an approved Assurance of Compliance** that covers the proposed research activity, enter **"None"** in item 12b and skip 12c. In this case, the applicant organization, by the signature on the application, is declaring that it will comply with 34 CFR 97 within 30 days after a specific formal request from the designated ED official for the Assurance(s) and IRB certifications.

13. **Project Title.** Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

14. **Estimated Funding.** Amount requested or to be contributed during the first funding/budget period by each contributor.

Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate **only** the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 14.

15. Certification. To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office.

Be sure to enter the telephone and fax number and e-mail address of the authorized representative. Also, in item 15e, please enter the month, date, and four (4) digit year (e.g., 12/12/2000) in the date signed field.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1875-0106**. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4651. **If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, 7th and D Streets, S.W. ROB-3, Room 3633, Washington, D.C. 20202-4725

Protection of Human Subjects in Research (Attachment to ED 424)

I. Instructions to Applicants about the Narrative Information that Must be Provided if Research Activities Involving Human Subjects are Planned.

If you marked item 12 on the application "Yes" and designated exemptions in 12a , **(all research activities are exempt),** provide sufficient information in the application to allow a determination that the designated exemptions are appropriate. Research involving human subjects that is exempt from the regulations is discussed under **II.B. "Exemptions,"** below. The Narrative must be succinct. **Provide this information in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

If you marked "Yes" to item 12 on the face page, and designated no exemptions from the regulations **(some or all of the research activities are nonexempt),** address the following six points for each nonexempt activity. In addition, if research involving human subjects will take place at collaborating site(s) or other performance site(s), provide this information before discussing the six points. Although no specific page limitation applies to this section of the application, be succinct. Provide the six-point narrative and discussion of other performance sites in an **"Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

(1) Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable.

(2) Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

II. Information on Research Activities Involving Human Subjects

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Is it a research activity?

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." *If an activity follows a deliberate plan whose purpose is to develop or contribute to generalizable knowledge, such as an exploratory study or the collection of data to test a hypothesis, it is research.* Activities which meet this definition constitute research whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Is it a human subject?

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information." *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an

individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the only involvement of human subjects will be in one or more of the following six categories of *exemptions* are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, this exemption applies only to research involving educational tests or observations of public behavior when the investigator(s) do not participate in the activities being observed.*** [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S Department of Agriculture.

Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff (GPOS) Office of the Chief Financial and Chief Information Officer, U.S. Department of Education, Washington, D.C., telephone: (202) 708-8263, and on the U.S. Department of Education's Protection of Human Subjects in Research Web Site at http://ocfo.ed.gov/humansub.htm.

GROUP APPLICATION CERTIFICATION

NOTE: This form must be completed by eligible parties applying as a group for a grant. This form must be accompanied by a group agreement that details the activities that each member of the group plans to perform under the grant.

(34 CFR 75.128(b)-(c)).

To the best of my knowledge and belief, all data in this application are true and correct. I agree to be bound to every statement and assurance made in this application.

Authorized Representative					Name of Institution/ Organization
Typed Name	Title	Signature	Date Signed	Telephone Number (including Area Code)	

U.S. DEPARTMENT OF EDUCATION

BUDGET INFORMATION

NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1890-0004

Expiration Date: 02/28/2003

Name of Institution/Organization

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY
U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

ED Form No. 524

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

SECTION C - OTHER BUDGET INFORMATION (see instructions)

ED Form No. 524

Public reporting burden for this collection of information is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, Information Management and Compliance Division, Washington, D.C. 20202-4651; and the Office of Management and Budget, Paperwork Reduction Project 1875-0102, Washington DC 20503.

INSTRUCTIONS FOR ED FORM 524

General Instructions

This form is used to apply to individual U.S. Department of Education discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached.

Section A - Budget Summary U.S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Section B - Budget Summary Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Other Budget Information Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, by project year, for each budget category listed in Sections A and B.

2. If applicable to this program, enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period. In addition, enter the estimated amount of the base to which the rate is applied, and the total indirect expense.

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

4. Provide other explanations or comments you deem necessary.

STUDENT DATA

Name of Local Educational Agency

SECTION A

NOTE: This section must be completed by applicants under the following programs:

- **Comprehensive School Grants**
- **Systemwide Improvement Grants**

1. Total number of limited English proficient (LEP) students in the school district	
2. Total number of students in the school district	
3. Percentage of LEP students (line 1 divided by line 2)	%

SECTION B

NOTE: This section must be completed by applicants under the following program:

- **Comprehensive School Grants**

Name of project school	(1) Total number of LEP students in the school	(2) Total number of students in the school	(3) % of LEP students (Column (1) divided by column (2))
			%
			%
			%
			%
			%
			%

Name of Local Educational Agency _____

STUDENT DATA
(continued)

SECTION C

NOTE: This section must be completed by applicants under the following programs:

- **Comprehensive School Grants**
- **Systemwide Improvement Grants**

1. Circle the grade level(s) that will participate in the project: PreK K 1 2 3 4 5 6 7 8 9 10 11 12

2. Total number of language groups that will participate in the project. _____

3. List the five largest participating language groups and the approximate number of students in each group.

_____ _____

_____ _____

_____ _____

_____ _____

_____ _____

PROJECT DOCUMENTATION

NOTE: Submit the appropriate documents and information as specified below

SECTION A

A copy of applicant's transmittal letter requesting the appropriate State educational agency to comment on the application. This requirement does not apply to schools funded by the Bureau of Indian Affairs. (See 34 CFR 75.155 and 75.156 below.)

§75.155 Review procedure if State may comment on applications: Purpose of §§75.156-75.158. If the authorizing statute for a program requires that a specific State agency be given an opportunity to comment on each application, the State and the applicant shall use the procedures in §§75.156-75.158 for that purpose.

(Authority: 20 U.S.C. 1221e-3(a)(1))

Cross-Reference: See 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities) for the regulations implementing the application review procedures that States may use under E.O. 12372. (In addition to the requirement in §75.155 for review by the State educational agency, the application is subject to review by State Executive Order 12372 process. Applicants must complete item 16 of the application face sheet (Standard Form 424, Application for Federal Assistance) by either (a) specifying the date when the application was made available to the State Single Point of Contact for review or (b) indicating that the program has not been selected by the State for review.)

§75.156 When an applicant under §75.155 must submit its application to the State: proof of submission.
(a) Each applicant under a program covered by §75.155 shall submit a copy of its application to the State on or before the deadline date for submitting its application to the Department.
(b) The applicant shall attach to its application a copy of its letter that requests the State to comment on the application.

(Authority: 20 U.S.C. 1221e-3(a)(1))

PROJECT DOCUMENTATION

(continued)

SECTION B

Evidence of compliance with the Federal requirements for participation of students enrolled in nonprofit private schools. (See section 7116(h)(2) of Public Law 103-382 and 34 CFR 75.119, 76.652, and 76.656 below.)

Sec. 7116. Applications. "(2) in designing the program for which application is made, the needs of children in nonprofit private elementary and secondary schools have been taken into account through consultation with appropriate private school officials and, consistent with the number of such children enrolled in such schools in the area to be served whose educational needs are of the type and whose language and grade levels are of a similar type to those which the program is intended to address, after consultation with appropriate private school officials, provision has been made for the participation of such children on a basis comparable to that provided for public school children."

(Authority: 20 U.S.C. 7426(h)(2))

§75.119 Information needed if private schools participate. If a program requires the applicant to provide an opportunity for participation of students enrolled in private schools, the application must include the information required of subgrantees under 34 CFR 76.656.

(Approved by the Office of Management and Budget under control number 1880-0513)
(Authority: 20 U.S.C. 1221e-3(a)(1))

§76.652 Consultation with representatives of private school students.
(a) An applicant for a subgrant shall consult with appropriate representatives of students enrolled in private schools during all phases of the development and design of the project covered by the application, including consideration of:
(1) Which children will receive benefits under the project;
(2) How the children's needs will be identified;
(3) What benefits will be provided;
(4) How the benefits will be provided; and
(5) How the project will be evaluated.
(b) A subgrantee shall consult with appropriate representatives of students enrolled in private schools before the subgrantee makes any decision that affects the opportunities of those students to participate in the project.

PROJECT DOCUMENTATION

(continued)

(c) The applicant or subgrantee shall give the appropriate representatives a genuine opportunity to express their views regarding each matter subject to the consultation requirements in this section.

(Authority: 20 U.S.C. 1221e-3(a)(1))

§76.656 Information in an application for a subgrant.
An applicant for a subgrant shall include the following information in its application:
(a) A description of how the applicant will meet the Federal requirements for participation of students enrolled in private schools.
(b) The number of students enrolled in private schools who have been identified as eligible to benefit under the program.
(c) The number of students enrolled in private schools who will receive benefits under the program.
(d) The basis the applicant used to select the students.
(e) The manner and extent to which the applicant complied with §76.652 (consultation).
(f) The places and times that the students will receive benefits under the program.
(g) The differences, if any, between the program benefits the applicant will provide to public and private school students, and the reasons for the differences.

(Authority: 20 U.S.C. 1221e-3(a)(1))

SECTION C

Check the appropriate box below:

- **There are no eligible nonprofit private schools in the proposed service delivery area that wish to participate in the project.** ☐
- **One or more eligible nonprofit private schools in the proposed service delivery area wish to participate in the project and are listed on the enclosed Student Data form.** ☐
- **There are no eligible nonprofit private schools in the proposed service delivery area.** ☐

SECTION D

If applicable, identify on the line at the right the Empowerment Zone, Supplemental Empowerment Zone, or Enterprise Community that the proposed project will serve. (See the competitive priority and the list of designated Empowerment Zones and Enterprise Communities in previous sections of this application package.) _____

PROGRAM ASSURANCES

NOTE: **The authorizing statute requires applicants under certain programs to provide assurances. This form must be completed for applications under the following programs:**

- **Comprehensive School Grants**
- **Systemwide Improvement Grants**

As the duly authorized representative of the applicant, I certify that the applicant:

- Will not reduce the level of State and local funds that the applicant expends for bilingual education or special alternative instructional programs if the applicant is awarded a grant under the program.
- Will employ in the proposed project teachers who are proficient in English, including written and oral communication skills.
- Will integrate the proposed project with the applicant's overall educational program.
- Has developed this application in consultation with an advisory council, the majority of whose members are parents and other representatives of the children and youth to be served in the proposed project.

(Authority: 20 U.S.C. 7426(g))

Authorized Representative		Applicant Organization
Signature	Title	
Typed Name	Date Signed	

OMB Approval No. 0348-0040

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. ∋∋276a to 276a-7), the Copeland Act (40 U.S.C. ∋276c and 18 U.S.C. ∋∋874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. ∋∋ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. ∋∋1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. ∋∋7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12 Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. ∋∋1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. ∋470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. ∋∋469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. ∋∋2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. ∋∋4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, AAudits of States, Local Governments, and Non-Profit Organizations.≅

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

Standard Form 424B (Rev. 7-97) Back

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

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1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over $100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

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2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110–

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

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3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address. city, county, state, zip code)

_____

_____

_____

Check [ ] if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0013

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," " person," "primary covered transaction," " principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled ACertification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,≅ without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0014, 9/90 (Replaces GCS-009 (REV.12/88), which is obsolete)

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**3. Report Type:** a. initial filing _____ b. material change **For material change only:** Year _____ quarter _____ Date of last report_____
4. Name and Address of Reporting Entity: ____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**5. If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known:*	**9. Award Amount,** *if known:* **$**	
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a)* *(last name, first name, MI):*	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** _____ **Print Name:**_____ **Title:**_____ **Telephone No.:** _____ **Date:** _____	
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

OMB Control No. 1801-0004 (Exp. 8/31/2001)

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Pub. L. 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

The time required to complete this information collection is estimated to vary from 1 to 3 hours per response, with an average of 1.5 hours, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, DC 20202-4651.

EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES
(as of January 13, 1999)

EMPOWERMENT ZONES

California: Los Angeles, Oakland, Santa Ana, Riverside County*
Connecticut: New Haven+
Florida: Miami+
Georgia: Atlanta, Cordele*+
Illinois: Chicago, East St. Louis+, Ullin*
Indiana: Gary, East Chicago
Kentucky: Kentucky Highlands* (Clinton, Jackson, and Wayne Counties)
Maryland: Baltimore
Massachusetts: Boston+
Michigan: Detroit
Minnesota: Minneapolis+
Mississippi: Mid-Delta* (Bolivar, Holmes, Humphreys, LeFlore, Sunflower, Washington Counties)
Missouri/Kansas: Kansas City, Kansas City
Missouri: St. Louis+
New Jersey: Cumberland County
New York: Harlem, Bronx
North Dakota: Lake Agassiz*
Ohio: Cleveland, Cincinnati, Columbus+
Ohio/West Virginia: Ironton/Huntington+
Pennsylvania/New Jersey: Philadephia/ Camden
South Carolina: Columbia/Sumter
South Dakota: Oglala Sioux Reservation in Pine Ridge*
Tennessee: Knoxville
Texas: Houston, El Paso+, Rio GrandeValley* (Cameron, Hidalgo, Starr, and Willacy Counties)
Virginia: Norfolk+/Portsmouth

ENTERPRISE COMMUNITIES

Alabama: Birmingham
Alabama: Chambers County* Greene County*, Sumter County*
Alaska: Juneau*
Arizona: Arizona Border* (Cochise, Santa Cruz and Yuma Counties), Phoenix, Window Rock*
Arkansas: East Central* (Cross, Lee, Monroe, and St. Francis Counties), Mississippi County*, Pulaski County
California: Imperial County*, Los Angeles, Huntington Park, San Diego, San Francisco, Bayview, Hunter's Point, Watsonville*, Orange Cove*
Colorado: Denver
Connecticut: Bridgeport, New Haven
Delaware: Wilmington
District of Columbia: Washington
Florida: Jackson County*, Miami, Dade County, Tampa, Immokalee*
Georgia: Albany, Central Savannah River*(Burke, Hancock, Jefferson, McDuffie, Tallafero, and Warren Counties), Crisp County*, Dooley County*
Hawaii: Kaunakakai*
Illinois: East St. Louis, Springfield
Indiana: Indianapolis, Austin*
Iowa: Des Moines
Kansas: Leoti*
Kentucky: Louisville, Bowling Green*
Louisiana: Macon Ridge* (Catahoula, Concordia, Franklin, Morehouse, and Tensas Parishes), New Orleans, Northeast Louisiana Delta* (Madison Parish), Ouachita Parish
Maine: Lewiston*
Massachusetts: Lowell, Springfield
Michigan: Five Cap*, Flint, Muskegon, Harrison*
Minnesota: Minneapolis, St. Paul
Mississippi: Jackson, North Delta Area* (Panola, Quitman, and Tallahatchie Counties)
Missouri: East Prairie*, St. Louis
Montana: Poplar*
Nebraska: Omaha
Nevada: Clarke County, Las Vegas
New Hampshire: Manchester
New Jersey: Newark
New Mexico: Albuquerque, La Jicarita* (Mora, Rio Arriba, Taos Counties), Deming*
New York: Albany, Schenectady, Troy
New York: Buffalo, Rochester
New York: Newburgh, Kingston
North Carolina: Charlotte
North Carolina: Edgecombe, Halifax, Robeson, Wilson Counties*
Ohio: Akron, Columbus, Greater Portsmouth* (Scioto County)
Oklahoma: Choctaw, McCurtain Counties*, Oklahoma City, Ada*
Oregon: Josephine County*, Portland
Pennsylvania: Harrisburg, Lock Haven*, Pittsburgh, Uniontown*
Rhode Island: Providence
South Carolina: Charleston, Williamsburg, Florence County*, Hallandale*
South Dakota: Beadle, Spink Counties*
Tennessee: Fayette, Haywood Counties*, Memphis, Nashville, Rutledge*
Tennessee/Kentucky: Scott, McCreary Counties*
Texas: Dallas, El Paso, San Antonio, Waco, Uvalde*
Utah: Ogden
Vermont: Burlington
Virginia: Accomack (Northampton County)*, Norfolk
Washington: Lower Yakima County*, Seattle, Tacoma, Collie*
West Virginia: Charleston*, Huntington, McDowell County*, West Central Appalachia* (Braxton, Clay, Fayette, Nicholas, and Roane)
Wisconsin: Milwaukee, Keshena*

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* Denotes rural designee
+Also an Enterprise Community, Round One

STATE SINGLE POINT OF CONTACT
(As of April 22, 1999)

Note: In accordance with Executive Order 12372, Intergovernmental Review of Federal Programs, this listing represents the designated State Single Points of Contact (SSPOCs). Because participation is voluntary, some States and Territories no longer participate in the process. These include: Alabama, Alaska, American Samoa, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, and Washington.

The jurisdictions not listed no longer participate in the process. However, an applicant is still eligible to apply for a grant or grants even if its respective State, Territory, Commonwealth, etc. does not have a SSPOC.

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Note: This list is based on the most current information provided by the States. Information on any changes or apparent errors should be provided to Sherron Duncan at the Office of Management and Budget (202) 395-3914 and to the State in question. Changes to the list will only be made upon formal notification by the State. The list is updated every six months and is also published biannually in the Catalog of Federal Domestic Assistance. The last changes made were to Delaware, Indiana, Missouri, New Mexico, Puerto Rico, Rhode Island, Utah, and Wisconsin.

*Guam and the Virgin Islands are not confirmed.

[FR Doc. 00–22264 Filed 8–31–00; 8:45 am]
BILLING CODE 4000–01–C

DEPARTMENT OF EDUCATION

[CFDA No.: 84.288S]

Bilingual Education: Program Development and Implementation Grants; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2001

Note to Applicants

This notice is a complete application package. Together with the statute authorizing the program and the Education Department General Administrative Regulations (EDGAR), this notice contains all of the information, application forms, and instructions needed to apply for a grant under this program.

Purpose of Program

The purpose of this program is to provide grants to develop and implement new comprehensive, coherent, and successful bilingual education programs (including dual language education programs) or special alternative instructional programs for limited English proficient (LEP) students, including programs of early childhood education, kindergarten through twelfth grade education, gifted and talented education, and vocational and applied technology education.

SUPPLEMENTARY INFORMATION:

''Proficiency in English and one other language is something that we need to encourage among all young people. That is why I am delighted to see and highlight the growth and promise of so many dual-language bilingual programs across the country. They are challenging young people with high standards, high expectations, and curriculum in two languages. They are the wave of the future * * *. That is why I am challenging our nation to increase the number of dual-language schools to at least 1,000 over the next five years, and with strong federal, state and local support we can have many more * * *. Our nation can only grow stronger if all our children grow up learning two languages * * *. Our global economy demands it; our children deserve it.''

(From Excelencia Para Todos-Excellence for All: The Progress of Hispanic Education and the Challenges of a New Century. Remarks by U.S. Secretary of Education Richard W. Riley at Bell Multicultural High School, Washington, D.C., March 15, 2000.)

Strong language skills are becoming increasingly important at the outset of the twenty-first century as computers and the Internet facilitate and expand communication. Individuals who are proficient in multiple languages will be able to benefit the most from these new technologies that give access to information in all the languages of the world.

The new age of information highlights the importance of assisting all students to achieve competence in more than one language. Research has shown that dual language education programs are a logical and effective way to help LEP students develop their primary language skills and become proficient in English and to help native English speakers develop their English skills and become proficient in a second language.

Research has also shown that dual language education programs, in addition to fostering bilingual proficiency, provide cognitive, socio-cultural, and economic benefits. Biliterate students tend to perform better than monolingual students on tasks that call for pattern recognition and problem solving. Knowing other languages facilitates greater intercultural understanding and appreciation. Individuals with bilingual proficiency enhance their job opportunities and their community's economic competitiveness in the global marketplace.

Underscoring the importance of helping all students develop proficiency both in English and in another language, the Secretary in his remarks cited above has challenged the Nation to increase the number of schools providing dual language education programs to at least 1,000 over the next five years. Accordingly, this notice invites applications that aim to implement high-quality dual language education projects. Applicants should refer to the appendix of this notice for nonregulatory guidance on commonly asked questions about dual language education.

Only applications that meet the absolute priority for dual language education projects, as specified in this notice, will be considered for funding. Other notices will be published later inviting other types of applications for new FY 2001 awards under the Program Development and Implementation Grants Program and other programs, including the Foreign Language Assistance Program.

Eligible Applicants: (a) One or more local educational agencies (LEAs), (b) one or more LEAs in collaboration with an institution of higher education (IHE), community-based organization (CBO), or a State educational agency (SEA); or (c) a CBO or an IHE that has an application approved by the LEA to develop and implement early childhood education or family education programs or to conduct an instructional program that supplements the educational services provided by an LEA.

Deadline for Transmittal of Applications: October 20, 2000.

Deadline for Intergovernmental Review: December 19, 2000.

Available Funds: $7.5 million.

The Administration has requested $18 million for new grants under this program in FY 2001. This amount includes funds for both the dual language education awards specified in this notice and other Program Development and Implementation awards that will be specified in a later notice. The actual level of funding, if any, depends on final congressional action.

Estimated Range of Awards: $100,000–$175,000.

Estimated Average Size of Awards: $150,000.

Estimated Number of Awards: 50.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria reviewers use to evaluate your application. You must limit the application narrative to the equivalent of no more than 35 pages, using the following standards:

- A page is 8.5″ × 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12-point or larger or no smaller than 10 pitch (characters per inch).

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the budget justification and the cost itemization; Part IV, the assurances and certifications; or the table of contents, the one-page abstract, the resumes, the bibliography, or the letters of support. However, you must include all of the application narrative in Part III.

If, to meet the page limit, you use more than one side of the page, you use a larger page, or you use a print size, spacing, or margins smaller than the standards in this notice, we will reject your application.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 85, 86, 97, 98, and 99. (b) The regulations in 34 CFR part 299.

Description of Program

The statutory authorization for this program, and the application requirements that apply to this competition, are set out in sections 7112 and 7116 of the Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994 (Pub. L. 103–382, enacted October 20, 1994 (the Act) (20 U.S.C. 7422 and 7426)).

The grants awarded under this section are to be used to improve the education of limited English proficient students and their families. Specifically, grantees are required to serve limited English proficient students by: (a) Developing and implementing comprehensive preschool, elementary, or secondary bilingual education or special alternative instructional programs that are coordinated with other relevant programs and services; and (b) providing inservice training to classroom teachers, administrators, and other school or community-based organizational personnel. Grantees may also implement family education programs, improve the instructional program, compensate personnel, and provide tutorials and academic or career counseling to limited English proficient students.

Priorities

Absolute Priority

Under 34 CFR 75.105(c)(3) and section 7116(i)(1) of the Act the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Projects that provide for the development of bilingual proficiency both in English and in another language for all participating students.

Competitive Priority

Within the absolute priority specified in this notice, the Secretary under 34 CFR 75.105(c)(2)(ii) and 34 CFR 299.3(b) gives preference to applications that meet the following competitive priority. An application that meets this competitive priority is selected by the Secretary over applications of comparable merit that do not meet the priority:

Projects that will contribute to systemic educational reform in an Empowerment Zone, including a Supplemental Empowerment Zone, or an Enterprise Community designated by the United States Department of Housing and Urban Development or the United States Department of Agriculture, and are made an integral part of the Zone's or Community's comprehensive community revitalization strategies.

A list of areas that have been designated as Empowerment Zones and Enterprise Communities is provided at the end of this notice.

Invitational Priority

Within the absolute priority specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priority. However, under 34 CFR 75.105(c)(1) an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over other applications:

Applicants that consider the U.S. Department of Education Professional Development Principles in planning and designing a Program Development and Implementation Grant project.

Those principles call for educator professional development that focuses on teachers as central to student learning, yet includes all other members of the school community; focuses on individual, collegial, and organizational improvement; respects and nurtures the intellectual and leadership capacity of teachers, principals, and others in the school community; reflects best available research and practice in teaching, learning, and leadership; enables teachers to develop further expertise in subject content, teaching strategies, uses of technologies, and other essential elements in teaching to high standards; promotes continuous inquiry and improvement embedded in the daily life of schools; is planned collaboratively by those who will participate in and facilitate that development; requires substantial time and other resources; is driven by a coherent long-term plan; is evaluated ultimately on the basis of its impact on teacher effectiveness and student learning; and uses this assessment to guide subsequent professional development efforts.

Selection Criteria

(a)(1) The Secretary uses the following selection criteria in 34 CFR 75.210 and sections 7116 and 7123 of the Act to evaluate applications for new grants under this competition.

(2) The maximum score for all of these criteria is 100 points.

(3) The maximum score for each criterion is indicated in parentheses.

(b) The criteria—(1) *Need for the project.* (15 points) The Secretary considers the need for the proposed project. In determining the need for the proposed project, the Secretary considers the following factors:

(i) The number of children and youth of limited English proficiency in the school or school district to be served, and

(ii) The characteristics of those children and youth, such as—

(A) Language spoken;

(B) Dropout rates;

(C) Proficiency in English and the native language;

(D) Academic standing in relation to the English proficient peers of those children and youth; and

(E) If applicable, the recency of immigration.

(Authority: 20 U.S.C. 7426(g)(1)(A))

(2) *Quality of the project design.* (25 points) (i) The Secretary considers the quality of the design of the proposed project.

(ii) In determining the quality of the design of the proposed project, the Secretary considers the following factors:

(A) The extent to which the goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable.

(B) The extent to which the design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs.

(C) The extent to which the proposed project is part of a comprehensive effort to improve teaching and learning and support rigorous academic standards for students.

(D) The extent to which the proposed project is designed to build capacity and yield results that will extend beyond the period of Federal financial assistance.

(E) The extent to which the proposed project will be coordinated with similar or related efforts, and with other appropriate community, State, and Federal resources.

(F) The extent to which the proposed project encourages parental involvement.

(Authority: 34 CFR 75.210(c)(2)(i), (ii),(xii), (xvi), (xviii), and (xix)).

(3) *Quality of project services.* (15 points)(i) The Secretary considers the quality of the services to be provided by the proposed project.

(ii) In determining the quality of the services to be provided by the proposed project, the Secretary considers the quality and sufficiency of strategies for ensuring equal access and treatment for eligible project participants who are members of groups that have traditionally been underrepresented

based on race, color, national origin, gender, age, or disability.

(iii) In addition, the Secretary considers the following factors:

(A) The extent to which the services to be provided by the proposed project are appropriate to the needs of the intended recipients or beneficiaries of those services.

(B) The extent to which the training or professional development services to be provided by the proposed project are of sufficient quality, intensity, and duration to lead to improvements in practice among the recipients of those services.

(C) The likelihood that the services to be provided by the proposed project will lead to improvements in the achievement of students as measured against rigorous academic standards.

(Authority: 34 CFR 75.210 (d)(1),(2),(3)(i),(v)and (vii)).

(4) *Quality of project personnel.* (10 points) (i) The Secretary considers the quality of the personnel who will carry out the proposed project.

(ii) In determining the quality of project personnel, the Secretary considers the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability.

(iii) In addition, the Secretary considers the following factors:

(A) The qualifications, including relevant training and experience, of the project director or principal investigator.

(B) The qualifications, including relevant training and experience, of key project personnel.

(Authority: 34 CFR 75.210(e)(1)–(3)(i) and (ii)).

(5) *Adequacy of resources.* (10 points) (i) The Secretary considers the adequacy of resources for the proposed project.

(ii) In determining the adequacy of resources for the proposed project, the Secretary considers the following factors:

(A) The extent to which the budget is adequate to support the proposed project.

(B) The extent to which the costs are reasonable in relation to the objectives, design, and potential significance of the proposed project.

(C) The extent to which the costs are reasonable in relation to the number of persons to be served and to the anticipated results and benefits.

(D) The potential for continued support of the project after Federal funding ends, including, as appropriate, the demonstrated commitment of appropriate entities to such support.

(Authority: 34 CFR 75.210(f)(1), (2), (iv), (v) and (vi)).

(6) *Quality of the management plan.* (10 points) (i) The Secretary considers the quality of the management plan for the proposed project.

(ii) In determining the quality of the management plan for the proposed project, the Secretary considers the following factors:

(A) The adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(B) The extent to which the time commitments of the project director and principal investigator and other key project personnel are appropriate and adequate to meet the objectives of the proposed project.

(C) How the applicant will ensure that a diversity of perspectives are brought to bear in the operation of the proposed project, including those of parents, teachers, the business community, a variety of disciplinary and professional fields, recipients or beneficiaries of services, or others, as appropriate.

(Authority: 34 CFR 75.210(g)(1), (2)(i), (iv) and (v)).

(7) *Quality of project evaluation plan.* (15 points) The Secretary reviews each application to determine how well the proposed project's evaluation will meet the following requirements:

(i) Student evaluation and assessment procedures must be valid, reliable, and fair for limited English proficient students.

(ii) The evaluation must include—

(A) How students are achieving the State student performance standards, if any, including data comparing children and youth of limited English proficiency with nonlimited English proficient children and youth with regard to school retention, academic achievement, and gains in English (and, if applicable, native language) proficiency;

(B) Program implementation indicators that provide information for informing and improving program management and effectiveness, including data on appropriateness of curriculum in relationship to grade and course requirements, appropriateness of program management, appropriateness of the program's staff professional development, and appropriateness of the language of instruction; and

(C) Program context indicators that describe the relationship of the activities funded under the grant to the overall school program and other Federal, State, or local programs serving children and youth of limited English proficiency.

(Authority: 20 U.S.C. 7426(h)(3) and 7433(c)(1)–(3))

Intergovernmental Review of Federal Programs

This program is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR Part 79.

One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

If you are an applicant, you must contact the appropriate State Single Point of Contact (SPOC) to find out about, and to comply with, the State's process under Executive order 12372. If you propose to perform activities in more than one State, you should immediately contact the SPOC for each of those States and follow the procedure established in each state under the Executive order. If you want to know the name and address of any SPOC, see the list in the Appendix to this application notice; or you may view the latest official SPOC list on the Web site of the Office of Management and Budget at the following address: *http://www.whitehouse.gov/omb/grants*

In States that have not established a process or chosen a program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, areawide, regional, and local entities must be mailed or hand-delivered by the date indicated in this notice to the following address: The Secretary, E.O. 12372—CFDA# 84.288S, U.S. Department of Education, Room 6213, 400 Maryland Avenue, SW., Washington, D.C. 20202–0124.

We will determine proof of mailing under 34 CFR 75.102 (Deadline date for applications). Recommendations or comments may be hand-delivered until 4:30 p.m. (Washington, DC time) on the date indicated in this notice.

Please note that the above address is not the same address as the one to which an

applicant submits its completed application. *Do not send applications to the above address.*

Instructions for Transmittal of Applications

(a) If an applicant wants to apply for a grant, the applicant must—

(1) Mail the original and two copies of the application on or before the deadline date to: U.S. Department of Education, Application Control Center, Attention: (CFDA# 84.288S), Washington, DC 20202–4725, or

(2) Hand-deliver the original and two copies of the application by 4:30 p.m. (Washington, DC time) on or before the deadline date to: U.S. Department of Education, Application Control Center, Attention: (CFDA# 84.288S), Room #3633, Regional Office Building #3, 7th and D Streets, SW., Washington, DC.

(b) An applicant must show one of the following as proof of mailing:

(1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary.

(c) If an application is mailed through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

Note: (1) The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, an applicant should check with its local post office.

(2) The Application Control Center will mail a Grant Application Receipt Acknowledgment to each applicant. If an applicant fails to receive the notification of application receipt within 15 days from the date of mailing the application, the applicant should call the U.S. Department of Education Application Control Center at (202) 708–9495.

(3) The applicant *must* indicate on the envelope and—if not provided by the Department—in Item 10 of the Application for Federal Assistance (Standard Form 424) the CFDA number—and suffix letter, if any—of the competition under which the application is being submitted.

Application Instructions and Forms

The appendix to this notice contains the following forms and instructions, including a statement regarding estimated public reporting burden, a notice to applicants regarding compliance with section 427 of the General Education Provisions Act (GEPA), a checklist for applicants, and various assurances, certifications, and required documentation:

a. Estimated Burden Statement.

b. Application Instructions.

c. Nonregulatory Guidance: Questions and Answers.

d. Checklist for Applicants.

e. List of Empowerment Zones and Enterprise Communities.

f. Application for Federal Education Assistance (ED 424) and instructions.

g. Group Application Certification.

h. Budget Information—Non-Construction Programs (ED 524) and Instructions.

i. Student Data.

j. Project Documentation.

k. Assurances—Non-Construction Programs (Standard Form 424B) and Instructions.

l. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (ED 80–0013) and Instructions.

m. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions (ED 80–0014) and Instructions.

n. Disclosure of Lobbying Activities (Standard Form LLL) and Instructions.

o. Notice to All Applicants (GEPA Requirement) and Instructions (OMB No. 1801–0004).

An applicant may submit information on a photostatic copy of the application and budget forms, the assurances, and the certifications. However, the application form, the assurances, and the certifications must each have an original signature.

All applicants must submit ONE original signed application, including ink signatures on all forms and assurances, and *two* copies of the application. Please mark each application as *original* or *copy*. No grant may be awarded unless a completed application has been received.

FOR FURTHER INFORMATION CONTACT: Ursula Lord or Trini Torres, U.S. Department of Education, 400 Maryland Avenue, SW., Switzer Building, Room 5605, Washington, DC 20202–6510. Telephone: Ursula Lord (202) 205–5709; Trini Torres (202) 205–0719. E-mail address: Ursula__Lord@ed.gov; Trinidad__Torres-Carrion@ed.gov.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

Individuals with disabilities may obtain this notice in an alternate format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact persons listed in the preceding paragraph. Please note, however, that the Department is not able to reproduce in an alternate format the standard forms included in the notice.

Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDS) on the Internet at either of the following sites:

http://ocfo.ed.gov/fedreg.htm
http://www.ed.gov/news.html

To use the PDF you must have Adobe Acrobat Reader, which is available free at either of the previous sites. If you have questions about using the PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498 or in the Washington, DC area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available at GPO access at:

http://www.access.gpo.gov/nara/index.html

Program Authority: 20 U.S.C. 7422.

Dated: August 25, 2000.

Art Love,

Acting Director, Office of Bilingual, Education and Minority Languages Affairs.

APPENDIX—

Estimated Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is OMB No. 1885–0538 (Expiration Date: 12/31/2001). The time required to complete this information collection is estimated to average 80 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. *If you have any comments concerning the accuracy of the time estimate or suggestions for improving this form, please write to:* U.S. Department of Education, Washington, D.C. 20202–4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, 400 Maryland Avenue, SW., Room 5605, Switzer Building, Washington, DC 20202–6510.

Application Instructions

Abstract

The narrative section should be preceded by a one-page abstract that includes a short

description of the population to be served by the project, project objectives, and planned project activities.

Selection Criteria

The narrative should address fully all aspects of the selection criteria in the order listed and should give detailed information regarding each criterion. Do not simply paraphrase the criteria. Do not include resumes or curriculum vitae for project personnel; provide position descriptions instead. Do not include bibliographies, letters of support, or appendices in your application.

Empowerment Zone/Enterprise Community Priority

Applicants that wish to be considered under the competitive priority for Empowerment Zones and Enterprise Communities, as specified in a previous section of this notice, should identify in Section D of the Project Documentation Form the applicable Empowerment Zone or Enterprise Community. The application narrative should describe the extent to which the proposed project will contribute to systemic educational reform in the particular Empowerment Zone or Enterprise Community and be an integral part of the Zone's or Community's comprehensive revitalization strategies. A list of areas that have been designated as Empowerment Zones and Enterprise Communities is provided at the end of this notice.

Table of Contents

The application should include a table of contents listing the various parts of the narrative in the order of the selection criteria. Be sure that the table includes the page numbers where the parts of the narrative are found.

Budget

A separate budget summary and cost itemization must be provided on the Budget Information Form (ED 524) and in the itemized budget for each project year. Budget line items should be directly related to the activities proposed to achieve the goals and objectives of the project.

Submission of Application to State Educational Agency

Section 7116(a)(2) of the authorizing statute (Elementary and Secondary Education Act of 1965, as amended by the Improving America's Schools Act of 1994, Pub. L. 103–382) requires all applicants except schools funded by the Bureau of Indian Affairs to submit a copy of their application to their State educational agency (SEA) for review and comment (20 U.S.C. 7426(a)(2)). Section 75.156 of the Education Department General Administrative Regulations (EDGAR) requires these applicants to submit their application to the SEA on or before the deadline date for submitting their application to the U.S. Department of Education. This section of EDGAR also requires applicants to attach to the application they submit to the U.S. Department of Education a copy of their letter that requests the SEA to comment on the application (34 CFR 75.156). This letter should be attached to the Project Documentation Form contained in this application package. APPLICANTS THAT DO NOT SUBMIT A COPY OF THEIR APPLICATION TO THEIR STATE EDUCATIONAL AGENCY IN ACCORDANCE WITH THESE STATUTORY AND REGULATORY REQUIREMENTS WILL NOT BE CONSIDERED FOR FUNDING.

Final Application Preparation

Use the Checklist for Applicants provided below to verify that your application is complete. Submit three copies of the application, including one copy with an original signature on each form that requires the signature of the authorized representative. Do not use elaborate bindings, notebooks, or covers. The application must be mailed or hand-delivered to the U.S. Department of Education Application Control Center (ACC). If mailed, the application must be postmarked by the deadline date.

Nonregulatory Guidance: Questions and Answers

What is "Dual Language Education"?

Dual language education programs (sometimes referred to as dual immersion, two-way immersion, or two-way bilingual education) aim to achieve bilingual proficiency and biliteracy in English and another language for all participating students. They integrate both language minority and language majority students for all or most of the day and use their native language resources to model language skills for peers. Dual language programs provide content instruction and literacy instruction to all students in the program in both languages.

Is a dual language education program the only means of achieving English proficiency for all LEP students in all communities?

No. Dual language education is not the only way to achieve high standards for all students. It is only one of many successful methodologies that are recognized as sound for helping LEP students achieve proficiency in English and achieve to high academic standards.

What are some of the goals of a dual language program?

Successful dual language education programs have the following goals:

- Students will develop high levels of proficiency in their first language.
- Students will develop high levels of proficiency in a second language.
- Academic performance will be at or above grade level in both languages.
- Students will demonstrate positive cross-cultural attitudes and behaviors.

How is a successful dual language education program implemented?

Findings from research indicate that effective dual language programs:

- Include a roughly equal balance of students from the target language and English language backgrounds who participate in instructional activities together.
- Provide instruction in English and in the target (non-English) language so that they achieve optimal bilingual proficiency and biliteracy. A common approach among existing dual language programs is to provide approximately equal amounts of instruction in both English and in the target (non-English) language.
- Provide a minimum of four to six years of dual language instruction to all participating students and form partnerships with middle and high schools to support the students' dual language skills past their elementary experience.
- Hold all students to the same high academic standards and provide the same core academic curriculum for students in the dual language programs as in other programs.
- Incorporate characteristics of effective schools, such as qualified personnel and family-school collaboration.

What does the research show about the impacts of dual language education programs?

There are currently more than 260 dual language programs nationwide and the number is growing rapidly (Loeb, 1999). According to ongoing research on non-native English speakers in five urban districts, those students in dual immersion programs showed the most academic gains as compared to those in other programs (Collier, 1994). While these differences are less apparent in the early years, later success suggests longer-term benefits. Specifically, in six dual language schools in California, 93% to 100% of the non-native English-speaking fifth and sixth grade students were considered fluent in English (according to the Student Oral Language Observation Matrix); 75% to 100% of the native English speakers were considered fluent in Spanish by the fifth grade (Lindholm-Leary, 2000). Students in dual language programs show an increased likelihood for developing friendships without regard to race or ethnicity and both native and non-native English speakers showed more confidence in academic and personal matters than did their peers in other programs (Cazabon, Lambert, and Hall, 1993).

How long a planning period is necessary before implementing a dual language program?

In-depth planning is central to the program's effectiveness; thus, at least one year of planning is recommended before implementing a new dual language program. During this time, it is important to establish a planning team that includes parents, teachers, school and district administrators, and community representatives. Initial planning steps should include: carefully assessing the native language skills of the student population; identifying the academic needs of the LEP and English-speaking students; identifying the target language; researching dual language education literature; determining the type and scope of the program; establishing goals; parent outreach; assessing the qualifications and strengths of available teachers; assessing resources such as aides, materials, and funding; and developing an action plan, budget, and timeline.

Should a school with a transient student population (over 30%) consider implementing a dual language education instructional design? How could a high rate of transience affect the success of the program?

Recruiting and retaining sufficient numbers of language minority and language majority students is crucial if the dual language program is to be successful. Many programs require that parents make a long-term commitment of five to six years. For schools with highly transient student populations, if many students are expected to leave the program before realizing the potential benefits, the dual language approach is not recommended.

What grade levels should be considered for implementing a dual language instructional design?

Nearly all successful dual language programs start between Pre-K and first grade and continue through at least the end of elementary school.

What are the challenges for a middle or high school program that is interested in dual language education?

Findings from surveys of existing dual language programs indicate that starting a program at the secondary level is not recommended unless elementary schools with strong dual language programs will directly feed into the school. Middle and high schools face numerous implementation challenges, including the availability of qualified staff, appropriate materials in the non-English language, language distribution, costs for new materials, and student scheduling.

What is the recommended number of English speakers and target language speakers a school has to have in order to implement a successful dual language education program?

Each class is usually composed of 50% native English speakers and 50% native speakers of the target language. This composition is optimal so that there are native language models in both languages of instruction. A program in which, for example, no less than 40% and no more than 60% of the students are minority language speakers will still be feasible as a dual language education program.

Do all LEP students in the school have to be served by the dual language instructional model to be eligible for funding under the Dual Language Education Program Development and Implementation grant competition?

No, but it is recommended that applicants consider starting with at least two classes at the same grade level, usually kindergarten, and continue to add one grade level per year as the program matures. All students participating in the program must receive comprehensive and coherent services that are ''coordinated with other relevant programs and services to meet the full range of educational needs of limited English proficient students.''

Are students from both language backgrounds in class together all day?

Students from both language backgrounds should learn together for all, or almost all, of the instructional day. In certain schools, the students may be separated for some of their language arts instruction in the first or second language. However, if students are separated for too much instruction, they do not have the opportunity to learn language from each other and if the students are separated for instruction over several grade levels, this tracking may lead to less challenging content for the language minority students.

Do all teachers need to be fully proficient in English and the target language in a dual language program?

Projects funded under the Bilingual Education Act are required to use personnel who are proficient in the language or languages used for instruction. In addition, the Act specifically requires that projects employ teachers who individually, or in combination, are proficient in English. Ideally, all instructional staff should be fully bilingual since an explicit goal of a dual language program is bilingualism and biliteracy for all students. The Department, however, does not read the statute as requiring that all teachers in a dual language program be fully proficient in both English and the target language. If teachers are not bilingual, instruction can be organized according to the language proficiency of the teachers for grades two and later. For grades K–1, research shows it is especially important that teachers who are providing instruction in English possess some understanding of the target language to help facilitate negotiation of meaning during instruction.

Who needs to be supportive of a dual language education program in order to help ensure its successful implementation?

Stakeholders may include district administrators, school administrators, teachers, parents, local organizations, institutions of higher education, and the broader community. Effective leadership from all parties requires an understanding of the research findings and pedagogical principles underlying dual language programs as well as a willingness to advocate for the program.

Must a program have LEP students to qualify for a Dual Language Education Program Development and Implementation grant under Title VII?

Yes. In order for a school to be eligible to participate in the Program Development and Implementation grant program it must serve limited English proficient students and their families. A primary purpose of projects that will be assisted under this program will be to develop the English and native language proficiency of LEP students and assist those students in mastering challenging academic content. Programs that use two languages, but do not have participating LEP students, may be eligible for assistance under the Foreign Language Assistance Program (FLAP).

Can a dual language education program include students whose first language is neither English nor the target language?

Yes, if a school has students whose primary language is neither English nor the target language (*e.g.* a student whose first language is Vietnamese at a school implementing a Spanish/English dual language program), it can include that child in the dual language program so long as provisions are made to ensure that the child has meaningful access to the entire academic program.

What is the typical racial or ethnic composition of a dual language program?

There is no typical racial or ethnic composition of a dual language program. For example, a dual language Spanish/English program could include mostly Latino students as long as approximately half of them are LEP Spanish speakers and the other half uses English as their first language. Conversely, a Chinese/English program could include White, Latino, Asian, and Black students in its group of English language speakers.

May an LEA apply for both a regular Program Development and Implementation grant and a Dual Language Education Program Development and Implementation grant under Title VII for the same school?

Yes. However, because a regular Program Development and Implementation grant supports the implementation of a specific program, an LEA cannot receive more than one Program Development and Implementation grant for the same program at a specific school. (An LEA can receive more than one Program Development and Implementation grant as long as those grants are to be carried out at separate schools.) An applicant should choose the instructional strategy that is right for its unique student population, teachers, and community and apply for the grant that is most appropriate for the particular school in question.

What should a program do to sustain its dual language activities after the grant period is completed?

Regardless of the length of the grant cycle, from the start, program coordinators are to consider methods for building their capacity to continue the program on non-Federal funds when the grant period ends. An applicant's commitment to capacity building for program continuation is one of the basic obligations that must be met by grantees under the Bilingual Education Act and will be a significant component of the criteria used in selecting applications for funding.

Checklist for Applicants

Order of the Forms and Other Items for the Application

1. Application for Federal Education Assistance Form (ED 424).
2. Group Application Certification Form (if applicable).
3. Budget Information Form (ED 524).
4. Itemized budget for each budget year.
5. Student Data Form.
6. Project Documentation Form, including:

Section A—Copy of transmittal letter to SEA (if applicable);

Section B—Documentation of consultation with nonprofit private school officials (if applicable);

Section C—Appropriate box checked;

Section D—Empowerment Zone or Enterprise Community identified (if applicable).

7. Assurances—Non-Construction Programs Form (SF 424B).

8. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements Form (ED 80–0013).

9. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions Form (ED 80–0014) (if applicable).

10. Disclosure of Lobbying Activities Form (SF LLL).

11. Notice to All Applicants (GEPA Requirement) (OMB No. 1801–0004).

12. One-page abstract.

13. Table of contents.

14. Application narrative (not to exceed 35 pages).

Transmittal of the Application

1. One original and two copies of the application to the U.S. Department of Education Application Control Center.

2. One copy to the appropriate State Educational Agency (if applicable).

3. One copy to the appropriate State Single Point of Contact (if applicable).

BILLING CODE 4000–01–P

Application for Federal Education Assistance

Note: If available, please provide application package on diskette and specify the file format

U.S. Department of Education

Form Approved
OMB No. 1875-0106
Exp. 06/30/2001

Applicant Information

1. Name and Address
Legal Name: _____

Address: _____

_____

_____ City _____ State _____ County _____ ZIP Code + 4 _____ - _____

Organizational Unit

2. Applicant's D-U-N-S Number: |__|__|__|__|__|__|__|__|__|

3. Applicant's T-I-N |__|__| - |__|__|__|__|__|__|__|

4. Catalog of Federal Domestic Assistance #: **84._2_|_8_|_8_|_S_|** →

Title: **Bilingual Education: Program Development and Implementation Grants**

5. Project Director: _____

Address: _____

_____ City _____ State _____ Zip code + 4

Tel. #: ( ) _____-_____ Fax #: ( ) _____-_____

E-Mail Address: _____

6. Is the applicant delinquent on any Federal debt? ___Yes ____No
(If "Yes," attach an explanation.)

7. Type of Applicant *(Enter appropriate letter in the box.)* |_____|

A - State	H - Independent School District
B - County	I - Public College or University
C - Municipal	J - Private, Non-Profit College or University
D - Township	K - Indian Tribe
E - Interstate	L - Individual
F - Intermunicipal	M - Private, Profit-Making Organization
G - Special District	N - Other *(Specify)*: _____

8. Novice Applicant ___Yes ____ No

Application Information

9. Type of Submission:

-PreApplication	*-Application*
____Construction	____Construction
____Non-Construction	__X__Non-Construction

10. Is application subject to review by Executive Order 12372 process?
____ Yes *(Date made available to the Executive Order 12372 process for review)*: ____/____/_____

____ No *(If "No," check appropriate box below.)*
____ Program is not covered by E.O. 12372.
____ Program has not been selected by State for review.

11. Proposed Project Dates: ____/____/_____ ____/____/_____
Start Date: **End Date:**

12. Are any research activities involving human subjects planned at any time during the proposed project period? ____Yes _____No
a. If "Yes," Exemption(s) #: b. Assurance of Compliance #:

_____ ***OR*** _____

c. IRB approval date: ____ Full IRB **or**
_____ ____ Expedited Review

13. Descriptive Title of Applicant's Project:

Estimated Funding

14a. Federal	$ _____	.00
b. Applicant	$ _____	.00
c. State	$ _____	.00
d. Local	$ _____	.00
e. Other	$ _____	.00
f. Program Income	$ _____	.00
g. TOTAL	$ _____	.00

ED 424 (rev 11/12/99)

Authorized Representative Information

15. To the best of my knowledge and belief, all data in this preapplication/application are true and correct. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the attached assurances if the assistance is awarded.

a. Typed Name of Authorized Representative

_____

b. Title: _____

c. Tel. #: ( ) _____-_____ Fax #: ( ) _____-_____

d. E-Mail Address: _____

e. Signature of Authorized Representative

_____ Date: ___/___/_____

Instructions for ED 424

1. **Legal Name and Address.** Enter the legal name of applicant and the name of the primary organizational unit which will undertake the assistance activity.

2. **D-U-N-S Number.** Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: **http://www.dnb.com/dbis/aboutdb/intlduns.htm.**

3. **Tax Identification Number.** Enter the tax identification number as assigned by the Internal Revenue Service.

4. **Catalog of Federal Domestic Assistance (CFDA) Number.** Enter the CFDA number and title of the program under which assistance is requested.

5. **Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.

6. **Federal Debt Delinquency.** Check **"Yes"** if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check **"No."**

7. **Type of Applicant.** Enter the appropriate letter in the box provided.

8. **Novice Applicant.** Check **"Yes"** only if assistance is being requested under a program that gives special consideration to novice applicants and you meet the program requirements for novice applicants. By checking "Yes" the applicant certifies that it meets the novice applicant requirements specified by ED. Otherwise, check **"No."**

9. **Type of Submission.** Self-explanatory.

10. **Executive Order 12372.** Check **"Yes"** if the application is subject to review by Executive Order 12372. Also, please enter the month, date, and four (4) digit year (e.g., 12/12/2000). Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. Otherwise, check **"No."**

11. **Proposed Project Dates.** Please enter the month, date, and four (4) digit year (e.g., 12/12/2000).

12. **Human Subjects.** Check "Yes" <u>or</u> "No" If research activities involving human subjects are <u>**not**</u> planned <u>**at any time**</u> during the proposed project period, check **"No." The remaining parts of item 12 are then not applicable.**

    If research activities involving human subjects, whether or not exempt from Federal regulations for the protection of human subjects, <u>**are**</u> planned <u>**at any time**</u> during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution, check **"Yes."** If <u>**all**</u> the research activities are designated to be exempt under the regulations, enter, in item 12a, the exemption number(s) corresponding to one or more of the six exemption categories listed in **"Protection of Human Subjects in Research"** attached to this form. Provide sufficient information in the application to allow a determination that the designated exemptions in item 12a, are appropriate. **Provide this narrative information in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page. Skip the remaining parts of item 12.**

    If <u>**some or all**</u> of the planned research activities involving human subjects are covered (nonexempt), skip item 12a and continue with the remaining parts of item 12, as noted below. In addition, follow the instructions in **"Protection of Human Subjects in Research"** attached to this form to prepare the six-point narrative about the nonexempt activities. **Provide this six-point narrative in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

    If the applicant organization has an approved Multiple Project Assurance of Compliance on file with the Grants Policy and Oversight Staff (GPOS), U.S. Department of Education, or with the Office for Protection from Research Risks (OPRR), National Institutes of Health, U.S. Department of Health and Human Services, that covers the specific activity, enter the Assurance number in item 12b and the date of approval by the Institutional Review Board (IRB) of the proposed activities in item 12c. This date must be no earlier than one year before the receipt date for which the application is submitted and must include the four (4) digit year (e.g., 2000). Check the type of IRB review in the appropriate box. An IRB may use the expedited review procedure if it complies with the requirements of 34 CFR 97.110. If the IRB review is delayed beyond the submission of the application, enter **"Pending"** in item 12c. If your application is recommended/selected for funding, a follow-up certification of IRB approval from an official signing for the applicant organization must be sent to and received by the designated ED official within 30 days after a specific formal request from the designated ED official. **If the applicant organization does not have** on file with GPOS or OPRR **an approved Assurance of Compliance** that covers the proposed research activity, enter **"None"** in item 12b and skip 12c. In this case, the applicant organization, by the signature on the application, is declaring that it will comply with 34 CFR 97 within 30 days after a specific formal request from the designated ED official for the Assurance(s) and IRB certifications.

13. **Project Title.** Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

14. **Estimated Funding.** Amount requested or to be contributed during the first funding/budget period by each contributor.

Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate **only** the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 14.

15. **Certification.** To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office.

Be sure to enter the telephone and fax number and e-mail address of the authorized representative. Also, in item 15e, please enter the month, date, and four (4) digit year (e.g., 12/12/2000) in the date signed field.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1875-0106**. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4651. **If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, 7th and D Streets, S.W. ROB-3, Room 3633, Washington, D.C. 20202-4725

Protection of Human Subjects in Research (Attachment to ED 424)

I. Instructions to Applicants about the Narrative Information that Must be Provided if Research Activities Involving Human Subjects are Planned.

If you marked item 12 on the application "Yes" and designated exemptions in 12a , **(all research activities are exempt),** provide sufficient information in the application to allow a determination that the designated exemptions are appropriate. Research involving human subjects that is exempt from the regulations is discussed under **II.B. "Exemptions,"** below. The Narrative must be succinct. **Provide this information in an "Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

If you marked "Yes" to item 12 on the face page, and designated no exemptions from the regulations **(some or all of the research activities are nonexempt),** address the following six points for each nonexempt activity. In addition, if research involving human subjects will take place at collaborating site(s) or other performance site(s), provide this information before discussing the six points. Although no specific page limitation applies to this section of the application, be succinct. Provide the six-point narrative and discussion of other performance sites in an **"Item 12/Protection of Human Subjects Attachment" and insert this attachment immediately following the ED 424 face page.**

(1) Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable.

(2) Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

II. Information on Research Activities Involving Human Subjects

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in the regulations.

—Is it a research activity?

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." *If an activity follows a deliberate plan whose purpose is to develop or contribute to generalizable knowledge, such as an exploratory study or the collection of data to test a hypothesis, it is research.* Activities which meet this definition constitute research whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Is it a human subject?

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information." *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an

individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the only involvement of human subjects will be in one or more of the following six categories of *exemptions* are not covered by the regulations:

(1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.

(2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, this exemption applies only to research involving educational tests or observations of public behavior when the investigator(s) do not participate in the activities being observed.*** [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S Department of Agriculture.

Copies of the Department of Education's Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff (GPOS) Office of the Chief Financial and Chief Information Officer, U.S. Department of Education, Washington, D.C., telephone: (202) 708-8263, and on the U.S. Department of Education's Protection of Human Subjects in Research Web Site at http://ocfo.ed.gov/humansub.htm.

GROUP APPLICATION CERTIFICATION

NOTE: This form must be completed by eligible parties applying as a group for a grant. This form must be accompanied by a group agreement that details the activities that each member of the group plans to perform under the grant.

(34 CFR 75.128(b)-(c)).

To the best of my knowledge and belief, all data in this application are true and correct. I agree to be bound to every statement and assurance made in this application.

Authorized Representative					Name of Institution/ Organization
Typed Name	Title	Signature	Date Signed	Telephone Number (including Area Code)	

U.S. DEPARTMENT OF EDUCATION

BUDGET INFORMATION

NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1890-0004

Expiration Date: 02/28/2003

Name of Institution/Organization

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY
U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

ED Form No. 524

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION B - BUDGET SUMMARY
NON-FEDERAL FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (lines 9-11)						

SECTION C - OTHER BUDGET INFORMATION (see instructions)

ED Form No. 524

Public reporting burden for this collection of information is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, Information Management and Compliance Division, Washington, D.C. 20202-4651; and the Office of Management and Budget, Paperwork Reduction Project 1875-0102, Washington DC 20503.

INSTRUCTIONS FOR ED FORM 524

General Instructions

This form is used to apply to individual U.S. Department of Education discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached.

Section A - Budget Summary
U.S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Section B - Budget Summary
Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Other Budget Information
Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, by project year, for each budget category listed in Sections A and B.

2. If applicable to this program, enter the type of indirect rate (provisional, predetermined, final or fixed) that will be in effect during the funding period. In addition, enter the estimated amount of the base to which the rate is applied, and the total indirect expense.

3. If applicable to this program, provide the rate and base on which fringe benefits are calculated.

4. Provide other explanations or comments you deem necessary.

STUDENT DATA

Name of Local Educational Agency

SECTION A

1. Total number of limited English proficient (LEP) students in the school district	
2. Total number of students in the school district	
3. Percentage of LEP students (line 1 divided by line 2)	%

SECTION B

Name of project school	Language group(s) to be served	Grade(s) to be served	Number of students to be served		
			LEP	Non-LEP	Total
Total number of students to be served					

PROJECT DOCUMENTATION

NOTE: Submit the appropriate documents and information as specified below

SECTION A

A copy of applicant's transmittal letter requesting the appropriate State educational agency to comment on the application. This requirement does not apply to schools funded by the Bureau of Indian Affairs. (See 34 CFR 75.155 and 75.156 below.)

§75.155 Review procedure if State may comment on applications: Purpose of §§75.156-75.158. If the authorizing statute for a program requires that a specific State agency be given an opportunity to comment on each application, the State and the applicant shall use the procedures in §§75.156-75.158 for that purpose.

(Authority: 20 U.S.C. 1221e-3(a)(1))

Cross-Reference: See 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities) for the regulations implementing the application review procedures that States may use under E.O. 12372. (In addition to the requirement in §75.155 for review by the State educational agency, the application is subject to review by State Executive Order 12372 process. Applicants must complete item 16 of the application face sheet (Standard Form 424, Application for Federal Assistance) by either (a) specifying the date when the application was made available to the State Single Point of Contact for review or (b) indicating that the program has not been selected by the State for review.)

§75.156 When an applicant under §75.155 must submit its application to the State: proof of submission.
(a) Each applicant under a program covered by §75.155 shall submit a copy of its application to the State on or before the deadline date for submitting its application to the Department.
(b) The applicant shall attach to its application a copy of its letter that requests the State to comment on the application.

(Authority: 20 U.S.C. 1221e-3(a)(1))

PROJECT DOCUMENTATION

(continued)

SECTION B

Evidence of compliance with the Federal requirements for participation of students enrolled in nonprofit private schools. (See section 7116(h)(2) of Public Law 103-382 and 34 CFR 75.119, 76.652, and 76.656 below.)

Sec. 7116. Applications. "(2) in designing the program for which application is made, the needs of children in nonprofit private elementary and secondary schools have been taken into account through consultation with appropriate private school officials and, consistent with the number of such children enrolled in such schools in the area to be served whose educational needs are of the type and whose language and grade levels are of a similar type to those which the program is intended to address, after consultation with appropriate private school officials, provision has been made for the participation of such children on a basis comparable to that provided for public school children."

(Authority: 20 U.S.C. 7426(h)(2))

§75.119 Information needed if private schools participate. If a program requires the applicant to provide an opportunity for participation of students enrolled in private schools, the application must include the information required of subgrantees under 34 CFR 76.656.

(Approved by the Office of Management and Budget under control number 1880-0513)
(Authority: 20 U.S.C. 1221e-3(a)(1))

§76.652 Consultation with representatives of private school students.
(a) An applicant for a subgrant shall consult with appropriate representatives of students enrolled in private schools during all phases of the development and design of the project covered by the application, including consideration of:
(1) Which children will receive benefits under the project;
(2) How the children's needs will be identified;
(3) What benefits will be provided;
(4) How the benefits will be provided; and
(5) How the project will be evaluated.
(b) A subgrantee shall consult with appropriate representatives of students enrolled in private schools before the subgrantee makes any decision that affects the opportunities of those students to participate in the project.

PROJECT DOCUMENTATION

(continued)

(c) The applicant or subgrantee shall give the appropriate representatives a genuine opportunity to express their views regarding each matter subject to the consultation requirements in this section.

(Authority: 20 U.S.C. 1221e-3(a)(1))

§76.656 Information in an application for a subgrant.
An applicant for a subgrant shall include the following information in its application:
(a) A description of how the applicant will meet the Federal requirements for participation of students enrolled in private schools.
(b) The number of students enrolled in private schools who have been identified as eligible to benefit under the program.
(c) The number of students enrolled in private schools who will receive benefits under the program.
(d) The basis the applicant used to select the students.
(e) The manner and extent to which the applicant complied with §76.652 (consultation).
(f) The places and times that the students will receive benefits under the program.
(g) The differences, if any, between the program benefits the applicant will provide to public and private school students, and the reasons for the differences.

(Authority: 20 U.S.C. 1221e-3(a)(1))

SECTION C

Check the appropriate box below:

- **There are no eligible nonprofit private schools in the proposed service delivery area that wish to participate in the project.** ☐
- **One or more eligible nonprofit private schools in the proposed service delivery area wish to participate in the project and are listed on the enclosed Student Data form.** ☐
- **There are no eligible nonprofit private schools in the proposed service delivery area.** ☐

SECTION D

If applicable, identify on the line at the right the Empowerment Zone, Supplemental Empowerment Zone, or Enterprise Community that the proposed project will serve. (See the competitive priority and the list of designated Empowerment Zones and Enterprise Communities in previous sections of this application package.) _____

OMB Approval No. 0348-0040

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. ∋∋276a to 276a-7), the Copeland Act (40 U.S.C. ∋276c and 18 U.S.C. ∋∋874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. ∋∋ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. ∋∋1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. ∋∋7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12 Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. ∋∋1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. ∋470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. ∋∋469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. ∋∋2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.

16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. ∋∋4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, AAudits of States, Local Governments, and Non-Profit Organizations.≅

18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION	DATE SUBMITTED

Standard Form 424B (Rev. 7-97) Back

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying," and 34 CFR Part 85, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over $100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110--

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transaction (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610 -

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address. city, county, state, zip code)

_____

_____

_____

Check [ ] if there are workplaces on file that are not identified here.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants Policy and Oversight Staff, Department of Education, 400 Maryland Avenue, S.W. (Room 3652, GSA Regional Office Building No. 3), Washington, DC 20202-4248. Notice shall include the identification number(s) of each affected grant.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0013

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion -- Lower Tier Covered Transactions

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," " person," "primary covered transaction," " principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled ACertification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions,≡ without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

ED 80-0014, 9/90 (Replaces GCS-009 (REV.12/88), which is obsolete)

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**2. Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**3. Report Type:** a. initial filing _____ b. material change **For material change only:** Year _____ quarter _____ Date of last report_____
4. Name and Address of Reporting Entity: ____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**5. If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**	
6. Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____	
8. Federal Action Number, *if known:*	**9. Award Amount,** *if known:* $	
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a) (last name, first name, MI):*	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** _____ **Print Name:**_____ **Title:**_____ **Telephone No.:** _____ **Date:** _____	
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

    (b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

OMB Control No. 1801-0004 (Exp. 8/31/2001)

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Pub. L. 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

(1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.

(2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.

(3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

The time required to complete this information collection is estimated to vary from 1 to 3 hours per response, with an average of 1.5 hours, including the time to review instructions, search existing data resources, gather and maintain the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, DC 20202-4651.

EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES
(as of January 13, 1999)

EMPOWERMENT ZONES

California: Los Angeles, Oakland, Santa Ana, Riverside County*
Connecticut: New Haven+
Florida: Miami+
Georgia: Atlanta, Cordele*+
Illinois: Chicago, East St. Louis+, Ullin*
Indiana: Gary, East Chicago
Kentucky: Kentucky Highlands* (Clinton, Jackson, and Wayne Counties)
Maryland: Baltimore
Massachusetts: Boston+
Michigan: Detroit
Minnesota: Minneapolis+
Mississippi: Mid-Delta* (Bolivar, Holmes, Humphreys, LeFlore, Sunflower, Washington Counties)
Missouri/Kansas: Kansas City, Kansas City
Missouri: St. Louis+
New Jersey: Cumberland County
New York: Harlem, Bronx
North Dakota: Lake Agassiz*
Ohio: Cleveland, Cincinnati, Columbus+
Ohio/West Virginia: Ironton/Huntington+
Pennsylvania/New Jersey: Philadephia/ Camden
South Carolina: Columbia/Sumter
South Dakota: Oglala Sioux Reservation in Pine Ridge*
Tennessee: Knoxville
Texas: Houston, El Paso+, Rio GrandeValley* (Cameron, Hidalgo, Starr, and Willacy Counties)
Virginia: Norfolk+/Portsmouth

ENTERPRISE COMMUNITIES

Alabama: Birmingham
Alabama: Chambers County* Greene County*, Sumter County*
Alaska: Juneau*
Arizona: Arizona Border* (Cochise, Santa Cruz and Yuma Counties), Phoenix, Window Rock*
Arkansas: East Central* (Cross, Lee, Monroe, and St. Francis Counties), Mississippi County*, Pulaski County
California: Imperial County*, Los Angeles, Huntington Park, San Diego, San Francisco, Bayview, Hunter's Point, Watsonville*, Orange Cove*
Colorado: Denver
Connecticut: Bridgeport, New Haven
Delaware: Wilmington
District of Columbia: Washington
Florida: Jackson County*, Miami, Dade County, Tampa, Immokalee*
Georgia: Albany, Central Savannah River*(Burke, Hancock, Jefferson, McDuffie, Tallafero, and Warren Counties), Crisp County*, Dooley County*
Hawaii: Kaunakakai*
Illinois: East St. Louis, Springfield
Indiana: Indianapolis, Austin*
Iowa: Des Moines
Kansas: Leoti*
Kentucky: Louisville, Bowling Green*
Louisiana: Macon Ridge* (Catahoula, Concordia, Franklin, Morehouse, and Tensas Parishes), New Orleans, Northeast Louisiana Delta* (Madison Parish), Ouachita Parish
Maine: Lewiston*
Massachusetts: Lowell, Springfield
Michigan: Five Cap*, Flint, Muskegon, Harrison*
Minnesota: Minneapolis, St. Paul
Mississippi: Jackson, North Delta Area* (Panola, Quitman, and Tallahatchie Counties)
Missouri: East Prairie*, St. Louis
Montana: Poplar*
Nebraska: Omaha
Nevada: Clarke County, Las Vegas
New Hampshire: Manchester
New Jersey: Newark
New Mexico: Albuquerque, La Jicarita* (Mora, Rio Arriba, Taos Counties), Deming*
New York: Albany, Schenectady, Troy
New York: Buffalo, Rochester
New York: Newburgh, Kingston
North Carolina: Charlotte
North Carolina: Edgecombe, Halifax, Robeson, Wilson Counties*
Ohio: Akron, Columbus, Greater Portsmouth* (Scioto County)
Oklahoma: Choctaw, McCurtain Counties*, Oklahoma City, Ada*
Oregon: Josephine County*, Portland
Pennsylvania: Harrisburg, Lock Haven*, Pittsburgh, Uniontown*
Rhode Island: Providence
South Carolina: Charleston, Williamsburg, Florence County*, Hallandale*
South Dakota: Beadle, Spink Counties*
Tennessee: Fayette, Haywood Counties*, Memphis, Nashville, Rutledge*
Tennessee/Kentucky: Scott, McCreary Counties*
Texas: Dallas, El Paso, San Antonio, Waco, Uvalde*
Utah: Ogden
Vermont: Burlington
Virginia: Accomack (Northampton County)*, Norfolk
Washington: Lower Yakima County*, Seattle, Tacoma, Collie*
West Virginia: Charleston*, Huntington, McDowell County*, West Central Appalachia* (Braxton, Clay, Fayette, Nicholas, and Roane)
Wisconsin: Milwaukee, Keshena*

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* Denotes rural designee
+Also an Enterprise Community, Round One

STATE SINGLE POINT OF CONTACT
(As of April 22, 1999)

Note: In accordance with Executive Order 12372, Intergovernmental Review of Federal Programs, this listing represents the designated State Single Points of Contact (SSPOCs). Because participation is voluntary, some States and Territories no longer participate in the process. These include: Alabama, Alaska, American Samoa, Colorado, Connecticut, Hawaii, Idaho, Kansas, Louisiana, Massachusetts, Minnesota, Montana, Nebraska, New Jersey, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Vermont, Virginia, and Washington.

The jurisdictions not listed no longer participate in the process. However, an applicant is still eligible to apply for a grant or grants even if its respective State, Territory, Commonwealth, etc. does not have a SSPOC.

ARIZONA
Ms. Joni Saad
Arizona State Clearinghouse
3800 N. Central Avenue
Fourteenth Floor
Phoenix, Arizona 85012
Telephone:(602) 280-1315
FAX:(602) 280-8144
jonis@ep.state.az.us

ARKANSAS
Mr. Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Administration
1515 W. 7th St., Room 412
Little Rock, Arkansas 72203
Telephone: (501) 682-1074
FAX: (501) 682-5206
tlcopeland@dfa.state.ar.us

CALIFORNIA
Grants Coordination
State Clearinghouse
Office of Planning and Research
1400 10th Street, Room 121
Sacramento, California 95814
Telephone: (916) 445-0613
FAX: (916) 323-3018
No e-mail address

DELAWARE
Executive Department
Office of the Budget
540 S. Dupont Highway
Suite 5
Dover, Delaware 19901
Telephone: (302) 739-3326
FAX: (302) 739-5661
No e-mail address

DISTRICT OF COLUMBIA
Mr. Charles Nichols
State Single Point of Contact
Office of Grants Management and Development
717 14th Street, N.W. - Suite 1200
Washington, D.C. 20005
Telephone: (202) 727-1700 (direct)
(202) 727-6537 (secretary)
FAX: (202) 727-1617
No e-mail address

FLORIDA
Florida State Clearinghouse
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee, Florida 32399-2100
Telephone: (850) 922-5438
FAX: (850) 414-0479
Contact: Ms. Cherie Trainor
(850) 414-5495
cherie.trainor@dca.state.fl.us

GEORGIA
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Coordinator
Georgia State Clearinghouse
270 Washington Street, S.W. - 8th Floor
Atlanta, Georgia 30334
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FAX: (404) 656-7901
ssda@mail.opb.state.ga.us

ILLINOIS
Ms. Virginia Bova, Single Point of Contact
Illinois Department of Commerce and
Community Affairs
James R. Thompson Center
100 West Randolph, Suite 3-400
Chicago, IL 60601
Telephone: (312) 814-6028
FAX: (312) 814-1800

INDIANA
Ms. Allison Becker
State Budget Agency
212 State House
Indianapolis, Indiana 46204-2796
Telephone: (317) 232-7221 (direct line)
FAX: (317) 233-3323
No e-mail address

IOWA
Mr. Steven R. McCann
Division for Community Assistance
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309
Telephone: (515) 242-4719
FAX: (515) 242-4809
steve.mccann.@ided.state.ia.us

KENTUCKY
Mr. Kevin J. Goldsmith, Director
Sandra Brewer, Executive Secretary
Intergovernmental Affairs
Office of the Governor
700 Capitol Avenue
Frankfort, Kentucky 40601
Telephone: (502) 564-2611
FAX: (502) 564-0437
kgoldmkgosmith@mail.state.ky.us
sbrewer@mail.state.ky.us

MAINE
Ms. Joyce Benson
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184 State Street
38 State House Station
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MARYLAND
Ms. Linda Janey
Manager, Plan & Project Review
Maryland Office of Planning
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MICHIGAN
Mr. Richard Pfaff
Southeast Michigan Council of Governments
660 Plaza Drive - Suite 1900
Detroit, Michigan 48226
Telephone: (313) 961-4266
FAX: (313) 961-4869
pfaff@semcog.org

MISSISSIPPI
Ms. Cathy Mallette
Clearinghouse Officer
Department of Finance and Administration
550 High Street
303 Walters Sillers Building
Jackson, Mississippi 39201-3087
Telephone: (601) 359-6762
FAX: (601) 359-6758
No e-mail address

MISSOURI
Ms. Lois Pohl
Federal Assistance Clearinghouse
Office of Administration
P.O. Box 809
Jefferson Building, Room 915
Jefferson City, Missouri 65102
Telephone: (573) 751-4834
FAX: (573) 522-4395
pohll_@mail.oa.state.mo.us

NEVADA
Department of Administration
State Clearinghouse
209 E. Musser Street, Room 200
Carson City, Nevada 89710
Telephone: (702) 684-0222
FAX: (702) 684-0260
Contact: Ms. Heather Elliot
(702) 684-0209
helliot@govmail.state.nv.us

NEW HAMPSHIRE
Mr. Jeffrey H. Taylor
Director, New Hampshire Office of State Planning
Attn: Intergovernmental Review Process
Mr. Mike Blake
2 ½ Beacon Street
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Note: This list is based on the most current information provided by the States. Information on any changes or apparent errors should be provided to Sherron Duncan at the Office of Management and Budget (202) 395-3914 and to the State in question. Changes to the list will only be made upon formal notification by the State. The list is updated every six months and is also published biannually in the Catalog of Federal Domestic Assistance. The last changes made were to Delaware, Indiana, Missouri, New Mexico, Puerto Rico, Rhode Island, Utah, and Wisconsin.

*Guam and the Virgin Islands are not confirmed.

[FR Doc. 00–22265 Filed 8–31–00; 8:45 am]
BILLING CODE 4000–01–C

Federal Register

Friday,
September 1, 2000

Part IV

General Services Administration

41 CFR Chapter 301

Federal Travel Regulation; Maximum Per Diem Rates; Final Rule

GENERAL SERVICES ADMINISTRATION

41 CFR Chapter 301

[FTR Amendment 94]

RIN 3090–AH28

Federal Travel Regulation; Maximum Per Diem Rates

AGENCY: Office of Governmentwide Policy, GSA.

ACTION: Final rule.

SUMMARY: An analysis of lodging and meal cost survey data reveals that the listing of maximum per diem rates for locations within the continental United States (CONUS) should be updated to provide for the reimbursement of Federal employees' expenses covered by per diem. This final rule increases/decreases the maximum lodging amounts in certain existing per diem localities, adds new per diem localities, and removes a number of previously designated per diem localities. In an effort to improve the efficiency of the per diem rate-setting process, GSA has switched the per diem rate changes from the traditional calendar year schedule to a fiscal year schedule. Thus, the annual change to per diem rates will coincide with the budget planning process. Therefore, beginning this year, the per diem rates will be effective on October 1, the start of the fiscal year.

DATES: This final rule is effective October 1, 2000, and applies for travel performed on or after October 1, 2000.

FOR FURTHER INFORMATION CONTACT: Joddy Garner, Office of Governmentwide Policy, Travel Management Policy Division, at 202 501–1538.

SUPPLEMENTARY INFORMATION:

A. Background

The General Services Administration (GSA), after an analysis of additional data, has determined that current lodging and meals and incidental expenses (M&IE) allowances for certain localities do not adequately reflect the cost of lodging in those areas. To provide adequate per diem reimbursement for Federal employee travel to those areas, the maximum per diem allowances are changed.

B. Executive Order 12866

GSA has determined that this final rule is not a significant regulatory action for the purposes of Executive Order 12866 of September 30, 1993.

C. Regulatory Flexibility Act

This final rule is not required to be published in the **Federal Register** for notice and comment; therefore, the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, does not apply.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because this final rule does not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 501 *et seq.*

E. Small Business Regulatory Enforcement Fairness Act

This final rule is also exempt from congressional review prescribed under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Chapter 301

Government employees, Travel and transportation expenses.

For the reasons set forth in the preamble, under 5 U.S.C. 5701–5709, 41 CFR chapter 301 is amended as follows:

1. Appendix A to chapter 301 is revised to read as follows:

Appendix A to Chapter 301—Prescribed Maximum Per Diem Rates for CONUS

The maximum rates listed below are prescribed under part 301–11 of this chapter for reimbursement of per diem expenses incurred during official travel within CONUS (the continental United States). The amount shown in column (a) is the maximum that will be reimbursed for lodging expenses excluding taxes. The M&IE rate shown in column (b) is a fixed amount allowed for meals and incidental expenses covered by per diem. The per diem payment calculated in accordance with part 301–11 of this chapter for lodging expenses plus the M&IE rate may not exceed the maximum per diem rate shown in column (c). Seasonal rates apply during the periods indicated. It is the policy of the Government, as reflected in the Hotel Motel Fire Safety Act of 1990 (Public Law 101–391, September 25, 1990 as amended by Public Law 105–85, November 18, 1997), referred to as ''the Act'' in this appendix, to save lives and protect property by promoting fire safety in hotels, motels, and all places of public accommodation affecting commerce. In furtherance of the Act's goals, employees are encouraged to stay in a facility which is fire-safe, *i.e.,* an approved accommodation, when commercial lodging is required. Lodgings that meet the Government requirements are listed on the U.S. Fire Administration's Internet site at *http://www.usfa.fema.gov/hotel/index.cfm.*

BILLING CODE 6820–34–U

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2, 3]					
CONUS, Standard rate:		$55		$30		$85
(Applies to all locations within CONUS not specifically listed below or encompassed by the boundary definition of a listed point. However, the standard CONUS rate applies to all locations within CONUS, including those defined below, for certain relocation subsistence allowances. See parts 302-2, 302-4, and 302-5 of this subtitle.)						
ALABAMA						
Birmingham	Jefferson	59		38		97
Gulf Shores	Baldwin					
(May 15-September 4)		101		34		135
(September 5-May 14)		64		34		98
Huntsville	Madison	70		38		108
Montgomery	Montgomery	61		38		99
ARIZONA						
Casa Grande	Pinal					
(January 1-April 30)		80		34		114
(May 1-December 31)		60		34		94
Chinle	Apache					
(May 1-October 31)		98		34		132
(November 1-April 30)		62		34		96
Flagstaff	All points in Coconino County not covered under Grand Canyon per diem area					
(May 1-October 31)		67		34		101
(November 1-April 30)		55		34		89
Grand Canyon	All points in the Grand Canyon National Park and Kaibab National Forest within Coconino County	106		42		148
Kayenta	Navajo					
(April 15-October 15)		98		30		128
(October 16-April 14)		65		30		95
Phoenix/Scottsdale	Maricopa					
(January 1-April 15)		107		42		149
(April 16–May 31)		79		42		121
(June 1-August 31)		59		42		101
(September 1-December 31)		90		42		132
Tucson	Pima County; Davis-Monthan AFB					
(January 1-April 15)		85		38		123
(April 16-December 31)		58		38		96
Yuma	Yuma	58		34		92
ARKANSAS						
Hot Springs	Garland	60		30		90
Little Rock	Pulaski	61		34		95
CALIFORNIA						
Clearlake	Lake	59		30		89
Contra Costa County	Contra Costa County	91		42		133
Death Valley	Inyo	85		46		131
Kern County	Kern County	68		38		106
Los Angeles	Los Angeles; Orange and Ventura Counties;	99		46		145

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2], [3]					
	Edwards AFB; Naval Weapons Center and Ordinance Test Station, China Lake (see Santa Monica)					
Mammoth Lakes	Mono (except Bridgeport)	69		46		115
Marin County	Marin County	84		42		126
Modesto	Stanislaus	60		34		94
Monterey	Monterey					
(May 1-October 31)		94		42		136
(November 1-April 30)		75		42		117
Napa	Napa	100		42		142
Oakhurst	City limits of Oakhurst (except Madera)					
(May 1-September 30)		75		38		113
(October 1-April 30)		59		38		97
Oakland	Alameda	118		38		156
Ontario/Barstow/Victorville	San Bernardino	64		38		102
Palm Springs	Riverside					
(January 1-May 31)		129		42		171
(June 1-December 31)		79		42		121
Point Arena/Gualala	Mendocino	109		38		147
Sacramento	Sacramento	79		42		121
San Diego	San Diego	99		46		145
San Francisco	San Francisco	159		46		205
San Luis Obispo	San Luis Obispo					
(May 15-September 15)		84		38		122
(September 16-May 14)		69		38		107
San Mateo/Redwood City	San Mateo	110		42		152
Santa Barbara	Santa Barbara	99		38		137
Santa Cruz	Santa Cruz					
(May 1-September 15)		108		42		150
(September 16-April 30)		80		42		122
Santa Monica	City limits of Santa Monica (see Los Angeles)	109		38		147
Santa Rosa	Sonoma	79		42		121
Solono County	Solono County	79		42		121
South Lake Tahoe	El Dorado (see also Stateline, NV)					
(June 1-August 31)		99		42		141
(September 1-May 31)		77		42		119
Sunnyvale/Palo Alto/San Jose	Santa Clara	139		46		185
Tahoe City	Placer	145		42		187
Truckee	Nevada					
(June 15-September 30)		90		42		132
(October 1-June 14)		70		42		112
Visalia	Tulare	65		38		103
West Sacramento	Yolo	69		30		99
Yosemite National Park	Mariposa					
(May 1-September 30)		114		46		160
(October 1-April 30)		82		46		128
COLORADO						
Aspen	Pitkin					
(January 1-April 30)		145		46		191
(May 1-December 31)		89		46		135

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Boulder	Boulder	90		42		132
Colorado Springs	El Paso					
(May 15-September 15)		73		38		111
(September 16-May 14)		59		38		97
Cortez	Montezuma	69		34		103
Crested Butte	City limits of Crested Butte (see Gunnison County)	95		42		137
Denver	Denver, Adams, and Arapahoe	86		42		128
Durango	La Plata					
(May 15-September 30)		84		38		122
(October 1-May 14)		61		38		99
Fort Collins	Larimer (except Loveland)	76		34		110
Glenwood Springs	Garfield					
(May 15-October 15)		72		30		102
(October 16-May 14)		55		30		85
Gunnison	Gunnison (except Crested Butte)					
(May 15-September 30)		70		34		104
(October 1-May 14)		55		34		89
Jefferson County	Jefferson County	69		34		103
Loveland	City limits of Loveland (see Larimer County)	69		30		99
Montrose	Montrose	60		34		94
Pueblo	Pueblo					
(June 1-September 30)		72		34		106
(October 1-May 31)		58		34		92
Silverthorne/Keystone	Summit					
(December 1-April 1)		170		38		208
(April 2-November 30)		130		38		168
Steamboat Springs	Routt	59		38		97
Telluride	San Miguel					
(January 1-March 31)		147		46		193
(April 1-June 14)		85		46		131
(June 15-December 31)		115		46		161
Vail	Eagle					
(December 1-March 31)		190		46		236
(April 1-June 30)		105		46		151
(July 1-November 30)		129		46		175
CONNECTICUT						
Bridgeport	City limits of Bridgeport (see Fairfield County)	109		34		143
Danbury	Fairfield (except Bridgeport)	77		38		115
Groton	New London (except city limits of New London)					
(May 1-October 31)		99		30		129
(November 1-April 30)		62		30		92
Hartford	Hartford	99		42		141
Lakeville/Salisbury	Litchfield	85		38		123
Middlesex County	Middlesex County	60		30		90
New Haven	New Haven	87		38		125
New London	City limits of New London (see New London County)	97		34		131
Putnam/Danielson	Windham	56		30		86

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
DELAWARE						
Dover	Kent	69		34		103
Lewes	Sussex					
(June 1-August 31)		73		42		115
(September 1-May 31)		55		42		97
Wilmington	New Castle	99		34		133
DISTRICT OF COLUMBIA						
Washington, DC (also the cities of Alexandria, Falls Church, and Fairfax, and the counties of Arlington, Loudoun, and Fairfax, in Virginia; and the counties of Montgomery and Prince George's in Maryland). (See also Maryland and Virginia.)		119		46		165
FLORIDA						
Altamonte Springs	Seminole	71		38		109
Cocoa Beach	Brevard	85		34		119
Daytona Beach	Volusia					
(February 1-August 31)		85		38		123
(September 1-January 31)		70		38		108
Fort Lauderdale	Broward					
(December 15-April 30)		90		42		132
(May 1-December 14)		65		42		107
Fort Myers	Lee					
(January 15-April 15)		70		42		112
(April 16-January 14)		55		42		97
Fort Pierce	Saint Lucie					
(December 15-April 30)		78		46		124
(May 1-December 14)		66		46		112
Fort Walton Beach	Okaloosa	80		38		118
Gainesville	Alachua	61		34		95
Gulf Breeze	Santa Rosa					
(May 1-September 30)		115		38		153
(October 1-April 30)		55		38		93
Jacksonville/Mayport	Duval County Naval Station	65		34		99
Key West	Monroe					
(January 1-April 30)		165		46		211
(May 1-December 31)		105		46		151
Kissimmee	Osceola					
(February 1-April 30)		77		34		111
(May 1-January 31)		62		34		96
Lakeland	Polk					
(January 1-April 30)		71		34		105
(May 1-December 31)		61		34		95
Leesburg	Lake					
(November 1-April 15)		68		30		98
(April 16-October 31)		55		30		85

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Miami	Dade					
(January 1-April 15)		89		42		131
(April 16-December 31)		75		42		117
Naples	Collier					
(December 16-April 15)		109		38		147
(April 16-December 15)		55		38		93
Ocala	Monroe	59		30		89
Orlando	Orange	86		42		128
Palm Beach (also the cities of Boca Raton, Delray Beach, Jupiter, Palm Beach Gardens, Palm Beach Shores, Singer Island and West Palm Beach)	Palm Beach					
(January 1-April 30)		105		46		151
(May 1-December 31)		69		46		115
Panama City	Bay					
(March 1-September 15)		72		38		110
(September 16-February 28)		55		38		93
Punta Gorda	Charlotte					
(December 15-April 15)		75		38		113
(April 16-December 14)		55		38		93
Sarasota	Sarasota					
(January 1-April 30)		95		38		133
(May 1-December 31)		55		38		93
Sebring	Highlands	64		30		94
St. Augustine	St. Johns					
(February 1-May 31)		72		38		110
(June 1-January 31)		63		38		101
Stuart	Martin	57		38		95
Tallahassee	Leon	65		34		99
Tampa/St. Petersburg	Pinellas and Hillsborough					
(January 1-April 30)		105		38		143
(May 1-December 31)		89		38		127
Vero Beach	Indian River					
(December 15-April 15)		80		38		118
(April 16-December 14))		62		38		100
GEORGIA						
Albany	Dougherty	57		34		91
Athens	Clarke	69		34		103
Atlanta	Fulton and Gwinnett	93		38		131
Clayton County	Clayton County	64		30		94
Cobb County	Cobb County	78		34		112
Columbus	Muscogee	56		34		90
Conyers	Rockdale	69		34		103
DeKalb County	DeKalb County	78		34		112
Savannah	Chatham	71		38		109
IDAHO						
Boise	Ada	61		38		99

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Coeur d'Alene	Kootenai	56		34		90
Ketchum	Blaine (except Sun Valley)	84		42		126
McCall	Valley	58		38		96
Stanley	Custer					
(June 1-September 30)		64		38		102
(October 1-May 31)		55		38		93
Sun Valley	City limits of Sun Valley (see Blaine County)	149		42		191
ILLINOIS						
Aurora	Kane (except Elgin)	76		30		106
Chicago	Cook and Lake	130		46		176
Du Page County	Du Page County	89		38		127
Elgin	City limits of Elgin (see Kane County)	60		30		90
Rockford	Winnebago	60		30		90
INDIANA						
Anderson	Madison	61		30		91
Carmel	Hamilton	65		38		103
Ft. Wayne	Allen	57		30		87
Indianapolis	Marion County; Fort Benjamin Harrison	70		42		112
Lafayette	Tippecanoe	65		30		95
Michigan City	La Porte	59		34		93
Muncie	Delaware	59		34		93
Nashville	Brown					
(April 1-November 15)		75		38		113
(November 16-March 31)		59		38		97
South Bend	St. Joseph	58		34		92
Valparaiso/Burlington Beach	Porter	69		34		103
IOWA						
Cedar Rapids	Linn	58		34		92
Des Moines	Polk	67		34		101
KANSAS						
Kansas City/Overland Park	Wyandotte and Johnson	85		38		123
Wichita	Sedgwick	59		38		97
KENTUCKY						
Covington	Kenton	80		38		118
Lexington	Fayette	59		30		89
Louisville	Jefferson	69		38		107
LOUISIANA						
Baton Rouge	East Baton Rouge Parish	65		38		103
Gonzales	Ascension Parish	59		34		93
Lake Charles	Calcasieu Parish	70		34		104
New Orleans/St. Bernard	Orleans, St. Bernard, Plaquemine and Jefferson Parishes					
(January 1-May 31)		139		42		181
(June 1-December 31)		89		42		131
Shreveport/Bossier City	Caddo	62		38		100

Per diem locality: Key city[1]	County and/or other defined location [2], [3]	Maximum lodging amount (room rate only—no taxes) (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Slidell	St. Tammany	60		30		90
St. Francisville	West Feliciana	75		38		113
MAINE						
Bar Harbor	Hancock					
(June 15-October 15)		110		38		148
(October 16-June 14)		89		38		127
Bath	Sagadahoc					
(May 1-October 31)		61		34		95
(November 1-April 30)		55		34		89
Kennebunk	City limits of Kennebunk	75		38		113
Kittery	Portsmouth Naval Shipyard (see York County)					
(June 15-October 31)		75		34		109
(November 1-June 14)		65		34		99
Portland	Cumberland					
(July 1-October 31)		80		38		118
(November 1-June 30)		62		38		100
Rockport	Knox					
(July 1-August 26)		87		42		129
(August 27-June 30)		55		42		97
Sanford	York (except Kennebunk and Kittery)	60		30		90
Wiscasset	Lincoln	79		38		117
MARYLAND						
(For the counties of Montgomery and Prince George's, see District of Columbia.)						
Annapolis	Anne Arundel	90		42		132
Baltimore	Baltimore	110		42		152
Columbia	Howard	110		42		152
Frederick	Frederick	57		30		87
Grasonville	Queen Annes	75		38		113
Harford County	Harford County	104		38		142
Lexington Park/ Leonardtown/Lusby	St. Marys and Calvert	66		34		100
Ocean City	Worcester					
(June 15-October 31)		130		46		176
(November 1-June 14)		69		46		115
St. Michaels	Talbot	100		42		142
MASSACHUSETTS						
Andover	Essex	109		38		147
Boston	Suffolk	192		46		238
Cambridge	Middlesex (except Lowell)	192		46		238
Falmouth	City limits of Falmouth					
(June 1-September 30)		105		38		143
(October 1-May 31)		70		38		108
Hyannis	Barnstable	94		38		132
Lowell	City limits of Lowell (except Cambridge) (see Middlesex County)	99		34		133
Martha's Vineyard	Dukes					

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
(June 1-October 15)		165		46		211
(October 16-May 31)		110		46		156
Nantucket	Nantucket	95		46		141
New Bedford	City limits of New Bedford (see Bristol County)					
(May 15-October 15)		75		34		109
(October 16-May 14)		65		34		99
Northampton	Hampshire	72		34		106
Pittsfield	Berkshire	65		38		103
Plymouth	Plymouth					
(June 15-October 15)		96		34		130
(October 16-June 14)		62		34		96
Quincy	Norfolk	74		38		112
Springfield	Hampden	67		34		101
Taunton	Bristol (except New Bedford)	70		30		100
Worcester	Worcester	79		34		113
MICHIGAN						
Ann Arbor	Washtenaw	67		38		105
Charlevoix	Charlevoix					
(June 1-August 31)		105		38		143
(September 1-May 31)		59		38		97
Detroit	Wayne	109		46		155
East Lansing	City limits of East Lansing (see Ingham County)	65		38		103
Frankenmuth	Saginaw					
(June 15-September 15)		69		34		103
(September 16-June 14)		55		34		89
Frankfort	Benzie	62		34		96
Gaylord	Otsego	67		38		105
Grand Rapids	Kent	62		34		96
Holland	Ottawa	60		34		94
Lansing	Ingham (except East Lansing)	57		34		91
Leland	Leelanau	75		34		109
Mackinac Island	Mackinac	165		46		211
Midland	Midland	56		34		90
Mount Pleasant	Isabella	60		34		94
Muskegon	Muskegon					
(May 1-August 31)		79		30		109
(September 1-April 30)		55		30		85
Ontonagon	Ontonagon	65		30		95
Petoskey	Emmet					
(June 1-October 31)		65		38		103
(November 1- May 31)		55		38		93
Pontiac/Troy/Auburn Hills	Oakland and City limits of Auburn Hills (see Bay County)	94		38		132
Sault Ste Marie	Chippewa	63		34		97
South Haven	Van Buren	76		34		110
Traverse City	Grand Traverse					
(June 1-September 30)		125		42		167
(October 1-May 31)		60		42		102
Warren	Macomb	83		34		117

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
MINNESOTA						
Anoka County	Anoka County	65		34		99
Dakota County	Dakota County	75		34		109
Duluth	St. Louis					
(June 1-October 31)		75		42		117
(November 1-May 31)		56		42		98
Minneapolis/St. Paul	Hennepin County and Fort Snelling Military Reservation and Navy Astronautics Group (Detachment BRAVO), Rosemount; and Ramsey County	95		46		141
Rochester	Olmsted	72		34		106
MISSISSIPPI						
Bay St. Louis	Hancock					
(April 1-October 31)		69		38		107
(November 1-March 31)		55		38		93
Biloxi	City limits of Biloxi (see Harrison County)	72		38		110
Gulfport	Harrison (except Biloxi)	70		30		100
Robinsonville	Tunica	59		34		93
MISSOURI						
Branson	Taney	58		34		92
Hannibal	Marion	57		30		87
Kansas City/Clay County	Jackson and Clay County	85		42		127
Osage Beach	City limits of Osage Beach (see Camden County)	89		30		119
Platte County	Platte County	61		34		95
Springfield	Greene	61		30		91
St. Louis	St. Louis and St. Charles	90		46		136
MONTANA						
Big Sky	Gallatin (except West Yellowstone Park)					
(November 1-April 30)		125		46		171
(May 1-October 31)		67		46		113
Polson/Kalispell	Lake and Flathead					
(June 1-September 15)		64		30		94
(September 16-May 31)		55		30		85
West Yellowstone Park	City limits of West Yellowstone Park (see Gallatin County)					
(June 1-September 30)		92		34		126
(October 1-May 31)		55		34		89
NEBRASKA						
Omaha	Douglas	63		38		101
NEVADA						
Incline Village/Crystal Bay	City limits of Incline Village and Crystal Bay					
(May 15-September 15)		99		38		137
(September 16-May 14)		79		38		117
Las Vegas	Clark County; Nellis AFB	72		38		110
Stateline	Douglas (see also South Lake Tahoe, CA)	108		42		150

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
NEW HAMPSHIRE						
Concord	Merrimack					
(May 1-October 31)		68		34		102
(November 1-April 30)		58		34		92
Conway	Carroll	89		38		127
Durham	Strafford	89		30		119
Hanover/Sullivan County	Grafton and Sullivan County	96		42		138
Laconia	Belknap	73		34		107
Manchester	Hillsborough	89		34		123
Newington	Rockingham County; Pease AFB (except Portsmouth)					
(July 1-October 31)		81		42		123
(November 1-June 30)		65		42		107
Portsmouth	City limits of Portsmouth (see Rockingham County)					
(January 1-October 15)		85		42		127
(October 16-December 31)		69		42		111
NEW JERSEY						
Atlantic City	Atlantic					
(June 1-November 30)		100		42		142
(December 1-May 31)		79		42		121
Cape May	Cape May (except Ocean City)					
(June 1- November 30)		155		42		197
(December 1 - May 31)		95		42		137
Cherry Hill/Camden/ Moorestown	Camden and Burlington	74		42		116
Eatontown	Monmouth County; Fort Monmouth	84		38		122
Edison	City limits of Middlesex (except Piscataway)	65		30		95
Flemington	Hunterdon	80		34		114
Freehold	City limits of Freehold					
(July 1-August 31)		95		34		129
(September 1-June 30)		80		34		114
Millville	Cumberland	58		30		88
Newark	Essex, Bergen, Hudson and Passaic	100		42		142
Ocean City	City limits of Ocean City (see Cape May County)					
(June 15-September 15)		215		38		253
(September 16-June 14)		80		38		118
Parsippany/Picatinney Arsenal/Dover	Morris	114		38		152
Piscataway/Belle Mead	Somerset and Middlesex	144		38		182
Princeton/Trenton	Mercer County	139		42		181
Tom's River	Ocean					
(May 15-September 15)		89		38		127
(September 16-May 14)		65		38		103
Union County	Union County	100		38		138
NEW MEXICO						

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2, 3]					
Albuquerque	Bernalillo	65		38		103
Cloudcroft	Otero					
(June 1-October 31)		74		30		104
(November 1-May 31)		65		30		95
Los Alamos	Los Alamos	71		34		105
Santa Fe	Santa Fe	90		46		136
Taos	Taos	75		34		109
NEW YORK						
Albany	Albany	74		42		116
The Bronx/Brooklyn/Queens	The boroughs of The Bronx, Brooklyn and Queens	170		46		216
Buffalo	Erie	78		42		120
Glens Falls	Warren					
(June 1-September 30)		74		34		108
(October 1-May 31)		55		34		89
Ithaca	Tompkins	57		34		91
Kingston	Ulster	79		38		117
Lake Placid	Essex					
(June 15-October 15)		86		38		124
(October 16-June 14)		59		38		97
Manhattan	Manhattan	198		46		244
Monroe	Orange	59		30		89
Nassau County/Great Neck	Nassau County	190		42		232
Niagara Falls	Niagara					
(May 1-October 31)		79		34		113
(November 1-April 30)		55		34		89
Nyack/Palisades	Rockland					
(April 1-September 30)		67		38		105
(October 1-March 31)		57		38		95
Owego	Tioga	73		30		103
Poughkeepsie	Dutchess	74		38		112
Rochester	Monroe					
(May 1-October 31)		65		42		107
(November 1-April 30)		58		42		100
Saratoga Springs	Saratoga					
(July 1-October 31)		95		38		133
(November 1-June 30)		75		38		113
Staten Island	Richmond	120		42		162
Suffolk County	Suffolk County	149		38		187
Syracuse	Onondaga	70		34		104
Tarrytown	Westchester (except White Plains)	114		42		156
Waterloo/Romulus	Seneca					
(June 15-September 15)		89		34		123
(September 16-June 14)		69		34		103
Watkins Glen	Schuyler	59		34		93
West Point	City limits of West Point (see Orange County)	121		34		155
White Plains	City limits of White Plains (see Westchester County)	165		42		207

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2, 3]					
NORTH CAROLINA						
Atlantic Beach	City limits of Atlantic Beach					
(June 1-August 31)		64		30		94
(September 1-May 31)		55		30		85
Chapel Hill	Orange	80		38		118
Charlotte	Mecklenburg	71		38		109
Fayetteville	Cumberland	63		34		97
Greensboro	Guilford	67		38		105
Havelock	Craven (except New Bern)	60		30		90
Kill Devil	Dare					
(May 1-September 30)		114		38		152
(October 1-February 28)		75		38		113
(March 1-April 30)		55		38		93
New Bern	City limits of New Bern (except Havelock)	62		34		96
Raleigh	Wake	74		38		112
Research Triangle Park/Durham	Durham	85		42		127
Wilmington	New Hanover	58		34		92
Winston-Salem	Forsyth	64		38		102
NORTH DAKOTA (See footnote 5)						
OHIO						
Akron	Summit	72		38		110
Bellevue	Huron	72		30		102
Cambridge	Guernsey					
(May 1-September 15)		68		34		102
(September 16-April 30)		59		34		93
Cincinnati	Hamilton and Warren	69		46		115
Cleveland	Cuyahoga	86		42		128
Columbus	Franklin	75		38		113
Dayton	Montgomery, Wright-Patterson AFB	65		30		95
Fairborn	Greene	66		34		100
Geneva/Hamilton	Ashtabula and Butler	59		34		93
Lancaster	Fairfield	66		30		96
Port Clinton/Oak Harbor	Ottawa					
(June 1-September 5)		95		34		129
(September 6-May 31)		69		34		103
Sandusky	Erie					
(May 1-September 5)		85		38		123
(September 6-April 30)		55		38		93
Toledo	Lucas	69		30		99
OKLAHOMA						
Oklahoma City	Oklahoma	65		38		103
OREGON						
Ashland	Jackson	59		42		101
Beaverton	Washington	59		38		97
Bend	Deschutes					
(June 1-September 30)		69		38		107
(October 1-May 31)		59		38		97

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount (room rate only—no taxes) (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Clackamas	Clackamas	64		34		98
Crater Lake	Klamath	74		38		112
Eugene	Lane (except Florence)	62		38		100
Florence	City limits of Florence (see Lane County)	80		34		114
Lincoln City/Newport	Lincoln	65		34		99
Portland	Multnomah	77		38		115
Seaside	Clatsop					
(July 1-August 31)		79		34		113
(September 1-June 30)		59		34		93
PENNSYLVANIA						
Chester/Radnor/Essington	Delaware (except Wayne)	75		34		109
Easton	Northampton	68		34		102
Erie	Erie	65		30		95
Gettysburg	Adams					
(May 1-October 31)		80		34		114
(November 1-April 30)		55		34		89
Harrisburg	Daulphin (except Hershey)	79		42		121
Hershey	City limits of Hershey (see Daulphin County)					
(June 1-September 15)		125		42		167
(September 16-May 31)		55		42		97
King of Prussia/Ft. Washington/Bala Cynwyd	Montgomery	84		42		126
Lancaster	Lancaster	69		38		107
Malvern/Downington/Valley Forge	Chester	83		38		121
Mechanicsburg	Cumberland	74		34		108
Philadelphia	Philadelphia	118		46		164
Pittsburgh	Allegheny	79		46		125
Reading	Berks	75		38		113
Scranton	Lackawanna	60		30		90
Warminster	Bucks County; Naval Air Development Center	75		42		117
Wayne	City limits of Wayne (see Delaware County)	100		42		142
RHODE ISLAND						
East Greenwich	Kent County; Naval Construction Battalion Center, Davisville	69		38		107
Newport	Newport					
(April 1-December 31)		111		42		153
(January 1-March 31)		77		42		119
North Kingstown	Washington (except Block Island)	89		30		119
Providence	Providence	79		42		121
SOUTH CAROLINA						
Aiken	Aiken	65		30		95
Charleston/Berkeley	Charleston and Berkeley	99		42		141
Columbia	Richland	65		30		95
Greenville	Greenville	56		38		94
Hilton Head	Beaufort					
(March 15-September 30)		96		42		138
(October 1-March 14)		75		42		117
Myrtle Beach	Horry County; Myrtle Beach AFB					

Per diem locality: Key city[1]	County and/or other defined location [2, 3]	Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
(June 1-August 31)		100		42		142
(September 1-November 30)		65		42		107
(December 1-February 28)		55		42		97
(March 1-May 31)		76		42		118
Spartanburg	Spartanburg	56		30		86
SOUTH DAKOTA						
Hot Springs	Fall River					
(June 15-October 15)		85		30		115
(October 16-June 14)		55		30		85
Rapid City	Pennington					
(May 15-September 30)		99		34		133
(October 1-May 14)		55		34		89
Sturgis	Mead	59		30		89
TENNESSEE						
Alcoa	Blount (except Townsend)	59		30		89
Chattanooga	Hamilton	56		30		86
Gatlinburg	Sevier					
(May 1-October 31)		80		38		118
(November 1-April 30)		61		38		99
Memphis	Shelby	70		38		108
Murfreesboro	Rutherford	57		30		87
Nashville	Davidson	72		42		114
Townsend	City limits of Townsend (see Blount County)	63		34		97
Williamson County	Willamson County	59		30		89
TEXAS						
Amarillo	Potter	57		30		87
Arlington	Tarrant	77		34		111
Austin	Travis	80		38		118
Bryan	Brazos (except College Station)	60		30		90
College Station	City limits of College Station (see Brazos County)	69		34		103
Corpus Christi	Nueces	59		38		97
Dallas	Dallas	89		46		135
El Paso	El Paso	78		38		116
Fort Davis	Jeff Davis	68		30		98
Fort Worth	City limits of Fort Worth	94		38		132
Galveston	Galveston	76		42		118
Granbury	Hood	60		30		90
Houston	Harris County; L.B. Johnson Space Center and Ellington AFB.	73		42		115
Killeen	Bell	59		30		89
Laredo	Webb	70		30		100
McAllen	Hidalgo	69		34		103
Plano	Collin	70		34		104
San Antonio	Bexar	91		42		133
South Padre Island	Cameron	70		38		108

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2], [3]					
Waco	McLennan	57		30		87
UTAH						
Bullfrog	Garfield	73		30		103
Cedar City	Iron					
(June 1-September 4)		71		34		105
(September 5-May 31)		55		34		89
Moab	Grand					
(March 15-October 31)		76		34		110
(November 1-March 14)		59		34		93
Ogden/Layton/Davis	Weber and Davis	69		34		103
Park City	Summit					
(December 15-March 31)		145		46		191
(April 1-December 14)		69		46		115
Provo	Utah	60		38		98
Salt Lake City	Salt Lake and Dugway Proving Ground and Tooele Army Depot	75		42		117
VERMONT						
Burlington/St. Albans	Chittenden and Franklin	82		38		120
Manchester	Bennington	68		42		110
Middlebury	Addison	68		38		106
Montpelier	Washington	62		30		92
White River Junction	Windsor					
(September 15-October 31)		69		34		103
(November 1-September 14)		55		34		89
VIRGINIA						
(For the cities of Alexandria, Fairfax, and Falls Church, and the counties of Arlington, Fairfax, and Loudoun, see District of Columbia.)						
Charlottesville*		60		42		102
Lynchburg*		62		38		100
Manassas	Prince William (except Woodbridge)	64		34		98
Richmond*	Chesterfield and Henrico Counties, also Defense Supply Center	77		38		115
Roanoke*		59		34		93
Virginia Beach*	Virginia Beach (also Norfolk, Portsmouth and Chesapeake)*					
(May 1-September 30)		109		38		147
(October 1-April 30)		55		38		93
Wallops Island	Accomack					
(June 1-September 5)		89		34		123
(September 6-May 31)		69		34		103
Williamsburg*	Williamsburg (also Hampton, Newport News, York County, Naval Weapons Station, Yorktown)*					
(April 1-October 31)		99		38		137
(November 1-March 31)		59		38		97
Wintergreen	Nelson	125		46		171

Per diem locality:		Maximum lodging amount **(room rate only—no taxes)** (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2], [3]					
Woodbridge	City limits of Woodbridge	69		38		107
*Denotes independent cities.						
WASHINGTON						
Anacortes	Skagit and Island	59		38		97
Bremerton	Kitsap	61		34		95
Everett	Snohomish (except Lynnwood)	59		38		97
Friday Harbor	San Juan					
(May 1-September 30)		95		42		137
(October 1-April 30)		65		42		107
Lynnwood	City limits of Lynnwood (see Snohomish County)	89		34		123
Ocean Shores	Grays Harbor					
(April 1-September 30)		82		38		120
(October 1-March 31)		55		38		93
Olympia/Tumwater	Thurston	58		38		96
Port Angeles	City limits of Port Angeles (see Clallam County)	65		38		103
Port Townsend	Jefferson	78		34		112
Seattle	King	109		46		155
Sequim	Clallam (except Port Angeles)	60		34		94
Spokane	Spokane	63		38		101
WEST VIRGINIA						
Berkeley Springs	Morgan	69		34		103
Charleston	Kanawha	77		38		115
Martinsburg	Berkeley	59		30		89
Morgantown	Monongalia	64		34		98
Shepherdstown	Jefferson	65		38		103
Wheeling	Ohio	66		34		100
WISCONSIN						
Brookfield	Waukesha	66		38		104
Green Bay	Brown	59		34		93
Lake Geneva	Walworth					
(June 1-September 4)		85		38		123
(September 5-May 31)		66		38		104
Madison	Dane	60		38		98
Milwaukee	Milwaukee	72		42		114
Racine	Racine	70		30		100
Sheboygan	Sheboygan (except Plymouth)	59		30		89
Sturgeon Bay	Door					
(May 15-October 15)		64		34		98
(October 16-May 14)		56		34		90
Wisconsin Dells	Columbia					
(June 1-September 30)		89		38		127
(October 1-May 31)		55		38		93
WYOMING						
Cody	Park					

Per diem locality:		Maximum lodging amount (room rate only—no taxes) (a)	+	M&IE rate (b)	=	Maximum per diem rate [4] (c)
Key city[1]	County and/or other defined location [2, 3]					
(May 15-October 15)		89		30		119
(October 16-May 14)		60		30		90
Jackson	Teton					
(November 1-September 15)		98		42		140
(September 16-October 31)		59		42		101

[1] Unless otherwise specified, the per diem locality is defined as ''all locations within, or entirely surrounded by, the corporate limits of the key city, including independent entities located within those boundaries.''

[2] Per diem localities with county definitions shall include ''all locations within, or entirely surrounded by, the corporate limits of the key city as well as the boundaries of the listed counties, including independent entities located within the boundaries of the key city and the listed counties (unless otherwise listed separately).''

[3] When a military installation or Government-related facility (whether or not specifically named) is located partially within more than one city or county boundary, the applicable per diem rate for the entire installation or facility is the higher of the two rates which apply to the cities and/or counties, even though part(s) of such activities may be located outside the defined per diem locality.

[4] Federal agencies may submit a request to GSA for review of the costs covered by per diem in a particular city or area where the standard CONUS rate applies when travel to that location is repetitive or on a continuing basis and travelers' experiences indicate that the prescribed rate is inadequate. Other per diem localities listed in this appendix will be reviewed on an annual basis by GSA to determine whether rates are adequate. Requests for per diem rate adjustments shall be submitted by the agency headquarters office to the General Services Administration, Office of Governmentwide Policy, Attn: Travel Management Policy Division (MTT), Washington, DC 20405. Agencies should designate an individual responsible for reviewing, coordinating, and submitting to GSA any requests from bureaus or subagencies. Requests for rate adjustments shall include a city designation, a description of the surrounding location involved (county or other defined area), and a recommended rate supported by a statement explaining the circumstances that cause the existing rate to be inadequate. The request also must contain an estimate of the annual number of trips to the location, the average duration of such trips, and the primary purpose of travel to the location.

[5] The standard CONUS rate of $85 ($55 for lodging and $30 for M&IE) applies to all per diem localities in the State of North Dakota.

Note: Recognizing that all locations are incorporated cities, the term ''city limits'' has been used as a general phrase to denote the commonly recognized local boundaries of the location cited.

Dated: August 21, 2000.

David J. Barram,

Administrator of General Services.

[FR Doc. 00–22077 Filed 8–31–00; 8:45 am]

BILLING CODE 6820–34–C

Federal Register

Friday,
September 1, 2000

Part V

Department of the Interior

Fish and Wildlife Service

50 CFR Part 20

Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands; Final Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 20

RIN 1018–AG08

Migratory Bird Hunting; Early Seasons and Bag and Possession Limits for Certain Migratory Game Birds in the Contiguous United States, Alaska, Hawaii, Puerto Rico, and the Virgin Islands

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: This rule prescribes the hunting seasons, hours, areas, and daily bag and possession limits of mourning, white-winged, and white-tipped doves; band-tailed pigeons; rails; moorhens and gallinules; woodcock; common snipe; sandhill cranes; sea ducks; early (September) waterfowl seasons; migratory game birds in Alaska, Hawaii, Puerto Rico, and the Virgin Islands; and some extended falconry seasons. Taking of migratory birds is prohibited unless specifically provided for by annual regulations. This rule permits taking of designated species during the 2000–01 season.

DATES: This rule is effective on September 1, 2000.

FOR FURTHER INFORMATION CONTACT: Jonathan Andrew, Chief, or Ron W. Kokel, Division of Migratory Bird Management, U.S. Fish and Wildlife Service, (703) 358–1714.

SUPPLEMENTARY INFORMATION:

Regulations Schedule for 2000

On April 25, 2000, we published in the **Federal Register** (65 FR 24260) a proposal to amend 50 CFR part 20. The proposal dealt with the establishment of seasons, limits, and other regulations for migratory game birds under §§ 20.101 through 20.107, 20.109, and 20.110 of subpart K. On June 20, 2000, we published in the **Federal Register** (65 FR 38400) a second document providing supplemental proposals for early- and late-season migratory bird hunting regulations frameworks and the proposed regulatory alternatives for the 2000–01 duck hunting season. The June 20 supplement also provided detailed information on the 2000–01 regulatory schedule and announced the Service Migratory Bird Regulations Committee and Flyway Council meetings.

On June 21–22, we held meetings that reviewed information on the current status of migratory shore and upland game birds and developed 2000–01 migratory game bird regulations recommendations for these species plus regulations for migratory game birds in Alaska, Puerto Rico, and the Virgin Islands, special September waterfowl seasons in designated States, special sea duck seasons in the Atlantic Flyway, and extended falconry seasons. In addition, we reviewed and discussed preliminary information on the status of waterfowl as it relates to the development and selection of the regulatory packages for the 2000–01 regular waterfowl seasons. On July 31, we published in the **Federal Register** (65 FR 46840) a third document specifically dealing with the proposed frameworks for early-season regulations and final regulatory alternatives for the 2000–01 duck hunting season.

On August 2–3, 2000, we held a public meeting in Washington, DC, as announced in the April 25, and June 20 **Federal Registers**, to review the status of waterfowl. Proposed hunting regulations were discussed for late seasons. We published proposed frameworks for the 2000–01 late-season migratory bird hunting regulations on August 22, 2000, in the **Federal Register** (65 FR 51174). On August 23, 2000, we published a sixth document in the **Federal Register** (65 FR 51496) which contained final frameworks for early migratory bird hunting seasons from which wildlife conservation agency officials from the States, Puerto Rico, and the Virgin Islands selected early-season hunting dates, hours, areas, and limits.

The final rule described here is the seventh in the series of proposed, supplemental, and final rulemaking documents for migratory game bird hunting regulations and deals specifically with amending subpart K of 50 CFR 20. It sets hunting seasons, hours, areas, and limits for mourning, white-winged, and white-tipped doves; band-tailed pigeons; rails; moorhens and gallinules; woodcock; common snipe; sandhill cranes; sea ducks; early (September) waterfowl seasons; mourning doves in Hawaii; migratory game birds in Alaska, Puerto Rico, and the Virgin Islands; youth waterfowl hunting day; and some extended falconry seasons.

NEPA Consideration

NEPA considerations are covered by the programmatic document, ''Final Supplemental Environmental Impact Statement: Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FSES 88–14),'' filed with the Environmental Protection Agency on June 9, 1988. We published a Notice of Availability in the **Federal Register** on June 16, 1988 (53 FR 22582). We published our Record of Decision on August 18, 1988 (53 FR 31341). Copies are available from the address indicated under the caption **ADDRESSES**.

Endangered Species Act Consideration

We have considered provisions of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531–1543; hereinafter the Act), to ensure that hunting is not likely to jeopardize the continued existence of any species designated as endangered or threatened or modify or destroy its critical habitat and that the action is consistent with conservation programs for those species.

Executive Order 12866

This rule was reviewed by the Office of Management and Budget (OMB). The migratory bird hunting regulations are economically significant and are annually reviewed by OMB under Executive Order 12866.

Regulatory Flexibility Act

These regulations have a significant economic impact on substantial numbers of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). We analyzed the economic impacts of the annual hunting regulations on small business entities in detail and issued a Small Entity Flexibility Analysis (Analysis) in 1998. The Analysis documented the significant beneficial economic effect on a substantial number of small entities. The primary source of information about hunter expenditures for migratory game bird hunting is the National Hunting and Fishing Survey, which is conducted at 5-year intervals. The Analysis was based on the 1996 National Hunting and Fishing Survey and the U.S. Department of Commerce's County Business Patterns, from which it was estimated that migratory bird hunters would spend between $429 million and $1,084 million at small businesses in 1998. Copies of the Analysis are available upon request from the address indicated under the caption **ADDRESSES.**

Small Business Regulatory Enforcement Fairness Act

This rule is a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. For the reasons outlined above, this rule has an annual effect on the economy of $100 million or more. However, because this rule establishes hunting seasons, we do not plan to defer the effective date under the exemption contained in 5 U.S.C. 808(1).

Paperwork Reduction Act

We examined these regulations under the Paperwork Reduction Act of 1995. We utilize the various recordkeeping and reporting requirements imposed under regulations established in 50 CFR part 20, Subpart K, in the formulation of migratory game bird hunting regulations. Specifically, OMB has approved the information collection requirements of the Migratory Bird Harvest Information Program and assigned clearance number 1018–0015 (expires 9/30/2001).

This information is used to provide a sampling frame for voluntary national surveys to improve our harvest estimates for all migratory game birds in order to better manage these populations. OMB has also approved the information collection requirements of the Sandhill Crane Harvest Questionnaire and assigned clearance number 1018–0023 (expires 7/31/2003). The information from this survey is used to estimate the magnitude and the geographical and temporal distribution of harvest, and the portion it constitutes of the total population. A Federal agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Unfunded Mandates Reform Act

We have determined and certify, in compliance with the requirements of the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not ''significantly or uniquely'' affect small governments, and will not produce a Federal mandate of $100 million or more in any given year on local or State government or private entities. Therefore, this rule is not a ''significant regulatory action'' under the Unfunded Mandates Reform Act.

Civil Justice Reform—Executive Order 12988

The Department, in promulgating this rule, has determined that this rule will not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of Executive Order 12988.

Takings Implication Assessment

In accordance with Executive Order 12630, this rule, authorized by the Migratory Bird Treaty Act, does not have significant takings implications and does not affect any constitutionally protected property rights. This rule will not result in the physical occupancy of property, the physical invasion of property, or the regulatory taking of any property. In fact, this rule will allow hunters to exercise otherwise unavailable privileges, and, therefore, reduces restrictions on the use of private and public property.

Federalism Effects

Due to the migratory nature of certain species of birds, the Federal Government has been given responsibility over these species by the Migratory Bird Treaty Act. We annually prescribe frameworks from which the States make selections and employ guidelines to establish special regulations on Federal Indian reservations and ceded lands. This process preserves the ability of the States and Tribes to determine which seasons meet their individual needs. Any State or Tribe may be more restrictive than the Federal frameworks at any time. The frameworks are developed in a cooperative process with the States and the Flyway Councils. This allows States to participate in the development of frameworks from which they will make selections, thereby having an influence on their own regulations. These rules do not have a substantial direct effect on fiscal capacity, change the roles or responsibilities of Federal or State governments, or intrude on State policy or administration. Therefore, in accordance with Executive Order 13132, these regulations do not have significant federalism effects and do not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Government-to-Government Relationship with Tribes

In accordance with the President's memorandum of April 29, 1994, ''Government-to-Government Relations with Native American tribal Governments'' (59 FR 22951) and 512 DM 2, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no effects.

Regulations Promulgation

The rulemaking process for migratory game bird hunting must, by its nature, operate under severe time constraints. However, we intend that the public be given the greatest possible opportunity to comment on the regulations. Thus, when the preliminary proposed rulemaking was published, we established what we believed were the longest periods possible for public comment. In doing this, we recognized that when the comment period closed, time would be of the essence. That is, if there were a delay in the effective date of these regulations after this final rulemaking, the States would have insufficient time to implement their selected season dates and limits and start their seasons in a timely manner.

We therefore find that ''good cause'' exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, and these regulations will, therefore, take effect immediately upon publication. Accordingly, with each conservation agency having had an opportunity to participate in selecting the hunting seasons desired for its State or Territory on those species of migratory birds for which open seasons are now prescribed, and consideration having been given to all other relevant matters presented, certain sections of title 50, chapter I, subchapter B, part 20, subpart K, are hereby amended as set forth below.

List of Subjects in 50 CFR Part 20

Exports, Hunting, Imports, Reporting and recordkeeping requirements, Transportation, Wildlife.

Dated: August 28, 2000.

Stephen C. Saunders,

Acting Assistant Secretary for Fish and Wildlife and Parks.

PART 20—[AMENDED]

For the reasons set out in the preamble, title 50, chapter I, subchapter B, Part 20, subpart K of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 20 continues to read as follows:

Authority: 16 U.S.C. 703–712 and 16 U.S.C. 742 a–j.

BILLING CODE 4310–55–P

Note - The following annual hunting regulations provided for by §§20.101 through 20.106 and 20.109 of 50 CFR 20 will not appear in the Code of Federal Regulations because of their seasonal nature.

2. Section 20.101 is revised to read as follows:

§20.101 Seasons, limits, and shooting hours for Puerto Rico and the Virgin Islands

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset.

CHECK COMMONWEALTH REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

(a) Puerto Rico

	Season Dates	Limits Bag	Limits Possession
Doves and Pigeons			
Zenaida, white-winged, and mourning doves	Sept. 2-Oct. 30	10	10
Scaly-naped pigeons	Sept. 2-Oct. 30	5	5
Ducks	Nov. 11-Dec. 18 &	6	12
	Jan. 13-Jan. 29	6	12
Common Moorhens	Nov. 11-Dec. 18 &	6	12
	Jan. 13-Jan. 29	6	12
Common Snipe	Nov. 11-Dec. 18 &	8	16
	Jan. 13-Jan. 29	8	16

Restrictions: In Puerto Rico, the season is closed on the ruddy duck, white-cheeked pintail, West Indian whistling duck, fulvous whistling duck, masked duck, purple gallinule, American coot, and Caribbean coot, white-crowned pigeon and plain pigeon.

Closed Areas: Closed areas are described in the August 23, 2000, Federal Register (65 FR 51496).

(b) Virgin Islands

	Season Dates	Limits Bag	Limits Possession
Zenaida doves	Sept. 1-Sept. 30	10	10
Ducks	CLOSED		

Restrictions: In the Virgin Islands, the seasons are closed for ground or quail doves, pigeons, ruddy duck, white-cheeked pintail, West Indian whistling duck, fulvous whistling duck, masked duck, and purple gallinule.

Closed Areas: Ruth Cay, just south of St. Croix, is closed to the hunting of migratory game birds.

3. Section 20.102 is revised to read as follows:

§20.102 Seasons, limits, and shooting hours for Alaska.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496).

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

Area Seasons	Dates
North Zone	Sept. 1-Dec. 16
Gulf Coast Zone	Sept. 1-Dec. 16
Southeast Zone	Sept. 1-Dec. 16
Pribilof & Aleutian Islands Zone	Oct. 8-Jan. 22
Kodiak Zone	Oct. 8-Jan. 22

Daily Bag and Possession Limits

Area	Ducks(1)	Dark Geese(2)(3)	Light Geese (2)	Brant	Common Snipe	Sandhill Cranes(4)
North Zone	10-30	4-8	3-6	2-4	8-16	3-6
Gulf Coast Zone	8-24	4-8	3-6	2-4	8-16	2-4
Southeast Zone	7-21	4-8	3-6	2-4	8-16	2-4
Pribilof and Aleutian Islands Zone	7-21	4-8	3-6	2-4	8-16	2-4
Kodiak Zone	7-21	4-8	3-6	2-4	8-16	2-4

(1) In State Game Management Units (Units) 1-26 (Statewide), the basic bag limits may include not more than 1 canvasback daily, 3 in possession. In addition to the basic daily bag and possession limits, a daily bag limit of 10 and a possession limit of 20 is permitted singly or in the aggregate of the following species: scoter, king and common eider, and common and red-breasted mergansers. The season is closed for Steller's and spectacled eiders.

(2) Dark geese include Canada and white-fronted geese. Light geese include snow geese and Ross' geese. Separate limits apply to brant and emperor geese. The season for Aleutian Canada geese and emperor geese is closed Statewide.

(3) In Units 5 and 6, the taking of Canada geese is only permitted from September 28 through December 16. In Units 1-26 (Statewide), the taking of Aleutian Canada geese and emperor geese is prohibited. In Unit 9(d) and the Unimak Island portion of Unit 10, the limits for dark geese are 6 daily and 12 in possession. In the Middleton Island portion of Unit 6, the taking of Canada geese is by special permit only, with a daily bag and possession limit of 1.

(4) In Unit 17, the daily bag limit for sandhill cranes is 2 and the possession limit is 4.

Falconry: The total combined bag and possession limit for migratory game birds taken with the use of a falcon under a falconry permit is 3 per day, 6 in possession, and may not exceed a more restrictive limit for any species listed in this subsection.

Special Tundra Swan Season: In Unit 22 and 18, there will be a tundra swan season from September 1 through October 31 with a season limit of 3 tundra swans per hunter. This season is by registration permit only; hunters will be issued 1 permit allowing the take of up to 3 tundra swans. Hunters will be required to file a harvest report after the season is completed. Up to 300 permits may be issued in Unit 22 and 500 permits in Unit 18. In Unit 23, there will be an experimental tundra swan season from September 1 through October 31, with a season limit of 3 tundra swans per hunter. This season is by registration permit only; hunters will be issued 1 permit allowing the take of up to 3 tundra swans. Hunters will be required to file a harvest report after the season is completed. Up to 300 permits may be issued. Season evaluation to adhere to guidelines for experimental seasons as described in the Pacific Flyway Management Plan for the Western Population of (Tundra) swans.

4. Section 20.103 is revised to read as follows:

§20.103 Seasons, limits, and shooting hours for doves and pigeons.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset except as otherwise noted. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496).

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

(a) Doves

Note: Unless otherwise specified, the seasons listed below are for mourning doves only.

	Season Dates	Limits Bag	Limits Possession
EASTERN MANAGEMENT UNIT			
Alabama			
North Zone			
12 noon to sunset	Sept. 16 only &	15	15
	Dec. 23-Jan. 7	15	15
1/2 hour before sunrise to sunset	Sept. 17-Oct. 29	15	15
South Zone			
12 noon to sunset	Oct. 7-Nov. 25 &	12	12
	Dec. 23-Jan. 11	12	12
Delaware			
12 noon to sunset	Sept. 2-Sept. 23	12	24
1/2 hour before sunrise to sunset	Oct. 16-Oct. 28 &	12	24
	Dec. 11-Jan. 13	12	24
Florida (1)			
12 noon to sunset	Oct. 7-Oct. 30	12	24
1/2 hour before sunrise to sunset	Nov. 11-Nov. 26 &	12	24
	Dec. 9-Jan. 7	12	24
Georgia			
Zone 1			
12 noon to sunset	Sept. 2 only	12	24
1/2 hour before sunrise to sunset	Sept. 3-Oct. 1 &	12	24
	Nov. 23-Nov. 25 &	12	24
	Dec. 10-Jan. 15	12	24
Zone 2			
12 noon to sunset	Sept. 23 only	12	24
1/2 hour before sunrise to sunset	Sept. 24-Oct. 22 &	12	24
	Nov. 23-Nov. 25 &	12	24
	Dec. 10-Jan. 15	12	24
Illinois			
sunrise to sunset	Sept. 1-Oct. 17 &	15	30
	Nov. 4-Nov. 16	15	30
Indiana	Sept. 1-Oct. 16 &	15	30
	Nov. 3-Nov. 12 &	15	30
	Nov. 23-Nov. 26	15	30

	Season Dates	Limits Bag	Limits Possession
Kentucky			
11 a.m. to sunset	Sept. 1-Oct. 24	15	30
1/2 hour before sunrise to sunset	Nov. 23-Nov. 28	15	30
Louisiana			
12 noon to sunset	Sept. 2-Sept. 3 &	15	30
	Oct. 14-Oct. 15 &	15	30
	Dec. 16-Dec. 17	15	30
1/2 hour before sunrise to sunset	Sept. 4-Sept. 10 &	15	30
	Oct. 16-Nov. 10 &	15	30
	Dec. 18-Jan. 7	15	30
Maryland			
12 noon to sunset	Sept. 1-Oct. 21	12	24
1/2 hour before sunrise to sunset	Nov. 13-Nov. 18 &	12	24
	Dec. 18-Dec. 30	12	24
Mississippi			
North Zone	Sept. 2-Sept. 23 &	15	30
	Oct. 7-Oct. 29 &	15	30
	Dec. 23-Jan. 6	15	30
South Zone	Sept. 23-Oct. 14 &	15	30
	Nov. 11-Nov. 26 &	15	30
	Dec. 16-Jan. 6	15	30
North Carolina			
12 noon to sunset	Sept. 2-Sept. 8	12	24
1/2 hour before sunrise to sunset	Sept. 9-Oct. 7 &	12	24
	Nov. 20-Nov. 25 &		
	Dec. 19-Jan. 15	12	24
Ohio	Sept. 1-Oct. 16 &	12	24
	Nov. 3-Nov. 26	12	24
Pennsylvania			
12 noon to sunset	Sept. 1-Oct. 6 &	12	24
	Oct. 28-Nov. 25 &	12	24
	Dec. 26-Dec. 30	12	24
Rhode Island			
12 noon to sunset	Sept. 30-Oct. 14	12	24
1/2 hour before sunrise to sunset	Oct. 21-Nov. 13 &	12	24
	Dec. 11-Jan. 10	12	24
South Carolina			
12 noon to sunset	Sept. 2-Sept. 4	12	24
1/2 hour before sunrise to sunset	Sept. 5-Oct. 7 &	12	24
	Nov. 18-Nov. 25 &	12	24
	Dec. 21-Jan. 15	12	24
Tennessee			
12 noon to sunset	Sept. 1 only	15	30
1/2 hour before sunrise to sunset	Sept. 2-Sept. 26 &	15	30
	Oct. 14-Oct. 29 &	15	30
	Dec. 16-Jan. 2	15	30
Virginia			
12 noon to sunset	Sept. 2-Sept. 30	12	24
1/2 hour before sunrise to sunset	Oct. 7-Nov. 4 &	12	24
	Dec. 30-Jan. 10	12	24
West Virginia			
12 noon to sunset	Sept. 1 only	12	24
1/2 hour before sunrise to sunset	Sept. 2-Oct. 7 &	12	24
	Oct. 23-Nov. 4 &	12	24
	Dec. 18-Jan. 6	12	24
CENTRAL MANAGEMENT UNIT			
Arkansas	Sept. 2-Sept. 24 &	15	30
	Oct. 7-Oct. 29 &	15	30
	Dec. 16-Dec. 29	15	30
Colorado	Sept. 1-Oct. 30	15	30
Kansas	Sept. 1-Oct. 30	15	30
Missouri	Sept. 1-Sept. 30 &	15	30
	Nov. 1-Nov. 30	15	30
Montana	Sept. 1-Oct. 30	15	30
Nebraska	Sept. 1-Oct. 30	15	30
New Mexico (2)			
North Zone	Sept. 1-Oct. 30	15	30
South Zone	Sept. 1-Sept. 30 &	15	30
	Dec. 1-Dec. 30	15	30

	Season Dates	Limits Bag	Limits Possession
North Dakota	Sept. 1-Oct. 30	15	30
Oklahoma	Sept. 1-Oct. 30	15	30
South Dakota (3)	Sept. 1-Oct. 20	15	30
Texas (4)			
North Zone	Sept. 1-Oct. 30	15	30
Central Zone	Sept. 1-Oct. 17 &	15	30
	Dec. 26-Jan. 7	15	30
South Zone			
Special Area	Sept. 22-Nov. 5 &	15	30
	Dec. 26-Jan. 5	15	30
(Special Season)			
12 noon to sunset	Sept. 2-Sept. 3 &	10	20
	Sept. 9-Sept. 10	10	20
Remainder of the South Zone	Sept. 22-Nov. 5 &	15	30
	Dec. 26-Jan. 9	15	30
Wyoming	Sept. 1-Oct. 30	15	30
WESTERN MANAGEMENT UNIT			
Arizona (5)	Sept. 1-Sept. 15 &	10	20
	Nov. 24-Jan. 7	10	20
California (6)	Sept. 1-Sept. 15 &	10	20
	Nov. 11-Dec. 25	10	20
Idaho	Sept. 1-Sept. 30	10	20
Nevada (6)	Sept. 1-Sept. 30	10	20
Oregon	Sept. 1-Sept. 30	10	20
Utah	Sept. 1-Sept. 30	10	20
Washington	Sept. 1-Sept. 15	10	20
OTHER POPULATIONS			
Hawaii (7)	Nov. 4-Nov. 26 &	10	10
	Dec. 2-Dec. 31 &	10	10
	Jan. 1-Jan. 21	10	10

(1) In Florida, the daily bag limit is 12 mourning and white-winged doves in the aggregate, of which not more than 4 may be white-winged doves. The possession limit is twice the daily bag limit.

(2) In New Mexico, the daily bag limit is 15 and the possession limit is 30 mourning and white-winged doves in the aggregate.

(3) In South Dakota, shooting hours are from sunrise to sunset.

(4) In Texas, the daily bag limit is 15 mourning, white-winged, and white-tipped doves in the aggregate, of which no more than 2 may be white-tipped doves. Possession limits are twice the daily bag limit. During the special season in the Special White-winged Dove Area of the South Zone, the daily bag limit is 10 mourning, white-winged, and white-tipped doves in the aggregate, of which no more than 5 may be mourning doves and 2 may be white-tipped doves. Possession limits are twice the daily bag limit.

(5) In Arizona, during September 1 through 10, the daily bag limit is 10 mourning and white-winged doves in the aggregate, of which no more than 6 may be white-winged doves. During November 20 through January 3, the daily bag limit is 10 mourning doves. The possession limit is twice the daily bag limit. See State regulations for restrictive shooting hours in certain areas.

(6) In the areas of California and Nevada open to white-winged dove hunting, the daily bag limit is 10 and the possession limit is 20 mourning and white-winged doves in the aggregate.

(7) In Hawaii, the season is only open on the island of Hawaii. The daily bag and possession limits are 10 mourning and lace-necked doves in the aggregate. Shooting hours are from one-half hour before sunrise through one-half hour after sunset. Hunting is only permitted on weekends and State holidays.

(b) Band-tailed Pigeons

	Season Dates	Limits Bag	Limits Possession
Arizona	Sept. 29-Oct. 9	5	10
California			
North Zone	Sept. 16-Sept. 24	2	4
South Zone	Dec. 16-Dec. 24	2	4
Colorado	Sept. 1-Sept. 30	5	10
New Mexico			
North Zone	Sept. 1-Sept. 20	5	10
South Zone	Oct. 1-Oct. 20	5	10
Oregon	Sept. 15-Sept. 23	2	4
Utah	Sept. 1-Sept. 30	5	10

5. Section 20.104 is revised to read as follows:

§20.104 Seasons, limits, and shooting hours for rails, woodcock, and common snipe.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset except as otherwise noted. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496).

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

Note: States with deferred seasons may select those seasons at the same time they select waterfowl seasons in August. Consult late-season regulations for further information.

	Sora and Virginia Rails	Clapper and King Rails	Woodcock	Common Snipe
Daily bag limit	25 (1)	15 (2)	3	8
Possession limit	25 (1)	30 (2)	6	16
ATLANTIC FLYWAY				
Connecticut (3)	Sept. 1-Nov. 4	Sept. 1-Nov. 4	Oct. 28-Nov. 25	Oct. 28-Nov. 25
Delaware	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Nov. 20-Dec. 8 & Dec. 20-Dec. 30	Nov. 20-Jan.31
Florida	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Dec. 16-Jan. 14	Nov. 1-Feb. 15
Georgia	Sept. 23-Dec. 1	Sept. 23-Dec. 1	Dec. 23-Jan. 21	Nov. 15-Feb. 28
Maine	Sept. 1-Nov. 9	Closed	Oct. 6-Nov. 4	Sept. 1-Dec. 16
Maryland	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Oct. 21-Nov. 11 & Jan. 13-Jan. 20	Sept. 20-Nov. 24 & Dec. 11-Jan. 20
Massachusetts (4)	Sept. 1-Nov. 9	Closed	Deferred	Sept. 1-Dec. 16
New Hampshire	Closed	Closed	Oct. 6-Nov. 4	Sept. 15-Nov. 4
New Jersey (5)				
North Zone	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Oct. 26-Nov. 18	Sept. 22-Jan. 6
South Zone	Sept. 1-Nov. 9	Sept. 1-Nov. 9	Nov. 11-Nov. 25 & Dec. 22-Dec. 30	Sept. 22-Jan. 6
New York (6)	Sept. 1-Nov. 9	Closed	Oct. 6-Nov. 4	Sept. 1-Nov. 9
North Carolina	Sept. 4-Nov. 11	Sept. 4-Nov. 11	Dec. 18-Jan. 15	Nov. 15-Feb. 28
Pennsylvania	Sept. 1-Nov. 9	Closed	Oct. 21-Nov. 4	Oct. 21-Nov. 25
Rhode Island (7)	Sept. 9-Nov. 17	Sept. 9-Nov. 17	Nov. 2-Dec. 1	Sept. 9-Dec. 1
South Carolina	Sept. 26-Oct. 1 & Oct. 13-Dec. 15	Sept. 26-Oct. 1 & Oct. 13-Dec. 15	Dec. 29-Jan. 27	Nov. 14-Feb. 28
Vermont	Deferred	Deferred	Deferred	Deferred
Virginia	Sept. 13-Oct. 2 & Oct. 11-Nov. 29	Sept. 13-Oct. 2 & Oct. 11-Nov. 29	Nov. 4-Nov. 18 & Dec. 23-Jan. 6	Oct. 11-Oct. 14 & Oct. 21-Jan. 31
West Virginia	Sept. 1-Nov. 9	Closed	Oct. 16-Nov. 14	Sept. 1-Dec. 16
MISSISSIPPI FLYWAY				
Alabama (8)	Sept. 9-Sept. 24 & Nov. 28-Jan. 20	Sept. 9-Sept. 24 & Nov. 28-Jan. 20	Dec. 18-Jan. 31	Nov. 14-Feb. 28
Arkansas	Sept. 1-Nov. 9	Closed	Nov. 11-Dec. 10 & Dec. 30-Jan. 13	Nov. 6-Feb. 20
Illinois (9)	Sept. 2-Nov. 10	Closed	Oct. 21-Dec. 4	Sept. 2-Dec. 17
Indiana (10)	Sept. 1-Nov. 9	Closed	Oct. 6-Nov. 19	Sept. 1-Dec. 16
Iowa (11)	Sept. 2-Nov. 10	Closed	Oct. 7-Nov. 20	Sept. 2-Nov. 30
Kentucky	Sept. 1-Nov. 9	Closed	Oct. 21-Dec. 4	Sept. 20-Nov. 5 & Nov. 23-Jan. 21
Louisiana (12)	Sept. 15-Sept. 30	Sept. 15-Sept. 30	Dec. 18-Jan. 31	Deferred
Michigan (13)	Sept. 15-Nov. 14	Closed	Sept. 23-Nov. 6	Sept. 15-Nov. 14
Minnesota	Sept. 1-Nov. 4	Closed	Sept. 23-Nov. 6	Sept. 1-Nov. 4
Mississippi	Oct. 12-Dec. 20	Oct. 12-Dec. 20	Dec. 18-Jan. 31	Nov. 14-Feb. 28
Missouri	Sept. 1-Nov. 9	Closed	Oct. 15-Nov. 28	Sept. 1-Dec. 16
Ohio	Sept. 1-Nov. 9	Closed	Oct. 13-Nov. 26	Sept. 1-Nov. 26 & Dec. 4-Dec. 23
Tennessee	Deferred	Closed	Oct. 28-Dec. 11	Nov. 14-Feb. 28
Wisconsin	Deferred	Closed	Sept. 23-Nov. 6	Deferred

	Sora and Virginia Rails	Clapper and King Rails	Woodcock	Common Snipe
CENTRAL FLYWAY				
Colorado	Sept. 1-Nov. 9	Closed	Closed	Sept. 1-Dec. 16
Kansas	Sept. 1-Nov. 9	Closed	Oct. 13-Nov. 26	Sept. 1-Dec. 16
Montana	Closed	Closed	Closed	Sept. 1-Dec. 16
Nebraska (14)	Sept. 1-Nov. 9	Closed	Sept. 23-Nov. 6	Sept. 1-Dec. 16
New Mexico	Oct. 7-Dec. 15	Closed	Closed	Oct. 7-Jan. 21
North Dakota	Closed	Closed	Sept. 16-Oct. 29	Sept. 16-Nov. 26
Oklahoma	Sept. 1-Nov. 9	Closed	Nov. 1-Dec. 15	Oct. 1-Jan. 15
South Dakota (15)	Closed	Closed	Closed	Sept. 1-Oct. 31
Texas	Sept. 15-Sept. 30 & Oct. 28-Dec. 20	Sept. 15-Sept. 30 & Oct. 28-Dec. 20	Dec. 18-Jan. 31	Oct. 21-Feb. 4
Wyoming	Sept. 1-Nov. 9	Closed	Closed	Sept. 1-Dec. 16
PACIFIC FLYWAY				
California	Closed	Closed	Closed	Oct. 21-Feb. 4
Colorado	Sept. 1-Nov. 9	Closed	Closed	Sept. 1-Dec. 16
Idaho	Closed	Closed	Closed	Deferred
Montana	Closed	Closed	Closed	Sept. 1-Dec. 16
New Mexico	Oct. 7-Dec. 15	Closed	Closed	Oct. 7-Jan. 21
Wyoming	Sept. 1-Nov. 9	Closed	Closed	Sept. 1-Dec. 16

NOTE: For all other States in the Pacific Flyway, snipe seasons have been deferred and no seasons are prescribed for woodcock and rails.

(1) The bag and possession limits for sora and Virginia rails apply singly or in the aggregate of these species.

(2) All bag and possession limits for clapper and king rails apply singly or in the aggregate of the two species and, unless otherwise specified, the limits are in addition to the limits on sora and Virginia rails in all States. In Connecticut, Delaware, Maryland, and New Jersey, the limits for clapper and king rails are 10 daily and 20 in possession.

(3) In Connecticut, the daily bag and possession limits may not contain more than 1 king rail. The common snipe daily bag and possession limit is 3 and 6, respectively.

(4) In Massachusetts, the sora bag limit is 5 daily and 5 in possession; the Virginia rail bag limit is 10 daily and 10 in possession.

(5) In New Jersey, the season for king rails is closed by State regulation.

(6) In New York, the rail daily bag and possession limit is 8 and 16, respectively and seasons for sora and Virginia rails and common snipe are closed on Long Island.

(7) In Rhode Island, the sora and Virginia rails bag limit is 5 daily and 10 in possession, singly or in the aggregate; the clapper and king rail bag limit is 5 daily and 10 in possession, singly or in the aggregate; the common snipe bag limit is 5 daily and 10 in possession.

(8) In Alabama, the rail limits are 15 daily and 15 in possession, singly or in the aggregate.

(9) In Illinois, shooting hours are from sunrise to sunset.

(10) In Indiana, the sora rail limit is 25 daily and 25 in possession. The season on Virginia rails is closed.

(11) In Iowa, the limits for sora and Virginia rails are 12 daily and 24 in possession.

(12) Additional days occurring after September 30 will be published with the late season selections.

(13) In Michigan, the aggregate limits for sora and Virginia rails are 8 daily and 16 in possession.

(14) In Nebraska, the rail limits are 10 daily and 20 in possession.

(15) In South Dakota, the snipe limits are 5 daily and 15 in possession.

6. Section 20.105 is amended by revising paragraphs (a) through (f) to read as follows:

§20.105 Seasons, limits, and shooting hours for waterfowl, coots, and gallinules.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Shooting and hawking hours are one-half hour before sunrise until sunset, except as otherwise noted. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496).

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

Note: States with deferred seasons may select those seasons at the same time they select waterfowl seasons in August. Consult late-seasons regulations for further information.

(a) Common Moorhens and Purple Gallinules

	Season Dates	Limits Bag	Limits Possession
ATLANTIC FLYWAY			
Delaware	Sept. 1-Nov. 9	15	30
Florida (1)	Sept. 1-Nov.9	15	30
Georgia	Nov. 22-Jan. 20	15	30
Maine	Sept. 1-Nov. 9	15	30
New Jersey	Sept. 1-Nov. 9	10	20
New York			
Long Island	Closed	--	--
Remainder of State	Sept. 1-Nov. 9	8	16
North Carolina	Sept. 4-Nov. 11	15	30
Pennsylvania	Sept. 1-Nov. 9	15	30
South Carolina	Sept. 26-Oct. 1 &	15	30
	Oct. 13-Dec. 15	15	30
Virginia	Deferred	--	--
West Virginia	Deferred	--	--
MISSISSIPPI FLYWAY			
Alabama	Sept. 9-Sept. 24 &	15	15
	Nov. 28-Jan. 20	15	15
Arkansas	Sept. 1-Nov. 9	15	30
Indiana	Sept. 1-Nov. 9	15	30
Kentucky	Sept. 1-Nov. 9	15	30
Louisiana (2)	Sept. 15-Sept. 30	15	30
Michigan	Deferred	--	--
Minnesota	Deferred	--	--
Mississippi	Oct. 12-Dec. 20	15	30
Ohio	Sept. 1-Nov. 9	15	30
Tennessee	Deferred	--	--
Wisconsin	Deferred	--	--
CENTRAL FLYWAY			
New Mexico			
Zone 1	Oct. 7-Dec. 15	1	2
Zone 2	Oct. 7-Dec. 15	1	2
Oklahoma	Sept. 1-Nov. 9	15	30
Texas	Sept. 15-Sept. 30 &	15	30
	Oct. 28-Dec. 20	15	30
Wyoming	Deferred	--	--
PACIFIC FLYWAY			
All States	Deferred	--	--

(1) The season applies to common moorhens only.

(2) Additional days occurring after September 30 will be published with the late season selections.

(b) Sea Ducks (scoter, eider, and oldsquaw ducks in Atlantic Flyway).

Within the special sea duck areas, the daily bag limit is 7 scoter, eider, and oldsquaw ducks, singly or in the aggregate, of which no more than 4 may be scoters. Possession limits are twice the daily bag limit. These limits may be in addition to regular duck bag limits only during the regular duck season in the special sea duck hunting areas.

	Season Dates	Limits Bag	Limits Possession
Connecticut	Sept. 19-Jan. 20	7	14
Delaware	Sept. 20-Jan. 20	7	14
Georgia	Nov. 22-Jan.20	7	14
Maine	Deferred	--	--

	Season Dates	Limits Bag	Limits Possession
Maryland	Deferred	--	--
Massachusetts	Deferred	--	--
New Hampshire (1)	Sept. 15-Dec. 30	7	14
New Jersey	Sept. 19-Jan. 20	7	14
New York	Oct. 6-Jan. 20	7	14
North Carolina	Deferred	--	--
Rhode Island	Oct. 6-Jan. 18	7	14
South Carolina	Deferred	--	--
Virginia	Deferred	--	--

NOTE: Notwithstanding the provisions of this Part 20, the shooting of crippled waterfowl from a motorboat under power will be permitted in Maine, Massachusetts, New Hampshire, Rhode Island, Connecticut, New York, Delaware, Virginia and Maryland in those areas described, delineated, and designated in their respective hunting regulations as special sea duck hunting areas.

(1) In New Hampshire, the daily bag limit may include no more than 4 scoter, 4 eider, or 4 oldsquaw.

(c) Early (September) Duck Seasons.

Note: Unless otherwise specified, the seasons listed below are for teal only.

	Season Dates	Limits Bag	Limits Possession
ATLANTIC FLYWAY			
Delaware (1)(2)	Sept. 7-Sept. 16	4	8
Florida (3)	Sept. 23-Sept. 27	4	8
Georgia	Sept. 16-Sept. 24	4	8
Maryland (1)	Sept. 14-Sept. 23	4	8
North Carolina (1)	Sept. 7-Sept. 16	4	8
South Carolina (5)	Sept. 22-Sept. 30	4	8
Virginia (1)	Sept. 14-Sept. 23	4	8
MISSISSIPPI FLYWAY			
Alabama	Sept. 9-Sept. 24	4	8
Arkansas (4)	Sept. 9-Sept. 24	4	8
Illinois (4)	Sept. 2-Sept. 17	4	8
Indiana (4)	Sept. 2-Sept. 17	4	8
Iowa (6)			
North Zone	Sept. 23-Sept. 27	--	--
South Zone	Sept. 23-Sept. 27	--	--
Kentucky (7)	Sept. 20-Sept. 24	4	8
Louisiana	Sept. 15-Sept. 30	4	8
Mississippi	Sept. 9-Sept. 24	4	8
Missouri (4)	Sept. 9-Sept. 24	4	8
Ohio (4)	Sept. 1-Sept. 16	4	8
Tennessee (7)	Sept. 9-Sept. 13	4	8
CENTRAL FLYWAY			
Colorado	Sept. 2-Sept. 10	4	8
Kansas			
Low Plains	Sept. 9-Sept. 24	4	8
High Plains	Sept. 9-Sept. 16	4	8
Nebraska (1)	Sept. 9-Sept. 17	4	8
New Mexico	Sept. 16-Sept. 24	4	8
Oklahoma			
Low Plains	Sept. 9-Sept. 24	4	8
High Plains	Sept. 9-Sept. 17	4	8
Texas	Sept. 15-Sept. 30	4	8

(1) Area restrictions. See State regulations.

(2) In Delaware, the shooting hours are from ½ hour before sunrise to 10:00 a.m.

(3) In Florida, the daily bag limit is 4 wood ducks and teal in the aggregate. The possession limit is twice the daily bag limit.

(4) Shooting hours are from sunrise to sunset.

(5) In South Carolina, shooting hours are from sunrise to noon.

(6) In Iowa, the September season is part of the regular season, and limits will conform to those set for the regular season.

(7) In Kentucky and Tennessee, the daily bag limit is 4 wood ducks and teal in the aggregate, of which no more than 2 may be wood ducks. The possession limit is twice the daily bag limit.

(d) Special Early Canada Goose Seasons.

	Season Dates	Limits Bag	Limits Possession
ATLANTIC FLYWAY			
Connecticut			
North Zone	Sept. 1 &	5	10
	Sept. 5-Sept. 25	5	10
South Zone	Sept. 18-Sept. 25	5	10
Delaware	Sept. 1-Sept. 15	5	10
Maine	Sept. 5-Sept. 25	3	6
Maryland			
Eastern Unit	Sept. 1-Sept. 15	5	10
Western Unit	Sept. 1-Sept. 25	5	10
Massachusetts (1)			
Central Zone	Sept. 5-Sept. 25	5	10
Coastal Zone	Sept. 5-Sept. 25	5	10
Western Zone	Sept. 5-Sept. 25	3	6
New Hampshire	Sept. 5-Sept. 25	3	6
New Jersey	Sept. 1-Sept. 30	5	10
New York			
Lake Champlain Zone	Sept. 5-Sept. 15	2	4
Northeastern Zone	Sept. 1-Sept. 25	5	10
Western Zone	Sept. 1-Sept. 25	5	10
Montezuma Zone	Sept. 1-Sept. 20	5	10
Southeastern Zone	Sept. 1-Sept. 25	5	10
Long Island Zone (2)	Sept. 5-Sept. 30	5	10
North Carolina			
Northeast Hunt Unit	Sept. 1-Sept. 20	3	6
Rest of State	Sept. 5-Sept. 30	3	6
Pennsylvania			
Southeast Hunt Area	Sept. 1-Sept. 25	5	10
Rest of State	Sept. 1-Sept. 25	3	6
Rhode Island	Sept. 11-Sept. 25	5	10
South Carolina			
Early-Season Hunt Unit	Sept. 16-Sept. 30	5	10
Vermont			
Lake Champlain Zone	Sept. 5-Sept. 15	2	4
Interior Vermont Zone:			
Bennington, Rutland, & Windham Counties	Sept. 5-Sept. 15	5	10
Rest of Zone	Sept. 5-Sept. 15	2	4
Virginia	Sept. 1-Sept. 25	5	10
West Virginia	Sept. 1-Sept. 16	3	6
MISSISSIPPI FLYWAY			
Alabama	Sept. 2-Sept. 15	5	10
Illinois			
Northeast Zone	Sept. 2-Sept. 15	5	10
North Zone	Sept. 2-Sept. 15	2	4
Central Zone	Sept. 2-Sept. 15	2	4
South Zone	Sept. 2-Sept. 15	2	4
Indiana	Sept. 1-Sept. 15	5	10
Iowa			
North Zone	Sept. 9-Sept. 10	2	4
Michigan			
Upper Peninsula	Sept. 1-Sept. 10	5	10
Lower Peninsula:			
Huron, Saginaw, and Tuscola Counties	Sept. 1-Sept. 10	2	4
Remainder	Sept. 1-Sept. 15	5	10
Minnesota			
Twin Cities Metro Zone	Sept. 2-Sept. 22	5	10
Southeast Goose Zone	Sept. 2-Sept. 22	2	4
Five Goose Zone	Sept. 2-Sept. 22	5	10
Northwest Goose Zone	Sept. 2-Sept. 15	2	4

	Season Dates	Limits Bag	Limits Possession
Mississippi (3)	Sept. 1-Sept. 15	5	10
Ohio (2)	Sept. 1-Sept. 15	5	10
Tennessee			
Middle Tennessee Zone	Sept. 1-Sept. 10	3	6
East Tennessee Zone	Sept. 1-Sept. 15	5	10
Wisconsin			
Early-Season Subzone A	Sept. 1 only &	5	10
	Sept. 5-Sept. 15	5	10
Early-Season Subzone B	Sept. 1 only &	3	6
	Sept. 5-Sept. 15	3	6
CENTRAL FLYWAY			
Kansas			
Sept. Canada Goose Units	Sept. 2-Sept. 13	3	6
North Dakota	Sept. 2-Sept. 22	5	10
Oklahoma	Sept. 9-Sept. 17	3	6
South Dakota (2)			
North Unit	Sept. 2-Sept. 29	5	10
South Unit	Sept. 16-Sept. 29	5	10
PACIFIC FLYWAY			
California			
Humboldt County	Sept. 2-Sept. 10	2	2
Idaho			
Nez Perce County (1)(2)	Sept. 2-Sept. 9	4	8
Oregon			
Northwest Zone	Sept. 9-Sept. 20	5	10
Southwest Zone	Sept. 9-Sept. 15	5	10
East Zone	Sept. 9-Sept. 15	5	10
Washington			
Western Mgmt. Areas 1 & 3	Sept. 9-Sept. 14	5	10
Rest of State	Sept. 9-Sept. 14	3	6
Wyoming (1)	Sept. 1-Sept. 7	3	6 per season

(1) State permit required.

(2) See State regulations for additional information.

(3) In Mississippi, the season is closed on Roebuck Lake in Leflore County.

(e) Regular Goose Seasons.

Note: Bag and possession limits will conform to those set for the regular season.

	Season Dates
MISSISSIPPI FLYWAY	
Michigan (1)	Sept. 17-Oct. 4
Wisconsin	
Horicon Zone	Sept. 16-Sept. 30
Collins Zone	Sept. 16-Sept. 30
Exterior Zone	Sept. 23-Sept. 30

(1) In Michigan, season dates for the Muskegon Wastewater, Saginaw County, Allegan County, Tuscola/Huron Goose Management Units in the South Zone will be established in the late-season regulatory process.

(f) Youth Waterfowl Hunting Days

The following seasons are open only to youth hunters. Youth Hunters must be accompanied into the field by an adult at least 18 years of age. This adult can not duck hunt but may participate in other open seasons.

Definitions

Youth Hunters: Includes youths 15 years of age or younger.

The Atlantic Flyway: Includes Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

The Mississippi Flyway: Includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

The Central Flyway: Includes Colorado (east of the Continental Divide), Kansas, Montana (Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except that the Jicarilla Apache Indian Reservation is in the Pacific Flyway), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

The Pacific Flyway: Includes the States of Arizona, California, Colorado (west of the Continental Divide), Idaho, Montana (including and to the west of Hill, Chouteau, Cascade, Meagher, and Park Counties), Nevada, New Mexico (the Jicarilla Apache Indian Reservation and west of the Continental Divide), Oregon, Utah, Washington, and Wyoming (west of the Continental Divide including the Great Divide Basin).

Note: Bag and possession limits will conform to those set for the regular season.

	Season Dates
ATLANTIC FLYWAY	
Connecticut	Deferred
Delaware	
Ducks, mergansers, snow geese, coots	Oct. 21
Florida	Deferred
Georgia	
Ducks, geese, mergansers, coots, moorhens and gallinules	Nov. 11 & 12
Maine	
Ducks, mergansers, and coots	
Statewide	Sept. 23
Maryland (1)	
Ducks, mergansers, coots, and Canada geese	Sept. 30
Massachusetts	Deferred
New Hampshire	
Ducks, geese, mergansers, and coots	
Statewide	Sept. 30
New Jersey	
Ducks, geese, mergansers, coots, moorhens and gallinules	
Statewide	Sept. 30
New York	
Ducks, mergansers and coots	
Long Island Zone	Oct. 28 & 29
Lake Champlain Zone	Sept. 23 & 24
Northeastern Zone	Sept. 30 & Oct. 1
Southeastern Zone	Sept. 30 & Oct. 1
Western Zone	Oct. 7 & 8
North Carolina	Deferred
Pennsylvania	
Ducks, mergansers, coots and moorhens	
Statewide	Sept. 30
Rhode Island	
Ducks, mergansers and coots	Nov. 4 & 5
South Carolina	Deferred

	Season Dates
Vermont	
Ducks, mergansers and coots	
Statewide	Sept. 23 & 24
Virginia	Deferred
West Virginia (2)	
Ducks, geese, mergansers, coots, moorhens, and gallinules	
Statewide	Sept. 30
MISSISSIPPI FLYWAY	
Alabama	
Ducks, mergansers, coots, geese, moorhens and gallinules	
Statewide	Feb. 3 & 4
Arkansas	Deferred
Illinois	Deferred
Indiana	Deferred
Iowa	
Ducks, Canada geese, mergansers and coots	
Statewide	Oct. 7 & 8
Kentucky	
Ducks, geese, mergansers, coots, moorhens, and gallinules	
East Zone	Oct. 14 & 15
West Zone	Feb. 3 & 4
Louisiana	Deferred
Michigan	
Ducks, geese, mergansers, coots, moorhens and gallinules	
Statewide	Sept. 16
Minnesota (3)	
Ducks, Canada geese, mergansers, coots, moorhens and gallinules	Sept. 16
Mississippi	Deferred
Missouri	Deferred
Ohio	Deferred
Tennessee	Deferred

	Season Dates
Wisconsin	
Ducks, geese, mergansers, coots, moorhens and gallinules	
Statewide	Sept. 16 & 17
CENTRAL FLYWAY	
Colorado	
Ducks, dark geese, mergansers and coots	Sept. 23 & 24
Kansas (4)	
Ducks, dark geese, mergansers and coots	
High Plains	Sept. 23 & 24
Low Plains	
Early Zone	Deferred
Late Zone	Deferred
Montana	
Ducks, geese, mergansers and coots	Sept. 23 & 24
Nebraska (5)	
Ducks, mergansers, coots, and geese	Sept. 23 & 24
New Mexico	
Ducks, mergansers, and coots	
North Zone	Sept. 30 & Oct. 1
South Zone	Oct. 14 & 15
North Dakota	
Ducks, geese, mergansers and coots	
Statewide	Sept. 23 & 24
Oklahoma	
Ducks, geese, mergansers, coots	
High Plains	Sept. 30 & Oct. 1
Low Plains	Deferred
South Dakota (6)	
Ducks, Canada geese, and mergansers	
Statewide	Sept. 23 & 24
Texas	Deferred
Wyoming	
Ducks, dark geese, mergansers and coots	
Statewide	Sept. 23

	Season Dates
PACIFIC FLYWAY (7)	
Arizona	
Ducks, geese, coots, moorhens and gallinules	
North Zone	Oct. 7
South Zone	Jan. 27
California	
Ducks, brant, geese, coots, and moorhens	
Northeastern Zone	Sept. 30 & Oct. 1
Colorado River Zone	Jan. 27
Southern Zone	Jan. 27 & 28
Southern San Joaquin Valley Zone	Jan. 27 & 28
Balance-of-State Zone	Jan. 27 & 28
Colorado	
Ducks, dark geese and coots	Sept. 23 & 24
Idaho	
Ducks, geese, coots, moorhens, and gallinules	
Statewide	Sept. 23 & 24
Montana	
Ducks, geese, and coots	Sept. 23 & 24
Nevada	
Ducks, geese, coots, moorhens, and gallinules	
Clark and Lincoln Counties	Jan. 29
Rest of State	Sept. 25
Oregon	
Ducks, Canada geese, and coots	
Statewide (8)	Sept. 23 & 24
Utah	
Ducks, geese, and coots	
Statewide	Sept. 30
Washington	
Ducks, Canada geese, and coots	
Statewide	Sept. 23 & 24
Wyoming	
Ducks, dark geese, and coots	Sept. 23

(1) In Maryland, the accompanying adult must be at least 21 years of age and possess a valid Maryland hunting license (or be exempt from the license requirement). This accompanying adult may not shoot or possess a firearm.

(2) In West Virginia, the accompanying adult must be at least 21 years of age.

(3) In Minnesota, the Canada goose limit is 1, except that in the West Goose Zone, the limit is 5.

(4) In Kansas, the adult accompanying the youth must possess any licenses and/or stamps required by law for that individual to hunt waterfowl.

(5) In Nebraska, see State regulations for additional information on the daily bag limit.

(6) In South Dakota, the limit for Canada geese is 3, except in areas where the Special Early Canada goose season is open. In those areas, the limit is the same as for that special season.

(7) In the Pacific Flyway, the daily bag limit for ducks includes mergansers.

(8) In Oregon, the Canada goose season is closed for the youth hunt in Western Washington Goose Management Area 2.

7. Section 20.106 is revised to read as follows:

§20.106 Seasons, limits, and shooting hours for sandhill cranes.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), shooting and hawking hours, and daily bag and possession limits on the species designated in this section are as follows:

Shooting and Hawking hours are one-half hour before sunrise until sunset, except as otherwise noted. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496).

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

Note: States with deferred seasons may select those seasons at the same time they select waterfowl seasons in August. Consult late-season regulations for further information.

	Season Dates	Limits Bag	Limits Possession
CENTRAL FLYWAY			
Colorado (1)	Oct. 7-Dec. 3	3	6
Kansas (2)	Nov. 4-Dec. 31	2	4
Montana			
Regular Season Area (1)	Sept. 30-Nov. 26	3	6
Special Season Area (3)	Sept. 9-Sept. 17	1 per season	
New Mexico			
Regular Season Area (1)	Oct. 31-Jan. 31	3	6
Middle Rio Grande Valley Area (3)(4)(5)	Oct. 28-Oct. 29 &	2	3
	Nov. 18-Nov. 19 &	2	3
	Dec. 9-Dec. 10 &	2	3
	Jan. 13-Jan. 14	2	3
Southwest Area (3)(4)(5)	Nov. 4-Nov. 5 &	2	4
	Jan. 6-Jan. 7	2	4
North Dakota (2)	Sept. 16-Nov. 12	3	6
Oklahoma (1)	Deferred	--	--
South Dakota (1)	Sept. 23-Nov. 19	3	6
Texas (1)			
Zone A	Nov. 11-Feb. 11	3	6
Zone B	Dec. 2-Feb. 11	3	6
Zone C	Dec. 30-Feb. 4	3	6
Wyoming			
Regular Season Area (1)(5)	Sept. 9-Nov. 5	3	6
Riverton-Boysen Unit (3)(5)	Sept. 16-Oct. 6	1 per season	
Big Horn and Park Counties (3)(5)	Sept. 16-Oct. 1	1 per season	
PACIFIC FLYWAY			
Arizona (3)	Oct. 30-Nov. 1 &	2 per season	
	Nov. 3-Nov. 5 &	2 per season	
	Nov. 7-Nov. 9 &	2 per season	
	Nov. 11-Nov. 13 &	2 per season	
	Nov. 15-Nov. 17	2 per season	
Idaho (3)	Sept. 1-Sept. 15	1 per season	
Montana			
Special Season Area (3)	Sept. 9-Sept. 10 &	1 per season	
	Sept. 16-Sept. 17	1 per season	
Utah (3)			
Rich County	Sept. 2-Sept. 10	1 per season	
Cache County	Sept. 16-Sept. 24	1 per season	
Box Elder County	Sept. 2-Sept. 10	1 per season	

	Season Dates	Limits Bag	Possession
Wyoming			
Bear River Area (3)(5)	Sept. 1-Sept. 14	1 per season	
Salt River Area (3)(5)	Sept. 1-Sept. 7	1 per season	
Eden-Farson Area (3)(5)	Sept. 1-Sept. 7	1 per season	

(1) Each hunter participating in a regular sandhill crane hunting season must obtain and carry in his possession while hunting sandhill cranes a valid Federal sandhill crane hunting permit available without cost from conservation agencies in the States where crane hunting seasons are allowed. The permit must be displayed to any authorized law enforcement official upon request.

(2) In Kansas and North Dakota, each hunter participating in a regular sandhill crane hunting season must obtain and carry in his possession while hunting sandhill cranes a valid Federal sandhill crane hunting permit issued and validated by the State. The permit must be displayed to any authorized law enforcement official upon request.

(3) Hunting is by State permit only.

(4) In New Mexico, the seasonal bag limit is 3 in the Middle Rio Grande Valley Area and 8 in the Southwest Area.

(5) Shooting hours are sunrise to sunset.

8. Section 20.109 is revised to read as follows:

§20.109 Extended seasons, limits, and hours for taking migratory game birds by falconry.

Subject to the applicable provisions of the preceding sections of this part, areas open to hunting, respective open seasons (dates inclusive), hawking hours, and daily bag and possession limits for the species designated in this section are prescribed as follows:

Hawking hours are one-half hour before sunrise until sunset except as otherwise noted. Area descriptions were published in the August 23, 2000, Federal Register (65 FR 51496). For those extended seasons for Ducks, Mergansers, and Coots, area descriptions were published in the September 27, 1999, Federal Register (64 FR 52124) and will be published again in a September 2000 Federal Register.

CHECK STATE REGULATIONS FOR AREA DESCRIPTIONS AND ANY ADDITIONAL RESTRICTIONS.

Daily bag limit . . . . . 3 migratory birds, singly or in the aggregate.

Possession limit . . . . . 6 migratory birds, singly or in the aggregate.

These limits apply to falconry during both regular hunting seasons and extended falconry seasons -- unless further restricted by State regulations. The falconry bag and possession limits are not in addition to regular season limits. Unless otherwise specified, extended falconry for ducks does not include sea ducks within the special sea duck areas. Only extended falconry seasons are shown below. Many States permit falconry during the gun seasons. Please consult State regulations for details.

For ducks, mergansers, coots, geese, and some moorhen seasons; additional season days occurring after September 30 will be published with the late-season selections. Some States have deferred selections. Consult late-season regulations for further information.

	Extended Falconry Dates
ATLANTIC FLYWAY	
Delaware	
Mourning dove	Sept. 24-Oct. 14 & Oct. 30-Nov. 9 & Jan. 29-Feb. 3
Rail	Nov. 10-Dec. 16
Woodcock	Oct. 2-Nov. 9 & Jan. 1-Feb. 7
Snipe	Feb. 1-Mar. 6
Florida	
Mourning and white-winged doves	Oct. 31-Nov. 10 & Nov. 27-Dec. 8 & Jan. 8-Jan. 21
Rails	Nov. 10-Dec. 16
Woodcock	Nov. 24-Dec. 15 & Jan. 15-Mar. 10
Common moorhens	Nov. 10-Dec. 14
Georgia	
Moorhens, gallinules, and sea ducks	Nov. 13-Nov. 21 & Jan. 21-Feb. 16
Maryland	
Mourning doves	Oct. 22-Nov. 12 & Dec. 10-Dec. 17 & Dec. 31-Jan. 6
Rails	Nov. 10-Dec. 16
Woodcock	Oct. 1-Oct. 20 & Jan. 21-Mar. 10

	Extended Falconry Dates
Pennsylvania	
Mourning doves	Oct. 7-Oct. 27 & Nov. 27-Dec. 12
Virginia	
Doves	Oct. 1-Oct. 6 & Dec. 9-Dec. 29 & Jan. 11-Jan. 20
Woodcock	Oct. 30-Nov. 3 & Nov. 19-Dec. 22 & Jan. 7-Jan. 31
MISSISSIPPI FLYWAY	
Illinois	
Mourning doves	Oct. 18-Nov. 3 & Nov. 17-Dec. 16
Rails	Nov. 11-Dec. 17
Woodcock	Sept. 1-Oct. 20 & Dec. 5-Dec. 16
Indiana	
Mourning doves	Oct. 17-Nov. 2 & Jan. 1-Jan. 30
Woodcock	Sept. 23-Oct. 5 & Nov. 20-Jan. 7
Ducks, mergansers, and coots (1)	
North Zone	Sept. 30
Michigan	
Rails and snipe	Sept. 7-Sept. 14 & Nov. 15-Dec. 12 & Mar. 1-Mar. 10
Ducks, mergansers, coots, and moorhens (1)	Sept. 7-Sept. 30
Woodcock	Sept. 7-Sept. 22 & Nov. 7-Dec. 12 & Mar. 1-Mar. 10
Minnesota	
Woodcock	Sept. 1-Sept. 22 & Nov. 7-Dec. 16
Rails and snipe	Nov. 5-Dec. 16
Missouri	
Mourning doves	Oct. 1-Oct. 31 & Dec. 1-Dec. 16
Ducks, mergansers, and coots	Sept. 9-Sept. 24
Tennessee	
Mourning doves	Sept. 27-Oct. 13 & Oct. 30-Nov. 28
Ducks (1)	Sept. 14-Sept. 29
Wisconsin	
Rails, snipe, moorhens, and gallinules (1)	Sept. 1-Sept. 30
Woodcock	Sept. 1-Sept. 22
CENTRAL FLYWAY	
Montana (2)	
Ducks, mergansers, and coots (1)	Sept. 21-Sept. 38
Nebraska	
Ducks, mergansers, and coots	
High Plains	Sept. 9-Sept. 17 & Sept. 23-Sept. 24
Low Plains	Sept. 9-Sept. 29
New Mexico (2)	
Doves	
North Zone	Oct. 31-Nov. 12 & Nov. 27-Dec. 30
South Zone	Oct. 1-Nov. 12 & Nov. 27-Nov. 30
Band-tailed pigeons	
North Zone	Sept. 21-Dec. 16
South Zone	Oct. 21-Jan. 15

	Extended Falconry Dates
New Mexico (cont.)	
Sandhill cranes	
Regular Season Area	Oct. 17-Oct. 30
Ducks and coots	Sept. 16-Sept. 24
Moorhen and sora and Virginia rails	Dec. 16-Jan. 21
North Dakota	
Ducks, mergansers, and coots	Sept. 18-Sept. 29
Snipe	Sept. 1-Sept. 15
South Dakota	
Ducks, mergansers, and coots (1)	
High Plains	Sept. 4-Sept. 11
Low Plains	
North & Middle Zones	Sept. 4-Sept. 22 & Sept. 25-Sept. 29
South Zone	Sept. 11-Sept. 22 & Sept. 25-Sept. 30
Texas	
Mourning and white-winged doves	Nov. 9-Dec. 25
Rails and gallinules	Dec. 21-Jan. 26
Woodcock	Nov. 24-Dec. 17 & Feb. 1-Mar. 10
Wyoming	
Rails	Nov. 10-Dec. 16
Ducks, mergansers, and coots (1)	
Zone 1	Sept. 23-Oct. 2
Zone 2	Sept. 20-Sept. 29
PACIFIC FLYWAY	
Arizona	
Doves	Sept. 14-Oct. 30
Idaho	
Mourning doves	

	Extended Falconry Dates
New Mexico (2)	
Doves	
North Zone	Oct. 31-Nov. 12 & Nov. 27-Dec. 30
South Zone	Oct. 1-Nov. 12 & Nov. 27-Nov. 30
Band-tailed pigeons	
North Zone	Sept. 21-Dec. 16
South Zone	Oct. 21-Jan. 15
Oregon (3)	
Mourning doves	Oct. 1-Dec. 16
Band-tailed pigeons	Sept. 1-Sept. 14 & Sept. 24-Dec. 16
Utah	
Mourning doves and band-tailed pigeons	Oct. 1-Dec. 16
Washington	
Mourning doves	Oct. 1-Dec. 31
Wyoming	
Rails	Nov. 10-Dec. 16

(1) Additional days occurring after September 30 will be published with the late-season selections.

(2) In Montana and New Mexico, the bag limit is 2 and the possession limit is 6.

(3) In Oregon, no more than 1 pigeon daily in bag or possession.

[FR Doc. 00–22489 Filed 8–31–00; 8:45 am]

BILLING CODE 4310–55–C

Federal Register

Friday,
September 1, 2000

Part VI

Department of Education

National Institute on Disability and Rehabilitation Research; Notice

DEPARTMENT OF EDUCATION

National Institute on Disability and Rehabilitation Research

AGENCY: Office of Special Education and Rehabilitative Services, Department of Education.

ACTION: Notice of Proposed Funding Priorities for Fiscal Years 2001–2002 for collaborative projects in spinal cord injury research.

SUMMARY: We propose funding priorities for collaborative spinal cord injury research, a spinal cord injury data center, and a spinal cord injury dissemination center under the National Institute on Disability and Rehabilitation Research (NIDRR) for fiscal years 2001–2002. We take this action to focus research attention on areas of national need. We intend these priorities to improve the rehabilitation services and outcomes for individuals with disabilities. This notice contains proposed priorities under the Disability and Rehabilitation Research Projects and Centers Program.

DATES: We must receive your comments on or before October 2, 2000.

ADDRESSES: All comments concerning these proposed priorities should be addressed to Donna Nangle, U.S. Department of Education, 400 Maryland Avenue, S.W., room 3414, Switzer Building, Washington, D.C. 20202–2645. Comments may also be sent through the Internet: donna_nangle@ed.gov

FOR FURTHER INFORMATION CONTACT: Donna Nangle. Telephone: (202) 205–5880. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–4475. Internet: donna_nangle@ed.gov

Individuals with disabilities may obtain this document in an alternate format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in the preceding paragraph.

SUPPLEMENTARY INFORMATION:

Invitation to Comment

We invite you to submit comments regarding these proposed priorities.

We invite you to assist us in complying with the specific requirements of Executive Order 12866 and its overall requirement of reducing regulatory burden that might result from these proposed priorities. Please let us know of any further opportunities we should take to reduce potential costs or increase potential benefits while preserving the effective and efficient administration of the program.

During and after the comment period, you may inspect all public comments about these priorities in Room 3414, Switzer Building, 330 C Street SW., Washington, D.C., between the hours of 8:00 a.m. and 4:00 p.m., Eastern time, Monday through Friday of each week except Federal holidays.

Assistance to Individuals With Disabilities in Reviewing the Rulemaking Record

On request, we will supply an appropriate aid, such as a reader or print magnifier, to an individual with a disability who needs assistance to review the comments or other documents in the public rulemaking record for these proposed priorities. If you want to schedule an appointment for this type of aid, you may call (202) 205–8113 or (202) 260–9895. If you use a TDD, you may call the Federal Information Relay Service at 1–800–877–8339.

Goals 2000: Educate America Act

The Goals 2000: Education America Act (Goals 2000) focuses the Nation's education reform efforts on the eight National Education Goals and provides a framework for meeting them. Goals 2000 promotes new partnerships to strengthen schools and expands the Department's capacities for helping communities to exchange ideas and obtain information needed to achieve the goals.

These proposed priorities would address the National Education Goal that every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

The authority for the program to establish research priorities by reserving funds to support particular research activities is contained in sections 202(g) and 204 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 762(g) and 764). Regulations governing this program are found in 34 CFR Part 350.

We will announce the final priorities in a notice in the **Federal Register**. We will determine the final priorities after considering responses to this notice and other information available to the Department. This notice does not preclude us from proposing or funding additional priorities, subject to meeting applicable rulemaking requirements.

Note: This notice does not solicit applications. In any year in which we choose to use these proposed priorities, we invite applications through a notice published in the **Federal Register**. When inviting applications we designate each priority as absolute, competitive preference, or invitational.

The proposed priority refers to NIDRR's Long Range Plan (the Plan). The Plan can be accessed on the World Wide Web at: *http://www.ed.gov/legislation/FedRegister/other/1999–12/68576.html.*

Disability and Rehabilitation Research Project and Centers Program

The authority for Disability and Rehabilitation Research Projects (DRRP) is contained in section 204 of the Rehabilitation of 1973, as amended (29 U.S.C. 761a and 762a). The purpose of the DRRP program is to plan and conduct research, demonstration projects, training and related activities to—

(a) Develop methods, procedures, and rehabilitation technology that maximizes the full inclusion and integration into society, employment, independent living, family support, and economic and social self-sufficiency of individuals with disabilities; and

(b) Improve the effectiveness of services authorized under the Act.

Background

The projects in these proposed priorities are to conduct research in collaboration with Centers established under the Special Projects and Demonstrations for Spinal Cord Injury (SCI) Program. The following section provides background information regarding that program to assist applicants in developing appropriate collaboration projects.

Special Projects and Demonstrations for Spinal Cord Injury

The authority for Model Spinal Cord Injury Centers (MSCI) is contained in section 204(b)(4) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 762(b)(4)). We may make awards for up to 60 months through grants or cooperative agreements. The MSCI program provides assistance to establish innovative projects for the delivery, demonstration, and evaluation of comprehensive medical, vocational, and other rehabilitation services to meet the wide range of needs of individuals with SCI.

The MSCI program provides assistance for projects that provide comprehensive rehabilitation services to individuals with SCI and conduct spinal cord research, including clinical research and the analysis of standardized data in collaboration with other related projects.

Each MSCI Center establishes a multidisciplinary system of providing rehabilitation services, specifically designed to meet the special needs of individuals with SCI. This includes

acute care as well as periodic inpatient or outpatient follow up and vocational services. MSCI Centers demonstrate and evaluate the benefits and cost effectiveness of such a system for the care of individuals SCI and demonstrate and evaluate existing, new, and improved methods and equipment essential to the care, management, and rehabilitation of individuals with SCI. MSCI Centers demonstrate and evaluate methods of community outreach and education for individuals with SCI in connection with the problems of those individuals in areas such as housing, transportation, recreation, employment, and community activities.

NIDRR is in the final selection process for MSCI Centers for the period 2000–2005. The priority announcement and notice inviting applications were published in the **Federal Register** on March 16, 2000 (65 FR 14345–14377). Additional information about the MSCI Centers Program is available on the World Wide Web at *www.ncddr.org/rpp/hf/hfdw/mscis* and in the special issue ''Current Research Outcomes from the Model Spinal Cord Injury Care Systems'', *Archives of Physical Medicine and Rehabilitation,* Vol. 80, No. 11, November 1999.

Proposed Priority for Collaborative Research Projects in Spinal Cord Injury

In the announcement of March 16, 2000 it was indicated that a separate competition would be held for collaborative projects in SCI. We now propose to establish a priority for those collaborative projects. In addition, it is proposed to establish a Data Center to maintain and manage the database of information regarding individuals with SCI who receive treatment in the MSCI Centers. It is also proposed to establish a Dissemination Center to manage the collection and dissemination of academic and consumer information developed by those centers.

Collaborative Spinal Cord Injury Research Projects

Estimates of the number of people living with traumatic SCI range from 183,000 to 230,000, with an incidence of approximately 10,000 new cases each year (''Spinal Cord Injury Facts and Figures at a Glance,'' *National Spinal Cord Injury Statistical Center (NSCISC), University of Alabama at Birmingham.* Although SCI predominately affects young adults (56% of SCIs occur among people aged 16–30 years), there is an increasing proportion of new SCI cases in the population over 60 years of age (NSCISC, *ibid.*). The true significance of traumatic SCI lies not primarily in the numbers affected, but in the substantial impact on individuals' lives and the associated substantial health care costs and living expenses. A traumatic SCI has far-reaching repercussions on the lives of the injured persons and their families that can be devastating if not addressed effectively. According to a report from the Agency for Health Care Policy and Research (Hospital Inpatient Statistics, 1996, AHCPR Publication No. 99–0034), SCI is the most expensive condition or diagnosis treated in U.S. hospitals. The estimated lifetime costs for an individual injured at the age of 25 range from $365,000 for an incomplete injury to more than $1.7 million for an individual with a high cervical injury (NSCISC, *op cit*).

Collaborative research projects are essential in the development of new knowledge for improved treatment and services for people with SCI. Multi-center collaboration enables the collection of data from a larger number of subjects, increasing the statistical reliability of the information. Collaborative research enables projects with a wider range of expertise than may be available at a single center. Multi-center collaboration may also enable comparisons of different health care delivery systems.

Additionally, multi-center projects may facilitate the inclusion of a more diverse range of individuals with SCI than may be available at a single center.

It is a requirement of this proposed priority that the research include two or more centers from the MSCI Centers Program. However, to achieve the combination of target populations and professional expertise necessary to answer relevant questions, collaboration with other NIDRR centers and centers supported by the Department of Veterans Affairs, the National Institutes of Health, and other public and private agencies are encouraged. A list of the MSCI Centers for 2000–2005 will be included in the final announcement of this priority.

Spinal Cord Injury Data Center

The database of the MSCI Centers Program is a collaborative project in which all of the centers participate. The parameters of the database are determined by the directors of the centers, in consultation with NIDRR. The specification of the database as it is currently implemented can be obtained from the National SCI Statistical Center at the University of Alabama at Birmingham. The Center may be contacted on the World Wide Web at *http://www.ncddr.org/rpp/hf/hfdw/mscis/index.html* or by e-mail at *NSCISC@uab.edu* or by telephone at (205) 934–5049). The SCI data center will maintain the database, provide technical assistance regarding data collection, and collaborate with all of the centers to publish information from the database. Historically the data center has been funded as a supplement to one of the centers in the program. However, we propose to establish a separate center to maintain this information.

Dissemination Center

The collection and dissemination of academic and consumer education products produced by the centers has been conducted by collaborative efforts among the centers in the program. This has resulted in a bibliography of articles published in professional journals and a database of consumer education materials. We propose to establish a center to maintain and continue to collect and disseminate this information. This center will be required to collaborate with all of the MSCI Centers and collaborative research projects as well as the Data Center and other NIDRR supported dissemination centers, the National Rehabilitation Information Center (NARIC) and the National Center for the Dissemination of Disability Research (NCDDR).

Proposed Priority 1: Collaborative Research in Spinal Cord Injury

We propose to fund collaborative projects in SCI research for the purpose of generating new knowledge through research, development, or demonstration to improve outcomes for SCI through improved interventions and service delivery models. A collaborative SCI Project must:

(1) Conduct a significant and substantial research project in SCI that will contribute to the advancement of knowledge in SCI consistent with the Plan.

Applicants may select from the following examples of research objectives related to specific areas of the Plan or other research objectives, including those that cut across areas of the Plan:

(Chapter 3, Employment Outcomes): Either (1) Assess barriers to employment of people with SCI; or (2) conduct multi-center evaluation of direct intervention strategies for improving employment outcomes.

(Chapter 4, Maintaining Health and Function): Either (1) conduct multi-center evaluations of interventions to improve outcomes in the preservation or restoration of function or the prevention and treatment of secondary conditions; or (2) assess service delivery models that provide quality care under constraints imposed by recent changes in the health care financing system.

(Chapter 5, Technology for Access and Function): Either (1) conduct a multi-center evaluation of the impact of selected innovations in technology and rehabilitation engineering on service delivery; or (2) assess the impact of selected innovations in technology and rehabilitation engineering on outcomes such as function, independence, and employment.

(Chapter 6, Independent Living and Community Integration): Measure the environmental factors influencing independence and community integration, employment function, and health maintenance.

(Chapter 7, Associated): Either (1) Evaluate methods to build the capacity for rehabilitation services for individuals with SCI; or (2) Investigate the impact of national telecommunications and information policy on the access of persons with SCI to related education, work, and other opportunities.

(2) Disseminate research and demonstration findings to SCI centers, rehabilitation practitioners, researchers, individuals with SCI and their families or other authorized representatives, and other public and private organizations involved in SCI care and rehabilitation.

In carrying out these purposes, the project must:

- Include two or more centers from the MSCI Centers Program.
- Incorporate culturally appropriate methods of community outreach and education in areas such as health and wellness, housing, transportation, recreation, employment, and other community activities for individuals with diverse backgrounds with SCI;

Proposed Priority 2: Data Center

We propose to establish a data center to manage and facilitate the use of information on individuals with SCI collected by the MSCI Centers. The Data Center must:

(1) Establish a hardware and software system to securely maintain data from the MSCI Centers. The system must maintain individual confidentiality and provide for data entry, quality control, data retrieval, and data analysis.

(2) Train and provide technical assistance to the MSCI Centers on proper data collection methods, data entry, and utilization of the database.

(3) Establish methods and procedures to communicate with NIDRR and the directors of the MSCI Centers regarding submissions to the database and the quality and utility of data elements.

(4) Demonstrate the capacity to conduct, facilitate, and disseminate research utilizing the database.

(5) Develop and facilitate methods for linking the data from the MSCI Centers with other databases to advance knowledge regarding SCI.

In carrying out these purposes the center must:

- Incorporate culturally appropriate methods of community outreach and education in areas such as health and wellness, housing, transportation, recreation, employment, and other community activities for individuals with diverse backgrounds with SCI; and
- Demonstrate the capacity to provide technical assistance to the MSCI Centers and to other related projects regarding database development and maintenance.

Proposed Priority 3: Dissemination Center

We propose to establish a center for the purpose of collecting, maintaining and disseminating academic and consumer education materials produced by the MSCI Centers and the Collaborative Research Projects in SCI. The Dissemination Center must:

(1) Establish, maintain, and disseminate a bibliography of the academic publications of the MSCI Centers and the Collaborative Research Projects in SCI.

(2) Establish a system to collect, maintain, and disseminate consumer education materials produced by the MSCI Centers and the Collaborative Research Projects in SCI.

(3) Establish collaborative relationships with NIDRR supported dissemination centers, NARIC (www.naric.com) and NCDDR (www.ncddr.org).

In carrying out these purposes, the project must:

- Incorporate culturally appropriate methods of community outreach and education in areas such as health and wellness, housing, transportation, recreation, employment, and other community activities for individuals with diverse backgrounds with SCI; and
- Establish procedures to collaborate with the SCI Data Center and other information sources supported by public or private agencies to facilitate dissemination of information regarding SCI research.

Proposed Additional Selection Criterion

We will use the selection criteria in 34 CFR 350.54 to evaluate applications under this program. The maximum score for all the criteria is 100 points; however, we will also use the following criterion so that up to an additional ten points may be earned by an applicant for a total possible score of 110 points.

Up to ten (10) points based on the extent to which an application includes effective strategies for employing and advancing in employment qualified individuals with disabilities in projects awarded under this absolute priority. In determining the effectiveness of those strategies, we will consider the applicant's prior success, as described in the application, in employing and advancing in employment qualified individuals with disabilities.

Thus for purposes of this competitive preference, applicants can be awarded up to a total of 10 points in addition to those awarded under the published selection criteria for this priority. That is, an applicant meeting this competitive preference could earn a maximum total of 110 points.

Applicable Program Regulations: 34 CFR Part 350.

Electronic Access to This Document

You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at either of the following sites:

http://ocfo.ed.gov/fedreg.htm

http://www.ed.gov/news.html

To use the PDF you must have Adobe Acrobat Reader, which is available free at either of the preceding sites. If you have questions about using the PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of the document is published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: http://www.access.gpo.gov/nara/index.html

(Catalog of Federal Domestic Assistance Numbers 84.133A, Disability Rehabilitation Research Project)

Program Authority: 29 U.S.C. 761a(g) and 762a.

Dated: August 29, 2000.

Curtis L. Richards,

Acting Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 00–22431 Filed 8–31–00; 8:45 am]

BILLING CODE 4000–01–U

Federal Register

Friday,
September 1, 2000

Part VII

Department of the Interior

Bureau of Land Management

Interim Final Supplementary Rules on Public Land in Utah; Notice

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT–030–1652–PA–24 1A]

RIN 1004–AD40

Notice of Interim Final Supplementary Rules on Public Land In Utah

AGENCY: Bureau of Land Management, Utah State Office, Utah.

ACTION: Interim final Supplementary Rules for public land within Grand Staircase-Escalante National Monument, and at associated facilities, Cedar City Field Office, Utah.

SUMMARY: The Bureau of Land Management's Cedar City Field Office (BLM) is publishing interim final supplementary rules. These supplementary rules will apply to public assemblies, meetings, gatherings, demonstrations, parades, and similar activities on the public lands within Grand Staircase-Escalante National Monument (the Monument), and at Monument offices, visitor centers, and other facilities. The supplementary rules governing where protesters may demonstrate are needed in order to protect the Monument's natural resources, access to public facilities, and the public health and safety.

DATES: The interim final supplementary rules will be effective September 1, 2000, but we will accept comments and publish final supplementary rules that respond to comments. You should submit your comments by October 2, 2000. In developing final supplementary rules, BLM may not consider comments postmarked or received in person or by electronic mail after this date.

ADDRESSES: Mail: Director (630), Bureau of Land Management, Administrative Record, Room 401 LS, 1849 C Street, NW, Washington, D.C. 20240.

Personal or messenger delivery: Room 401, 1620 L Street, NW, Washington, DC 20036.

Internet e-mail: WOComment@blm.gov. (Include ''Attn: GSENM'')

FOR FURTHER INFORMATION CONTACT: Keith Aller, Utah State Office, 801–539–4085.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

Your comments on the interim final supplementary rules should be specific, should be confined to issues pertinent to the interim final supplementary rules, and should explain the reason for any recommended change. Where possible, your comments should reference the specific section or paragraph of the proposal that you are addressing. BLM may not necessarily consider or include in the Administrative Record for the final supplementary rules comments that BLM receives after the close of the comment period (see **DATES**) or comments delivered to an address other than those listed above (see **ADDRESSES**).

BLM will make your comments, including your name and address, available for public review at the Washington Office of BLM address listed in **ADDRESSES** above during regular business hours (7:45 a.m. to 4:30 p.m., Monday through Friday, except Federal holidays). We will also keep copies of the comments at the—

- Utah State Office, 324 South State Street, 4th Floor, Salt Lake City, Utah 84111;
- Cedar City Field Office, 176 East D.I. Sargent Drive, Cedar City, Utah 84720; and
- Monument Headquarters, 180 West 300 North, Kanab, Utah 84741.

Under certain conditions, BLM can keep your personal information confidential. You must prominently state your request for confidentiality at the beginning of your comment. BLM will consider withholding your name, street address, and other identifying information on a case-by-case basis to the extent allowed by law. BLM will make available to the public all submissions from organizations and businesses and from individuals identifying themselves as representatives or officials of organizations or businesses.

II. Background

The President designated Grand Staircase-Escalante National Monument under the Antiquities Act on September 18, 1996. In doing so, he assigned management responsibility for the Monument to BLM.

The BLM provided for substantial public participation and coordination during the development of Grand Staircase-Escalante National Monument Management Plan. This public participation included: 15 scoping workshops; a science symposium; receipt and analysis of more than 6,800 comments on the draft plan; 13 draft plan open house sessions; and 13 notices published in the **Federal Register** related to the development of the plan. Provisions in the Plan related to the protection of persons, property, and public lands and resources.

III. Discussion of the Supplementary Rules

These supplementary rules will apply to the public lands within Grand Staircase-Escalante National Monument managed by the Bureau of Land Management. BLM has determined these supplementary rules necessary to implement the provisions of the Plan related to the protection of persons, property, and public lands and resources. Our objective is to provide a quality recreational experience to the general public, with minimal amounts of conflicts among users, and to prevent degradation of the public lands and resources. To accomplish this objective, we are promulgating these supplementary rules, which are directed at the physical impacts of public demonstrations, parades, assemblies, and similar activities on the Monument, its natural resources, its offices and other structures, and its personnel and visitors. The supplementary rules are not directed at the subject matter of these activities.

The interim supplementary rules require you to obtain a permit from BLM before conducting a public demonstration or other activity covered by the supplementary rules.

You may read maps of the areas to which these supplementary rules apply at the BLM Cedar City Field Office, 176 East D.l. Sargent Drive, Cedar City, Utah 84720, and at the Utah State Office, 324 South State Street, Suite 301, Salt Lake City, Utah 84145, where they are included in Grand Staircase-Escalante National Monument Management Plan. You may also find this information in the following Monument offices:

- Grand Staircase-Escalante National Monument, Kanab Headquarters, 180 West 300 North, Kanab, Utah 84741, (435) 644–4300
- Grand Staircase-Escalante National Monument, Escalante Interagency Office, PO Box 225 (755 West Main Street), Escalante, Utah 84726, (435) 826–5600
- Grand Staircase-Escalante National Monument, Cannonville Visitor Center, 10 Center Street, P.O. Box 189961, Cannonville, Utah 84718 (435) 679–8980 (Open Seasonally March–November)

The first section of the supplementary rules explains that they are necessary to protect the Monument's natural resources and the public health and safety, relating the supplementary rules to the purposes of the Monument as stated in the President's Proclamation of September 18, 1996.

Section 2 of the supplementary rules lays out the regulatory authority for issuing the supplementary rules, and explains that potential damage to sensitive resources and possible interference with other users justifies establishing a permit system to regulate

public assemblies, parades, demonstrations, and similar events.

Section 3 explains the scope of the supplementary rules by defining ''public demonstration.'' The supplementary rules covers group or individual protests, assemblies, picketing, parades, marching, speechmaking, placing signs or banners, and all other like forms of conduct that involve the communication or expression of views or grievances. It explains that an element of the definition is the intent or likelihood of attracting a crowd. This section also makes it clear that wearing a tee-shirt with a slogan or driving a car with a bumper sticker does not constitute a demonstration.

Section 4 of the supplementary rules answers the question where BLM will allow these activities by stating as a general rule that we will allow them anywhere within the Monument and at associated facilities. However, under paragraph b. of this section, BLM will designate certain specific areas or locations, both within the Monument and at Monument facilities, where we will not allow public demonstrations under any circumstances, regardless of their size or nature. These would include—

- All entryways at visitor centers, including entrances to restrooms,
- BLM administrative offices,
- Areas with sensitive habitat,
- Scientific and historical sites, including paleontological and archaeological sites
- Inherently dangerous sites, and
- Areas with fragile or scarce features and resources such as sandstone arches or endangered species.

We anticipate that most activities covered by these supplementary rules will occur at or near visitor centers and other facilities frequented by the public. Other areas will also generally be open to public demonstrations. However, as resource inventories proceed, BLM may close some of these open areas to protect sensitive environments and resources. We will mark such further closures on the maps provided for in this section.

BLM can issue permits on an expedited basis for demonstrations in areas open to this activity at or near public facilities like visitor centers. For other areas, however, that are not closed to demonstrations, permits may require additional time to process, because of the need to perform environmental analyses, cultural resource surveys, and so forth.

Finally, paragraph c. authorizes BLM to suggest alternative sites for your activity if we cannot allow it at your preferred location.

Section 5 sets forth the procedures for applying for and obtaining permits under these supplementary rules. Applicants must use the form now used under 43 CFR part 2920 to apply for general land use permits, and must provide BLM with common sense information about their intended activity, including the name of the applicant, the time and place proposed for the activity, the approximate number of participants, and a list of equipment to be used. This section also gives BLM discretion to ask for additional information if necessary.

Section 6 explains how BLM will decide whether to issue a permit, based on the size and location of the proposed activity. For areas where these activities are normally allowed, BLM will, without regard to the subject matter of the activity, determine whether we can give you a permit for your proposed activity, considering the size of your gathering, the type of equipment (such as vehicles or sound equipment) you propose to use, competing uses, and other appropriate factors. BLM may also impose restrictions on some types of activities in some classes of land. For example, we may prohibit leafleting in wilderness study areas, where litter would be particularly offensive.

Section 7 provides that BLM will not issue multiple permits for the same location, but explains that we may issue permits for competing events in the same general area.

Section 8 allows BLM to impose terms and conditions on these permits in order to protect Monument resources, and preserve the public health and safety.

Section 9 provides that BLM will not collect any permit fees, or charge for cost recovery, require a bond or other financial guarantee, or require liability insurance.

Section 10 covers permit revocations. BLM has discretion to revoke your permit if your activity causes the consequences that would have caused us to deny the permit in the first place, had we anticipated those consequences. That is, we may revoke your permit if your demonstration or assembly substantially impairs the environment of the Monument, or its resources, or substantially interferes with visitors to the Monument and its facilities, or Monument operations. BLM may also revoke your permit if you violate its terms or conditions.

Section 11 lists the acts that are prohibited by these supplementary rules:

- Conducting or participating in public assemblies, meetings, parades, demonstrations, and so forth, that are not authorized by a permit;
- Violating permits terms or conditions;
- Refusing to leave upon direction by a law enforcement officer after BLM has revoked your permit; or
- Obstructing pedestrians or vehicles, or physically harassing visitors.

Finally, section 12 directs you to the statutory sources for the possible fines and other penalties, you will be subject to if you violate any of these supplementary rules. These sources include the United States Criminal Code in Title 18 of the United States Code, the Taylor Grazing Act, and the Federal Land Policy and Management Act.

BLM finds good cause to publish these supplementary rules effective the date of publication, without prior notice and opportunity for public comment, because of the imminent need for regulatory authority to manage political protests and other public demonstrations during periods of heaviest public visitation at Grand Staircase-Escalante National Monument.

There have been several protests and demonstrations at Monument visitor centers, primarily on holiday weekends. The demonstrations centered around the front steps to the building. This effectively cut off visitor access to the building during the demonstrations. Holiday weekends are busy times at Monument visitor centers. While these demonstrations were going on, numerous visitors turned away and did not get the information they wanted and needed to ensure their own safety and the protection of Monument resources.

The parking lots of these offices and visitor centers serve as emergency staging areas for search and rescue operations, and access to and from these areas is vital to these operations. The parking lots also occasionally serve as staging areas when wildfire operations are going on in the area, as was the case on Memorial Day weekend 2000. Disruptions in the parking area interfere with these emergency operations, as well as BLM's day to day administrative operations.

The supplementary rules that go into effect upon publication of this notice do not substantially interfere with the right of protestors and demonstrators to speak and peaceably to assemble. They do allow BLM to keep entryways, emergency staging areas, and other areas essential to administration of the Monument clear, and also to protect the natural values of the Monument in case protesters wish to stage demonstrations away from visitor centers and in the Monument itself.

The next likely occasion for conflicts between the right to speak and assemble and heavy public visitation and need for access will be Labor Day Weekend, 2000, in less than 30 days. The need to use these places for emergency staging is unpredictable but ongoing in this intense wildfire season.

The supplementary rules promulgated today will enable BLM to prevent demonstrators from staging their activities in areas that interfere with public access, but to allow them to demonstrate in areas readily visible to Monument visitors and others.

IV. Procedural Matters

Executive Order 12866, Regulatory Planning and Review

These supplementary rules are not a significant regulatory action and are not subject to review by Office of Management and Budget under Executive Order 12866. These supplementary rules will not have an effect of $100 million or more on the economy. They are not intended to affect commercial activity, but rather gatherings of people on certain public lands. They are directed at controlling the physical effects of the gatherings on the land and its resources themselves, on public health and safety, and on other users. They will not adversely affect, in a material way, the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. These interim final supplementary rules will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. The supplementary rules do not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the right or obligations of their recipients; nor do they raise novel legal or policy issues. While the supplementary rules are directed at exercises of First Amendment rights of speech and assembly, and therefore are subject to careful scrutiny, there are ample precedents at all levels of government for requiring permits for parades and other similar demonstrations.

Clarity of the Supplementary Rules

Executive Order 12866 requires each agency to write regulations that are simple and easy to understand. We invite your comments on how to make these interim final supplementary rules easier to understand, including answers to questions such as the following:

(1) Are the requirements in the interim final supplementary rules clearly stated?

(2) Do the interim final supplementary rules contain technical language or jargon that interferes with their clarity?

(3) Does the format of the interim final supplementary rules (grouping and order of sections, use of headings, paragraphing, etc.) aid or reduce their clarity?

(4) Would the supplementary rules be easier to understand if they were divided into more (but shorter) sections? (A ''section'' appears in bold type and is preceded by the abbreviation ''Sec.'' and a numbered heading, for example, ''Sec. 4 Where may I hold the public demonstrations covered by these supplementary rules?''.)

(5) Is the description of the interim final supplementary rules in the **SUPPLEMENTARY INFORMATION** section of this preamble helpful in understanding the interim final supplementary rules? How could this description be more helpful in making the supplementary rules easier to understand?

Please send any comments you have on the clarity of the supplementary rules to the address specified in the **ADDRESSES** section.

National Environmental Policy Act

BLM has prepared an environmental assessment (EA) and has found that the interim final supplementary rules would not constitute a major Federal action significantly affecting the quality of the human environment under section 102(2)(C) of the Environmental Protection Act of 1969 (NEPA), 42 U.S.C. 4332(2)(C). The supplementary rules enable BLM to regulate public demonstrations that have historically occurred exclusively at BLM offices and visitor centers, and to manage them in such a way that they do not interfere with public access to these facilities and with BLM emergency and other administrative functions. The supplementary rules also allow BLM to decide whether other areas that may have sensitive habitats or other natural features should be closed to such activities. To the extent that the regulated activities are likely to occur exclusively at improved facilities, they are likely to have no appreciable effect on the human environment. Since the supplementary rules allow BLM to limit the locations of demonstrations that may in the future take place in backcountry areas, the supplementary rules will prevent such activities from having negative effects on the environment. A detailed statement under NEPA is not required. BLM has placed the EA and the Finding of No Significant Impact (FONSI) on file in the BLM Administrative Record at the address specified in the **ADDRESSES** section. BLM invites the public to review these documents and suggests that anyone wishing to submit comments in response to the EA and FONSI do so in accordance with the Written Comments section above.

Regulatory Flexibility Act

Congress enacted the Regulatory Flexibility Act of 1980, as amended, 5 U.S.C. 601–612, to ensure that Government regulations do not unnecessarily or disproportionately burden small entities. The RFA requires a regulatory flexibility analysis if a rule would have a significant economic impact, either detrimental or beneficial, on a substantial number of small entities. The supplementary rules do not pertain specifically to commercial or governmental entities of any size, but to public and private organizations, groups, and individuals who wish to stage political protests and demonstrations, conduct parades and meetings, and otherwise to express their views on the public lands and at the public facilities of Grand Staircase-Escalante National Monument. Therefore, BLM has determined under the RFA that these interim final supplementary rules would not have a significant economic impact on a substantial number of small entities.

Small Business Regulatory Enforcement Fairness Act (SBREFA)

These supplementary rules do not constitute a ''major rule'' as defined at 5 U.S.C. 804(2). Again, the supplementary rules pertain only to public and private organizations, groups, and individuals who wish to stage political protests and demonstrations, conduct parades and meetings, and otherwise to express their views in one locale, the public lands and facilities of Grand Staircase-Escalante National Monument in Utah. In this respect, the regulation of these activities is limited to that necessary to protect the public lands and facilities and those, including small business concessioners and outfitters, who use them. The supplementary rules have no effect on business—commercial or industrial—use of the public lands.

Unfunded Mandates Reform Act

These supplementary rules do not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than $100 million per year; nor do these interim final supplementary rules have a significant or unique effect on State, local, or tribal governments or the private sector. The supplementary rules do not require

anything of State, local, or tribal governments. Therefore, BLM is not required to prepare a statement containing the information required by the Unfunded Mandates Reform Act (2 U.S.C. 1531 *et seq.*)

Executive Order 12630, Governmental Actions and Interference With Constitutionally Protected Property Rights (Takings)

The supplementary rules do not represent a government action capable of interfering with constitutionally protected property rights. The supplementary rules do not address property rights in any form, and do not cause the impairment of anyone's property rights. Therefore, the Department of the Interior has determined that the supplementary rules would not cause a taking of private property or require further discussion of takings implications under this Executive Order.

Executive Order 13132, Federalism

The supplementary rules will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. The supplementary rules affect land in only one State, Utah, and do not address jurisdictional issues involving the State government. Therefore, in accordance with Executive Order 13132, BLM has determined that these interim final supplementary rules do not have sufficient Federalism implications to warrant preparation of a Federalism Assessment.

Executive Order 12988, Civil Justice Reform

Under Executive Order 12988, the Office of the Solicitor has determined that these interim final supplementary rules would not unduly burden the judicial system and that it meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

The Office of Management and Budget has approved the information collection requirements in the interim final supplementary rules under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*, and has assigned clearance number 1004–0009. The section of these interim final supplementary rules with information collection requirements is section 5(b), and BLM estimates the public reporting burden of this section to average, respectively, 5.955 hours per response. This estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Information Collection Clearance Officer, Bureau of Land Management, U.S. Department of the Interior, 1849 C Street, NW, Mail Stop 401–LS, Washington, DC 20240, and Desk Officer for the Department of the Interior, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503, Attention: 1004–AD40.

Author

The principal author of these supplementary rules is Jeff Long of the Monument staff, BLM, assisted by Ted Hudson of the Regulatory Affairs Group, Washington Office, BLM, and Kimberly Fondren of the Office of the Solicitor, Department of the Interior.

For the reasons stated in the Preamble, and under the authority of 43 CFR 8365.1–6, the Utah State Director, Bureau of Land Management, issues supplementary rules for Grand Staircase-Escalante National Monument, to read as follows:

Dated: August 21, 2000.

Sally Wisely,

State Director.

Supplementary Rules for Grand Staircase-Escalante National Monument

Permits for Public Assemblies, Demonstrations, Parades, Meetings, Gatherings, and Other Special Events

Sec.

1 Why is BLM promulgating these Supplementary Rules?
2 Under what authorities does BLM promulgate these Supplementary Rules?
3 What is a public demonstration?
4 Where may I hold the public demonstrations covered by these supplementary rules?
5 What are the procedures for obtaining a permit under these supplementary rules?
6 What will BLM consider in deciding whether to issue or deny a permit?
7 How will BLM accommodate competing or multiple protests, assemblies or demonstrations?
8 What terms and conditions will BLM include in my permit?
9 What fees must I pay for a permit?
10 When may BLM revoke my permit?
11 Prohibited acts.
12 Penalties.

Authority: 43 CFR 8365.1–6.

Sec. 1—Why is BLM Promulgating These Supplementary Rules?

a. Grand Staircase-Escalante National Monument (the Monument) was designated by the President of the United States in a proclamation on September 18, 1996, in order to set apart and reserve the public lands in the area that comprises the Monument for the purpose of protecting the unspoiled natural areas, frontier qualities, and scientific, cultural, and historical objects found there. By virtue of this proclamation and the completion of the final Grand Staircase-Escalante National Monument Management Plan, the Bureau of Land Management (BLM) has determined that the Monument is a ''special area'' whose resources require special management and control measures for their protection, and where you must obtain permits for certain activities, including public demonstrations.

b. These supplementary rules are necessary to protect the Monument's natural resources and the public health and safety.

Sec. 2 Under What Authorities Does BLM Promulgate These Supplementary Rules?

a. 43 CFR 8372.0–5 (g) defines a special area as an area established as a component of the National Trails System, the National Wild and Scenic Rivers System, the National Wilderness System, an area covered by joint agreement between the Bureau of Land Management and a State government as provided for in title II of the Sikes Act, or any other area where BLM determines that the resources require special management and control measures for their protection.

b. 43 CFR 8365.1–6, issued under section 303 of the Federal Land Policy and Management Act (43 U.S.C. 1733), authorizes BLM State Directors to issue supplementary rules that may provide for the protection of persons, property, and public lands and resources.

Sec. 3 What is a Public Demonstration?

a. For purposes of these supplementary rules, public demonstration means public group or individual protests, assemblies, picketing, parades, marching, speechmaking, placement of signs or banners, and all other like forms of conduct that involve the communication or expression of any views or grievances. An essential element of a demonstration is that it is conduct that has the effect of, or intent or propensity to, draw a crowd of onlookers.

b. Public demonstrations do not include casual use of the public lands by visitors or tourists that does not have an intent or propensity to attract a crowd or onlookers. Such demonstrations specifically do not include slogans displayed on vehicles or other equipment or as part of wearing apparel, such as on bumper stickers or tee-shirts. They also do not include demonstrations of recreational or educational activities, such as demonstrations of outdoor skills or archaeological techniques.

Sec. 4 Where may I hold the public demonstrations covered by these supplementary rules?

a. Except as provided in paragraphs b. and c. of this section, BLM will permit public demonstrations, parades, assemblies, and similar activities anywhere within the Monument and at associated facilities and visitor centers outside the Monument boundaries.

b. BLM will designate on a map, which will be available in the Cedar City Field Office, and at the Monument offices in Kanab, Escalante, and Cannonville, Utah, the locations not available for public demonstrations. BLM will impose this designation only where we find, in writing, that such activities would likely:

1. Cause injury or damage to sensitive Monument resources, including but not limited to archaeological and paleontological sites, endangered species and other sensitive wildlife habitat, and delicate natural formations;

2. Impair an unspoiled natural area and its frontier qualities, where there would be no reasonable mitigation measures available;

3. Substantially interfere with interpretative, visitor service, or other program activities, or with the administrative activities of BLM;

4. Substantially impair the operation of public use facilities or services; or

5. Present a clear and present danger to the public health and safety.

c. If BLM finds that we cannot permit your activity at a specific location, we may suggest other nearby locations that are more appropriate or are not subject to a conflicting permit BLM has already issued or approved.

Sec. 5 What are the procedures for obtaining a permit under these supplementary rules?

The following permit procedures apply to all public lands within Grand Staircase-Escalante National Monument and at associated facilities outside the boundaries of the Monument that are open to public demonstrations under sec. 2 of these supplementary rules:

a. *When must I obtain a permit under these supplementary rules?* You must obtain a permit before conducting public demonstrations, as defined in sec. 2 of these supplementary rules.

b. *Where must I submit my application?* You may submit your application to any Monument office or the Cedar City District Office. You may obtain an application form at any BLM office.

c. *What must I include in my application?* Your application for this permit must include—

1. your name;

2. the date, time, duration, and format or layout of the proposed event;

3. the specific location you wish to use, identified by legal description or site name, whichever BLM finds appropriate;

4. your estimate of the number of persons expected to attend;

5. whether you propose to distribute or sell printed materials or any other materials at the permit site as part of your activity;

6. a statement of the type of vehicles, sound equipment, or other equipment or props, if any, that you wish to use (if applicable); and

7. any other information required by BLM and/or the permit application form.

c. *Must I specify the subject matter of my public demonstration?* Your application does not need to include the subject matter of your activity.

d. *When and how will BLM handle my application?* BLM will make its decision within 7 business days. We will issue a permit for a demonstration on land open for this purpose upon proper application unless:

1. BLM has issued a permit or will approve a prior application for a permit for the same time and place;

2. BLM finds that the event presents a clear and present danger to the public health or safety; or

3. The event is of such nature or duration that BLM finds that, applying the criteria in sec. 4 of these supplementary, we cannot reasonably accommodate it in the particular location applied for, considering such things as—

i. damage to Monument resources or facilities;

ii. interference with lawful occupancy and use by others; or

iii. disruption of public use of facilities.

4. You apply for a permit for an area that BLM has identified under sec. 4 of these supplementary rules as not available for demonstrations.

e. *How does BLM deny permits?* If BLM denies your permit, we will inform you in writing of the reason(s) for the denial.

Sec. 6 What Will BLM Consider in Deciding Whether to Issue or Deny a Permit?

a. BLM will consider the following factors in deciding whether to issue or deny a permit for a public demonstration at a particular site:

1. Whether the site can accommodate the type and size of vehicles, sound equipment, or other equipment or props, if any, that you wish to use;

2. Whether the site can accommodate the number of participants you expect for the demonstration;

3. Competing uses of the specific location you wish to use; and

4. Other factors that BLM deems appropriate in order to protect public health and safety and to preserve Monument resources against degradation.

b. BLM will not consider the subject matter of your proposed demonstration in deciding whether to issue or deny a permit.

c. BLM will weigh the impact of your proposed demonstration, considering the factors listed in paragraph (a) of this section, in light of the following criteria:

1. The demonstration must not impair an unspoiled natural area and its frontier qualities, where there would be no reasonable mitigation measures available;

2. The demonstration must not unreasonably interfere with other users of the public lands; and

3. The demonstration must not impair public access to Monument facilities.

c. If BLM concludes that your permit must be denied under paragraph

b. Of this section, we will suggest an alternative site or other content-neutral changes in your public demonstration that would enable us to issue you a permit.

Sec. 7 How Will BLM Accommodate Competing or Multiple Protests, Assemblies or Demonstrations?

If two or more applicants apply for permits under these supplementary rules for events at the same time and location, BLM will not issue multiple permits for the same location, but may, in consultation with the applicants, issue permits for events in the same general area.

Sec. 8 What Terms and Conditions Will BLM Include in My Permit?

Your permit will set out the terms and conditions for its use, including but not limited to the following:

a. BLM will allow distribution and sale of printed materials, including

leaflets, newspapers, pamphlets, books, and flyers related to the demonstration, at the permit site. The permit will state the terms and conditions for such distribution, if you propose it as part of your activity.

b. The permit may contain conditions to ensure the protection of monument areas from degradation of the resource and interference with other lawful uses and users. Such conditions may include reasonable limitations on the equipment you may use and the time and area within which BLM will allow the demonstration.

c. BLM will issue permits for no more than 7 days. We may extend permits for another 7 days, upon a new application, except where another applicant has previously requested use of the same location.

Sec. 9 What Fees Must I Pay for a Permit?

BLM will not require payment of a fee for any permit issued under these supplementary rules. BLM also will not require recovery of our administrative costs, or posting of a bond or other financial guarantee, or require liability insurance.

Sec. 10 When May BLM Revoke My Permit?

a. BLM may revoke a permit if you or your activity—

1. Causes injury or damage to Monument resources;

2. Substantially impairs the unspoiled naturalness and frontier qualities of the Monument, or the peace and good order at associated facilities, including visitor centers and offices;

3. Substantially interferes with interpretative, visitor service, or other program activities, or with the administrative activities of BLM;

4. Substantially impairs the operation of public use facilities or services;

5. Presents a clear and present danger to the public health and safety; or

6. Violates any of the terms and conditions of the permit.

b. BLM will provide, in writing, the reason(s) for revocation. When BLM makes a revocation under emergency circumstances, BLM may immediately revoke your permit by notifying you verbally, and provide you written confirmation within 72 hours.

Sec. 11 Prohibited Acts

While engaged in activities covered under these supplementary rules, you must not—

a. Conduct, participate in, or engage in any public demonstrations that are not authorized by a permit;

b. Violate stipulations or conditions of a permit;

c. Refuse to disperse, when a BLM law enforcement officer or State or local law enforcement officer acting under an agreement with BLM directs you to do so, after BLM has revoked a permit;

d. Obstruct or impede pedestrians or vehicles; or

e. Harass Monument visitors with physical contact. For purposes of these supplementary rules, physical contact means contact that is criminally actionable under State law as assault or battery.

Sec. 12 Penalties

a. Under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1733(a)), if you knowingly and willfully violate or fail to comply with any of the supplementary rules provided in this notice, you may be subject to a fine under 18 U.S.C. 3571 or other penalties in accordance with 43 U.S.C. 1733.

b. Under the Taylor Grazing Act of 1968 (16 U.S.C. 1246(i)), if you willfully violate or fail to comply with any of the supplementary rules provided in this notice on any grazing district, you may be subject to a fine in accordance with 18 U.S.C. 3571 or other penalties under 16 U.S.C. 1246(i).

[FR Doc. 00–22435 Filed 8–31–00; 8:45 am]

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CFR PARTS AFFECTED DURING SEPTEMBER

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current session of Congress which have become Federal laws. It may be used in conjunction with "P L U S" (Public Laws Update Service) on 202–523–6641. This list is also available online at http://www.nara.gov/fedreg.

The text of laws is not published in the **Federal Register** but may be ordered in "slip law" (individual pamphlet) form from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202–512–1808). The text will also be made available on the Internet from GPO Access at http://www.access.gpo.gov/nara/index.html. Some laws may not yet be available.

H.R. 3519/P.L. 106–264

Global AIDS and Tuberculosis Relief Act of 2000 (Aug. 19, 2000; 114 Stat. 748)

Last List August 22, 2000

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TABLE OF EFFECTIVE DATES AND TIME PERIODS—SEPTEMBER 2000

This table is used by the Office of the Federal Register to compute certain dates, such as effective dates and comment deadlines, which appear in agency documents. In computing these dates, the day after publication is counted as the first day.

When a date falls on a weekend or holiday, the next Federal business day is used. (See 1 CFR 18.17)

A new table will be published in the first issue of each month.

DATE OF FR PUBLICATION	15 DAYS AFTER PUBLICATION	30 DAYS AFTER PUBLICATION	45 DAYS AFTER PUBLICATION	60 DAYS AFTER PUBLICATION	90 DAYS AFTER PUBLICATION
Sept 1	Sept 18	Oct 2	Oct 16	Oct 31	Nov 30
Sept 5	Sept 20	Oct 5	Oct 20	Nov 6	Dec 4
Sept 6	Sept 21	Oct 6	Oct 23	Nov 6	Dec 5
Sept 7	Sept 22	Oct 10	Oct 23	Nov 6	Dec 6
Sept 8	Sept 25	Oct 10	Oct 23	Nov 7	Dec 7
Sept 11	Sept 26	Oct 11	Oct 26	Nov 13	Dec 11
Sept 12	Sept 27	Oct 12	Oct 27	Nov 13	Dec 11
Sept 13	Sept 28	Oct 13	Oct 30	Nov 13	Dec 12
Sept 14	Sept 29	Oct 16	Oct 30	Nov 13	Dec 13
Sept 15	Oct 2	Oct 16	Oct 30	Nov 14	Dec 14
Sept 18	Oct 3	Oct 18	Nov 2	Nov 17	Dec 18
Sept 19	Oct 4	Oct 19	Nov 3	Nov 20	Dec 18
Sept 20	Oct 5	Oct 20	Nov 6	Nov 20	Dec 19
Sept 21	Oct 6	Oct 23	Nov 6	Nov 20	Dec 20
Sept 22	Oct 10	Oct 23	Nov 6	Nov 21	Dec 21
Sept 25	Oct 10	Oct 25	Nov 9	Nov 24	Dec 26
Sept 26	Oct 11	Oct 26	Nov 13	Nov 27	Dec 26
Sept 27	Oct 12	Oct 27	Nov 13	Nov 27	Dec 26
Sept 28	Oct 13	Oct 30	Nov 13	Nov 27	Dec 27
Sept 29	Oct 16	Oct 30	Nov 13	Nov 28	Dec 28