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DEPARTMENT OF AGRICULTURE

Rural Utilities Service

7 CFR Part 1710

Temporary Loan Processing Procedures for Insured Electric Loans

AGENCY: Rural Utilities Service, USDA.

ACTION: Interim final rule with request for comments.

SUMMARY: The Rural Utilities Service (RUS) is amending its rule to allow RUS to process loans with a loan period of more than 2 years in two parts when applications substantially exceed available funds. RUS amended its rules in 1995 to lengthen the allowable loan period for insured electric loans from 2 years to 4 years. Since borrowers may now apply for loans to cover construction financing needs for a longer period of time, the average loan has become larger. At the same time, loan authority for FY 1997 is less than for 1996. This situation has produced long delays between the time applications are submitted and the time loans can be approved. RUS believes that this is a temporary situation that will disappear as more and more borrowers get on a longer loan application cycle. The rule is intended to reduce processing delays.

DATES: This rule is effective February 21, 1997. Written comments must be received by RUS or bear a postmark or equivalent not later than May 22, 1997.

ADDRESSES: Submit written comments to Sue Arnold, Financial Analyst, U.S. Department of Agriculture, Rural Utilities Service, Room 4032–S, 1400 Independence Avenue, SW, STOP 1522, Washington, DC 20250–1500. RUS requires, in hard copy, a signed original and 3 copies of all comments (7 CFR 1700.30(e)). Comments will be available for public inspection during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Sue Arnold, Financial Analyst, U.S. Department of Agriculture, Rural Utilities Service, Room 4032–S, 1400 Independence Avenue, SW., STOP 1522, Washington, DC 20250–1522. Telephone: 202–720–0736. FAX: 202–720–4120. E-mail: sarnold@rus.usda.gov.

SUPPLEMENTARY INFORMATION: This regulatory action has been determined to be not significant for the purposes of Executive Order 12866, Regulatory Planning and Review, and, therefore has not been reviewed by the Office of Management and Budget (OMB). The Administrator of RUS has determined that a rule relating to the RUS electric loan program is not a rule as defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) for which RUS published a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b), or any other law. Therefore, the Regulatory Flexibility Act does not apply to this rule. The Administrator of RUS has determined that this rule will not significantly affect the quality of the human environment as defined by the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*). Therefore, this action does not require an environmental impact statement or assessment. This rule is excluded from the scope of Executive Order 12372, Intergovernmental Consultation, which may require consultation with State and local officials. A Notice of Final Rule titled Department Programs and Activities Excluded from Executive Order 12372 (50 FR 47034) exempts RUS electric loans and loan guarantees from coverage under this Order. This rule has been reviewed under Executive Order 12988, Civil Justice Reform. RUS has determined that this rule meets the applicable standards provided in Sec. 3 of the Executive Order.

The program described by this rule is listed in the Catalog of Federal Domestic Assistance Programs under number 10.850 Rural Electrification Loans and Loan Guarantees. This catalog is available on a subscription basis from the Superintendent of Documents, the United States Government Printing Office, Washington, DC 20402–9325.

Information Collection and Recordkeeping Requirements

The recordkeeping and reporting burdens contained in this rule were approved by the Office of Management and Budget (OMB) pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended) under control number 0572–0032.

Background

On January 21, 1995, at 60 FR 3726, RUS amended its rules to lengthen the maximum allowable loan period from 2 years to 4 years for most insured loans. The loan period, sometimes referred to as the financing period, means the period of time during which the facilities listed in a loan application will be constructed. The loan period was lengthened in order to reduce administrative costs to borrowers, supplemental lenders, and RUS of submitting and processing multiple applications.

Since borrowers may now apply for loans covering financing needs for a longer period of time, the average loan size has become larger. At the same time, budget authority for FY 1997 is less than for FY 1996. In FY 1996, RUS used all its budget authority for municipal rate loans and hardship rate loans, approving 97 municipal rate loans (a total of $544,616,858) and 23 hardship rate loans ($90,577,664). On September 30, 1996, the end of the FY, RUS had a backlog of 106 applications for municipal rate loans ($709.0 million) and 28 applications for hardship rate loans ($119.9 million). Additional applications have been received during FY 97. Total budget authority for FY 1997 for municipal rate and hardship rate loans is only $455,564,561 and $68,785,578, respectively.

The large difference between loan funds requested for eligible purposes, and loan funds available for lending has caused long delays between the time a loan application is submitted and the time RUS can act on the application. Currently the queue for municipal rate loans is about a year, and the queue for hardship rate loans is approaching 16 months.

In spite of the smaller budget authority, RUS believes that the loan queue will be significantly shortened as more and more borrowers get used to a longer loan application cycle. However, in those years when there is a significant shortfall in available funding, the agency must have the flexibility to manage the limited resources. This interim final rule will give RUS such flexibility, and will

provide borrowers with a degree of financial certainty.

The rule will allow RUS to process applications for loans with a loan period of more than 2 years in two parts during a fiscal year when applications substantially exceed available funds. RUS will notify all electric borrowers in writing before invoking these procedures.

RUS recognizes that the success of the electric program in maintaining high quality electric service at reasonable rates in rural areas depends on the ability of electric borrowers to maintain and improve their electric systems. The temporary procedures in this rule will assist borrowers in the essential task of planning and managing their cash flows.

Concurrent with the publication of this rule, RUS is issuing Bulletin 1710C–1, Temporary Processing Procedures for Insured Electric Loans, a compliance guide to assist borrowers, supplemental lenders, and other interested parties. RUS is mailing the rule and the bulletin to all electric borrowers and to supplemental lenders. RUS believes that the procedures in the bulletin will allow all borrowers to share the limited loan appropriations on a fair and equitable basis.

Because of: (1) The exceptionally large backlog of applications for municipal rate and hardship rate loans, and (2) The urgent need for processing procedures that will allow RUS to advance loan funds during the spring construction season, RUS is putting these procedures into effect immediately for FY 1997. RUS requests comments and suggestions, especially on alternate methods of allocating the limited amount of loan funds.

List of Subjects in 7 CFR Part 1710

Electric power, Electric utilities, Loan programs—energy, Reporting and recordkeeping requirements, Rural areas.

For the reasons set out in the preamble, and under the authority of 7 U.S.C. 901 *et seq.*, RUS amends 7 CFR Part 1710 as follows:

PART 1710—GENERAL AND PRE-LOAN POLICIES AND PROCEDURES COMMON TO INSURED AND GUARANTEED ELECTRIC LOANS

1. The authority citation for part 1710 continues to read as follows:

Authority: 7 U.S.C. 901–950(b); Pub. L. 99–591, 100 Stat. 3341; Pub. L. 103–354, 108 Stat. 3178 (7 U.S.C. 6941 *et seq.*).

2. Section 1710.106 is amended by revising paragraph (e) to read as follows:

§ 1710.106 Uses of loan funds.

* * * * *

(e)(1) If, in the sole discretion of the Administrator, the amount authorized for lending for municipal rate loans, hardship rate loans, and loan guarantees in a fiscal year is substantially less than the total amount eligible for RUS financing, RUS may limit the size of all loans of that type approved during the fiscal year. Depending on the amount of the shortfall between the amount authorized for lending and the loan application inventory on hand for each type of loan, RUS may either reduce the amount on an equal proportion basis for all applicants for that type of loan based on the amount of funds for which the applicant is eligible, or may shorten the loan period for which funding will be approved to less than the maximum of 4 years. All applications for the same type of loan approved during a fiscal year will be treated in the same manner, except that RUS will not limit funding to any borrower requesting an RUS loan or loan guarantee of $1 million or less.

(2) If RUS limits the amount of loan funds approved for borrowers, the Administrator shall notify all electric borrowers early in the fiscal year of the manner in which funding will be limited. The portion of the loan application that is not funded during that fiscal year may, at the borrower's option, be treated as a second loan application received by RUS at a later date. This date will be determined by RUS in the same manner for all affected loans and will be based on the availability of loan funds. The second loan application shall be considered complete except that the borrower must submit a certification from a duly authorized corporate official stating that funds are still needed for loan purposes specified in the original application and must notify RUS of any changes in its circumstances that materially affects the information contained in the original loan application or the primary support documents. See 7 CFR 1710.401(f).

* * * * *

Dated: February 13, 1997.

Jill Long Thompson,

Under Secretary, Rural Development.

[FR Doc. 97–4334 Filed 2–20–97; 8:45 am]

BILLING CODE 3410–15–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. 139CE, Special Condition 23–ACE–90]

Special Conditions; Beechcraft Model E90 Airplane

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final special conditions; request for comments.

SUMMARY: These special conditions are issued to East Coast Aerospace Engineering, 2601 N. Flagler Dr., W. Palm Beach, FL 33407 for a Supplemental Type Certificate (STC) on Beechcraft Model E90 airplane. This airplane will have novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards. These novel and unusual design features include the installation of electronic displays for which the applicable regulations do not contain adequate or appropriate airworthiness standards for the protection of these systems from the effects of high intensity radiated fields (HIRF). These special conditions contain the additional safety standards that the Administrator considers necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes.

DATES: The effective date of these special conditions is on publication in the Federal Register. Comments must be received on or before March 24, 1997.

ADDRESSES: Comments may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, ACE–7, Attention: Rules Docket Clerk, Docket No. 139CE, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. All comments must be marked: Docket No. 139CE. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Ervin Dvorak, Aerospace Engineer, Standards Office (ACE–110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426–6941.

SUPPLEMENTARY INFORMATION:

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 these special conditions.

Interested persons are invited to submit such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and special conditions number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments will be considered by the Administrator. These special conditions may be changed in light of the comments received. All comments submitted will be available in the rules docket for examination by interested parties, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerning this rulemaking will be filed in the docket. Persons wishing the FAA to acknowledge receipt of their comments, submitted in response to this request, must include a self-addressed and stamped postcard on which the following statement is made: ''Comments to Docket No. 139CE.'' The postcard will be date stamped and returned to the commenter.

Background

On January 2, 1997, East Coast Aerospace Engineering, 2601 N. Flagler Dr., W. Palm Beach, FL 33407 made an application to the FAA for a Supplemental Type Certificate (STC) for the Beechcraft Model E90 airplane. The proposed modification incorporates a novel or unusual design feature, such as digital avionics consisting of an electronic flight instrument system (EFIS), that is vulnerable to HIRF external to the airplane.

Type Certification Basis

The type certification basis for the Beechcraft Model E90 Airplane is given in Type Certification Data Sheet No. 3A20 plus the following: § 23.954 and § 23.959 of Amendment 23–7 to FAR 23 dated February 1, 1965; § 23.1111 of Amendment 23–7 to FAR 23; § 23.1385(c), § 23.1387(a), § 23.1387(e) of Amendment 23–12 to FAR 23 and § 23.1301 of Amendment 23–20; §§ 23.1309, and 23.1321 of Amendment 23–41; § 23.1311 of Amendment 23–49, and § 23.1322 of Amendment 23–43; to FAR 23 and Special Conditions outlined by FAA letters to Beech dated January 21, February 15, and February 27, 1963, and May 5, 1965, and November 8, 1961, and FAA Exemption No. 1554 issued March 31, 1972, from CAR 3.115(a) for Model E90; exemptions, if any; and the special conditions adopted by this rulemaking action.

Discussion

The FAA may issue and amend special conditions, as necessary, as part of the type certification basis if the Administrator finds that the airworthiness standards, designated according to § 21.101(b), do not contain adequate or appropriate safety standards because of novel or unusual design features of an airplane. Special conditions are prescribed under the provisions of § 21.16 to establish a level of safety equivalent to that established in the regulations. Special conditions are normally issued according to § 11.49, after public notice, as required by §§ 11.28 and 11.29(b), effective October 14, 1980, and become a part of the type certification basis in accordance with § 21.101(b)(2)

East Coast Aerospace Engineering plans to incorporate certain novel and unusual design features into an airplane for which the airworthiness standards do not contain adequate or appropriate safety standards for protection from the effects of HIRF. These features include electronic systems, which are susceptible to the HIRF environment, that were not envisaged by the existing regulations for this type of airplane.

Protection of Systems from High Intensity Radiated Fields (HIRF): Recent advances in technology have given rise to the application in aircraft designs of advanced electrical and electronic systems that perform functions required for continued safe flight and landing. Due to the use of sensitive solid state advanced components in analog and digital electronics circuits, these advanced systems are readily responsive to the transient effects of induced electrical current and voltage caused by the HIRF. The HIRF can degrade electronic systems performance by damaging components or upsetting system functions.

Furthermore, the HIRF environment has undergone a transformation that was not foreseen when the current requirements were developed. Higher energy levels are radiated from transmitters that are used for radar, radio, and television. Also, the number of transmitters has increased significantly. There is also uncertainty concerning the effectiveness of airframe shielding for HIRF. Furthermore, coupling to cockpit-installed equipment through the cockpit window apertures is undefined.

The combined effect of the technological advances in airplane design and the changing environment has resulted in an increased level of vulnerability of electrical and electronic systems required for the continued safe flight and landing of the airplane. Effective measures against the effects of exposure to HIRF must be provided by the design and installation of these systems. The accepted maximum energy levels in which civilian airplane system installations must be capable of operating safely are based on surveys and analysis of existing radio frequency emitters. These special conditions require that the airplane be evaluated under these energy levels for the protection of the electronic system and its associated wiring harness. These external threat levels, which are lower than previous required values, are believed to represent the worst case to which an airplane would be exposed in the operating environment.

These special conditions require qualification of systems that perform critical functions, as installed in aircraft, to the defined HIRF environment in paragraph 1 or, as an option to a fixed value using laboratory tests, in paragraph 2, as follows:

(1) The applicant may demonstrate that the operation and operational capability of the installed electrical and electronic systems that perform critical functions are not adversely affected when the aircraft is exposed to the HIRF environment defined below:

FIELD STRENGTH VOLTS/METER

Frequency	Peak	Average
10–100 KHz	50	50
100–500	60	60
500–2000	70	70
2–30 MHz	200	200
30–70	30	30
70–100	30	30
100–200	150	33
200–400	70	70
400–700	4020	935
700–1000	1700	170
1–2 GHz	5000	990
2–4	6680	840
4–6	6850	310
6–8	3600	670
8–12	3500	1270
12–18	3500	360
18–40	2100	750

or,

(2) The applicant may demonstrate by a system test and analysis that the electrical and electronic systems that perform critical functions can withstand a minimum threat of 100 volts per meter, peak electrical field strength, from 10 KHz to 18 GHz. When using this test to show compliance with the HIRF requirements, no credit is given for signal attenuation due to installation.

A preliminary hazard analysis must be performed by the applicant, for approval by the FAA, to identify electrical and/or electronic systems that perform critical functions. The term ''critical'' means those functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane. The systems identified by the hazard analysis that perform critical functions are candidates for the application of HIRF requirements. A system may perform both critical and non-critical functions. Primary electronic flight display systems, and their associated components, perform critical functions such as attitude, altitude, and airspeed indication. The HIRF requirements apply only to critical functions.

Compliance with HIRF requirements may be demonstrated by tests, analysis, models, similarity with existing systems, or any combination of these. Service experience alone is not acceptable since normal flight operations may not include an exposure to the HIRF environment. Reliance on a system with similar design features for redundancy as a means of protection against the effects of external HIRF is generally insufficient since all elements of a redundant system are likely to be exposed to the fields concurrently.

Conclusion

In view of the design features discussed for the Beechcraft Model E90 Airplane, the following special conditions are issued. This action is not a rule of general applicability and affects only those applicants who apply to the FAA for approval of these features on these airplanes.

The substance of these special conditions has been subject to the notice and public comment procedure in several prior rulemaking actions. For example, the Dornier 228–200 (53 FR 14782, April 26, 1988), the Cessna Model 525 (56 FR 49396, September 30, 1991), and the Beech Model 200, A200, and B200 airplanes (57 FR 1220, January 13, 1992). It is unlikely that additional public comment would result in any significant change from those special conditions already issued and commented on. For these reasons, and because a delay would significantly affect the applicant's installation of the system and certification of the airplane, which is imminent, the FAA has determined that prior public notice and comment are unnecessary and impracticable, and good cause exists for adopting these special conditions without notice. Therefore, these special conditions are being made effective upon publication in the Federal Register. However, as previously indicated, interested persons are invited to comment on these special conditions if they so desire.

List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

Citation

The authority citation for these special conditions is as follows:

Authority: 49 U.S.C. 106(g); 40113, 44701, 44702, and 44704; 14 CFR 21.16 and 21.101; and 14 CFR 11.28 and 11.49

Adoption of Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the modified Beechcraft Model E90 airplane:

1. *Protection of Electrical and Electronic Systems from High Intensity Radiated Fields (HIRF).* Each system that performs critical functions must be designed and installed to ensure that the operations, and operational capabilities of these systems to perform critical functions, are not adversely affected when the airplane is exposed to high intensity radiated electromagnetic fields external to the airplane.

2. For the purpose of these special conditions, the following definition applies: *Critical Functions:* Functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the airplane.

Issued in Kansas City, Missouri on February 7, 1997.

Michael Gallagher,

Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–4354 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–P

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14 CFR Part 39

[Docket No. 96–NM–32–AD; Amendment 39–9932; AD 97–04–08]

RIN 2120–AA64

Airworthiness Directives; Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes, that requires an ultrasonic inspection to determine if certain tubes are installed in the drag stay units of the main landing gear (MLG), and various follow-on actions. This amendment is prompted by a report that, due to fatigue cracking from an improperly machined radius of the inner tube, a drag stay broke, and, consequently, lead to the collapse of the MLG during landing. The actions specified by this AD are intended to prevent such fatigue cracking, which could result in reduced structural integrity or collapse of the MLG.

DATES: Effective March 28, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ruth Harder, Aerospace Engineer,Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1721; fax (206) 227–1149.

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 certain Fokker Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes was published in the Federal Register on October 31, 1996 (61 FR 56170). That action proposed to require an ultrasonic inspection to determine if certain tubes are installed on the DSUs of the MLG, and various follow-on actions.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 10 Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required inspection, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the inspection required by this AD on U.S. operators is estimated to be $1,200, or $120 per airplane. This cost impact figure 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.

There currently are no Fokker Model F27 Mark 050 series airplanes on the U.S. Register that will require the inspection of the DSU. The only airplanes that will require this inspection are currently operated by non-U.S. operators under foreign registry; therefore, they are not directly affected by this AD action. However, the FAA considers that inclusion of these airplanes in the applicability of this rule is necessary to ensure that the unsafe condition is addressed in the event that any of these airplanes are imported and placed on the U.S. Register in the future.

Regulatory Impact

The regulations adopted herein 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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:

97–04–08 Fokker: Amendment 39–9932. Docket 96–NM–32–AD.

Applicability: Model F27 Mark 050, 100, 200, 300, 400, 600, and 700 series airplanes, equipped with Dowty Aerospace main landing gear (MLG) drag stay units (DSU) having part number (P/N) 200684001, 200261001, or 200485001; 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 (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 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 fatigue cracking in drag stay unit of the MLG, which could result in reduced structural integrity or collapse of the MLG, accomplish the following:

(a) Within 60 days after the effective date of this AD, perform an ultrasonic inspection to determine if a tube having part number (P/N) 200485300 with a straight bore, or a tube having P/N 200259300 with a change in section (stepped bore), is installed on the DSU's of the MLG, in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993 (for Model F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes), or Fokker Service Bulletin SBF50–32–029, dated February 11, 1994 (for Model F27 Mark 050 series airplanes), as applicable.

Note 2: Fokker Service Bulletin F27/32–167 references Dowty Service Bulletins 23–169B and 32–82W; and Fokker Service Bulletin SBF50–32–029 references Dowty Service Bulletin F50–32–50; as additional sources of service information for procedures to accomplish the actions specified in this AD.

(b) For all airplanes: If any tube having P/N 200485300 with a straight bore is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, reidentify it in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993 (for Model F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes); or Fokker Service Bulletin SBF50–32–029, dated February 11, 1994 (for Model F27 Mark 050 series airplanes); as applicable.

(c) For Model F27 Mark 50 series airplanes: If any tube having P/N 200259300 with a change in section (stepped bore) is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, replace the DSU with a new or serviceable DSU having P/N 200684004, in accordance with Fokker Service Bulletin SBF50–32–029, dated February 11, 1994.

(d) For F27 Mark 100, 200, 300, 400, 600, and 700 series airplanes: If any tube having P/N 200259300 with a change in section (stepped bore) is found installed during the inspection required by paragraph (a) of this AD, prior to further flight, re-identify the DSU in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993. Following accomplishment of the re-identification, prior to further flight, perform an ultrasonic inspection to detect cracks in the re-identified DSU's, in accordance with that service bulletin.

(1) For airplanes equipped with any DSU re-identified as P/N 200684003, 200261003, or 200485003: If no crack is detected, no further action is required by this AD.

(2) For airplanes equipped with any DSU re-identified as P/N 200684002, 200261002, or 200485002: If no crack is detected, accomplish paragraphs (c)(2)(i) and (c)(2)(ii) of this AD.

(i) Repeat the ultrasonic inspection required by paragraph (d) of this AD thereafter at intervals not to exceed 1,500 flight cycles.

(ii) At the next MLG overhaul, but no later than 12,000 flight cycles after the effective date of this AD, rework and re-identify the DSU again, or replace the DSU with a re-identified DSU, in accordance with the service bulletin. Accomplishment of the rework and re-identification, or replacement constitutes terminating action for the repetitive inspection requirements of this AD.

(3) If any crack signal indication of any DSU tube is greater than or equal to 80 percent, prior to further flight, replace the DSU with a re-identified DSU, in accordance with the service bulletin.

(4) If any crack signal indication of any DSU tube is greater than or equal to 1 percent but less than 80 percent, accomplish paragraphs (d)(4)(i) and (d)(4)(ii) of this AD.

(i) Repeat the ultrasonic inspection required by paragraph (d) of this AD thereafter at intervals not to exceed 1,500 flight cycles.

(ii) At the next MLG overhaul, but no later than 12,000 flight cycles after the effective

date of this AD, replace the DSU with a re-identified DSU, in accordance with the service bulletin. Accomplishment of the replacement constitutes terminating action for the repetitive inspection requirements of this AD.

(e) 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, Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(f) 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.

(g) The actions shall be done in accordance with Fokker Service Bulletin F27/32–167, dated November 19, 1993; or Fokker Service Bulletin SBF50–32–029, dated February 11, 1994; as applicable. 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 Fokker Services B.V., Technical Support Department, P.O. Box 75047, 1117 ZN Schiphol Airport, The Netherlands. 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.

(h) This amendment becomes effective on March 28, 1997.

Issued in Renton, Washington, on February 7, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–3695 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–65–AD; Amendment 39–9931; AD 97–04–07]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A300–600 and A310 Series Airplanes Equipped with Pre-Modification 5844D4829 Rudders

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to certain Airbus Model A300–600 and A310 series airplanes, that currently requires repetitive visual inspections and tap tests of the rudder skin panels to detect disbonding; and repairs, if necessary. That AD was prompted by reports of weakening of the bonding material between the core of the rudder and its inner and outer skin, and cracking of the core. This amendment adds repetitive elasticity laminate checker (ELCH) inspections of the rudder in place of the currently required tap tests. It also requires replacement of the rudder with a modified rudder, which will terminate the repetitive inspections. The actions specified by this AD are intended to detect and prevent disbonding of the rudder, which, if not corrected, could reduce the structural integrity of the rudder, and consequently lead to a reduction in its ability to sustain limit loads.

DATES: Effective March 28, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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 Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Tim Backman, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2797; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 90–12–13, amendment 39–6625 (55 FR 23190, June 7, 1990), which is applicable to certain Airbus Model A300-600 and A310 series airplanes, was published in the Federal Register on October 23, 1996 (61 FR 54955). The action proposed to continue to require repetitive visual inspections and tap tests of the rudder skin panels to detect disbonding; and repairs, if necessary. It also proposed to add repetitive elasticity laminate checker (ELCH) inspections of the rudder in place of the currently required tap tests. It also proposed to replacement of the rudder with a modified rudder, which would terminate the repetitive inspections.

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 proposed AD.

Request To Withdraw the Proposal

Two commenters request that the FAA withdraw the proposed action. These commenters point out that a retrofit campaign was completed in 1993 on all affected airplanes that were equipped with the pre-modification 5844 rudders. In effect, that campaign installed the proposed terminating action on all airplanes. In light of this, these commenters contend that the proposed AD is not necessary.

The FAA does not concur with the commenters' request to withdraw this AD action. The FAA has no evidence that all affected airplanes, worldwide, have been modified with the new rudder. This AD will ensure that any affected airplane that is imported and placed on the U.S. Register in the future, or any airplane that is currenly not operating (i.e., is stored) and not equipped with the new rudder, will be inspected and modified in accordance with this AD prior to entering service.

Request To Correct Service Bulletin Information

Two commenters point out an error in paragraph (d) of the proposal concerning the appropriate source of service information relative to the ELCH inspections required on Model A310 series airplanes. The proposal indicates that the service bulletin number is A310–55–2008; however, the correct number is A310–55–2010.

The FAA acknowledges that typographical error in proposed paragraph (d). The correct service bulletin number was discussed in the preamble to the notice and appeared correctly in all other references to it in the proposed AD. Paragraph (d) of the final rule has been revised to reflect the correct service bulletin number as A310–55–2010.

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 change previously described. The FAA has determined that this change will neither increase the economic burden on any

operator nor increase the scope of the AD.

Cost Impact

There are approximately 44 Model A310 and Model A300–600 series airplanes of U.S. registry that will be affected by this proposed AD.

The tap tests that are currently required by AD 90–12–13 take approximately 4 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the previously required actions on U.S. operators is estimated to be $10,560, or $240 per airplane, per tap test.

The visual inspections that are currently required by AD 90–12–13 (and retained in this new AD) take approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of these inspections on U.S. operators is estimated to be $2,640, or $60 per airplane, per inspection.

Each ELCH inspection required by this new AD action will take approximately 14 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the new requirements of this AD on U.S. operators is estimated to be $36,960, or $840 per airplane, per inspection.

The replacement of the rudder that is required by this new AD action will take approximately 42 work hours per airplane to accomplish, at an average labor rate of $60 per work hour. The required parts will be supplied by the manufacturer at no cost to operators. Based on these figures, the cost impact of this required replacement action on U.S. operators is estimated to be $110,880, or $2,520 per airplane.

The cost impact figures discussed above are 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 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 removing amendment 39–6625 (55 FR 23190, June 7, 1990), and by adding a new airworthiness directive (AD), amendment 39–9931, to read as follows:

97–04–07 Airbus Industrie: Amendment 39–9931. Docket 96–NM–65–AD. Supersedes AD 90–12–13, Amendment 39–6625.

Applicability: Model A300–600 and A310 series airplanes; certificated in any category; equipped with pre-modification 5844D4829 rudders having the following part numbers:

A5547150000000
A5547150000200
A5547150000400
A5547150000600
A5547150000800
A5547150001000
A5547150001200
A5547150001400

Note 1: The pre-modification rudders to which this AD applies were installed at the time of delivery on Model A300–600 and A310 series airplanes specified in the effectivity listings of the Airbus service bulletins that are referenced in this AD. However, such rudders may have been installed after delivery on airplanes other than the ones listed in those service bulletins. Therefore, as specified by the preceding applicability provision, the operator of any Model A300–600 or A310 series airplane equipped with the pre-modified rudder is required to comply with the requirements of this AD.

Note 2: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 (f) 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.

Note 3: The requirements of paragraphs (a) and (b) of this AD are restatements of paragraphs A. and B. that appeared in AD 90–12–13, amendment 39–6625. These paragraphs require no additional action by operators who already have initiated the specified actions. (As indicated in both paragraphs, these actions are to continue until the new actions required by this AD are initiated.)

To detect and prevent disbonding which, if not corrected, could reduce the structural integrity of the rudder, and consequently lead to a reduction in its ability to sustain limit loads, accomplish the following:

(a) Visual Inspections (as Required by AD 90–12–13). Within 10 landings after June 20, 1990 (the effective date of AD 90–12–13, amendment 39–6625), perform a visual inspection to detect disbonding of the rudder skin panels, left and right, in accordance with Airbus All Operators' Telex (AOT) 55/90/01, Revision 1, dated April 27, 1990. After the effective date of this AD, perform this inspection in accordance with Airbus Service Bulletin A300–55–6008 (for Airbus Model A300–600 series airplanes), or Airbus Service Bulletin A310–55–2010 (for Airbus Model A310 series airplanes), both dated December 10, 1990, as applicable.

(1) If no defects are found, repeat the visual inspection thereafter at intervals not to exceed 7 days or 50 landings, whichever occurs first, until the requirements of paragraph (c) of this AD are initiated.

(2) If defects are found, prior to further flight, perform a tap test in accordance with paragraph (b) of this AD.

(b) Tap Tests (as Required by AD 90–12–13). Within 300 landings after June 20, 1990, perform a tap test to determine the extent of the damage, in accordance with Airbus AOT 55/90/01, Revision 1, dated April 27, 1990.

(1) If disbonding is less than 100 square cm, repeat the tap test of the affected area every 28 days or 200 landings, whichever occurs first, until the ELCH inspection requirements of paragraph (d) of this AD are initiated. For any signs of additional rudder skin panel disbonding, perform drilling procedures in accordance with paragraph 4.2.2.3. of the AOT; and thereafter repeat the visual inspection of the rudder skin panels

specified in paragraph (a) of this AD, until the ELCH inspection requirements of paragraph (d) of this AD are initiated.

(2) If disbonding is more than 100 square cm, but less than 5,000 square cm, repair in accordance with paragraph 4.2.2.3. of the AOT. Thereafter, repeat the visual inspection of the rudder skin panels in accordance with paragraph (a) of this AD; and perform repetitive tap tests of the repaired areas at the following intervals; until the visual inspection requirements of paragraph (c) of this AD are initiated:

(i) Perform the tap test of the repaired area every 500 landings for disbonding greater than 100 square cm but less than 300 square cm;

(ii) Perform the tap test of the repaired area every 250 landings for disbonding greater than 300 square cm, but less than 1,000 square cm;

(iii) Perform the tap test of the repaired area every 75 landings for disbonding that is greater than 1,000 square cm, but less than 5,000 square cm.

(3) If disbonding is greater than 5,000 square cm, or if a crack is found, prior to further flight, repair in a manner approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(c) New Visual Inspection Requirement. Perform a visual inspection of the complete rudder to detect disbonding and cracking of the rudder skin panels, left and right, in accordance with Airbus Service Bulletin A300–55–6008 (for Airbus Model A300–600 series airplanes), or Airbus Service Bulletin A310–55–2010 (for Airbus Model A310 series airplanes), both dated December 10, 1990, as applicable. Initiation of this inspection constitutes terminating action for the requirements of paragraph (a) and specified portions of paragraph (b) of this AD.

(1) Perform the initial inspection at the *later* of the times specified in paragraph (c)(1)(i) or (c)(1)(ii) of this AD:

(i) Within 7 days or 50 landings after the effective date of this AD, whichever is first; or

(ii) Within 7 days or 50 landings, whichever occurs first after the last visual inspection performed in accordance with AD 90–12–13, amendment 39–6625.

(2) If no disbonding or cracking is detected during this inspection accomplish the actions specified in paragraphs (c)(2)(i) and (c)(2)(ii) of this AD:

(i) Repeat the visual inspection at intervals not to exceed 7 days or 50 landings, whichever occurs first, until the initial ELCH inspection is accomplished in accordance with paragraph (d) of this AD. And

(ii) After the initial ELCH inspection required by paragraph (d) of this AD has been accomplished, repeat these visual inspections thereafter at intervals not to exceed 350 landings, in accordance with the applicable service bulletin.

(3) If any disbonding or cracking is detected, prior to further flight, conduct an ELCH inspection of the suspected area for signs of disbonding, and accomplish follow-on actions in accordance with the Flow Chart, Figure 2, of the applicable service bulletin. If the confirmed extent of disbonding, however, is greater than 400 square cm in Area I, or greater than 800 square cm in Area II, as those areas of the rudder are defined in the applicable service bulletin, prior to further flight, repair and accomplish subsequent inspections in accordance with the requirements of paragraph (d)(3) of this AD.

(d) ELCH Inspections. Within 6 months after the effective date of this AD, conduct an initial elasticity laminate checker (ELCH) inspection of the complete rudder, in accordance with Airbus Service Bulletin A300–55–6008 (for Model A300–600 series airplanes) or Airbus Service Bulletin A310–55–2010 (for Model A310 series airplanes), both dated December 10, 1990, as applicable. Initiation of this inspection constitutes terminating action for the requirements of paragraph (a) and specified portions of paragraph (b) of this AD.

(1) If no disbonding or cracking is detected, repeat the ELCH inspection at intervals not to exceed 2 years or 3,500 landings, whichever occurs first.

(2) If disbonding or cracking is confirmed by ELCH inspection, and the extent of the disbonding is equal to or less than 400 square cm in Area I, or equal to or less than 800 square cm in Area II, as those areas of the rudder are defined in the applicable service bulletin: Prior to further flight, accomplish follow-on actions in accordance with Flow Chart, Figure 2, of the applicable service bulletin.

(3) If disbonding or cracking is confirmed by ELCH inspection, and the extent of the disbonding is greater than 400 square cm in Area I, or greater than 800 square cm in Area II, as those areas of the rudder are defined in the applicable service bulletin: Prior to further flight, accomplish either paragraph (d)(3)(i) or (d)(3)(ii) of this AD:

(i) Repair in a manner approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Thereafter, continue to conduct ELCH inspections in a manner and at intervals approved by the Manager, Standardization Branch, ANM–113.

(ii) Replace the rudder in accordance with Airbus Service Bulletin A300–55–6010 (for Model A300–600 series airplanes) or Airbus Service Bulletin A310–55 2012 (for Model A310 series airplanes), both dated April 18, 1991, as applicable. After this replacement is accomplished, no further actions are required by this AD.

(e) Terminating Action. Within five years after the effective date of this AD, replace the rudder in accordance with Airbus Service Bulletin A300–55–6010 (for Model A300–600 series airplanes) or Airbus Service Bulletin A310–55 2012 (for Model A310 series airplanes), both dated April 18, 1991, as applicable. This replacement constitutes terminating action for the inspection requirements of this AD.

(f) 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, Standardization Branch, ANM–113. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 4: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Manager, Standardization Branch, ANM–113.

(g) 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.

(h) The inspections shall be done in accordance with Airbus Service Bulletin A300–55–6008, dated December 10, 1990 (for Model A300–600 series airplanes); and Airbus Service Bulletin A310–55–2010, dated December 10, 1990 (for Model A310 series airplanes). The rudder replacement shall be done in accordance with Airbus Service Bulletin A300–55–6010, dated April 18, 1991 (for Model A300–600 series airplanes); and Airbus Service Bulletin A310–55 2012, dated April 18, 1991 (for Model A310 series airplanes). 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 Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. 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.

(i) This amendment becomes effective on March 28, 1997.

Issued in Renton, Washington, on February 7, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–3694 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–NM–118–AD; Amendment 39–9930; AD 97–04–06]

RIN 2120–AA64

Airworthiness Directives; Dornier Model 328–100 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Dornier Model 328–100 series airplanes, that requires the replacement of certain attachment screws on the leading edges of the left and right wings with longer screws. This amendment is prompted by reports indicating that these screws had become loose. The actions specified by this AD are intended to prevent loosening or loss of the screws, which could lead to loosening or loss of the leading edge of

the wing, and consequent reduced controllability of the airplane.

DATES: Effective March 28, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. 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 Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Connie Beane, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–2796; fax (206) 227–1149.

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 certain Dornier Model 328–100 series airplanes was published in the Federal Register on December 5, 1996 (61 FR 64491). That action proposed to require replacement of the attachment screws at leading edge 1 of the right and left wings with longer attachment screws having P/N NAS7303A5.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were submitted in response to the proposal or the FAA's determination of the cost to the public.

Conclusion

The FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

The FAA estimates that 9 Dornier Model 328–100 series airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required replacements, and that the average labor rate is $60 per work hour. Required parts will be provided by the manufacturer at no cost to operators. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $1,080, or $120 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 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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:

97–04–06 Dornier: Amendment 39–9930. Docket 96–NM–118–AD.

Applicability: Model 328–100 series airplanes having serial numbers 3005 through 3019 inclusive, certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 loosening or loss of the attachment screws, which could lead to loosening or loss of the leading edge of the wing, and consequent reduced controllability of the airplane, accomplish the following:

(a) Within 6 weeks after the effective date of this AD, replace the attachment screws for leading edge 1 of the left and right wings with longer attachment screws having part number NAS7303A5, in accordance with Dornier Service Bulletin SB–328–57–058, dated November 23, 1994.

(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, Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(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.

(d) The replacements shall be done in accordance with Dornier Service Bulletin SB–328–57–058, dated November 23, 1994. 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 Dornier Luftfahrt GmbH, P.O. Box 1103, D–82230 Wessling, Germany. 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.

(e) This amendment becomes effective on March 28, 1997.

Issued in Renton, Washington, on February 7, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–3693 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 96–NM–217–AD; Amendment 39–9934; AD 97–04–10]

RIN 2120–AA64

Airworthiness Directives; McDonnell Douglas Model DC–9–80 Series Airplanes, Model MD–88 Airplanes, and Model MD–90 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to all McDonnell Douglas Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes, that currently requires revising the Airplane Flight Manual (AFM) to include limitations and procedures to address situations in which the autopilot or autothrottle fails to disengage. That AD was prompted by incidents in which the flightcrew was unable to disconnect the autopilot or autothrottle function from the engaged position, due to a discrepancy in a microswitch that is associated with the operation of those functions. This amendment requires an inspection of the autopilot and autothrottle engage switches located in the flight guidance control panel, and installation of improved switches. Accomplishment of these actions will terminate the previous requirement for the AFM revision. The actions specified by this AD are intended to ensure that the autopilot and autothrottle disengage when commanded to do so by the flightcrew.

DATES: Effective March 28, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 28, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). 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, Transport Airplane Directorate, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: J. Kirk Baker, Aerospace Engineer, Systems and Equipment Branch, ANM–130L, FAA, Los Angeles Aircraft Certification Office, 3960 Paramount Boulevard, Lakewood, California 90712; telephone (310) 627–5345; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 96–12–21, amendment 39–9664 (61 FR 29007, June 7, 1996), which is applicable to all McDonnell Douglas Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes, was published in the Federal Register on September 30, 1996 (61 FR 51068). The action proposed to continue to require a revision of the Airplane Flight Manual (AFM) to include limitations and procedures to address situations in which the autopilot or autothrottle fails to disengage; this action was previously required by AD 96–12–21. However, the action also proposed to require an inspection of the autopilot and autothrottle engage switches located in the flight guidance control panel (FGCP), and replacement of the switches with improved switches. Accomplishment of these new actions would constitute terminating action for the previous requirement to revise the AFM.

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

Two commenters support the proposed AD.

Request To Extend Compliance Time

Several commenters support the intent of the proposed AD, but request that the compliance time for accomplishing the terminating action be extended from the proposed 120 days to as much as 3 years. These commenters are concerned that not enough replacement switches will be available to support the fleet within the proposed compliance time. One commenter, a U.S. operator, states that it owns 310 FGCP's that would need new switches installed, and its maintenance facilities currently can modify only 5 panels per week; to meet the proposed compliance schedule, this operator would have to employ 2 additional full-time mechanics at a cost of $80,000. One commenter, another a U.S. operator, states that Honeywell (the manufacturer of the switches) has indicated that it will not be able to supply the complete number of needed switches within the 120-day time period; Honeywell suggested that it will need at least 180 days just to produce the switches, and more time will be required for ordering and shipping.

The FAA concurs that the compliance time can be extended. Honeywell has advised the FAA that it has re-evaluated the magnitude of the modification program and finds that it will not have an ample number of parts available to support the proposed 120-day compliance time for modification of the U.S. fleet. Based on the information provided by Honeywell, and in consideration of the number of airplanes that will be affected by the requirement to install the new switches, the FAA has determined that the compliance time can be extended to 12 months. Paragraph (c) of the final rule has been revised accordingly. The FAA finds that safety will not be compromised in the interim, since the currently-required AFM revision will remain in effect during that time.

Request To Revise Cost Impact Information

Several commenters suggest that the cost impact information, which was presented in the preamble to the proposal, was underestimated. One commenter points out that, although the information in the referenced McDonnell Douglas service bulletin may indicate that only 1.5 work hours are required to accomplish the terminating action, that figure only reflects the labor necessary for removal and re-installation of a modified FGCP. It does not include the time that will be required for in-house shop rework of the parts (an additional 2 to 5 work hours) or, for some operators, the time necessary for removing the panels from the airplane, shipping them to Honeywell for modification, and returning them to the operator for installation (estimated to be as much as 270 days).

The FAA concurs that the cost impact figures should be updated. In general, the cost impact information relative to AD actions includes only the direct costs of the specific actions required by the AD. The number of work hours necessary to accomplish the terminating action, specified as 1.5 work hours in the proposal, represented the time necessary to perform only the actions actually required by the AD: inspection, removal, installation, and a functional check. That number was provided to the FAA by the airframe manufacturer, McDonnell Douglas, based on the best data available at that time. A Honeywell service bulletin that is related to the

actions required by this AD indicates that 2.0 work hours would be required for modification of the panel. In consideration of this new information, the FAA has revised the cost impact information, below, to indicate that 3.5 work hours will be required to accomplish the terminating action.

The FAA recognizes that, in accomplishing the requirements of any AD, operators may incur ''incidental'' costs in addition to the ''direct'' costs. The cost analysis in AD rulemaking actions, however, typically does not include incidental costs, such as the time required to gain access and close up; planning time; ordering/shipping/delivery time for parts, or the time needed for other administrative actions. Because incidental costs may vary significantly from operator to operator, they are almost impossible to calculate.

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 970 Model DC–9–80 series airplanes, Model MD–88 airplanes, and Model MD–90 airplanes of the affected design in the worldwide fleet. The FAA estimates that 512 airplanes of U.S. registry will be affected by this proposed AD.

The AFM revision that was previously required by AD 96–12–21 and retained in this new AD takes approximately 1 work hour per airplane to accomplish, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of the currently required actions on U.S. operators is estimated to be $30,720, or $60 per airplane.

The new actions that are required by this new AD will take approximately 3.5 work hours per airplane to accomplish (this figure includes inspection, removal, modification, re-installation, and a functional check), at an average labor rate of $60 per work hour. Required parts will be provided by the manufacturer at no charge to operators. Based on these figures, the cost impact of the new requirements of this AD on U.S. operators is estimated to be $107,520, or $210 per airplane.

The cost impact figures discussed above are 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 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 final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 removing amendment 39–9664 (61 FR 29007, June 7, 1996), and by adding a new airworthiness directive (AD), amendment 39–9934, to read as follows:

97–04–10 McDonnell Douglas: Amendment 39–9934. Docket 96–NM–217–AD. Supersedes AD 96–12–21, Amendment 39–9664.

Applicability: Model DC–9–81 (MD–81), DC–9–82 (MD–82), DC–9–83 (MD–83), DC–9–87 (MD–87), and Model MD–88 airplanes, as listed in McDonnell Douglas Service Bulletin MD80–22–122, dated August 6, 1996; and Model MD–90 airplanes, as listed in McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 ensure the flight crew's ability to continue to control the airplane manually if the autopilot or autothrottle function fails to disengage, accomplish the following:

(a) Within 14 days after June 24, 1996 (the effective date of AD 96–12–21, amendment 39–9664), revise the Limitations section of the FAA-approved Airplane Flight Manual (AFM) to include the following statement. This may be accomplished by inserting a copy of this AD in the AFM.

If the autopilot or autothrottle fails to disconnect normally, press and hold the autopilot release button or either autothrottle release button, as appropriate. Refer to the Abnormal Procedures section for procedures if the autopilot or autothrottle fails to disconnect.

(b) Within 14 days after June 24, 1996 (the effective date of AD 96–12–21, amendment 39–9664), revise the Abnormal Procedures section of the FAA-approved AFM to include the following information. This may be accomplished by inserting a copy of this AD in the AFM.

AUTOPILOT:

If the Autopilot (A/P) disconnects when the AUTOPILOT RELEASE button on either control wheel is depressed, *and* re-engages when the AUTOPILOT RELEASE button is released, accomplish the following procedures:

PROCEDURE: Use Autopilot (as desired)

AUTOPILOT RELEASE button ....PRESS AND HOLD

- Hold either yoke (yellow) Autopilot Release button while continuing to fly the aircraft manually. The A/P will remain disengaged while depressing the button.
- When the Autopilot Release button is released, the A/P will engage and all A/P functions should work normally.

TO SILENCE THE AURAL WARNING:

CAWS C/B (P–38) .....PULL

- Circuit breaker is located behind the Captain's seat.
- Pulling the C/B will disable the Stall Warning SSRS–1, Landing Gear, Takeoff, Cabin Altitude, Speed Brake aural warnings, in addition to the Autopilot aural warning.

CAUTION:

Do not attempt to overpower the autopilot. When the autopilot is engaged, applying force to the column may allow the alternate trim to reposition the stabilizer. If the force is applied long enough, it will result in an out-of-trim condition.''

''*AUTOTHROTTLE:*

If the Autothrottle (A/T) disconnects when either throttle disconnect button is depressed, *and* re-engages when throttle disconnect button is released, accomplish the following procedures:

PROCEDURE: Use Autothrottle System (as desired)

WHEN A DISCONNECT IS NECESSARY:

AUTOTHROTTLE RELEASE BUTTON PRESS AND HOLD

- Press and hold either button until flashing red A/T annunciation is illuminated. Flashing red light indicates autothrottle is disconnected.
- AUTOTHROTTLE RELEASE BUTTON may then be released.
- The FMA A/T window will annunciate as though the A/T is engaged.
- The flashing red A/T annunciation of the FMA cannot be extinguished with repeated depression of the autothrottle release button.
- If the throttle levers are retarded to the idle stop, the flashing red A/T annunciation will extinguish, and the A/T system will re-engage.
- If the DFGC is selected to the IAS mode and the A/T SPEED mode is selected, the A/T system will re-engage.''

(c) Within 12 months after the effective date of this AD, accomplish the inspection and replacement of the autopilot and autothrottle engage switches in the flight guidance control panel (FGCP), in accordance with the paragraphs 3., 3.A., and 3.B. of the Accomplishment Instructions of McDonnell Douglas Service Bulletin MD80–22–122, dated August 6, 1996 (for Model DC–9–80 series airplanes and Model MD–88 airplanes); and McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996 (for Model MD–90 airplanes). Once these actions are completed, the AFM revision required by paragraphs (a) and (b) of this AD may be removed.

Note 2: The McDonnell Douglas service bulletins referenced in this paragraph refer to Honeywell Incorporated Service Bulletin 4034242–22–13 for additional service instructions.

(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, Los Angeles Aircraft Certification Office (ACO), FAA, Transport Airplane Directorate. 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.

(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.

(f) The actions shall be done in accordance with McDonnell Douglas Service Bulletin MD80–22–122, dated August 6, 1996 (for Model DC–9–80 series airplanes and Model MD–88 airplanes); and McDonnell Douglas Service Bulletin MD90–22–005, dated August 6, 1996 (for Model MD–90 airplanes). 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 McDonnell Douglas Corporation, 3855 Lakewood Boulevard, Long Beach, California 90846, Attention: Technical Publications Business Administration, Department C1–L51 (2–60). Copies may be inspected 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; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(g) This amendment becomes effective on March 28, 1997.

Issued in Renton, Washington, on February 10, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–3844 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

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14 CFR Part 39

[Docket No. 96–ANE–15; Amendment 39–9927; AD 97–04–04]

RIN 2120–AA64

Airworthiness Directives; AlliedSignal Inc. GTCP85 Series Auxiliary Power Units

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes an existing airworthiness directive (AD), applicable to AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 Series auxiliary power units (APUs), that currently requires removing the existing turbine wheel shroud and installing one constructed of Hastelloy ''S'' material, or installing a containment augmentation ring. This amendment deletes the option of installing a turbine shroud constructed of Hastelloy ''S'' material. This amendment is prompted by a report of insufficient APU containment capability with the Hastelloy ''S'' shroud alone installed. The actions specified by this AD are intended to prevent turbine shroud fragments from exiting the APU and puncturing the APU compartment, which could result in reduced fire extinguishing capability in the APU compartment.

DATES: Effective March 24, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 24, 1997.

ADDRESSES: The service information referenced in this AD may be obtained from AlliedSignal Aerospace, Attn: Data Distribution, M/S 64–3/2101–201, P.O. Box 29003, Phoenix, AZ 85038–9003; telephone (602) 365–2493, fax (602) 365–5577. This information may be examined at the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA 01803–5299; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert Baitoo, Aerospace Engineer, Los Angeles Aircraft Certification Office, FAA, Transport Airplane Directorate, 3960 Paramount Blvd., Lakewood, CA 90712–4137; telephone (310) 627–5245; fax (310) 627–5210.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) by superseding AD 93–07–13, Amendment 39–8545 (58 FR 21917, April 26, 1993), which is applicable to AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 Series auxiliary power units (APUs), was published in the Federal Register on August 12, 1996 (61 FR 41751). That action proposed to require installing an improved containment augmentation ring, Part Number (P/N) 3616426–1, or P/N 3616426–3, which is a redesigned containment augmentation ring to allow installation on certain APUs that cannot accept the −1 containment augmentation ring. The containment augmentation rings, P/Ns 3616426–1 and 3616426-3, improve the containment capability of the APU relative to the earlier containment augmentation ring, P/N 3612249–1, by preventing turbine shroud fragments from passing around the containment augmentation ring. The installation must be accomplished within 24 months after the effective date of this AD, for flight operable APUs, and within 36 months after the effective date of this AD, for APUs that are operable on the ground only. The actions would be required to be accomplished in accordance with AlliedSignal Aerospace Alert Service Bulletin (ASB) No.

GTCP85–49–A7189, Revision 2, dated October 8, 1996, AlliedSignal Aerospace ASB No. GTCP85–49–A7189, Revision 1, dated July 19, 1996, or AlliedSignal Aerospace ASB No. GTCP85–49–A7189, Original, dated March 29, 1996; and AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992.

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

One commenter states that the AD should apply only to APUs with one-piece cast turbine wheels made of MAR–M–247 material, as only these type turbine wheels have failed in the commenter's experience. The FAA concurs in part. The proposed rule as written applies to APUs with one-piece cast turbine wheels with the listed P/Ns, which are made of MAR–M–247 material, but also Inconel, which have failed as well.

Two commenters state that the AD should add an additional method of compliance by replacing the one-piece cast turbine wheels with two-piece wheels. The FAA does not concur. The proposed AD does not apply to APUs with two-piece turbine wheels.

One commenter (the manufacturer) states that the economic analysis provides figures for the number of APUs in service domestically and worldwide that are too low. The FAA concurs and revised the economic analysis of this final rule accordingly.

One commenter states that the proposed AD should be more clear in stating that compliance is acceptable with either ASB stated in paragraphs (a)(1) and (a)(2) and (b)(1) and (b)(2) of the compliance section. The FAA concurs and has put the ''or'' between the appropriate paragraphs in bold type to highlight its significance.

Two commenters concur with the AD as proposed.

Since publication of the proposed rule, AlliedSignal Aerospace has issued Revision 2 to ASB No. GTCP85–49–A7189, dated October 8, 1996, which is referenced in this final rule along with Revision 1, dated July 19, 1996, and Original, dated March 29, 1996. These revisions of that ASB are all approved methods of compliance for the appropriate paragraphs of this AD.

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 described previously. The FAA has determined that these changes will neither increase the economic burden on any operator nor increase the scope of the AD.

There are approximately 4,100 APUs of the affected design in the worldwide fleet. The FAA estimates that 1,300 APUs installed on aircraft of U.S. registry will be affected by this AD, that it will take no additional work hours if the required actions are accomplished when the APU is already disassembled in the shop. Required parts will cost approximately $1,550 per APU. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be $2,015,000.

The regulations adopted herein 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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 removing Amendment 39–8545 (52 FR 45163, November 25, 1987) and by adding a new airworthiness directive, Amendment 39–9927, to read as follows:

97–04–04 AlliedSignal Inc.: Amendment 39–9927. Docket 96–ANE–15. Supersedes AD 93–07–13, Amendment 39–8545.

Applicability: AlliedSignal Inc. (formerly Garrett Auxiliary Power Division) GTCP85 series auxiliary power units (APUs), incorporating a one-piece cast turbine wheel, Part Numbers (P/Ns) 968095–X, 3604604–X, 3606982–1, or 3842072–X (where ''X'' denotes any number). These APUs are installed on but not limited to the following aircraft: British Aerospace BAC 1–11 series; Boeing 707, 727, and 737 series; Lockheed L382 series; and McDonnell Douglas DC–8–70, DC–9, and MD–88 series aircraft.

Note 1: This airworthiness directive (AD) applies to each APU 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 APUs 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 turbine shroud fragments from exiting the APU and puncturing the APU compartment, which could result in reduced fire extinguishing capability in the APU compartment, accomplish the following:

(a) For flight operable APUs, within 24 months after the effective date of this AD, accomplish either of the following:

(1) Install a containment augmentation ring, P/N 3616426–3, in accordance with AlliedSignal Aerospace Alert Service Bulletin (ASB) No. GTCP85–49–A7189, Revision 2, dated October 8, 1996, Revision 1, dated July 19, 1996, or Original, dated March 29, 1996; or

(2) Install a containment augmentation ring, P/N 3616426–1, in accordance with AlliedSignal Aerospace ASB No.GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992.

(b) For APUs that are operable on the ground only, within 36 months after the effective date of this AD, accomplish either of the following:

(1) Install a containment augmentation ring, P/N 3616426–3, in accordance with AlliedSignal Aerospace ASB No. GTCP85–

49–A7189, Revision 2, dated October 8, 1996, Revision 1, dated July 19, 1996, or Original, dated March 29, 1996; or

(2) Install a containment augmentation ring, P/N 3616426–1, in accordance with AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 2, dated November 28, 1994, AlliedSignal Aerospace ASB No. GTCP85–49–A6706, Revision 1, dated November 12, 1993, or Garrett ASB No. GTCP85–49–A6706, Original, dated December 7, 1992.

(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. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Los Angeles Aircraft Certification Office.

Note 2: Information concerning the existence of approved alternative method of compliance with this AD, if any, may be obtained from the Los Angeles Aircraft Certification Office.

(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 aircraft to a location where the requirements of this AD can be accomplished.

(e) The actions required by this AD shall be done in accordance with the following ASBs:

Document No.	Pages	Revision	Date
AlliedSignal Aerospace, GTCP85–49–A7189	1–14	2	Oct. 8, 1996.
Total pages: 14.			
AlliedSignal Aerospace, GTCP85–49–A7189	1–12	1	July 19, 1996.
Total pages: 12.			
AlliedSignal Aerospace, GTCP85–49–A7189	1–10	Original	Mar. 29, 1996.
Total pages: 10.			
AlliedSignal Aerospace, GTCP85–49–A6706	1	2	Nov. 28, 1994.
	2, 3	1	Nov. 12, 1993.
	4	2	Nov. 28, 1994.
	5–8	1	Nov. 12, 1993.
	9, 10	2	Nov. 28, 1994.
Total pages: 10.			
AlliedSignal Aerospace GTCP85–49–A6706	1–10	1	Nov. 12, 1993
Total pages: 10.			
Garrett GTCP85–49–A6706	1, 2	Original	Dec. 7, 1992
	4–10	Original	Dec. 7, 1992.
Total pages: 9.			

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 AlliedSignal Aerospace, Attn: Data Distribution, M/S 64–3/2101–201, P.O. Box 29003, Phoenix, AZ 85038–9003; telephone (602) 365–2493, fax (602) 365–5577. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC.

(f) This amendment becomes effective on March 24, 1997.

Issued in Burlington, Massachusetts, on February 4, 1997.

James C. Jones,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 97–4098 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

14 CFR Part 39

[Docket No. 97–NM–30–AD; Amendment 39–9939; AD 97–04–14]

RIN 2120–AA64

Airworthiness Directives; Aerospatiale Model ATR42–200, –300, and –320 Series Airplanes

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 Aerospatiale Model ATR42–200, –300, and –320 series airplanes. This action requires modification of the electrical wiring of the stick pusher/shaker test function to reinforce system protection. This amendment is prompted by a report of at least one occurrence when the stick pusher self-activated during flight. The actions specified in this AD are intended to prevent inadvertent activation of the stick pusher, which could cause reduced controllability of the airplane, especially during takeoff or landing.

DATES: Effective March 10, 1997.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 10, 1997.

Comments for inclusion in the Rules Docket must be received on or before April 22, 1997.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 97–NM–30–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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: Gary Lium, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (206) 227–1112; fax (206) 227–1149.

SUPPLEMENTARY INFORMATION: The Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, recently notified the FAA that an unsafe condition may exist on certain Model ATR42–200, –300, and –320 series airplanes. The DGAC advises of at least one occurrence of the inadvertent activation of the stick pusher test function. An electrical fault could be the cause of this anomaly; however, at this time, the exact cause is not known. This condition, if not corrected, could result in self-activation of the stick pusher during flight, which would cause reduced controllability of the airplane, especially during takeoff or landing.

Explanation of Relevant Service Information

Aerospatiale has issued Service Bulletin ATR42–27–0083, dated November 22, 1996, which describes procedures for modifying the electrical wiring for the stick pusher/shaker test function. This modification is identified in the service bulletin as 04700. After modification, a functional test is performed to ensure proper system operation. The DGAC classified this service bulletin as mandatory and issued French airworthiness directive (CN) 96–256–068(B), dated November 6, 1996, in order to assure the continued airworthiness of these airplanes in France.

FAA's Conclusions

This airplane model is manufactured in France and is type certificated for operation in the United States under the provisions of section 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. The FAA has examined the findings of the DGAC, reviewed all available information, and determined that AD action is necessary for products of this type design that are certificated for operation in the United States.

Explanation of Requirements of Rule

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, this AD is being issued to prevent the stick pusher from self-activating during flight. This AD requires modifying the electrical wiring for the stick pusher/shaker test function. The actions are required to be accomplished in accordance with the service bulletin described previously.

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.

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 97–NM–30–AD.'' The postcard will be date stamped and returned to the commenter.

Regulatory Impact

The regulations adopted herein 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. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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:

97–04–14 Aerospatiale: Amendment 39–9939. Docket 97–NM–30–AD.

Applicability: Model ATR42–200, –300, and –320 series airplanes; having serial numbers up to and including 414, but excluding serial number 403; and on which Modification 04700 has not been incorporated; certificated in any category.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been otherwise 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 self-activation of the stick pusher/shaker test function, accomplish the following:

(a) Within 60 days after the effective date of the AD, modify the electrical wiring for the stick pusher/shaker test function by installing Modification 04700 in accordance with Aerospatiale Service Bulletin ATR42–27–0083, dated November 22, 1966. After the modification is completed, prior to further flight, conduct functional testing in accordance with the service bulletin.

(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, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an

appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

Note 2: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM–113.

(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.

(d) The modification shall be done in accordance with Aerospatiale Service Bulletin ATR42–27–0083, dated November 22, 1996. 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 Aerospatiale, 316 Route de Bayonne, 31060 Toulouse, Cedex 03, France. 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.

(e) This amendment becomes effective on March 10, 1997.

Issued in Renton, Washington, on February 12, 1997.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 97–4103 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–13–U

Coast Guard

33 CFR Part 100

[CGD07–96–063]

RIN 2115–AE46

Special Local Regulations; Invitational Rowing Regatta, Augusta, GA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing permanent special local regulations for the Augusta Invitational Rowing Regatta. The Augusta Invitational Rowing Regatta will be held annually on Thursday, Friday, Saturday, and Sunday of the third week of March, between the hours of 7 a.m. and 5 p.m. local time. The nature of the event and the closure of the Savannah River creates an extra or unusual hazard on the navigable waters. These regulations are necessary to provide for the safety of life on the navigable waters. These regulations are necessary to provide for the safety of life on the navigable waters during the event.

DATES: March 24, 1997.

ADDRESSES: The docket for this rulemaking is maintained at Commander, U.S. Coast Guard Group, Charleston, 196 Tradd St., Charleston, SC, 29401. Hours are 7:30 a.m. to 3:30 p.m. Monday through Friday except Federal holidays.

FOR FURTHER INFORMATION CONTACT: ENS M.J. Daponte, Project Officer, Coast Guard Group Charleston, SC at (803) 724–7621.

SUPPLEMENTARY INFORMATION:

Regulatory History

On December 6, 1996 the Coast Guard published a notice of proposed rulemaking entitled [CGD07–96–063] in the Federal Register (61 FR 64645). The comment period ended on February 4, 1997. The Coast Guard received no comments on the notice of proposed rulemaking. A public hearing was not requested, and no hearing was held.

Background and Purpose

These regulations are needed to provide for the safety of life during the Invitational Rowing Regatta. These regulations are intended to promote safe navigation on the waters off Augusta on the Savannah River during the races by controlling the traffic entering, exiting, and traveling within these waters. The anticipated concentration of spectator and event participant vessels associated with the Rowing Regatta poses a safety concern which is addressed in these special local regulations.

These regulations will not permit the entry or movement of spectator vessels and other non-participating vessel traffic between the U.S. Highway Route 1 (Fifth Street) Bridge at mile marker 199.45 and Eliot's Fish Camp at mile marker 197 from 7 a.m. and 5 p.m. local time, annually on Thursday, Friday, Saturday, and Sunday of the third week of March. These regulations will permit the movement of spectator vessels and other non-participants after the termination of the race each day, and during intervals between scheduled events at the discretion of the Coast Guard Patrol Commander.

Regulatory Evaluation

This regulation is not a significant regulatory action under section 3(f) of executive order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The proposed regulations will last for only 10 hours on each day of the event. No public comments were received during the notice of proposed rulemaking comment period.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rulemaking will have a significant economic-impact on a substantial number of small entities. ''Small Entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 632).

The Coast Guard expects the economic impact of this regulation to be minimal and certifies under 5 U.S.C. 605(b) that this rulemaking will not have a significant impact on a substantial number of small entities because the limited area regulated and limited duration of the regulation.

Collection of Information

These regulations contain no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612 and has determined that the rulemaking does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact on this rulemaking consistent with Section 2.B.2. of Commandant Instruction M16475.1B, (as revised by 59 FR 38654, July 29, 1994). In accordance with that instruction, specifically sections 2.B.4.g. and h., this action has been environmentally assessed (EA completed), and the Coast Guard has concluded that it will not significantly affect the quality of the human environment. An environmental assessment and a finding of no significant impact have been prepared and are available for inspection or copying where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Final Regulations

In consideration of the foregoing, the Coast Guard amends Part 100 of Title 33, Code of Federal Regulations, as follows:

PART 100—[AMENDED]

1. The authority citation for part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

2. A new section 100.724 is added to read as follows:

§ 100.724 Annual Augusta Invitational Rowing Regatta; Savannah River, Augusta, GA.

(a) *Definitions. (1) Regualted area.* The regulated area is formed by a line drawn directly across the Savannah River at U.S. Highway 1 (Fifth Street) Bridge at mile marker 199.45 and directly across the Savannah River at Eliot's Fish Camp at mile marker 197. The regulated area includes the width of the Savannah River between these two lines.

(2) *Coast Guard Patrol Commander.* The Coast Guard patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who been designated by the Commander, Coast Guard Group Charleston, SC.

(b) *Special local regulations.* (1) Entry into the regulated area is prohibited to all non-participants.

(2) After the termination of the Invitational Rowing Regatta each day, and during intervals between scheduled events, at the discretion of the Coast Guard Patrol Commander, all vessels may resume normal operations.

(c) *Effective dates.* This section is effective at 7 a.m. and terminates at 5 p.m. local time annually, on Thursday, Friday, Saturday and Sunday of the third weekend of March.

Dated: February 6, 1997.

R.D. Utley,

Captain, U.S. Coast Guard, Commander, Seventh Coast Guard District Acting.

[FR Doc. 97–4358 Filed 9–20–97; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 63

[AD–FRL–5690–9]

RIN 2060–AD94

National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: This action expands and clarifies definitions in the ''National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries,'' which was issued as a final rule on August 18, 1995.

DATES: The direct final rule will be effective April 22, 1997 unless significant, adverse comments are received by March 24, 1997. If significant, adverse comments are timely received EPA will publish timely notice in the Federal Register withdrawing the final rule.

FOR FURTHER INFORMATION CONTACT: Mr. James Durham, Waste and Chemical Processes Group, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5672.

SUPPLEMENTARY INFORMATION: If significant adverse comments are timely received on this direct final rule, all such comments will be addressed in a subsequent final rule based on the proposed rule contained in the Proposed Rules Section of this Federal Register that is identical to this direct final rule. The Direct Final Rule will be withdrawn. If no significant adverse comments are timely filed on any provision of this direct final rule then the entire direct final rule will become effective 60 days from today's Federal Register notice and no further action is contemplated on the parallel proposal published today.

On August 18, 1995 (60 FR 43243), EPA promulgated in the Federal Register national emission standards for hazardous air pollutants (NESHAP) for petroleum refineries. These regulations were promulgated as subpart CC of 40 CFR part 63. This document contains additions to definitions which will clarify the applicability of control requirements and provide flexibility for the regulated population.

I. Description of Changes

A. Addition of Annual Average True Vapor Pressure Cut-Off to Definition of a Group 1 Storage Vessel

On July 15, 1994 (59 FR 36130) the EPA proposed national emission standards for hazardous air pollutants for petroleum refineries. In the proposed rule, a Group 1 storage vessel was defined as a vessel with a maximum true vapor pressure above a specified number.

Comments received regarding this definition stated that the storage tank vapor pressure information provided by refineries, on which the true vapor pressure limit for Group 1 storage vessels at existing sources was based, was most likely reflective of annual average, as opposed to maximum true vapor pressures. The EPA agreed with the commenters and increased the maximum true vapor pressure applicability cut-off for storage vessels at an existing source from 8.3 to 10.4 kilopascals to account for the difference between annual average and maximum true vapor pressure. This change was made in the final rule (60 FR 43243).

Additional comments were received after the rule was promulgated stating that a true vapor pressure cut-off based on an annual average temperature would provide flexibility to refiners. Having determined that true vapor pressure cut-offs of 8.3 and 10.4 kilopascals based on annual average and maximum monthly temperature, respectively, provide equivalent emission control, EPA has decided to provide both annual average and maximum true vapor pressure applicability cut-offs for existing storage tanks. Refineries may use either cut-off to determine if an existing storage vessel is subject to the control requirements of the rule. This amendment does not change the stringency of the requirement, or the estimated cost effectiveness of this regulation.

Adding an annual average true vapor pressure applicability cut-off to the Group 1 storage vessel definition necessitates adding a definition for annual average true vapor pressure. A definition for annual average true vapor pressure is included in this direct final rule.

B. Clarification of the Group 1 Storage Vessel HAP Content Applicability Cut-Off

In the promulgated Petroleum Refineries NESHAP, the Group 1 storage

vessel definition does not indicate whether the HAP concentration applicability cut-off refers to the maximum or annual average HAP concentration. By this direct final rule, EPA clarifies that the HAP concentration Group 1 applicability cut-off for both new and existing storage vessels refers to the annual average HAP concentration. HAP concentrations in stored liquids were determined based on information solicited from refineries for use in development of the Petroleum Refineries NESHAP. It is most likely that HAP content information used to determine the HAP concentration cut-offs was provided on an annual basis.

II. Judicial Review

Under section 307(b)(1) of the Clean Air Act (CAA), judicial review of the actions taken by this final rule is available only on the filing of a petition for review in the U.S. Court of Appeals for the District of Columbia Circuit within 60 days of today's publication of this action. Under section 307(b)(2) of the CAA, the requirements that are subject to today's notice may not be challenged later in civil or criminal proceedings brought by EPA to enforce these requirements.

III. Administrative Requirements

A. Paperwork Reduction Act

The information collection requirements of the previously promulgated NESHAP were submitted to and approved by the Office of Management and Budget (OMB). A copy of this Information Collection Request (ICR) document (OMB Control Number 2060–0340) may be obtained from the Information Policy Branch (PY–223Y); U.S. Environmental Protection Agency; 401 M Street, SW; Washington, DC 20460 or by calling (202) 260–2740.

Today's changes to the NESHAP have no impact on the information collection burden estimates made previously. The changes consist of new and revised definitions which clarify applicability of control requirements in the NESHAP. No additional information collection is being required. Consequently, the ICR has not been revised.

B. Executive Order 12866 Review

Under Executive Order 12866 [58 FR 51735, (October 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 a ''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 entitlements, grants, user fees, or land 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.

Because today's action clarifies existing control requirements and does not add any additional control, monitoring, recordkeeping, or reporting requirements, this rule was classified ''non-significant'' under Executive Order 12866 and, therefore was not reviewed by the Office of Management and Budget.

C. Regulatory Flexibility Act

EPA has determined that it is not necessary to prepare a regulatory flexibility analysis in connection 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. This direct final rule would not have a significant impact on a substantial number of small entities because it simply clarifies the applicability of control requirements in the Petroleum Refineries NESHAP, does not alter control, monitoring, recordkeeping, or reporting requirements, and does not include any provisions that create a burden for any of the regulated entities.

D. Unfunded Mandates Reform Act

Under the unfunded mandates reform act, EPA must prepare a statement to accompany any rule where the estimated costs to State, local, or Tribal governments, or to the private sector, will be $100 million or more per year. At the time of promulgation, EPA determined that the petroleum refineries NESHAP does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate or to the private sector. This determination is not altered by today's action, the purpose of which is to add clarity and flexibility to existing requirements. Consequently, an unfunded mandates statement has not been prepared.

E. Submission to Congress

Under 5 U.S.C. 801(a)(1)(A) as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted 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 General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous air pollutants, Petroleum refineries, Reporting and recordkeeping requirements, Storage vessels.

Dated: February 11, 1997.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

For the reasons set out in the preamble, part 63 of title 40, chapter I, of the Code of Federal Regulations is amended as follows:

PART 63—[AMENDED]

1. The authority citation for part 63 continues to read as follows:

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

Subpart CC—National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries

2. Section 63.641 is amended by adding, in alphabetical order, a definition for ''annual average true vapor pressure'' and revising the definition for ''Group 1 storage vessel'' to read as follows:

§ 63.641 Definitions.

* * * * *

Annual average true vapor pressure means the equilibrium partial pressure exerted by the stored liquid at the temperature equal to the annual average of the liquid storage temperature for liquids stored above or below the ambient temperature or at the local annual average temperature reported by the National Weather Service for liquids stored at the ambient temperature, as determined:

(1) In accordance with methods specified in § 63.111 of subpart G of this part;

(2) From standard reference texts; or

(3) By any other method approved by the Administrator.

* * * * *

Group 1 storage vessel means a storage vessel at an existing source that has a design capacity greater than or

equal to 177 cubic meters and stored-liquid maximum true vapor pressure greater than or equal to 10.4 kilopascals and stored-liquid annual average true vapor pressure greater than or equal to 8.3 kilopascals and annual average HAP liquid concentration greater than 4 percent by weight total organic HAP; a storage vessel at a new source that has a design storage capacity greater than or equal to 151 cubic meters and stored-liquid maximum true vapor pressure greater than or equal to 3.4 kilopascals and annual average HAP liquid concentration greater than 2 percent by weight total organic HAP; or a storage vessel at a new source that has a design storage capacity greater than or equal to 76 cubic meters and less than 151 cubic meters and stored-liquid maximum true vapor pressure greater than or equal to 77 kilopascals and annual average HAP liquid concentration greater than 2 percent by weight total organic HAP.

* * * * *

3. Section 63.646 is amended by revising paragraph (b)(2) to read as follows:

§ 63.646 Storage vessel provisions.

* * * * *

(b) * * *

(2) When an owner or operator and the Administrator do not agree on whether the annual average weight percent organic HAP in the stored liquid is above or below 4 percent for a storage vessel at an existing source or above or below 2 percent for a storage vessel at a new source, Method 18 of 40 CFR part 60, appendix A shall be used.

* * * * *

[FR Doc. 97–4326 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 70

[AD–FRL–5689–6]

Clean Air Act Final Interim Approval of Operating Permits Program; Delegation of Section 112 Standards; State of Maine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final interim approval.

SUMMARY: The EPA is promulgating source category-limited interim approval of the Operating Permits Program submitted by the State of Maine for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources, and to certain other sources. EPA is also proposing elsewhere in this Federal Register to add a sixth interim approval issue which would require Maine to remove some of the activities listed as insignificant in the State's rules. See the proposed rulemaking on Maine's Title V program.

EFFECTIVE DATE: March 24, 1997.

ADDRESSES: Copies of the State's submittal and other supporting information used in developing the final interim approval are available for inspection during normal business hours at the following location: Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA.

FOR FURTHER INFORMATION CONTACT: Donald Dahl, (617) 565–4298.

SUPPLEMENTARY INFORMATION:

I. Background

Title V of the 1990 Clean Air Act Amendments (sections 501–507 of the Clean Air Act (''the Act'')), and implementing regulations at 40 Code of Federal Regulations (CFR) part 70 require that States develop and submit operating permits programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within 1 year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to 2 years. If EPA has not fully approved a program by the end of an interim program, it must establish and implement a Federal program.

On September 19, 1996, EPA proposed interim approval of the operating permits program for the State of Maine. See 61 FR 49289. The EPA received comments from the Town of Jay on the proposal. In this document EPA is taking final action to promulgate interim approval of the operating permits program for the State of Maine. In addition, EPA is also proposing in this Federal Register to add a sixth interim approval issue in response to the comment from the Town of Jay and information submitted by other parties concerned about Jay's comment.

II. Response to Comments

The comments received on EPA's September 19, 1996 proposal to grant interim approval to the Maine Program and EPA's response to those comments are as follows:

Comment: The Town of Jay believes that EPA should require the State of Maine to remove six activities from the State's list of insignificant activities. The six activities are: (1) Paper forming; (2) vacuum system exhaust; (3) liquor clarifier and storage tanks and associated pumping, piping, and handling; (4) stock cleaning and pressurized pulp washing; (5) broke beaters, repulpers, pulp and repulping tanks, stock chests and bulk pulp handling; and (6) sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems.

Response: Based on the Town's comment and other information EPA has received concerning this issue, EPA is proposing in this Federal Register to require the State of Maine to remove the six activities listed above from its list of insignificant activities. Please refer to the proposed action elsewhere in this Federal Register for a discussion of this issue.

III. Final Action

The EPA is promulgating source category-limited interim approval of the operating permits program submitted by the State of Maine on October 23, 1995. The State must make the changes specified in the proposed rulemaking, under II.B., Proposed Action, in order to be granted full approval. See 61 FR 49292–49293 (September 19, 1996) for a complete discussion of those conditions. In brief they are: (1) Failure to allow for Section 502(b)(10) changes; (2) failure to require processing ''Part 70 Minor Change'' within 90 days; (3) allowing a change at a facility, defined as ''Part 70 Minor Revision,'' that could increase emissions up to 4 tons per year of a regulated pollutant or 8 tons per year for all regulated pollutants to be processed without EPA or affected state review; (4) allowing a facility, under limited circumstances, to continue to emit up to the previous licensed level for up to 24 months after the license is amended; and (5) allowing an activity that emits between 1 and 4 tons of hazardous air pollutants to be classified as insignificant.

The scope of the State of Maine's Part 70 program approved in this document applies to all Part 70 sources (as defined in the approved program) within the State of Maine, except any sources of air pollution over which an Indian Tribe has jurisdiction. *See, e.g.,* 59 FR 55813, 55815–18 (Nov. 9, 1994). The term ''Indian Tribe'' is defined under the Act as ''any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as

Indians.'' See section 302(r) of the CAA; *see also* 59 FR 43956, 43962 (Aug. 25, 1994); 58 FR 54364 (Oct. 21, 1993). EPA is taking no position in this notice on the question whether any Indian Tribe located in Maine has jurisdiction over sources of air pollution.

This interim approval extends until March 22, 1999. During this interim approval period, the State of Maine is protected from sanctions, and EPA is not obligated to promulgate, administer and enforce a Federal operating permits program in the State of Maine. Permits issued under a program with interim approval have full standing with respect to part 70, and the 1-year time period for submittal of permit applications by subject sources begins upon the effective date of this interim approval, as does the 3-year time period for processing the initial permit applications.

If the State of Maine fails to submit a complete corrective program for full approval by September 21, 1998, EPA will start an 18-month clock for mandatory sanctions. If the State of Maine then fails to submit a corrective program that EPA finds complete before the expiration of that 18-month period, EPA will be required to apply one of the sanctions in section 179(b) of the Act, which will remain in effect until EPA determines that the State of Maine has corrected the deficiency by submitting a complete corrective program. If, six months after application of the first sanction, the State of Maine still has not submitted a corrective program that EPA has found complete, a second sanction will be required.

If EPA disapproves the State of Maine's complete corrective program, EPA will be required to apply one of the section 179(b) sanctions on the date 18 months after the effective date of the disapproval, unless prior to that date the State of Maine has submitted a revised program and EPA has determined that it corrected the deficiencies that prompted the disapproval. If, six months after EPA applies the first sanction, the State of Maine has not submitted a revised program that EPA has determined corrects the deficiencies, a second sanction is required.

In addition, discretionary sanctions may be applied where warranted any time after the expiration of an interim approval period if the State of Maine has not timely submitted a complete corrective program or EPA has disapproved its submitted corrective program. Moreover, if EPA has not granted full approval to the State of Maine program by the expiration of this interim approval, since the expiration would occur after November 15, 1995, EPA would be required to promulgate, administer and enforce a Federal permits program for the State of Maine upon interim approval expiration.

Requirements for approval, specified in 40 CFR 70.4(b), encompass section 112(l)(5) requirements for approval of a program for delegation of section 112 standards as promulgated by EPA as they apply to Part 70 sources. Section 112(l)(5) requires that the State's program contain adequate authorities, adequate resources for implementation, and an expeditious compliance schedule, which are also requirements under part 70. As discussed in the September 19, 1996 proposal to approve Maine's authority to take delegation of section 112 standards, Maine submitted a supplemental letter dated June 24, 1996 addressing the 112(l)(5) requirements for area/minor sources. Therefore, the EPA is also promulgating approval under section 112(l)(5) and 40 CFR 63.91 of the State's program for receiving delegation of section 112 standards that are unchanged from Federal standards as promulgated. This program for delegations applies to sources covered by the Part 70 program as well as area/minor sources.

IV. Administrative Requirements

A. Docket

Copies of the State's submittal and other information relied upon for the final interim approval, including comments received by the State of Maine and reviewed by EPA on the proposal, are contained in the docket maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this final interim approval. The docket is available for public inspection at the location listed under the **ADDRESSES** section of this document.

B. 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 April 22, 1997. 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).)

C. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

D. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

E. Unfunded Mandates

Under sections 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 costs to State, local, or tribal governments in the aggregate; or to the 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 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 Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Additionally, it will not cost $100 million to operate or comply with this program.

F. Submission to Congress and the General Accounting Office

Under 5 U.S.C. 801(a)(1)(A) of the Regulatory Flexibility Act, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, EPA submitted 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 General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, and Reporting and recordkeeping requirements.

Dated: February 5, 1997.

John P. DeVillars,

Regional Administrator, Region I.

Part 70, title 40 of the Code of Federal Regulations is amended as follows:

PART 70—[AMENDED]

1. The authority citation for Part 70 continues to read as follows:

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

2. Appendix A to Part 70 is amended by adding the entry for Maine in alphabetical order to read as follows:

Appendix A to Part 70—Approval Status of State and Local Operating Permits Programs

* * * * *

Maine

(a) Department of Environmental Protection: submitted on October 23, 1995; source category-limited interim approval effective on March 24, 1997; source category-limited interim approval expires March 22, 1999.

(b) [Reserved]

* * * * *

[FR Doc. 97–4327 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 180

[OPP–300449; FRL–5583–4]

RIN 2070-AB78

Benoxacor; Time-Limited Tolerances for Residues

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes time-limited tolerances for combined residues of 4-(dichloroacetyl)-3,4-dihydro-3-methyl-2*H*-1,4-benzoxazine (benoxacor) when used as an inert ingredient (safener) in pesticide formulations containing metolachlor in or on raw agricultural commodities for which tolerances have been established for metolachlor. This regulation is being issued in response to a petition for the establishment of a tolerance for residues of benoxacor requested by Ciba-Geigy Corp.

EFFECTIVE DATE: This regulation becomes effective February 14, 1997 and expires on February 14, 1998.

ADDRESSES: Written objections and hearing requests, identified by the docket control number, [OPP-300449], must be submitted to: Hearing Clerk (1900), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460. Fees accompanying objections and hearing requests shall be labeled ''Tolerance Petition Fees'' and forwarded to: EPA Headquarters Accounting Operations Branch, OPP (Tolerance Fees), P.O. Box 360277M, Pittsburgh, PA 15251. A copy of any objections and hearing requests filed with the Hearing Clerk identified by the docket control number, [OPP-300449], must also be submitted to: Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring a copy of objections and hearing requests to Rm. 1132, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202.

A copy of objections and hearing requests filed with the Hearing Clerk may also be submitted electronically by sending electronic mail (e-mail) to: opp-docket@epamail.epa.gov. Copies of objections and hearing requests must be submitted as an ASCII file avoiding the use of special characters and any form of encryption. Copies of objections and hearing requests will also be accepted on disks in WordPerfect 5.1 file format or ASCII file format. All copies of objections and hearing requests in electronic form must be identified by the docket control number [OPP-300449]. No Confidential Business Information (CBI) should be submitted through e-mail. Electronic copies of objections and hearing requests on this rule may be filed on-line at many Federal Depository Libraries.

FOR FURTHER INFORMATION CONTACT: By mail: Kerry B. Leifer, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location, telephone number, and e-mail address: Sixth Floor, Crystal Station #1, 2800 Crystal Drive Jefferson Davis Hwy., Arlington, VA, (703)-308-8811, e-mail: leifer.kerry @epamail.epa.gov.

SUPPLEMENTARY INFORMATION: EPA, at the request of Ciba, Crop Protection, pursuant to section 408(d) of the Federal Food, Drug and Cosmetic Act (FFDCA), 21 U.S.C. 346a(e), is establishing tolerances for residues of the inert ingredient (safener) 4-(dichloroacetyl)-3,4-dihydro-3-methyl-2*H*-1,4-benzoxazine (benoxacor) at 0.01 part per million (ppm) in or on raw agricultural commodities for which tolerances have been established for metolachlor. These tolerances will expire on February 14, 1998. A notice of filing of a tolerance petition, including the petitioner's summary of the information, data and arguments in support of their petition was published in the Federal Register on November 5, 1996 (61 FR 56954).

There were no comments or requests for referral to an advisory committee received in response to the notice of filing.

I. Background and Statutory Authority

A time-limited tolerance was established for benoxacor when used as an inert ingredient (safener) in pesticide formulations containing metolachlor in or on raw agricultural commodities for which tolerances have been established for metolachlor and published in the Federal Register on June 30, 1992 (57 FR 29031). The time-limited tolerance expired on December 1, 1996. This time-limited tolerance was established to allow for the submission and Agency review of chronic toxicity/oncogenicity data on benoxacor. The requisite chronic toxicity/oncogenicity studies in the rat and mouse were submitted by the petitioner; however, the Agency's review of the data is not yet complete. In order to allow the for the continued use of benoxacor as a safener in formulations of metolachlor while the EPA continues its review of the submitted oncogenicity data, the petitioner has requested that the time-limited tolerance be extended until such time as the Agency is able to make a definitive determination as to the safety of the tolerance.

The Food Quality Protection Act of 1996 (FQPA) (Pub. L. 104-170) was signed into law August 3, 1996. FQPA amends both the FFDCA, 21 U.S.C. 301 *et seq.*, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 *et seq.* The FQPA amendments went into effect immediately. Among other things, FQPA amends FFDCA to bring all EPA pesticide tolerance-setting activities under a new section 408 with a new safety standard and new procedures.

New section 408(b)(2)(A)(i) allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is ''safe.'' Section 408(b)(2)(A)(ii) defines ''safe'' to mean that ''there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.'' This includes exposure

through drinking water, but does not include occupational exposure. Section 408(b)(2)(C) requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to ''ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue.'' Section 408(b)(2)(D) specifies factors EPA is to consider in establishing a tolerance. Section 408(b)(3) requires EPA to determine that there is a practical method for detecting and measuring levels of the pesticide chemical residue in or on food and that the tolerance be set at a level at or above the limit of detection of the designated method. Section 408(b)(4) requires EPA to determine whether a maximum residue level has been established for the pesticide chemical by the Codex Alimentarius Commission. If so, and EPA does not propose to adopt that level, EPA must publish for public comment a notice explaining the reasons for departing from the Codex level. Section 408 governs EPA's establishment of exemptions from the requirement for a tolerance using the same safety standard as section 408(B)(2)(A) and incorporating the provisions of section 408(b)(2)(C) and (D). Section 408(d) allows for the filing of a petition proposing the issuance of a regulation establishing, modifying, or revoking a tolerance or tolerance exemption for a pesticide chemical residue in or on a food.

II. Risk Assessment and Statutory Findings

EPA performs a number of analyses to determine the risks from aggregate exposure to pesticide residues. First, EPA determines the toxicity of pesticides based primarily on toxicological studies using laboratory animals. These studies address many adverse health effects, including (but not limited to) reproductive effects, developmental toxicity, toxicity to the nervous system, and carcinogenicity. For many of these studies, a dose response relationship can be determined, which provides a dose that causes adverse effects (threshold effects) and doses causing no observed effects (the ''no observed effects level'' or ''NOEL'').

Once a study has been evaluated and the observed effects have been determined to be threshold effects, EPA generally divides the NOEL from the study with the lowest NOEL by an uncertainty factor (usually 100 or more) to determine the Reference Dose (RfD). The RfD is a level at or below which daily aggregate exposure over a lifetime will not pose appreciable risks to human health. An uncertainty factor (sometimes called a ''safety factor'') of 100 is commonly used since it is assumed that people may be up to 10 times more sensitive to pesticides than the test animals, and that one person or subgroup of the population (such as infants and children) could be up to 10 times more sensitive to a pesticide than another. In addition, EPA assesses the potential risks to infants and children based on the weight of the evidence of the toxicology studies and determines whether an additional uncertainty factor is warranted. Thus, an aggregate daily exposure to a pesticide residue at or below the RfD (expressed as 100 percent or less of the RfD) is generally considered by EPA to pose a reasonable certainty of no harm.

Lifetime feeding studies in two species of laboratory animals are conducted to screen pesticides for cancer effects. When evidence of increased cancer is noted in these studies, the Agency conducts a weight of the evidence review of all relevant toxicological data including short term and mutagenicity studies and structure activity relationship. Once a pesticide has been classified as a potential human carcinogen, different types of risk assessments (e.g., linear low dose extrapolations or margin of exposure calculations based on the appropriate NOEL) will be carried out based on the nature of the carcinogenic response and the Agency's knowledge of its mode of action.

In examining aggregate exposure, FFDCA section 408 requires that EPA take into account available and reliable information concerning exposure from the pesticide residue in the food in question, residues in other foods for which there are tolerances, and other non-occupational exposures, such as where residues leach into groundwater or surface water that is consumed as drinking water. Dietary exposure to residues of a pesticide in a food commodity are estimated by multiplying the average daily consumption of the food forms of that commodity by the tolerance level or the anticipated pesticide residue level. The Theoretical Maximum Residue Contribution (TMRC) is an estimate of the level of residues consumed daily if each food item contained pesticide residues equal to the tolerance. The TMRC is a ''worst case'' estimate since it is based on the assumptions that food contains pesticide residues at the tolerance level and that 100 percent of the crop is treated by pesticides that have established tolerances. If the TMRC exceeds the RfD or poses a lifetime cancer risk that is greater than approximately one in a million, EPA attempts to derive a more accurate exposure estimate for the pesticide by evaluating additional types of information (anticipated residue data and/or percent of crop treated data) which show, generally, that pesticide residues in most foods when they are eaten are well below established tolerances.

III. Aggregate Risk Assessment and Determination of Safety

Consistent with section 408(b)(2)(D), EPA has reviewed the available scientific data and other relevant information in support of this action. A time-limited tolerance was established for benoxacor when used as an inert ingredient (safener) in pesticide formulations containing metolachlor in or on raw agricultural commodities for which tolerances have been established for metolachlor and published in the Federal Register on June 30, 1992. The time-limited tolerance expired on December 1, 1996.

EPA has reassessed the toxicology data base for benoxacor including new reproductive, chronic and carcinogenicity studies provided by the petitioner as part of this action to extend the time-limited tolerances for benoxacor. EPA has sufficient data to assess the hazards of benoxacor and to make a determination on aggregate exposure, consistent with section 408(b)(2), for the time-limited tolerances for residues of benoxacor at 0.01 ppm in or on raw agricultural commodities for which tolerances have been established for metolachlor. EPA's assessment of the dietary exposures and risks associated with establishing these tolerances follows.

A. Toxicological Profile

1. *Chronic toxicity.* Based on the available chronic toxicity data, EPA has established the RfD for benoxacor at 0.004 milligrams (mg)/kilogram(kg)/day. This RfD is based on a 2–year feeding study in rats with a NOEL of 0.4 mg/kg/day and an uncertainty factor of 100. The uncertainty factor of 100 was applied to account for inter-species extrapolation (10) and intra-species variability (10). Increased non-neoplastic lesions of the stomach (including epithelial hyperplasia) and liver (including centrilobular enlargement and hepatocyte vacuolation in males) were the effects observed at the lowest effect level (LEL) of 2.0 mg/kg/day.

2. *Acute toxicity.* Based on the available acute toxicity data, EPA has

determined that benoxacor does not pose any acute dietary or nondietary risks.

3. *Carcinogenicity*. Based upon findings of a carcinogenic effect in the nonglandular stomach of rats and mice, benoxacor has been referred to the Office of Pesticide Program's Health Effects Division Cancer Peer Review Committee for classification as to its carcinogenicity. It is scheduled for review and classification in February 1997. The Agency has determined that, for the purposes of this time-limited tolerance and until such time as the Peer Review Committee makes a determination regarding the nature of the carcinogenic response and mode of action of benoxacor, a risk assessment of benoxacor utilizing the RfD derived from the chronic toxicity data is appropriate due to the nature of the tumor (forestomach) and the low incidence of tumors at the high dose level of 41 mg/kg/day.

B. Aggregate Exposure

For the purpose of assessing chronic dietary exposure from benoxacor, EPA considered the proposed benoxacor tolerance of 0.01 ppm and the raw agricultural commodities for which tolerances have been established for metolachlor. There are no other established U.S. tolerances for benoxacor, and there are no other registered uses for benoxacor on food or feed crops in the United States. In conducting this exposure assessment, EPA assumed tolerance level residues and 100 percent crop treated, resulting in a large overestimate of dietary exposure and protective of any chronic dietary exposure scenario.

Other potential sources of exposure of the general population to residues of pesticide chemicals are residues in drinking water and exposure from non-occupational sources. There is no established Maximum Concentration Level for residues of benoxacor in drinking water and no health advisory levels for benoxacor in drinking water have been established.

Review of the environmental fate data submitted by the petitioner indicates that benoxacor is mobile and hydrolyzes slowly at low pH's, but rapidly degrades in the soil (half-life of 49 days under aerobic conditions and 70 days anaerobically). Although the Agency does not have available data to perform a drinking water assessment at this time, exposure to residues of benoxacor in drinking water is not expected to result in unacceptable aggregate risk. This conclusion is based on the low application rate, the lack of significant acute oral toxicity, and the low percentage of the RfD occupied by dietary exposure, as well as an assessment of other pesticide chemicals which shows that except for highly mobile, persistent and acutely toxic chemicals, a significant contribution to aggregate risk to drinking water is unlikely.

EPA has evaluated the estimated non-occupational exposure to benoxacor. All metolachlor products to which benoxacor is added as a safener are commercial agricultural products not registered for residential use. The potential for non-occupational exposure to benoxacor by the general population is therefore unlikely except for the potential residues in food crops discussed above.

Section 408(b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance or tolerance exemption, the Agency consider ''available information'' concerning the cumulative effects of a particular pesticide chemical's residues and ''other substances that have a common mechanism of toxicity.'' While the Agency has some information in its files that may turn out to be helpful in eventually determining whether a pesticide chemical shares a common mechanism of toxicity with any other substances, EPA does not at this time have the capability to fully resolve the scientific issues concerning common mechanism of toxicity in a meaningful way. EPA has begun a pilot process to study this issue further through the examination of particular classes of pesticide chemicals. The Agency hopes that the results of this pilot process will enable the Agency to apply common mechanism issues to its pesticide risk assessments. At present, however, the Agency does not know how to apply the information in its files concerning common mechanism issues to risk assessments. Therefore, the Agency believes that in most cases there is no ''available information'' concerning common mechanism that can be applied to tolerance decisions. ''Available information'' as used in this context includes both the toxicity data, as well as policies and methodologies for conducting cumulative risk assessments. In most cases, although data may be available, policies and methodologies have not been developed to permit their use. When the Agency has determined that a particular pesticide chemical may share a significant common mechanism with other chemicals, a tolerance decision may be affected by common mechanism issues. Conversely, when the Agency has determined that a pesticide chemical does not share a common mechanism of toxicity with other chemicals, the tolerance decision will state this and provide supporting information. Where the Agency cannot determine whether a common mechanism of toxicity is operating because of lack of available information, a tolerance decision will be based upon the best available and useful information for the individual chemical, and a risk assessment will be performed for the individual chemical assuming that no common mechanism of toxicity exists.

In the case of benoxacor, EPA has not yet determined whether to include this chemical in a cumulative risk assessment. This tolerance decision therefore does not take into account common mechanism issues. The Agency will reexamine the tolerances for benoxacor during the tolerance reassessment process or when the time-limited tolerance approaches expiration.

C. Determination of Safety for U.S. Population

1. *Chronic risk*. Based on the completeness and reliability of the toxicity data, EPA has concluded that dietary exposure to benoxacor will utilize 4.8 percent of the RfD for the U.S. population. EPA generally has no concern for exposures below 100 percent of the RfD. Acceptable, reliable data are not available to quantitatively assess risk from drinking water. However, EPA concludes that there is a reasonable certainty that no harm to the U.S. population will result from aggregate exposure to benoxacor residues.

2. *Acute risk*. Due to the minimal acute toxicity of benoxacor, there are no concerns for acute dietary, occupational, and non-occupational exposures to benoxacor.

D. Determination of Safety for Infants and Children

In assessing the potential for additional sensitivity of infants and children to residues of benoxacor, EPA considered data from developmental toxicity studies in the rat and rabbit and a 2-generation reproduction study in rats. The developmental toxicity studies are designed to evaluate adverse effects on the developing organism resulting from pesticide chemical exposure during prenatal development to one or both parents. Reproductive toxicity studies provide information relating to effects from exposure to a pesticide chemical on the reproductive capability of mating animals and data on systemic toxicity.

Based on current toxicological data requirements, the data base for benoxacor relative to pre- and post-natal toxicity is complete. EPA notes developmental toxicity NOELs of 100 mg/kg/day in rats and 12.5 mg/kg/day in rabbits. Developmental toxicity was observed in rats at 400 mg/kg/day; these effects occurred in the presence of maternal toxicity. In rabbits, developmental alterations were noted at the maternally toxic dose of 62.5 mg/kg/day. The developmental NOELs are more than 250- and 31-fold higher in the rats and rabbits respectively, than the NOEL of 0.4 mg/kg/day from the chronic toxicity/oncogenicity study in rats, which is the basis of the RfD.

In the 2–generation reproductive toxicity study in rats, the reproductive toxicity NOEL of 4.57 mg/kg/day was greater than the parental (systemic) toxicity NOEL (3.55 mg/kg/day in males and 4.51 mg/kg/day in females. The NOEL of 4.57 mg/kg/day for reproductive (pup) toxicity was 11-fold higher than the NOEL of 0.4 mg/kg/day from the chronic toxicity/oncogenicity study in rats,, which is the basis of the RfD. The reproductive (pup) lowest observed effect levels (LOEL) of 64 mg/kg/day (first generation; F1) and 72.25 mg/kg/day (second generation; F2) are based on decreased body weights on lactation day 21. Because these reproductive effects occurred in the presence of parental (systemic) toxicity, these data do not suggest an increased post-natal sensitivity to children and infants (i.e., that infants and children might be more sensitive than adults) to benoxacor exposure.

FFDCA section 408 provides that EPA shall apply an additional uncertainty (safety) factor for infants and children in the case of threshold effects to account for pre- and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin of exposure (safety) is appropriate. EPA believes that reliable data support using standard uncertainty factors (usually 100x for combined inter- and intraspecies variability) and not the additional uncertainty factor when EPA has a complete data base and when the severity of the potential effect in infants and children or the potency or unusual toxic properties of a compound do not raise concerns regarding the adequacy of the traditional uncertainty factors.

Based on current toxicological data requirements the data base for benoxacor relative to pre- and postnatal toxicity is complete. As mentioned above, because both developmental and reproductive effects occurred in the presense of parental (systemic) toxicity, these data do not suggest an increased pre- or postnatal sensitivity of children and infants to benoxacor exposure. Therefore, EPA concludes, upon the basis of reliable data that a 100-fold uncertainty factor is adequate to protect the safety of infants and children and an additional safety factor is not warranted.

1. *Chronic risk*. Based on the TMRC exposure estimates, EPA has concluded that the percentage of the RfD that will be utilized by dietary exposure to residues of benoxacor ranges from 3.3 percent for pregnant females 13+ years old, up to 20 percent for non-nursing infants.

FFDCA section 408 provides that EPA shall apply an additional safety factor for infants and children in the case of threshold effects to account for pre- and post-natal toxicity and the completeness of the data base unless EPA concludes that a different margin of safety is appropriate. Based on current toxicological data requirements, the data base for benoxacor relative to pre- and post-natal toxicity is complete. As mentioned above, because reproductive effects occurred in the presence of parental (systemic) toxicity, these data do not suggest an increased post-natal sensitivity of children and infants to benoxacor exposure, and therefore an additional safety factor was not applied. EPA concludes that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to benoxacor residues.

2. *Acute risk*. Due to the minimal acute toxicity of benoxacor, EPA concludes that there is a reasonable certainty of no harm for infants and children resulting from acute dietary or non-occupational exposures to benoxacor.

IV. Other Considerations

The nature of the residue in plants and animals is adequately understood for this tolerance. There are no Codex maximum residue levels established for residues of benoxacor on commodities for which a tolerance for metolachlor exist. Adequate enforcement methodology, GC/NPD, is available to enforce the tolerance expression. An analytical methodology for the determination of benoxacor and its metabolites in plant and animal commodities (Ciba Analytical Method AG536(C)) is available from: By mail, Calvin Furlow, Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Crystal Mall #2, Rm 1128, 1921 Jefferson Davis Hwy., Arlington, VA.

V. Conclusion

Therefore, time-limited tolerances are established for residues of benoxacor when used as an inert ingredient (safener) in pesticide formulations containing metolachlor in or on raw agricultural commodities for which tolerances have been established for metolachlor. These tolerances will expire on February 14, 1998.

VI. Objections and Hearing Requests

The new FFDCA section 408(g) provides essentially the same process for persons to ''object'' to a tolerance regulation issued by EPA under the new section 408(d) as was provided in the old section 408 and in section 409. However, the period for filing objections is 60 days, rather than 30 days. EPA currently has procedural regulations which govern the submission of objections and hearing requests. These regulations will require some modification to reflect the new law. However, until those modifications can be made, EPA will continue to use its current procedural regulations with appropriate adjustments to reflect the new law.

Any person may, by April 22, 1997, file written objections to any aspect of this regulation (including the automatic revocation provision) and may also request a hearing on those objections. Objections and hearing requests must be filed with the Hearing Clerk, at the address given above (40 CFR 178.20). A copy of the objections and/or hearing requests filed with the Hearing Clerk should be submitted to the OPP docket for this rulemaking. The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(I). If a hearing is requested, the objections must include a statement of the factual issues on which a hearing is requested, the requester's contentions on such issues, and a summary of any evidence relied upon by the requester (40 CFR 178.27). A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requester would, if established, resolve one or more of such issues in favor of the requester, taking into account uncontested claims or facts to the contrary; and resolution of the factual issues in the manner sought by the requester would be adequate to justify the action requested (40 CFR 178.32).

Information submitted in connection with an objection or hearing request may be claimed confidential 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. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

VII. Public Docket

A record has been established for this rulemaking under docket number [OPP-300449]. A public version of this record, which does not include any information claimed as CBI, is available for inspection from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA. EPA has also established a special record for post-FQPA tolerances which contains documents of general applicability. This record can be found in the same location.

The official record for this rulemaking, as well as the public version, as described above, is kept in paper form. Accordingly, in the event there are objections and hearing requests, EPA will transfer any copies of objections and hearing requests received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record The official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

VIII. Regulatory Assessment Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), the Agency must determine whether the regulatory action is ''significant'' and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. Under section 3(f), the order defines ''a significant regulatory action'' as an action that is likely to result in a rule: (1) Having an annual effect on the economy of $100 million or more, or adversely and materially affecting a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities (also referred to as ''economically significant''); (2) creating serious inconsistency or otherwise interfering with an action taken or planned by another agency; (3) materially altering the budgetary impacts of entitlement, grants, user fees, or loan programs or the rights and obligations thereof; or (4) raising novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive Order. Pursuant to the terms of this Executive Order, EPA has determined that this rule is not ''significant'' and is therefore not subject to OMB review.

This action does not impose any enforceable duty, or contain any ''unfunded mandates'' as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Because tolerances established on the basis of a petition under section 408(d) of FFDCA do not require issuance of a proposed rule, the regulatory flexibility analysis requirements of the Regulatory Flexibility Act (RFA), 5 U.S.C. 604(a), do not apply. Prior to the recent enactment of the FFDCA, EPA had treated such rulemakings as subject to the RFA; however, the amendments to the FFDCA clarify that no proposal is required for such rulemakings and hence the RFA is inapplicable.

Under 5 U.S.C. 801(a)(1)(A), EPA submitted 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 General Accounting Office prior to publication of the rule in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(a).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: February 14, 1997.

Peter Caulkins,

Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR Chapter I is amended as follows:

PART 180—[AMENDED]

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By revising § 180.460 to read as follows:

§ 180.460 Benoxacor; tolerances for residues.

Tolerances are established for residues of the inert ingredient (safener) benoxacor (4-(dichloroacetyl)-3,4-dihydro-3-methyl-2*H*-1,4-benzoxazine) when used in pesticide formulations containing metolachlor in or on raw agricultural commodities for which tolerances have been established for metolachlor. These tolerances expire on February 14, 1998.

[FR Doc. 97–4495 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 410 and 415

[BPD–852–CN]

RIN 0938–AH40

Medicare Program; Revisions to Payment Policies and Five-Year Review of and Adjustments to the Relative Value Units Under the Physician Fee Schedule for Calendar Year 1997; Correction

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction of final rule with comment period.

SUMMARY: This document corrects technical errors that appeared in the final rule with comment period published in the Federal Register on November 22, 1996 entitled ''Medicare Program; Revisions to Payment Policies and Five-Year Review of and Adjustments to the Relative Value Units Under the Physician Fee Schedule for Calendar Year 1997.''

EFFECTIVE DATE: January 1, 1997.

FOR FURTHER INFORMATION CONTACT: Stanley Weintraub, (410) 786–4498.

SUPPLEMENTARY INFORMATION:

Background

In the Federal Register Document dated November 22, 1996, there were a number of technical errors. In Addendum B, beginning on page 59595, we inadvertently printed incorrect information for certain codes. The corrections appear in this document under the heading ''Correction of Errors.''

Correction of Errors

In FR Doc. 96–29558 of November 22, 1996 (61 FR 59490), make the following corrections:

Pages 59595 through 59702, Addendum B

Entries on the pages listed below for the codes listed are corrected as follows: on page 59595, for CPT codes 38230 through 38241; page 59672 for CPT code 90901; page 59693 for HCPCS code A9503; page 59701 for HCPCS codes G0053 and G0084; and page 59702 for HCPCS codes G0089 through G0094 and J0270.

CPT [1] HCPCS [2]	MOD	Status	Description	Physician work RVUs [3]	Practice expense RVUs	Malpractice RVUs	Total	Global period	Update
*		*	*	*		*	*		*
38230		R	Bone marrow collection.	4.22	2.78	0.21	7.21	010	N
38231		R	Stem cell collection	1.50	1.37	0.08	2.95	000	N
38240		R	Bone marrow/stem transplant.	2.24	2.08	0.14	4.46	XXX	N
38241		R	Bone marrow/stem transplant.	2.24	2.04	0.13	4.41	XXX	N
*		*	*	*		*	*		*
90901		A	Biofeedback, any method.	0.41	0.97	0.07	1.45	000	N
*		*	*	*		*	*		*
A9503		E	Technetium TC 99 medronate.	0.00	0.00	0.00	0.00	XXX	0
*		*	*	*		*	*		*
G0053		A	Destruction of add'l lesions.	3.05	2.25	0.20	5.50	010	S
*		*	*	*		*	*		*
G0084		A	Psychotherapy, inpt, with E/M.	1.65	0.35	0.05	2.05	XXX	N
*		*	*	*		*	*		*
G0089		A	Psychotherapy, inpt, no E/M.	1.33	0.59	0.09	2.01	XXX	N
G0090		A	Psychotherapy, inpt, with E/M.	1.77	0.59	0.09	2.45	XXX	N
G0091		A	Psychotherapy, inpt, no E/M.	2.08	0.59	0.09	2.76	XXX	N
G0092		A	Psychotherapy, inpt, with E/M.	2.41	0.59	0.09	3.09	XXX	N
G0093		A	Psychotherapy, inpt, no E/M.	3.32	0.59	0.09	4.00	XXX	N
G0094		A	Psychotherapy, inpt, with E/M.	3.80	0.59	0.09	4.48	XXX	N
*		*	*	*		*	*		*
J0270		E	Alprostadil for injection.	0.00	0.00	0.00	0.00	XXX	0

[1] All CPT codes and descriptors copyright 1996 American Medical Association.
[2] Copyright 1994 American Dental Association. All rights reserved.
[3] Indicates RVUs are not used for Medicare payment.

(Sec. 1848 of the Social Security Act (42 U.S.C. 1395w–4))

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: February 12, 1997.

Neil J. Stillman,

Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 97–4288 Filed 2–20–97; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 199

[Docket No. PS–152; Amendment 199–14]

RIN 2137–AC95

Reporting of Drug and Alcohol Testing Results

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Confirmation of direct final rule.

SUMMARY: This document confirms the effective date of the direct final rule that amends the Drug and Alcohol Testing Rules to allow the optional reporting of drug and alcohol testing results to RSPA by computer disk.

EFFECTIVE DATE: The direct final rule published on December 12, 1996 at 61 FR 65364 is effective April 11, 1997.

SUPPLEMENTARY INFORMATION:

Background

On December 12, 1996, RSPA published a direct final rule, 61 FR 65364–65365, titled ''Reporting of Drug and Alcohol Testing Results.'' In that publication, RSPA stated that if it did not receive adverse comments by February 10, 1997, it would publish a confirmation notice within 15 days. RSPA received no adverse comments. Therefore, this document confirms that the direct final rule cited above will become effective on April 11, 1997.

FOR FURTHER INFORMATION CONTACT: Marvin Fell, (202) 366–6205, regarding the subject matter of this document, or the Dockets Unit (202) 366–4453, for copies of this document or other information in the docket.

Issued in Washington, DC February 13, 1997.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

[FR Doc. 97–4202 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–60–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 217

[I.D. 011696D]

RIN 0648–AH89

Sea Turtle Conservation; Restrictions to Shrimp Trawling Activities; Correction

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

ACTION: Final rule; correction

SUMMARY: This document contains a correction to a final rule that was published on December 19, 1996. This correction specifies the correct longitude of the eastern boundary of the Gulf Shrimp Fishery-Sea Turtle Conservation Area.

EFFECTIVE DATE: March 1, 1997.

FOR FURTHER INFORMATION CONTACT: Charles A. Oravetz, 813–570–5312, or Barbara A. Schroeder, 301–713–1401.

SUPPLEMENTARY INFORMATION:

Need for Correction

On December 19, 1996 (61 FR 66933), NMFS published a final rule that modified the gear requirements for the participants in the shrimp trawl fishery in the southeastern United States to protected threatened and endangered species of sea turtle from incidental capture and mortality in that fishery.

The final rule, among other things, added a definition to 50 CFR 217.12 for the ″Gulf Shrimp Fishery-Sea Turtle Conservation Area (Gulf SFSTCA)″. The text of that definition, however, contained a typographical error in the longitude specification of a boundary.

Correction of Publication

Accordingly, the publication on December 19, 1996, of the final rule (I.D. 011696D), which was the subject of FR Doc. 96–66933, is corrected as follows:

§ 217.12 [Corrected]

On page 66944, in the second column, in § 217.12 the definition for ''Gulf Shrimp Fishery-Sea Turtle Conservation Area (Gulf SFSTCA)'' is corrected to read as follows:

Gulf Shrimp Fishery-Sea Turtle Conservation Area (Gulf SFSTCA) means the offshore waters extending to 10 nautical miles (18.5 km) offshore along the coast of the States of Texas and Louisiana from the South Pass of the Mississippi River (west of 89°08.5′ W. long.) to the U.S.-Mexican border.

* * * * *

Dated: February 13, 1997.

Charles Karnella

Acting Director, Office of Operations, Management and Information, National Marine Fisheries Service.

[FR Doc. 97–4262 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

50 CFR Parts 217 and 222

[Docket No. 960730211–7020–02; I.D. 072296B]

RIN 0648–AJ03

North Atlantic Right Whale Protection; Correction

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

ACTION: Interim final rule; correction.

SUMMARY: This document corrects the preamble to an interim final rule (I.D. 072296B) published in the *Federal Register* of February 13, 1997, regarding North Atlantic Right Whale Protection. This correction clarifies the exceptions to the requirements of the rule.

EFFECTIVE DATE: February 20, 1997.

FOR FURTHER INFORMATION CONTACT: Margot Bohan, NMFS/FPR, 301–713–2322; Doug Beach, NMFS/Northeast Regional Office, 508–281–9254; or Kathy Wang, NMFS/Southeast Regional Office, 813–570–5312.

SUPPLEMENTARY INFORMATION:

Need for Correction

As published, a comma was inadvertently left out of the paragraph describing the exceptions to the requirements of the rule in the SUMMARY. This error changed the meaning of two of the exceptions by appearing to combine them into one exception.

Correction

Accordingly, the publication of the interim final rule FR Doc. 97–3632, that published on February 13, 1997 (62 FR 6729) is corrected as follows:

On page 6729, in the third column, in the eighth line from the end of the SUMMARY, insert a comma after the word ''provided.''

Dated: February 18, 1997.

Rolland A. Schmitten,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 97–4348 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

50 CFR Part 679

[Docket No. 961121323–7027–02; I.D. 111396C]

RIN 0648–AJ05

Fisheries in the Exclusive Economic Zone Off Alaska; Groundfish of the Bering Sea and Aleutian Islands Area; Increase Halibut Quota Share Use Limits in Area 4

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

ACTION: Final rule.

SUMMARY: NMFS issues a final rule to increase halibut quota share (QS) use limits for halibut QS holders in the Individual Fishing Quota (IFQ) Program in the Bering Sea/Aleutian Islands (BSAI) regulatory areas. This action is necessary to increase individual harvest limits of IFQ halibut in the BSAI and is intended to improve the profits for IFQ halibut fishermen operating in the BSAI.

EFFECTIVE DATE: March 24, 1997.

ADDRESSES: Copies of the final rule and the Environmental Assessment/Regulatory Impact Review/Final Regulatory Flexibility Analysis (EA/RIR/FRFA) for this action may be obtained from Fisheries Management Division, Attn: Lori Gravel, Alaska Region, NMFS, Room 453, 709 West 9th Street, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802.

FOR FURTHER INFORMATION CONTACT: James Hale, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

The fixed gear halibut fishery is managed by the IFQ Program, a limited access system for fixed gear Pacific halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) fisheries in and off Alaska. The North Pacific Fishery Management Council (Council), under authority of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act of 1982 (Halibut Act), recommended the IFQ Program, which NMFS implemented in 1995. The IFQ Program was designed to reduce excessive fishing capacity, while maintaining the social and economic character of the fixed gear fishery and the Alaskan coastal communities where many of these fishermen are based. To this end, various constraints were placed on QS and IFQ that limit consolidation of QS and ensure that active fishermen, rather than investment speculators, retain harvesting privileges. Use limits on BSAI sablefish QS are written into the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. This action does not effect any change in sablefish QS use limits. Because the halibut fishery is managed by the International Pacific Halibut Commission (IPHC), except for management measures that allocate harvesting privileges among U.S. fishermen, no FMP for halibut exists. The Halibut Act provides NMFS, in consultation with the Council, with authority to implement such allocation measures through a regulatory amendment.

This action increases halibut QS use limit in Area 4 from one-half percent to 1 1/2 percent of the 1996 QS pool and expresses that limit as a set number of QS units: 495,044 halibut QS units. For consistency, regulations at 50 CFR 679.42(f)(1) and (2) also are revised to express halibut use limits for all IFQ regulatory areas as a fixed number of QS units.

More information on this regulatory change may be found in the proposed rule for this action published at 61 FR 63812 on December 2, 1996. NMFS received no comments on this action during the public comment period. One change was made in the action as published in the proposed rule. The number of QS representing the halibut use limit for Areas 2C, 3A, and 3B was incorrect and has been changed to the correct number of QS representing the halibut use limit in these areas.

Classification

This final rule has been determined to be not significant for purposes of E.O. 12866.

A supplemental FRFA has been prepared as part of the RIR, which describes the impact this final rule would have on small entities. Approximately 500 halibut QS holders in regulatory areas 4A–4D would benefit from an increase in the Area 4 QS use limit, either as QS buyers or sellers. Area 4E would not be affected by this action, because all the halibut QS in this area is assigned to the CDQ Program. Under this action, 32 QS holders would be allowed to increase their holdings above the current limit to the new limit. Because blocked QS are limited by block and vessel category restrictions, unblocked QS units are more likely to be transferred. The unblocked halibut QS units in regulatory areas 4A-D equal approximately 2.1 million lb (952 mt) of halibut worth more than $4.6 million in ex-vessel value. This action will have a significant positive impact on a substantial number of small businesses. The action is not likely to lead to a reduction in the gross revenues received by the small business sector of the fleet; rather, it would significantly improve the profitability of operations for fishermen wishing to harvest IFQ halibut in remote areas of the western Aleutian Islands and Bering Sea.

List of Subjects in 50 CFR Part 679

Alaska fisheries, Reporting and recordkeeping requirements.

Dated: February 13, 1997.

C. Karnella,

Acting Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR Part 679 is amended as follows:

PART 679—FISHERIES IN THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

1. The authority citation for 50 CFR Part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*

2. In § 679.42, paragraphs (f)(1) through (f)(3) are revised to read as follows:

§ 679.42 Limitations on use of QS and IFQ.

* * * * *

(f) * * *

(1) *IFQ regulatory area 2C.* 599,799 units of halibut QS.

(2) *IFQ regulatory areas 2C, 3A, and 3B.* 1,502,823 units of halibut QS.

(3) *IFQ regulatory areas 4A, 4B, 4C, 4D, and 4E.* 495,044 units of halibut QS.

* * * * *

[FR Doc. 97–4157 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

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50 CFR Part 679

[Docket No. 961107312–7021–02; I.D. 021397A]

Fisheries of the Exclusive Economic Zone Off Alaska; Interim Closure of Flatfish Fisheries in Statistical Area 516 of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Inseason adjustment; request for comments.

SUMMARY: NMFS has determined that an interim closure of directed fishing for rock sole, flathead sole, and ''other flatfish'' by vessels using trawl gear is necessary in Statistical Area 516 of the Bering Sea and Aleutian Islands management area (BSAI). Red king crab bycatch rates are unexpectedly high in certain areas of Bristol Bay and closure of Statistical Area 516 is necessary to prevent the take of an excessive share of the bycatch limitation Zone 1 red king crab bycatch allowance specified for the rock sole/flathead sole/''other flatfish'' fishery category.

DATES: 1200 hrs, Alaska local time (A.l.t.), February 14, 1997, until 1200 hrs, A.l.t., March 15, 1997. Comments must be received at the following address no later than 4:30 p.m., A.l.t., March 3, 1997.

ADDRESSES: Comments may be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn. Lori Gravel, or be delivered to the fourth floor of the Federal Building, 709 West 9th Street, Juneau, Alaska.

FOR FURTHER INFORMATION CONTACT: Andrew Smoker, 907–586-7228.

SUPPLEMENTARY INFORMATION: The groundfish fishery in the BSAI exclusive economic zone is managed by NMFS according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands management area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at

subpart H of 50 CFR part 600 and 50 CFR part 679.

Regulations at § 679.25(a)(1)(iv) authorize an interim closure of a Statistical Area, or portions thereof, to directed fishing for specified groundfish species. The purpose of these closures is to reduce prohibited species bycatch rates, limit the take of an excessive share of a prohibited species bycatch allowance by vessels fishing in an area, and prevent the attainment of a bycatch allowance before available groundfish quotas are harvested.

This action closes directed fishing for rock sole, flathead sole, and ''other flatfish'' by vessels using trawl gear in Statistical Area 516 of the BSAI. Statistical Area 516 is defined in Figure 1 of 50 CFR part 679 as the area of the BSAI south of 58°00′ N. lat., north of the Alaska Peninsula, and between 162°00′ and 163°00′ W. long. This closure is effective until March 15, when regulations at § 679.22(a)(2) annually close Reporting Area 516 to fishing with trawl gear from March 15 until June 15.

The red king crab bycatch allowance in bycatch limitation zone 1 for the BSAI trawl rock sole/flathead sole/ ''other flatfish'' fishery category, defined at § 679.21(e)(3)(iv)(B)(2), was established by the Final 1997 Harvest Specifications of BSAI Groundfish as 48,750 animals. The Final 1997 Specifications were filed with the Office of the Federal Register on February 12, 1997, and scheduled for publication in the *Federal Register* on February 18, 1997.

The 1997 fishing season for BSAI groundfish by vessels using trawl gear began January 20, 1997. NMFS observer data indicate vessels participating in the trawl rock sole/flathead sole/''other flatfish'' fishery category within Statistical Area 516 at the beginning of the fishing year experienced high bycatch rates of red king crab, taking an estimated 27,000 animals in 3 days. As of February 1, 1997, NMFS estimates that 12,000 red king crab remain in the bycatch allowance of red king crab apportioned to the rock sole/flathead sole/''other flatfish'' fishery category. Bycatch rates of red king crab within Statistical Area 516 are estimated at 4.3 crab per metric ton of groundfish. The current fleet of 24 vessels catches an estimated 1,800 mt of groundfish per day. If these flatfish fisheries remain open in Statistical Area 516, NMFS anticipates that fishery effort within Statistical Area 516 will increase as other fisheries close and vessels move into the rock sole/flathead sole/''other flatfish'' fishery category. The remaining red king crab bycatch allowance for this fishery category can be taken within 2 days. Bycatch rates of red king crab within the remainder of bycatch limitation zone 1 are estimated at 0.2 crab per metric ton or about 5 percent of the rate within Statistical Area 516. By closing the fishery in Statistical Area 516, a substantially greater amount of rock sole, flathead sole, and ''other flatfish'' will be caught before the red king crab bycatch allowance is reached.

In accordance with § 679.25(a)(1)(iv) and (a)(2)(ii)(B), the Administrator, Alaska Region, NMFS, has determined that an interim closure of Statistical Area 516 to directed fishing for species in the rock sole/flathead sole/''other flatfish'' fishery category by vessels using trawl gear is necessary to prevent the taking of an excessive share of the zone 1 red king crab allowance specified for this fishery category and prevent the premature attainment of that allowance. Without this action opportunity will be foregone to harvest high-valued roe bearing rock sole, as well as flathead sole, and ''other flatfish.'' In accordance with § 679.25(a)(2)(v), the Regional Administrator has determined that this interim closure is based on the best available scientific information.

The Assistant Administrator for Fisheries, NOAA, finds forgood cause that providing prior notice and public comment or delaying the effective date of this action is impracticable and contrary to the public interest. Immediate effectiveness is necessary to prevent loss of opportunity to harvest species in the rock sole/flathead sole/ ''other flatfish'' fishery category. Under § 679.25(c)(2), interested persons are invited to submit written comments on this action to the above address until March 3, 1997.

Classification

This action is taken under § 679.25 and is exempt from review under E.O. 12866.

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

Dated: February 13, 1997.

Bruce Morehead

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

[FR Doc. 97–4264 Filed 2–14–97; 4:41 pm]

BILLING CODE 3510–22–F

Proposed Rules

Federal Register
Vol. 62, No. 35
Friday, February 21, 1997

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 AGRICULTURE

Food Safety and Inspection Service

9 CFR Parts 304, 308, 310, 320, 327, 381, 416, and 417

[Docket No. 93–016–12N]

Publication of Salmonella Testing Data

AGENCY: Food Safety and Inspection Service, USDA.

ACTION: Meeting notice.

SUMMARY: The Food Safety and Inspection Service (FSIS) will hold a meeting regarding the publication of *Salmonella* testing data. Participants will discuss methods of making available to the public FSIS-generated testing data on the prevalence of *Salmonella* found on inspected products.

DATES: The meeting will be held on March 6, 1997, from 8:30 a.m. until 11:30 a.m.

ADDRESSES: The meeting will be held in Room 107A, Jamie L. Whitten Federal Building, 12th and Jefferson Dr. SW, Washington, DC 20250–3700.

FOR FURTHER INFORMATION CONTACT: To register for the meeting, call (202) 501–7136, FAX (202) 501–7642, or E-mail usdafsis/s=confer@mhs.attmail.com.

SUPPLEMENTARY INFORMATION: On July 25, 1996, FSIS published a final rule, ''Pathogen Reduction; Hazard Analysis and Critical Control Point (HACCP) Systems'' (61 FR 38806). The rule established that FSIS will obtain samples from slaughter establishments and establishments producing raw ground product or fresh pork sausage and test those samples for *Salmonella* to ensure that pathogen reduction performance standards are being met. As stated in the rule, the test results will be available to the public.

FSIS is considering making the test results available via the Internet on the FSIS Homepage. FSIS also is interested in receiving public input on other methods for making the test results available. Therefore, the Agency will hold a public meeting regarding the publication of *Salmonella* testing data.

Done at Washington, DC, on: February 18, 1997.

Thomas J. Billy,

Administrator.

[FR Doc. 97–4409 Filed 2–18–97; 4:42 pm]

BILLING CODE 3410–DM–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 23

[Docket No. 135CE, Notice No. 23–ACE–87]

Special Conditions; Sino Swearingen Model SJ30–2 Airplane

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This notice proposes special conditions for the Sino Swearingen Aircraft Company Model SJ30–2 airplane. This new airplane will have novel and unusual design features not typically associated with normal, utility, acrobatic, and commuter category airplanes. These design features include a high operating altitude (49,000 feet), engine location, swept wings and stabilizer, performance characteristics, large fuel capacity, and protection for the electronic engine control system, flight, and navigation system from high intensity radiated fields, for which the applicable regulations do not contain adequate or appropriate airworthiness standards. This notice contains the additional airworthiness standards which the Administrator considers necessary to establish a level of safety equivalent to the airworthiness standards applicable to these airplanes.

DATES: Comments must be received on or before March 24, 1997.

ADDRESSES: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Assistant Chief Counsel, ACE–7, Attention: Rules Docket Clerk, Docket No. 135CE, Room No. 1558, 601 East 12th Street, Kansas City, Missouri 64106. All comments must be marked: Docket No 135CE. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4 p.m.

FOR FURTHER INFORMATION CONTACT: Lowell Foster, Aerospace Engineer, Standards Office (ACE–110), Small Airplane Directorate, Aircraft Certification Service, Federal Aviation Administration, Room 1544, 601 East 12th Street, Kansas City, Missouri 64106; telephone (816) 426–5688.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking further rulemaking action on this proposal. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: ''Comments to Docket No. 135CE.'' The postcard will be date stamped and returned to the commenter. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available, both before and after the closing date for comments, in the rules docket for examination by interested parties. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Background

On October 9, 1995, Sino Swearingen Aircraft Company, 1770 Sky Place Boulevard, San Antonio, Texas 78216, made application for normal category type certification of its Model SJ30–2 airplane, a six-to-eight place, all metal, low-wing, T-tail, twin turbofan engine powered airplane with fully enclosed retractable landing gear. The SJ30–2 will have a V_{MO}/M_{MO} of 320 kts/M=.83, and has engines mounted aft on the fuselage.

Type Certification Basis

Type certification basis of the Model SJ30–2 airplane is: 14 CFR Part 23, effective February 1, 1965, through amendment 23–51, effective March 11, 1996; 14 CFR Part 36, effective

December 1, 1969, through the amendment effective on the date of type certification; 14 CFR Part 34; exemptions, if any; and any special conditions that may result from this notice.

Discussion

Sino Swearingen plans to incorporate certain novel and unusual design features into the SJ30–2 airplane for which the airworthiness regulations do not contain adequate or appropriate safety standards. These features include engine location, operation up to an altitude of 49,000 feet, and certain performance characteristics necessary for this type of airplane that were not envisioned by the existing regulations.

Special conditions may be issued and amended, as necessary, as part of the type certification basis if the Administrator finds that the airworthiness standards designated in accordance with 14 CFR Part 21, § 21.17(a)(1), do not contain adequate or appropriate safety standards because of novel or unusual design features of an airplane. Special conditions, as appropriate, are issued in accordance with 14 CFR Part 11, § 11.49 after public notice, as required by §§ 11.28 and 11.29(b), effective October 14, 1980, and become part of the type certification basis as provided by part 21, § 21.17(a)(2).

Protection of Systems From High Intensity Radiated Fields (HIRF)

The aviation industry uses electrical and electronic systems that perform functions required for continued safe flight and landing. Due to the sensitive solid state components in analog and digital electronics circuits, these systems, if unprotected, are responsive to the transient effects of induced electrical current and voltage caused by the HIRF. The HIRF can degrade electronic systems performance by damaging components or upsetting system functions.

Furthermore, the electromagnetic environment has changed from the time when the current requirements were developed. Also, the population of transmitters has increased significantly and they are radiating higher energy levels. There is, however, uncertainty concerning the effectiveness of shielding for HIRF. Additionally, coupling to cockpit installed equipment through the cockpit window apertures is undefined.

The combined effect of the technological advances in aircraft design and the changing environment has resulted in an increased level of vulnerability of electrical and electronic systems required for the continued safe flight and landing of the aircraft. Effective measures against the effects of exposure to HIRF must be provided by the design and installation of these systems.

The accepted maximum energy levels in which civilian airplane system installations must be capable of operating safely are based on surveys and analysis of existing radio frequency emitters. These special conditions require that the airplane be evaluated under these energy levels for the protection of the electronic system and its associated wiring harness. These external threat levels are believed to represent the worst case to which an airplane would be exposed in the operating environment.

These special conditions require qualification of systems that perform critical functions, as installed in aircraft, to the defined HIRF environment in paragraph (1) or, as an option to a fixed value using laboratory tests, in paragraph (2), as follows:

(1) The applicant may demonstrate that the operation and operational capability of the installed electrical and electronic systems that perform critical functions are not adversely affected when the aircraft is exposed to the HIRF environment, defined below:

FIELD STRENGTH VOLTS/METER

Frequency	Peak	Average
10–100 KHz	50	50
100–500	60	60
500–2000	70	70
2–30 MHz	200	200
30–70	30	30
70–100	30	30
100–200	150	33
200–400	70	70
400–700	4020	935
700–1000	1700	170
1–2 GHz	5000	990
2–4	6680	840
4–6	6850	310
6–8	3600	670
8–12	3500	1270
12–18	3500	360
18–40	2100	750

or:

(2) The applicant may demonstrate by a laboratory test that the electrical and electronic systems that perform critical functions can withstand a peak electromagnetic field strength of 100 volts per meter (v/m) peak electrical field strength, from 10KHz to 18GHz. When using a laboratory test to show compliance with the HIRF requirements, no credit is given for signal attenuation due to installation.

A preliminary hazard analysis must be performed by the applicant for approval by the FAA to identify electrical and/or electronic systems that perform critical functions. The term ''critical'' means those functions whose failure would contribute to, or cause, a failure condition that would prevent the continued safe flight and landing of the aircraft. The systems identified by the hazard analysis that perform critical functions are candidates for the application of HIRF requirements. A system may perform both critical and non-critical functions. Primary electronic flight display systems, and their the associated components, perform critical functions such as attitude, altitude, and airspeed indication. The HIRF requirements apply only to critical functions.

Compliance with HIRF requirements may be demonstrated by tests, analysis, models, similarity with existing systems, or a combination of these. Service experience alone is not acceptable since such experience in normal flight operations may not include an exposure to the HIRF environment. Reliance on a system with similar design features for redundancy as a means of protection against the effects of external HIRF is generally insufficient since all elements of a redundant system are likely to be exposed to the fields concurrently.

Performance

The Sino Swearingen Model SJ30–2 has a main wing with 30 degrees of leading-edge sweepback that employs leading-edge slats and double-slotted Fowler flaps. The airplane has a T-tail with trimmable horizontal stabilizer and 30 degrees of leading-edge sweepback. There are two medium bypass ratio turbofan engines mounted on the aft fuselage.

Previous certification and operational experience with airplanes of like design in the transport category reveal certain unique characteristics compared to conventional aircraft certificated under part 23. These characteristics have caused significant safety problems in the past when pilots attempted takeoffs and landings, particularly with a large variation in temperature and altitude, using procedures and instincts developed with conventional airplanes.

One of the major distinguishing features of a swept-wing design not considered in current part 23 is a characteristically flatter lift curve without a ''stall'' break near the maximum coefficient of lift, as in a conventional wing. The ''stall'' separation point may occur at a much higher angle of attack than the point of maximum lift and the angle of attack for maximum lift can be only recognized by

precise test measurements or specific detection systems. This phenomena is not apparent to a pilot accustomed to operating a conventional airplane where increasing angle of attack produces increased lift to the point where the wing stalls. In a swept-wing design, if the pilot does not operate in accordance with established standards developed through a dedicated test program, increasing angle of attack may produce very little lift yet increase drag markedly to the point where flight is impossible. These adverse conditions may be further compounded by the characteristics of turbofan engines, including specified N_1/N_2 rotational speeds, temperature, and pressure limits that make its variation in thrust output with changes in temperature and altitude more complex and difficult to predict. In recognition of these characteristics, Special Civil Air Regulations No. SR–422, and follow-on regulations, established weight-altitude-temperature (WAT) limitations and procedures for scheduling takeoff and landing for turbine powered transport category airplanes, so the pilot could achieve reliable and repeatable results under all expected conditions of operation. This entails specific tests such as minimum unstick speed, V_{MU}, to ensure that rotation and fly-out speeds are correct and that the airplane speed schedule will not allow the airplane to lift off in ground effect and then be unable to accelerate and continue to climb out. In conjunction with the development of takeoff and landing procedures, it was also necessary to establish required climb gradients and data for flight path determination under all approved weights, altitudes, and temperatures. This enables the pilot to determine, before takeoff, that a safe takeoff, departure, and landing at destination can be achieved.

Takeoff

Based upon the knowledge and experience gained with similar high speed, high efficiency, turbojet airplanes with complex high lift devices for takeoff and landing, special conditions are proposed for the performance requirements of takeoff, takeoff speeds, accelerate-stop distance, takeoff path, takeoff distance, takeoff run, and takeoff flight path.

Additionally, procedures for takeoff, accelerate stop, and landing are proposed as those established for operation in service and be executable by pilots of average skill and include reasonably expected time delays.

Climb

To maintain a level of safety that is consistent with the requirements of the proposed special conditions for takeoff, takeoff speeds, takeoff path, takeoff distance, and takeoff run, it is appropriate to propose associate requirements that specify climb gradients, airplane configurations, and consideration of atmospheric conditions that will be encountered. Special conditions are proposed for climb with one engine inoperative, balked landing climb, and general climb conditions.

Landing

Landing distance determined for the same parameters, plus the effects of wind, is consistent with takeoff information for the range of weights, altitudes, and temperatures approved for operation. Further, it is necessary to consider time delays to provide for in-service variation in the activation of deceleration devices, such as spoilers and brakes. Special conditions are also proposed to cover these items.

Trim

Special conditions are issued to maintain a level of safety that is consistent with the use of V_{MO}/M_{MO} and the requirements established for previous part 23 jet airplanes. Current standards in part 23 did not envision this type of airplane and the associated trim considerations.

Demonstration of Static Longitudinal Stability

To maintain a level of safety consistent with the proposed static longitudinal stability requirements, it is necessary to establish corresponding requirements for the demonstration of static longitudinal stability. Current standards in part 23 did not envision this type of airplane and the associated stability considerations proposed. In keeping with the concept of V_{MO}/M_{MO} being a maximum operational speed limit, rather than a limiting speed for the demonstration of satisfactory flight characteristics, it is appropriate to extend the speed for demonstration of longitudinal stability characteristics from the V_{MO}/M_{MO} of 14 CFR part 23 to the maximum speed for stability characteristics, V_{FC}/M_{FC}, for this airplane. A special condition to do this is proposed.

Static Directional and Lateral Stability

In keeping with the concept of V_{MO}/M_{MO} being a maximum operational speed limit, rather than a limiting speed for the demonstration of satisfactory flight characteristics, it is appropriate to extend the speed for demonstration of lateral/directional stability characteristics from the V_{MO}/M_{MO} of part 23 to the maximum speed for stability characteristics, V_{FC}/M_{FC}, for this airplane. A special condition to do this is proposed.

Current transport category regulations have eliminated the independent lateral stability demonstration requirement (picking up the low wing with rudder application). This requirement was originally intended to provide adequate controllability in the event of lateral control system failure. Because the SJ30 flight control system reliability requirement are not to current transport category levels, it is appropriate to retain the prior transport category requirements to retain the independent dihedral effect and skid recovery demonstration requirement.

Stall Characteristics

In order to maintain consistency with the level of safety previously applied to other jet powered small airplanes, it is appropriate to specify the conditions under which level flight, turning flight, and accelerated entry stall characteristics should be demonstrated. Current rules contained in part 23 did not envision this high performance airplane with the associated high thrust-to-weight ratio. Special conditions are required to define stall characteristics demonstrations.

Vibration and Buffeting

The Sino Swearingen Model SJ30–2 will be operated at high altitudes where stall-Mach buffet encounters (small speed margin between stall and transonic flow buffet) are likely to occur, which is not presently addressed in part 23. A special condition is proposed that will require buffet onset tests and the inclusion of information in the Airplane Flight Manual (AFM) to provide guidance to the flightcrew. This information will enable the flightcrew to plan flight operations that will maximize the maneuvering capability during high altitude cruise flight and preclude intentional operations exceeding the boundary of perceptible buffet. Buffeting is considered to be a warning to the pilot that the airplane is approaching an undesirable and eventually dangerous flight regime, that is, stall buffeting, high speed buffeting or maneuvering (load factor) buffeting. In straight flight, therefore, such buffet warning should not occur at any normal operating speed up to the maximum operating limit speed, V_{MO}/M_{MO}.

High Speed Characteristics and Maximum Operating Limit Speed

The Sino Swearingen Model SJ30–2 will be operated at high altitude and high speeds and the proposed operating envelope includes areas in which Mach effects, which have not been considered in part 23, may be significant. The anticipated low drag of the airplane and the proposed operating envelope are representative of the conditions not envisioned by the existing part 23 regulations. These conditions may degrade the ability of the flightcrew to promptly recover from inadvertent excursions beyond maximum operating speeds. The ability to pull a positive load factor is needed to ensure, during recovery from upset, that the airplane speed does not continue to increase to a value where recovery may not be achievable by the average pilot or flightcrew.

Additionally, to allow the aircraft designer to conservatively design to higher speeds than may be operationally required for the airplane, the concept of V_{DF}/M_{DF}, the highest demonstrated flight speed for the type design, is appropriate for this airplane. This permits V_D/M_D the design dive speed, to be higher than the speed actually required to be demonstrated in flight. Accordingly, special conditions are proposed to allow determination of a maximum demonstrated flight speed and to relate the determination of V_{MO}/M_{MO} to the speed V_{DF}/M_{DF}.

Flight Flutter Tests

Flight flutter test special conditions are proposed to V_{DF}/M_{DF} rather than to V_D in keeping with the V_{DF}/M_{DF} concept.

Out-of-Trim Characteristics

High speed airplanes have experienced a number of upset incidents involving out-of-trim conditions. This is particularly true for swept-wing airplanes and airplanes with a trimmable stabilizer. Service experience has shown that out-of-trim conditions can occur in flight for various reasons and that the control and maneuvering characteristics of the airplane may be critical in recovering from upsets. The existing part 23 regulations do not address high speed out-of-trim conditions. Special conditions are proposed that test the out-of-trim flight characteristics by requiring the longitudinal trim control be displaced from the trimmed position by the amount resulting from the three-second movement of the trim system at this normal rate with no aerodynamic load, or the maximum mis-trim that the autopilot can sustain in level flight in the high speed cruise condition, whichever is greater. The proposal would require the maneuvering characteristics, including stick force per g, be explored throughout a specified maneuver load factor speed envelope. The dive recovery characteristics of the aircraft in the out-of-trim condition specified would be investigated to determine that safe recovery can be made from the demonstrated flight dive speed V_{DF}/M_{DF}.

Pressure Vessel Integrity

Damage tolerance methods are proposed to be used to ensure pressure vessel integrity while operating at the higher altitudes instead of the 1/2 bay crack criterion used in some previous special conditions. Crack growth data are used to prescribe an inspection program that should detect cracks before an opening in the pressure vessel would allow rapid depressurization. Initial crack sizes for detection are determined under § 23.573. The cabin altitude after failure must not exceed the cabin altitude/time curve limits shown in Figures 3 and 4.

Flight Control System Integrity

The Sino Swearingen Model SJ30–2 will be operated at high altitude and speeds such that a reduction or loss of pitch, yaw, or roll control capability or response could preclude continued flight and landing within the design limitations of the airplane using normal pilot skill and strength. Consequently, a greater reliability of the fasteners in the flight control system is necessary than previously considered. Removable fasteners whose loss could result in the conditions described above are required to have dual locking devices.

Fuel System Protection During Collapse of Landing Gear

The SJ30–2 maximum fuel weight is 39 percent of the maximum weight. This percentage is typical of the turbofan powered business jet class of airplanes. Part 23 did not envision that the applicable airplane designs would have such a large fraction of maximum weight as fuel. Part 23 does not contain fuel system protection requirements during landing gear collapse, except for § 23.721, which pertains to commuter category airplanes that have a passenger seating configuration of 10 seats or more. In the SJ30–2 design, there is a large fuselage fuel tank and the placement of the engines on the aft fuselage requires that the fuel lines be routed through the fuselage, making the fuel lines more vulnerable to damage, or rupture, if the landing gear collapses. A special condition is proposed based on 14 CFR part 25, § 25.721(a)(1) that is applicable to airplanes having a passenger seating configuration of nine seats, or fewer.

Oxygen System Equipment and Supply

Continuous flow passenger oxygen equipment is certified for use up to 40,000 feet; however, for rapid decompressions above 34,000 feet, reverse diffusion leads to low oxygen partial pressures in the lungs to the extent that a small percentage of passengers may lose useful consciousness at 35,000 feet even with the use of the continuous flow system. To prevent permanent physiological damage, the cabin altitude must not exceed 25,000 feet for more than 2 minutes. The maximum peak cabin altitude of 40,000 feet is consistent with the standards established for previous certification programs. In addition, at high altitudes the other aspects of decompression sickness have a significant detrimental effect on pilot performance (for example, a pilot can be incapacitated by internal expanding gases).

Decompression above the 37,000 foot limit depicted in Figure 4 approaches the physiological limits of the average person; therefore, every effort must be made to provide the pilots with adequate oxygen equipment to withstand these severe decompressions. Reducing the time interval between pressurization failure and the time the pilots receive oxygen will provide a safety margin against being incapacitated and can be accomplished by the use of mask-mounted regulators. The proposed special condition, therefore, would require pressure demand masks with mask-mounted regulators for the flightcrew. This combination of equipment will provide the best practical protection for the failures covered by this special conditions and for improbable failures not covered by the special conditions, provided the cabin altitude is limited.

Airspeed Indicating System

To maintain a level of safety consistent with that applied to previous part 23 jet airplanes, and to be consistent with the establishment of speed schedule performance requirements, it is appropriate to establish applicable requirements for determining and providing airspeed indicating system calibration information. Additionally, it is appropriate to establish special conditions requiring protection of the pitot tube from malfunctions associated with icing conditions. Current standards

in part 23 did not envision this type of airplane and the associated airspeed indicating system requirements. Special conditions are proposed to establish airspeed indicating system calibration and pitot tube ice protection requirements applicable to transport category jet airplanes.

Static Pressure System

To maintain a level of safety consistent with that applied to previous part 23 jet airplanes, and to be consistent with the establishment of speed schedule performance requirements, it is appropriate to establish applicable requirements for providing static pressure system calibration information in the AFM. Since aircraft of this type are frequently equipped with devices to correct the altimeter indication, it is also appropriate to establish requirements to ensure the continued availability of altitude information where such a device malfunctions. Current standards in part 23 did not envision this type of airplane and the associated static pressure requirements.

Minimum Flightcrew

The Sino Swearingen Model SJ30–2 operates at high altitudes and speeds not envisioned in part 23 and must be flown in a precise speed schedule to achieve flight manual takeoff and landing distances. Therefore, it is appropriate to specify workload considerations. Special conditions are proposed to specify the items to be considered in workload determination.

Airplane Flight Manual (AFM) Information

To be consistent with the performance special conditions, it is also necessary to require the maximum takeoff and landing weights, takeoff distances, and associated atmospheric conditions be made available to the pilot in the AFM and that the airplane be operated within its performance capabilities. Special conditions are proposed to add maximum takeoff weights, maximum landing weights, and minimum takeoff distances as limitations in the AFM. Additionally, special conditions are proposed to add takeoff flight path and procedures necessary to achieve the performance in the limitations section as information in the AFM.

Conclusion

In view of the design features discussed for the SJ30–2 Model airplane, the following special conditions are proposed. This action is not a rule of general applicability and affects only the model/series of airplane identified in these final special conditions.

List of Subjects in 14 CFR Part 23

Aircraft, Aviation safety, Signs and symbols.

Citation

The authority citation for these Special Conditions is as follows:

Authority: 49 U.S.C. 106(g); 40113, and 44701; 14 CFR 21.16 and 101; and 14 CFR 11.28 and 11.29.

The Proposed Special Conditions

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes the following special conditions as part of the type certification basis for the Sino Swearingen Model SJ30–2 airplane:

1. Protection of Electrical and Electronic Systems From High Intensity Radiated Field

Each system that performs critical functions must be designed and installed to ensure that the operation and operational capabilities of these systems to perform critical functions are not adversely affected when the airplane is exposed to high intensity radiated fields external to the airplane.

2. Performance: General

In addition to the requirements of § 23.45, the following apply:

(a) Unless otherwise prescribed, the applicant must select the takeoff, enroute, approach, and landing configurations for the airplane.

(b) The airplane configurations may vary with weight, altitude, and temperature, to the extent that they are compatible with the operating procedures required by paragraph (c) of this special condition.

(c) Unless otherwise prescribed, in determining the accelerate-stop distances, takeoff flight paths, takeoff distances, and landing distances, changes in the airplane's configuration, speed, power, and thrust, must be made in accordance with procedures established by the applicant for operation in service.

(d) Procedures for the execution of balked landings and discontinued approaches associated with the conditions prescribed in special conditions 10(d) and 12 must be established.

(e) The procedures established under paragraphs (c) and (d) of this special condition must:

(1) Be able to be consistently executed in service by crews of average skill;

(2) Use methods or devices that are safe and reliable; and

(3) Include allowance for any time delays, in the execution of the procedures, that may reasonably be expected in service.

3. Takeoff

Instead of complying with § 23.53, the following apply:

(a) In special conditions 4, 5, 6, and 7, the takeoff speeds, the accelerate-stop distance, the takeoff path, the takeoff distance, and takeoff run described must be determined:

(1) At each weight, altitude, and ambient temperature within the operation limits selected by the applicant; and

(2) In the selected configuration for takeoff.

(b) No takeoff made to determine the data required by this section may require exceptional piloting skill or alertness.

(c) The takeoff data must be based on a smooth, dry, hard-surfaced runway.

(d) The takeoff data must include, within the established operational limits of the airplane, the following operational correction factors:

(1) Not more than 50 percent of nominal wind components along the takeoff path opposite to the direction of takeoff, and not less than 150 percent of nominal wind components along the takeoff path in the direction of takeoff.

(2) Effective runway gradients.

4. Takeoff Speeds

Instead of compliance with § 23.51, the following apply:

(a) V_1 must be established in relation to V_{EF}, as follows:

(1) V_{EF} is the calibrated airspeed at which the critical engine is assumed to fail. V_{EF} must be selected by the applicant, but may not be less than V_{MCG} determined under § 23.149(f).

(2) V_1, in terms of calibrated airspeed, is the takeoff decision speed selected by the applicant; however, V_1 may not be less than V_{EF} plus the speed gained with the critical engine inoperative during the time interval between the instant at which the critical engine failed and the instant at which the pilot recognizes and reacts to the engine failure, as indicated by the pilot's application of the first retarding means during the accelerate-stop test.

(b) $V_{2\ min}$, in terms of calibrated airspeed, may not be less than the following:

(1) 1.2 V_{S1}

(2) 1.10 times V_{MC} established under § 23.149.

(c) V_2, in terms of calibrated airspeed, must be selected by the applicant to provide at least the gradient of climb required by special condition 10,

paragraph (b), but may not be less than the following:

(1) $V_{2\ min}$, and

(2) V_R plus the speed increment attained (in accordance with special condition 6(c)(2)) before reaching a height of 35 feet above the takeoff surface.

(d) V_{MU} is the calibrated airspeed at and above which the airplane can safely lift off the ground and continue the takeoff. V_{MU} speeds must be selected by the applicant throughout the range of thrust-to-weight ratios to be certified. These speeds may be established from free-air data if these data are verified by ground takeoff tests.

(e) V_R, in terms of calibrated airspeed, must be selected in accordance with the following conditions of paragraphs (e)(1) through (e)(4) of this special condition:

(1) V_R may not be less than the following:

(i) V_1;

(ii) 105 percent of V_{MC};

(iii) The speed (determined in accordance with special condition 6, paragraph (c)(2)) that allows reaching V_2 before reaching a height of 35 feet above the takeoff surface; or

(iv) A speed that, if the airplane is rotated at its maximum practicable rate, will result in a V_{LOF} of not less than 110 percent of V_{MU} in the all-engines-operating condition and not less than 105 percent of V_{MU} determined at the thrust-to-weight ratio corresponding to the one-engine-inoperative condition.

(2) For any given set of conditions (such as weight, configuration, and temperature), a single value of V_R, obtained in accordance with this special condition, must be used to show compliance with both the one-engine-inoperative and the all-engines-operating takeoff provisions.

(3) It must be shown that the one-engine-inoperative takeoff distance, using a rotation speed of 5 knots less than V_R, established in accordance with paragraphs (e)(1) and (e)(2) of this special condition, does not exceed the corresponding one-engine-inoperative takeoff distance using the established V_R. The takeoff distances must be determined in accordance with special condition 7, paragraph (a)(1).

(4) Reasonably expecting variations in service from the established takeoff procedures for the operation of the airplane (such as over-rotation of the airplane and out-of-trim conditions) may not result in unsafe flight characteristics or in marked increases in the scheduled takeoff distances established in accordance with special condition 7.

(f) V_{LOF} is the calibrated airspeed at which the airplane first becomes airborne.

5. Accelerate-Stop Distance

In the absence of specific accelerate-stop distance requirements, the following apply:

(a) The accelerate-stop distance is the sum of the distances necessary to—

(1) Accelerate the airplane from a standing start to V_{EF} with all engines operating;

(2) Accelerate the airplane from V_{EF} to V_1, assuming that the critical engine fails at VEF; and

(3) Come to a full stop from the point at which V_1 is reached assuming that, in the case of engine failure, the pilot has decided to stop as indicated by application of the first retarding means at the speed V1.

(b) Means other than wheel brakes may be used to determine the accelerate-stop distance if that means—

(1) Is safe and reliable;

(2) Is used so that consistent results can be expected under normal operating conditions; and

(3) Is such that exceptional skill is not required to control the airplane.

(c) The landing gear must remain extended throughout the accelerate-stop distance.

6. Takeoff Path

In the absence of specific takeoff path requirements, the following apply:

(a) The takeoff path extends from a standing start to a point in the takeoff at which the airplane is 1,500 feet above the takeoff surface, or at which the transition from the takeoff to the enroute configuration is completed and a speed is reached at which compliance with special condition 10, paragraph (c), is shown, whichever point is higher. In addition the following apply:

(1) The takeoff path must be based on procedures prescribed in special condition 2.

(2) The airplane must be accelerated on the ground to V_{EF}, at which point the critical engine must be made inoperative and remain inoperative for the rest of the takeoff; and

(3) After reaching V_{EF}, the airplane must be accelerated to V_2.

(b) During the acceleration to speed V_2, the nose gear may be raised off the ground at a speed not less than VR. However, landing gear retraction may not begin until the airplane is airborne.

(c) During the takeoff path determination, in accordance with paragraphs (a) and (b) of this special condition, the following apply:

(1) The slope of the airborne part of the takeoff path must be positive at each point;

(2) The airplane must reach V_2 before it is 35 feet above the takeoff surface and must continue at a speed as close as practical to, but not less than, V_2 until it is 400 feet above the takeoff surface;

(3) At each point along the takeoff path, starting at the point at which the airplane reaches 400 feet above the takeoff surface, the available gradient of climb may not be less than 1.2 percent;

(4) Except for gear retraction, the airplane configuration may not be changed, and no change in power or thrust that requires action by the pilot may be made, until the airplane is 400 feet above the takeoff surface.

(d) The takeoff path must be determined by a continuous demonstrated takeoff or by synthesis from segments. If the takeoff path is determined by the segmental method, the following apply:

(1) The segments must be clearly defined and must be related to the distinct changes in the configuration, speed, and power or thrust;

(2) The weight of the airplane, the configuration, and the power or thrust must be constant throughout each segment and must correspond to the most critical condition prevailing in the segment;

(3) The flight path must be based on the airplane's performance without ground effect; and

(4) The takeoff path data must be checked by continuous demonstrated takeoffs, up to the point at which the airplane is out of ground effect and its speed is stabilized, to ensure that the path is conservative relative to the continuous path.

Note: The airplane is considered to be out of the ground effect when it reaches a height equal to its wing span.

7. Takeoff Distance and Takeoff Run

In the absence of specific takeoff distance and takeoff run requirements, the following apply:

(a) Takeoff distance is the greater of the following:

(1) The horizontal distance along the takeoff path from the start of the takeoff to the point at which the airplane is 35 feet above the takeoff surface, determined under special condition 6; or

(2) 115 percent of the horizontal distance along the takeoff path, with all engines operating, from the start of the takeoff to the point at which the airplane is 35 feet above the takeoff surface, as determined by a procedure consistent with special condition 6.

(b) If the takeoff distance includes a clear way, the takeoff run is the greater of:

(1) The horizontal distance along the takeoff path from the start of the takeoff to a point equidistant between the point at which V_{LOF} is reached and the point at which the airplane is 35 feet above the takeoff surface, as determined under special condition 6; or

(2) 115 percent of the horizontal distance along the takeoff path, with all engines operating, from the start of the takeoff to a point equidistant between the point at which V_{LOF} is reached and the point at which the airplane is 35 feet above the takeoff surface, determined by a procedure consistent with special condition 6.

8. Takeoff Flight Path

In the absence of specific takeoff flight path requirements, the following apply:

(a) The takeoff flight path begins 35 feet above the takeoff surface at the end of the takeoff distance determined in accordance with special condition 7.

(b) The net takeoff flight path data must be determined so that they represent the actual takeoff flight paths (determined in accordance with special condition 6 and with paragraph (a) of this special condition) reduced at each point by a gradient of climb equal to 0.8 percent.

(c) The prescribed reduction in climb gradient may be applied as an equivalent reduction in acceleration along that part of the takeoff flight path at which the airplane is accelerated in level flight.

9. Climb: General

Instead of compliance with § 23.63, the following applies: Compliance with the requirements of special conditions 10 and 12 must be shown at each weight, altitude, and ambient temperature within the operational limits established for the airplane and with the most unfavorable center of gravity for each configuration.

10. Climb: One Engine Inoperative

Instead of compliance with § 23.67, the following apply:

(a) Takeoff; landing gear extended. In the critical takeoff configuration existing along the flight path (between the points at which the airplane reaches V_{LOF} and at which the landing gear is fully retracted) and in the configuration used in special condition 6 without ground effect, unless there is a more critical power operating condition existing later along the flight path before the point at which the landing gear is fully retracted, the steady gradient of climb must be positive at V_{LOF} and with the following:

(1) The critical engine inoperative and the remaining engines at the power or thrust available when retraction of the landing gear begins in accordance with special condition 6, and

(2) The weight equal to the weight existing when retraction of the landing gear begins, determined under special condition 6.

(b) Takeoff; landing gear retracted. In the takeoff configuration existing at the point of the flight path at which the landing gear is fully retracted and in the configuration used in special condition 6, without ground effect, the steady gradient of climb may not be less than 2.4 percent at V_2 and with the following:

(1) The critical engine inoperative, the remaining engines at the takeoff power or thrust available at the time the landing gear is fully retracted, determined under special condition 6 unless there is a more critical power operating condition existing later along the flight path but before the point where the airplane reaches a height of 400 feet above the takeoff surface; and

(2) The weight equal to the weight existing when the airplane's landing gear is fully retracted, determined under special condition 6.

(c) Final takeoff. In the enroute configuration at the end of the takeoff path, determined in accordance with special condition 6, the steady gradient of climb may not be less than 1.2 percent at not less than 1.25 V_S and with the following:

(1) The critical engine inoperative and the remaining engines at the available maximum continuous power or thrust; and

(2) The weight equal to the weight existing at the end of the takeoff path, determined under special condition 6.

(d) Approach. In the approach configuration corresponding to the normal all-engines-operating procedure in which V_S for this configuration does not exceed 110 percent of the V_S for the related landing configuration, the steady gradient of climb may not be less than 2.1 percent with the following:

(1) The critical engine inoperative, the remaining engine at the available in-flight takeoff power or thrust;

(2) The maximum landing weight; and

(3) A climb speed established in connection with normal landing procedures, but not exceeding 1.5 V_S.

11. Landing

Instead of compliance with § 23.75, the following apply:

(a) The horizontal distance necessary to land and to come to a complete stop from a point 50 feet above the landing surface must be determined (for each weight, altitude, temperature, and wind within the operational limits established by the applicant for the airplane), as follows:

(1) The airplane must be in the landing configuration.

(2) A steady approach at a gradient of descent not greater than 5.2 percent (3 degrees), with an airspeed of not less than V_{REF}, determined in accordance with § 23.73(b), must be maintained down to the 50-foot height.

(3) Changes in configuration, power or thrust, and speed, must be made in accordance with the established procedures for service operation.

(4) The landing must be made without excessive vertical acceleration, tendency to bounce, nose over, ground loop, or porpoise.

(5) The landings may not require exceptional piloting skill or alertness.

(6) It must be shown that a safe transition to the balked landing conditions of special condition 12 can be made from the conditions that exist at the 50-foot height.

(b) The landing distance must be determined on a level, smooth, dry, hard-surfaced runway. In addition, the following apply:

(1) The brakes may not be used so as to cause excessive wear of brakes or tires; and

(2) Means other than wheel brakes may be used if that means is as follows:

(i) Is safe and reliable;

(ii) Is used so that consistent results can be expected in service; and

(iii) Is such that exceptional skill is not required to control the airplane.

(c) The landing distance data must include correction factors for not more than 50 percent of the nominal wind components along the landing path opposite to the direction of landing and not less than 150 percent of the nominal wind components along the landing path in the direction of landing.

(d) If any device is used that depends on the operation of any engine, and if the landing distance would be noticeably increased when a landing is made with that engine inoperative, the landing distance must be determined with that engine inoperative unless the use of compensating means will result in a landing distance not more than that with each engine operating.

12. Balked Landing

Instead of compliance with § 23.77, the following apply:

In the landing configuration, the steady gradient of climb may not be less than 3.2 percent with the following:

(a) The engines at the power or thrust that is available eight seconds after initiation of movement of the power or thrust controls from the minimum flight idle to the inflight takeoff position; and

(b) A climb speed of not more than V_{REF} as defined in § 23.73(a).

13. Stall Speed

Instead of compliance with § 23.49, the following apply:

(a) V_S is the calibrated stalling speed, or the minimum steady flight speed, in knots, at which the airplane is controllable, with—

(1) Zero thrust at the stalling speed, or, if the resultant thrust has no appreciable effect on the stalling speed, with engines idling and throttles closed;

(2) The weight used when V_S is being used as a factor to determine compliance with a required performance standard; and

(3) The most unfavorable center of gravity allowable.

(b) The stalling speed V_S is the minimum speed obtained as follows:

(1) Trim the airplane for straight flight at any speed not less than 1.2 V_S or more than 1.4 V_S. At a speed sufficiently above the stall speed to ensure steady conditions, apply the elevator control at a rate so that the airplane speed reduction does not exceed one knot per second.

(2) Meet the flight characteristics provisions of special condition 19.

14. Trim

Instead of compliance with § 23.161, the following apply:

(a) General. Each airplane must meet the trim requirements of this special condition after being trimmed, and without further pressure upon or movement of the primary controls or their corresponding trim controls by the pilot or the automatic pilot.

(b) Lateral and directional trim. The airplane must maintain lateral and directional trim with the most adverse lateral displacement of the center of gravity within the relevant operating limitations during normally expected conditions of operation (including operation at any speed from 1.4 V_{S1} to V_{MO}/M_{MO}.)

(c) Longitudinal trim. The airplane must maintain longitudinal trim during the following:

(1) A climb with maximum continuous power at a speed not more than 1.4 V_{S1}, with the landing gear retracted, and the flaps in the following positions:

(i) Retracted, and

(ii) In the takeoff position.

(2) A power approach with a 3 degree angle of descent, the landing gear extended, and with the following:

(i) The wing flaps retracted and at a speed of 1.4 V_{S1}; and

(ii) The applicable airspeed and flap position used in showing compliance with special condition 11.

(3) Level flight at any speed from 1.4 V_{S1} to V_{MO}/M_{MO} with the landing gear and flaps retracted, and from 1.4 V_{S1} to VLE with the landing gear extended.

(d) Longitudinal, directional, and lateral trim. The airplane must maintain longitudinal, directional, and lateral trim (for the lateral trim, the angle of bank may not exceed five degrees) at 1.4 V_{S1} during climbing flight with the following:

(1) The critical engine inoperative;

(2) The remaining engine at maximum continuous power or thrust; and

(3) The landing gear and flaps retracted.

15. Static Longitudinal Stability

Instead of compliance with § 23.173, the following apply:

Under the conditions specified in special condition 16, the characteristics of the elevator control forces (including friction) must be as follows:

(a) A pull must be required to obtain and maintain speeds below the specified trim speed, and a push must be required to obtain and maintain speeds above the specified trim speed. This must be shown at any speed that can be obtained except speeds higher than the landing gear or wing flap operating limit speeds or V_{FC}/M_{FC}, whichever is appropriate, or lower than the minimum speed for steady unstalled flight.

(b) The airspeed must return to within 10 percent of the original trim speed for the climb, approach, and landing conditions specified in special condition 16, paragraph (a), (c), and (d), and must return to within 7.5 percent of the original trim speed for the cruising condition specified in special condition 16, paragraph (b), when the control force is slowly released from any speed within the range specified in paragraph (a) of this special condition.

(c) The average gradient of the stable slope of the stick force versus speed curve may not be less than 1 pound for each 6 knots.

(d) Within the free return speed range specified in paragraph (b) of this special condition, it is permissible for the airplane, without control forces, to stabilize on speeds above or below the desired trim speeds if exceptional attention on the part of the pilot is not required to return to and maintain the desired trim speed and altitude.

16. Demonstration of Static Longitudinal Stability

Instead of compliance with § 23.175, static longitudinal stability must be shown as follows:

(a) Climb. The stick force curve must have a stable slope at speeds between 85 and 115 percent of the speed at which the airplane—

(1) Is trimmed, with—

(i) Wing flaps retracted;

(ii) Landing gear retracted;

(iii) Maximum takeoff weight; and

(iv) The maximum power or thrust selected by the applicant as an operating limitation for use during climb; and

(2) Is trimmed at the speed for best rate of climb except that the speed need not be less than 1.4 V_{S1}.

(b) Cruise. Static longitudinal stability must be shown in the cruise condition as follows:

(1) With the landing gear retracted at high speed, the stick force curve must have a stable slope at all speeds within a range which is the greater of 15 percent of the trim speed plus the resulting free return speed range, or 50 knots plus the resulting free return speed range, above and below the trim speed (except that the speed range need not include speeds less than 1.4 V_{S1}, nor speeds greater than V_{FC}/M_{FC}, nor speeds that require a stick force of more than 50 pounds), with—

(i) The wing flaps retracted;

(ii) The center of gravity in the most adverse position;

(iii) The most critical weight between the maximum takeoff and maximum landing weights;

(iv) The maximum cruising power selected by the applicant as an operating limitation, except that the power need not exceed that required at V_{MO}/M_{MO}; and

(v) The airplane trimmed for level flight with the power required in paragraph (b)(1)(iv) of this special condition.

(2) With the landing gear retracted at low speed, the stick force curve must have a stable slope at all speeds within a range which is the greater of 15 percent of the trim speed plus the resulting free return speed range, or 50 knots plus the resulting free return speed range, above and below the trim speed (except that the speed range need not include speeds less than 1.4 V_{S1}, nor speeds greater than the minimum speed of the applicable speed range prescribed in paragraph (b)(1), nor speeds that require a stick force of more than 50 pounds), with—

(i) Wing flaps, center of gravity position, and weight as specified in paragraph (b)(1) of this special condition;

(ii) Power required for level flight at a speed equal to $(V_{MO} + 1.4\ V_{S1})/2$; and

(iii) The airplane trimmed for level flight with the power required in paragraph (b)(2)(ii) of this special condition.

(3) With the landing gear extended, the stick force curve must have a stable slope at all speeds within a range which

is the greater of 15 percent of the trim speed plus the resulting free return speed range, or 50 knots plus the resulting free return speed range, above and below the trim speed (except that the speed range need not include speeds less than 1.4 V_{S1}, nor speeds greater than V_{LE}, nor speeds that require a stick force of more than 50 pounds), with—

(i) Wing flap, center of gravity position, and weight as specified in paragraph (b)(1) of this section;

(ii) The maximum cruising power selected by the applicant as an operating limitation, except that the power need not exceed that required for level flight at V_{LE}; and

(iii) The aircraft trimmed for level flight with the power required in paragraph (b)(3)(ii) of this section.

(c) Approach. The stick force curve must have a stable slope at speeds between 1.1 V_{S1} and 1.8 V_{S1}, with—

(1) Wing flaps in the approach position;

(2) Landing gear retracted;

(3) Maximum landing weight; and

(4) The airplane trimmed at 1.4 V_{S1} with enough power to maintain level flight at this speed.

(d) Landing. The stick force curve must have a stable slope, and the stick force may not exceed 80 pounds, at speeds between 1.1 V_{S0} and 1.3 V_{S0} with—

(1) Wing flaps in the landing position;

(2) Landing gear extended;

(3) Maximum landing weight;

(4) Power or thrust off on the engines; and

(5) The airplane trimmed at 1.4 V_{S0} with power or thrust off.

17. Static Directional and Lateral Stability

Instead of compliance with § 23.177, the following apply:

(a) The static directional stability (as shown by the tendency to recover from a skid with the rudder free) must be positive for any landing gear and flap position, and it must be positive for any symmetrical power condition to speeds from 1.2 V_{S1} up to V_{FE}, V_{LE}, or V_{FC}/M_{FC} (as appropriate).

(b) The static lateral stability (as shown by the tendency to raise the low wing in a sideslip with the aileron controls free and for any landing gear position and flap position, and for any symmetrical power conditions) may not be negative at any airspeed (except speeds higher than V_{FE} or V_{LE}, when appropriate) in the following airspeed ranges:

(1) From 1.2 V_{S1} to V_{MO}/M_{MO}.

(2) From V_{MO}/M_{MO} to V_{FC}/M_{FC}, unless the Administrator finds that the divergence is—

(i) Gradual;

(ii) Easily recognizable by the pilot; and

(iii) Easily controllable by the pilot.

(c) In straight, steady, sideslips (unaccelerated forward slips) the aileron and rudder control movement and forces must be substantially proportional to the angle of the sideslip. The factor of proportionality must lie between limits found necessary for safe operation throughout the range of sideslip angles appropriate to the operation of the airplane. At greater angles, up to the angle at which full rudder control is used or when a rudder pedal force of 180 pounds is obtained, the rudder pedal forces may not reverse and increased rudder deflection must produce increased angles of sideslip. Unless the airplane has a yaw indicator, there must be enough bank accompanying sideslipping to clearly indicate any departure from steady unyawed flight.

18. Stall Demonstration

Instead of compliance with § 23.201, the following apply:

(a) Stalls must be shown in straight flight and in 30 degree banked turns with—

(1) Power off; and

(2) The power necessary to maintain level flight at 1.6 V_{S1} (where V_{S1} corresponds to the stalling speed with flaps in the approach position, the landing gear retracted, and maximum landing weight).

(b) In each condition required by paragraph (a) of this section, it must be possible to meet the applicable requirements of special condition 19 with—

(1) Flaps, landing gear, and deceleration devices in any likely combination of positions approved for operation;

(2) Representative weights within the range for which certification is requested;

(3) The most adverse center of gravity for recovery; and

(4) The airplane trimmed for straight flight at the speed prescribed in special condition 13).

(c) The following procedures must be used to show compliance with special condition 19;

(1) Starting at a speed sufficiently above the stalling speed to ensure that a steady rate of speed reduction can be established, apply the longitudinal control so that the speed reduction does not exceed one knot per second until the airplane is stalled.

(2) In addition, for turning flight stalls, apply the longitudinal control to achieve airspeed deceleration rates up to 3 knots per second.

(3) As soon as the airplane is stalled, recover by normal recovery techniques.

(d) The airplane is considered stalled when the behavior of the airplane gives the pilot a clear and distinctive indication of an acceptable nature that the airplane is stalled. Acceptable indications of a stall, occurring either individually or in combination, are—

(1) A nose-down pitch that cannot be readily arrested;

(2) Buffeting, of a magnitude and severity that is a strong and effective deterrent to further speed reduction; or

(3) The pitch control reaches the aft stop and no further increase in pitch attitude occurs when the control is held full aft for a short time before recovery is initiated.

19. Stall Characteristics

Instead of compliance with § 23.203, the following applies:

(a) It must be possible to produce and to correct roll and yaw by unreversed use of the aileron and rudder controls, up to the time the airplane is stalled. No abnormal nose up pitching may occur. The longitudinal control force must be positive up to and throughout the stall. In addition, it must be possible to promptly prevent stalling and to recover from a stall by normal use of the controls.

(b) For level wing stalls, the roll occurring between the stall and the completion of the recovery may not exceed approximately 20 degrees.

(c) For turning flight stalls, the action of the airplane after the stall may not be so violent or extreme as to make it difficult, with normal piloting skill, to effect a prompt recovery and to regain control of the airplane. The maximum bank angle that occurs during the recovery may not exceed—

(1) Approximately 60 degrees in the original direction of the turn, or 30 degrees in the opposite direction, for deceleration rates up to 1 knot per second; and

(2) Approximately 90 degrees in the original direction of the turn, or 60 degrees in the opposite direction, for deceleration rates in excess of 1 knot per second.

20. Stall Warning

Instead of compliance with § 23.207, the following applies:

(a) Stall warning with sufficient margin to prevent inadvertent stalling with the flaps and landing gear in any normal position must be clear and distinctive to the pilot in straight and turning flight.

(b) The warning may be furnished either through the inherent aerodynamic qualities of the airplane or by a device

that will give clearly distinguishable indications under expected conditions of flight. However, a visual stall warning device that requires the attention of the crew within the cockpit is not acceptable by itself. If a warning device is used, it must provide a warning in each of the airplane configurations prescribed in paragraph (a) of this special condition at the speed prescribed in paragraph (c) of this special condition.

(c) The stall warning must begin at a speed exceeding the stalling speed (i.e., the speed at which the airplane stalls or the minimum speed demonstrated, whichever is applicable under the provisions of special condition 18, paragraph (d)) by seven percent or at any lesser margin if the stall warning has enough clarity, duration, distinctiveness, or similar properties.

21. Vibration and Buffeting

Instead of compliance with § 23.251, the following apply:

(a) The airplane must be designed to withstand any vibration and buffeting that might occur in any likely operating condition. This must be shown by calculations, resonance tests, or other tests found necessary by the Administrator.

(b) Each part of the airplane must be shown in flight to be free from excessive vibration, under any appropriate speed and power conditions up to V_{DF}/M_{DF}. The maximum speeds shown must be used in establishing the operating limitations of the airplane in accordance with special condition 36.

(c) Except as provided in paragraph (d) of this special condition, there may be no buffeting condition in normal flight, including configuration changes during cruise, severe enough to interfere with the control of the airplane, to cause excessive fatigue to the flightcrew, or to cause structural damage. Stall warning buffeting within these limits is allowable.

(d) There may be no perceptible buffeting condition in the cruise configuration in straight flight at any speed up to V_{MO}/M_{MO}, except that stall warning buffeting is allowable.

(e) With the airplane in the cruise configuration, the positive maneuvering load factors at which the onset of perceptible buffeting occurs must be determined for the ranges of airspeed or Mach Number, weight, and altitude for which the airplane is to be certified. The envelopes of load factor, speed, altitude, and weight must provide a sufficient range of speeds and load factors for normal operations. Probable inadvertent excursions beyond the boundaries of the buffet onset envelopes may not result in unsafe conditions.

22. High Speed Characteristics

Instead of compliance with § 23.253, the following apply:

(a) Speed increase and recovery characteristics. The following speed increase and recovery characteristics must be met:

(1) Operating conditions and characteristics likely to cause inadvertent speed increases (including upsets in pitch and roll) must be simulated with the airplane trimmed at any likely cruise speed up to V_{MO}/M_{MO}. These conditions and characteristics include gust upsets, inadvertent control movements, low stick force gradient in relation to control friction, passenger movement, leveling off from climb, and descent from mach to airspeed limit altitudes.

(2) Allowing for pilot reaction time after effective inherent or artificial speed warning occurs, it must be shown that the airplane can be recovered to a normal attitude and its speed reduced to V_{MO}/M_{MO} without the following:

(i) Exceptional piloting strength or skill;

(ii) Exceeding V_D/M_D, or V_{DF}/M_{DF}, or the structural limitations; and

(iii) Buffeting that would impair the pilot's ability to read the instruments or control the airplane for recovery.

(3) There may be no control reversal about any axis at any speed up to V_{DF}/M_{DF} with the airplane trimmed at V_{MO}/M_{MO}. Any tendency of the airplane to pitch, roll or yaw must be mild and readily controllable, using normal piloting techniques. When the airplane is trimmed at V_{MO}/M_{MO}, the slope of the elevator control force versus speed curve need not be stable at speeds greater than V_{FC}/M_{FC}, but there must be a push force at all speeds up to V_{DF}/M_{DF} and there must be no sudden or excessive reduction of elevator control force as V_{DF}/M_{DF} is reached.

(b) Maximum speed for stability characteristics. V_{FC}/M_{FC}.. V_{FC}/M_{FC} is the maximum speed at which the requirements of special conditions 15, 16, 17, and § 23.181 must be met with the flaps and landing gear retracted. It may not be less than a speed midway between V_{MO}/M_{MO} and V_{DF}/M_{DF} except that, for altitudes where Mach number is the limiting factor, M_{FC} need not exceed the Mach number at which effective speed warning occurs.

23. Flight Flutter Testing

Instead of the term/speed V_D in § 23.629(b), use V_{DF}/M_{DF}.

24. Out-of-Trim Characteristics

In the absence of specific requirements for out-of-trim characteristics, the Sino Swearingen Model SJ30–2 must comply with the following:

(a) From an initial condition with the airplane trimmed at cruise speeds up to V_{MO}/M_{MO}, the airplane must have satisfactory maneuvering stability and controllability with the degree of out-of-trim in both the airplane nose-up and nose-down directions, which results from the greater of the following:

(1) A three-second movement of the longitudinal trim system at its normal rate for the particular flight condition with no aerodynamic load (or an equivalent degree of trim for airplanes that do not have a power-operated trim system), except as limited by stops in the trim system including those required by § 23.655(b) for adjustable stabilizers; or

(2) The maximum mis-trim that can be sustained by the autopilot while maintaining level flight in the high speed cruising condition.

(b) In the out-of-trim condition specified in paragraph (a) of this special condition, when the normal acceleration is varied from +1 g to the positive and negative values specified in paragraph (c) of this special condition, the following apply:

(1) The stick force versus g curve must have a positive slope at any speed up to and including V_{FC}/M_{FC}; and

(2) At speeds between V_{FC}/M_{FC} and V_{DF}/M_{DF}, the direction of the primary longitudinal control force may not reverse.

(c) Except as provided in paragraph (d) and (e) of this special condition, compliance with the provisions of paragraph (a) of this special condition must be demonstrated in flight over the acceleration range as follows:

(1) −1 g to +2.5 g; or

(2) 0 g to 2.0 g, and extrapolating by an acceptable method to −1 g and +2.5 g.

(d) If the procedure set forth in paragraph (c)(2) of this special condition is used to demonstrate compliance and marginal conditions exist during flight test with regard to reversal of primary longitudinal control force, flight tests must be accomplished from the normal acceleration at which a marginal condition is found to exist to the applicable limit specified in paragraph (b)(1) of this special condition.

(e) During flight tests required by paragraph (a) of this special condition, the limit maneuvering load factors, prescribed in §§ 23.333(b) and 23.337, need not be exceeded. Also, the

maneuvering load factors associated with probable inadvertent excursions beyond the boundaries of the buffet onset envelopes determined under special condition 21, paragraph (e), need not be exceeded. In addition, the entry speeds for flight test demonstrations at normal acceleration values less than 1 g must be limited to the extent necessary to accomplish a recovery without exceeding V_{DF}/M_{DF}.

(f) In the out-of-trim condition specified in paragraph (a) of this special condition, it must be possible from an overspeed condition at V_{DF}/M_{DF} to produce at least 1.5 g for recovery by applying not more than 125 pounds of longitudinal control force using either the primary longitudinal control alone or the primary longitudinal control and the longitudinal trim system. If the longitudinal trim is used to assist in producing the required load factor, it must be shown at V_{DF}/M_{DF} that the longitudinal trim can be actuated in the airplane nose-up direction with the primary surface loaded to correspond to the least of the following airplane nose-up control forces:

(1) The maximum control forces expected in service, as specified in §§ 23.301 and 23.397.

(2) The control force required to produce 1.5 g.

(3) The control force corresponding to buffeting or other phenomena of such intensity that is a strong deterrent to further application of primary longitudinal control force.

25. Pressure Vessel Integrity

(a) The maximum extent of failure and pressure vessel opening that can be demonstrated to comply with special condition 31 (Pressurization) of these special conditions must be determined. It must be demonstrated by crack propagation and damage tolerance analysis supported by testing that a larger opening or a more severe failure than demonstrated will not occur in normal operations.

(b) Inspection schedules and procedures must be established to ensure that cracks and normal fuselage leak rates will not deteriorate to the extent that an unsafe condition could exist during normal operation.

(c) With regard to the fuselage structure design for cabin pressure capability above 45,000 feet, the pressure vessel structure, including doors and windows, must comply with § 23.365(d), using a factor of 1.67 instead of the 1.33 factor prescribed.

26. Fasteners

In addition to the requirements of § 23.607, the following apply to fasteners:

(a) Each removable bolt, screw, nut, pin, or their removable fastener must incorporate two separate locking devices if the following apply:

(1) Its loss could preclude continued flight and landing within the design limitations of the airplane using normal pilot skill and strength, or

(2) Its loss could result in reduction in pitch, yaw, or roll control capability or response below that required by subpart B of this chapter and these special conditions.

(b) The fasteners specified in paragraph (a) of this section and their locking devices may not be adversely affected by the environmental conditions associated with the particular installation.

27. Landing Gear

The main landing gear system must be designed so that if it fails due to overloads during takeoff or landing (assuming the overloads to act in the upward and aft directions), the failure mode is not likely to cause the spillage of enough fuel from any fuel system in the fuselage to constitute a fire hazard.

28. Ventilation

In addition to the requirements of § 23.831(b), the ventilation system must be designed to provide a sufficient amount of uncontaminated air to enable the crewmembers to perform their duties without undue discomfort or fatigue and to provide reasonable passenger comfort during normal operation conditions and in the event of any probable failure of any system on the airplane that would adversely affect the cabin ventilating air. For normal operations, crewmembers and passengers must be provided with at least 10 cubic feet of fresh air per minute per person, or the equivalent in filtered recirculated air, based on the volume and composition at the corresponding cabin pressure altitude of no more than 8,000 feet.

29. Air Conditioning

In addition to the requirements of § 23.831, cabin cooling systems must be designed to meet the following conditions during flight above 15,000 feet MSL:

(a) After any probable failure, the cabin temperature/time history may not exceed the values shown in Figure 1. During this time period, the humidity shall never exceed a level that corresponds to a water vapor pressure of 20mm Hg. Time = 0 minutes when the flightcrew recognizes the failure.

(b) After any improbable failure, the cabin temperature/time history may not exceed the values shown in Figure 2. During this time period, the humidity shall never exceed a level that corresponds to a water vapor pressure of 20mm Hg. Time = 0 minutes when the flightcrew recognizes the failure.

30. Pressurization

In addition to the requirements of § 23.841, the following apply—

(a) The pressurization system—which includes, for this purpose, bleed air, air conditioning, and pressure control systems—must prevent the cabin altitude from exceeding the cabin altitude-time history shown in Figure 3 after each of the following:

(1) Any probable malfunction or failure of the pressurization system. The existence of undetected, latent malfunctions or failures in conjunction with probable failures must be considered.

(2) Any single failure in the pressurization system, combined with the occurrence of a leak produced by a complete loss of a door seal element, or a fuselage leak through an opening having an effective area 2.0 times the effective area that produces the maximum permissible fuselage leak rate approved for normal operation, whichever produces a more severe leak.

(b) The cabin altitude-time history may not exceed that shown in Figure 4 after each of the following:

(1) The maximum pressure vessel opening resulting from an initially detectable crack propagating for a period encompassing four normal inspection intervals. Mid-panel cracks and cracks through skin-stringer and skin-frame combinations must be considered.

(2) The pressure vessel opening or duct failure resulting from probable damage (failure effect) while under maximum operating cabin pressure differential due to a tire burst, engine rotor burst, loss of antennas or stall warning vanes, or any probable equipment failure (bleed air, pressure control, air conditioning, electrical sources(s), etc.) that affects pressurization.

(3) Complete loss of thrust from all engines.

(c) In showing compliance with paragraphs (a) and (b) of this special condition (Pressurization), it may be assumed that an emergency descent is made by approved emergency procedure. A seventeen-second flightcrew recognition and reaction time must be applied between cabin altitude

warning and the initiation of an emergency descent.

Note: For the flight evaluation of the rapid descent, the test article must have the cabin volume representative of what is expected to be normal, such that Sino Swearingen must reduce the total cabin volume by that which would be occupied by the furnishings and total number of people.

31. Airspeed Indicating System

In addition to the requirements of § 23.1323, the following apply:

(a) The airspeed indicating system must be calibrated to determine the system error in flight and during the accelerate-takeoff ground run. The ground run calibration must be determined as follows:

(1) From 0.8 of the minimum value of V_1 to the maximum value of V_2, considering the approved ranges of altitude and weight; and

(2) With the flaps and power settings corresponding to the values determined in the establishment of the takeoff path under special condition 6, assuming that the critical engine fails at the minimum value of V_1.

(b) The information showing the relationship between IAS and CAS, determined in accordance with paragraph (a) of this special condition, must be shown in the Airplane Flight Manual.

32. Static Pressure System

In addition to the requirements of § 23.1325, the following apply:

(a) The altimeter system calibration required by § 23.1325(e) must be shown in the Airplane Flight Manual.

(b) If an altimeter system is fitted with a device that provides corrections to the altimeter indication, the device must be designed and installed in such manner that it can be by-passed when it malfunctions, unless an alternate altimeter system is provided. Each correction device must be fitted with a means for indicating the occurrence of reasonably probable malfunctions, including power failure, to the flightcrew. The indicating means must be effective for any cockpit lighting condition likely to occur.

33. Oxygen Equipment and Supply

(a) In addition to the requirements of § 23.1441(d), the following applies: A quick-donning oxygen mask system with a pressure-demand, mask mounted regulator must be provided for the flightcrew. It must be shown that each quick-donning mask can, with one hand and within 5 seconds, be placed on the face from its ready position, properly secured, sealed, and supplying oxygen upon demand.

(b) In addition to the requirements of § 23.1443, the following applies: A continuous flow oxygen system must be provided for the passengers.

(c) In addition to the requirements of § 23.1445, the following applies: If the flightcrew and passengers share a common source of oxygen, a means to separately reserve the minimum supply required by the flightcrew must be provided.

34. Maximum Operating Limit Speed

Instead of compliance with § 23.1505(c), the following applies: The maximum operating limit speed (V_{MO}/M_{MO} airspeed or Mach number, whichever is critical at a particular altitude) is a speed that may not be deliberately exceeded in any regime of flight (climb, cruise, or descent), unless a higher speed is authorized for flight test or pilot training operations. V_{MO}/M_{MO} must be established so that it is not greater than the design cruising speed, V_C, and so that it is sufficiently below V_D/M_D, or V_{DF}/M_{DF}, to make it highly improbable that the latter speeds will be inadvertently exceeded in operations. The speed margin between V_{MO}/M_{MO} and V_D/M_D, or V_{DF}/M_{DF}, may not be less than that determined under § 23.335(b) or found necessary during the flight tests conducted under special condition 22.

35. Minimum Flightcrew

Instead of compliance with § 23.1523, the following apply:

The minimum flightcrew must be established so that it is sufficient for safe operation considering:

(a) The workload on individual flightcrew members and each flightcrew member workload determination must consider the following:

(1) Flight path control,
(2) Collision avoidance,
(3) Navigation,
(4) Communications,
(5) Operation and monitoring of all essential airplane systems,
(6) Command decisions, and
(7) The accessibility and ease of operation of necessary controls by the appropriate flightcrew member during all normal and emergency operations when at the flightcrew member station.

(b) The accessibility and ease of operation of necessary controls by the appropriate flightcrew member; and

(c) The kinds of operation authorized under § 23.1525.

36. Airplane Flight Manual

Instead of compliance with § 23.1581, the following applies:

(a) Furnishing information. An Airplane Flight Manual must be furnished with each airplane, and it must contain the following:

(1) Information required by special conditions 39, 40, and 41.

(2) Other information that is necessary for safe operation because of design, operating, or handling characteristics.

(3) Any limitation, procedure, or other information established as a condition of compliance with the applicable noise standards of Part 36 of this chapter.

(b) Approved Information. Each part of the manual listed in special conditions 39, 40, and 41, that is appropriate to the airplane, must be furnished, verified, and approved, and must be segregated, identified, and clearly distinguished from each unapproved part of that manual.

(c) Airplane Flight Manual. Each Airplane Flight Manual must include a table of contents if the complexity of the manual indicates a need for it.

(d) Airplane Flight Manual. Each page of the Airplane Flight Manual containing information prescribed in this section must be of a type that is not easily erased, disfigured, or misplaced, and is capable of being inserted in a manual provided by the applicant, or in a folder, or in any other permanent binder.

(e) Airplane Flight Manual. Provision must be made for stowing the Airplane Flight Manual in a suitable fixed container which is readily accessible to the pilot.

(f) Revisions and amendments. Each Airplane Flight Manual (AFM) must contain a means for recording the incorporation of revisions and amendments.

37. Operating Limitations

Instead of the requirements of § 23.1583, the following apply:

(a) Airspeed limitations. The following airspeed limitations and any other airspeed limitations necessary for safe operation must be furnished:

(1) The maximum operating limit speed, V_{MO}/M_{MO}, and a statement that this speed limit may not be deliberately exceeded in any regime of flight (climb, cruise, or descent) unless a higher speed is authorized for flight test or pilot training.

(2) If an airspeed limitation is based upon compressibility effects, a statement to this effect and information as to any symptoms, the probable behavior of the airplane, and the recommended recovery procedures.

(3) The maneuvering speed, V_O, and a statement that full application of rudder and aileron controls, as well as maneuvers that involve angles of attack

near the stall, should be confined to speeds below this value.

(4) The maximum speed for flap extension, V_{FE}, for the takeoff, approach, and landing positions.

(5) The landing gear operating speed or speeds, V_{LO}.

(6) The landing gear extended speed, V_{LE} if greater than V_{LO}, and a statement that this is the maximum speed at which the airplane can be safely flown with the landing gear extended.

(b) Powerplant limitations. The following information must be furnished:

(1) Limitations required by § 23.1521.

(2) Explanation of the limitations, when appropriate.

(3) Information necessary for marking the instruments, required by §§ 23.1549 through 23.1553.

(c) Weight and loading distribution. The weight and extreme forward and aft center of gravity limits required by §§ 23.23 and 23.25 must be furnished in the Airplane Flight Manual. In addition, all of the following information and the information required by § 23.1589 must be presented either in the Airplane Flight Manual or in a separate weight and balance control and loading document, which is incorporated by reference in the Airplane Flight Manual:

(1) The condition of the airplane and the items included in the empty weight, as defined in accordance with § 23.29.

(2) Loading instructions necessary to ensure loading of the airplane within the weight and center of gravity limits, and to maintain the loading within these limits in flight.

(d) Maneuvers. A statement that acrobatic maneuvers, including spins, are not authorized.

(e) Maneuvering flight load factors. The positive maneuvering limit load factors for which the structure is proven, described in terms of accelerations, and a statement that these accelerations limit the angle of bank in turns and limit the severity of pull-up maneuvers must be furnished.

(f) Flightcrew. The number and functions of the minimum flightcrew must be furnished.

(g) Kinds of operation. The kinds of operation (such as VFR, IFR, day, or night) and the meteorological conditions in which the airplane may or may not be used must be furnished. Any installed equipment that affects any operating limitation must be listed and identified as to operational function.

(h) Additional operating limitations must be established as follows:

(1) The maximum takeoff weights must be established as the weights at which compliance is shown with the applicable provisions of part 23 (including the takeoff climb provisions of special condition 10 (a) through (c) for altitudes and ambient temperatures).

(2) The maximum landing weights must be established as the weights at which compliance is shown with the applicable provisions of part 23 (including the approach climb and balked landing climb provisions of special conditions 10(d) and 12 for altitudes and ambient temperatures).

(3) The minimum takeoff distances must be established as the distances at which compliance is shown with the applicable provisions of part 23 (including the provisions of special conditions 5 and 7 for weights, altitudes, temperatures, wind components, and runway gradients).

(4) The extremes for variable factors (such as altitude, temperature, wind, and runway gradients) are those at which compliance with the applicable provision of part 23 and these special conditions is shown.

(i) Maximum operating altitude. The maximum altitude established under § 23.1527 must be furnished.

(j) Maximum passenger seating configuration. The maximum passenger seating configuration must be furnished.

38. Operating Procedures

Instead of the requirements of § 23.1585, the following applies:

(a) Information and instruction regarding the peculiarities of normal operations (including starting and warming the engines, taxiing, operation of wing flaps, slats, landing gear, speed brake, and the automatic pilot) must be furnished, together with recommended procedures for the following:

(1) Engine failure (including minimum speeds, trim, operation of the remaining engine, and operation of flaps);

(2) Restarting turbine engines in flight (including the effects of altitude);

(3) Fire, decompression, and similar emergencies;

(4) Use of ice protection equipment;

(5) Operation in turbulence (including recommended turbulence penetration airspeeds, flight peculiarities, and special control instructions);

(6) The demonstrated crosswind velocity and procedures and information pertinent to operation of the airplane in crosswinds.

(b) Information identifying each operating condition in which the fuel system independence prescribed in § 23.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

(c) For each airplane showing compliance with § 23.1353(g)(2) or (g)(3), the operating procedures for disconnecting the battery from its charging source must be furnished.

(d) If the unusable fuel supply in any tank exceeds 5 percent of the tank capacity, or 1 gallon, whichever is greater, information must be furnished indicating that, when the fuel quantity indicator reads ''zero'' in level flight, any fuel remaining in the fuel tank cannot be used safely in flight.

(e) Information on the total quantity of usable fuel for each fuel tank must be furnished.

(f) The buffet onset envelopes determined under special condition 21 must be furnished. The buffet onset envelopes presented may reflect the center of gravity at which the airplane is normally loaded during cruise if corrections for the effect of different center of gravity locations are furnished.

39. Performance Information

Instead of the requirements of § 23.1587, the following applies:

(a) Each Airplane Flight Manual must contain information to permit conversion of the indicated temperature to free air temperature if other than a free air temperature indicator is used to comply with the requirements of § 23.1303(d).

(b) Each Airplane Flight Manual must contain the performance information computed under the applicable provisions of this part for the weights, altitudes, temperatures, wind components, and runway gradients, as applicable, within the operational limits of the airplane, and must contain the following:

(1) The conditions under which the performance information was obtained, including the speeds associated with the performance information.

(2) V_S determined in accordance with special condition 13.

(3) The following performance information (determined by extrapolation and computed for the range of weights between the maximum landing and maximum takeoff weights):

(i) Climb in the landing configuration.

(ii) Climb in the approach configuration.

(iii) Landing distance.

(4) Procedures established under special condition 2, paragraph (c), (d), and (e) that are related to the limitations and information required by paragraph (h) of special condition 39 and by this paragraph. These procedures must be in the form of guidance material, including any relevant limitations or information.

(5) An explanation of significant or unusual flight or ground handling characteristics of the airplane.

Issued in Kansas City, Missouri on February 10, 1997.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

BILLING CODE 4910–13–P

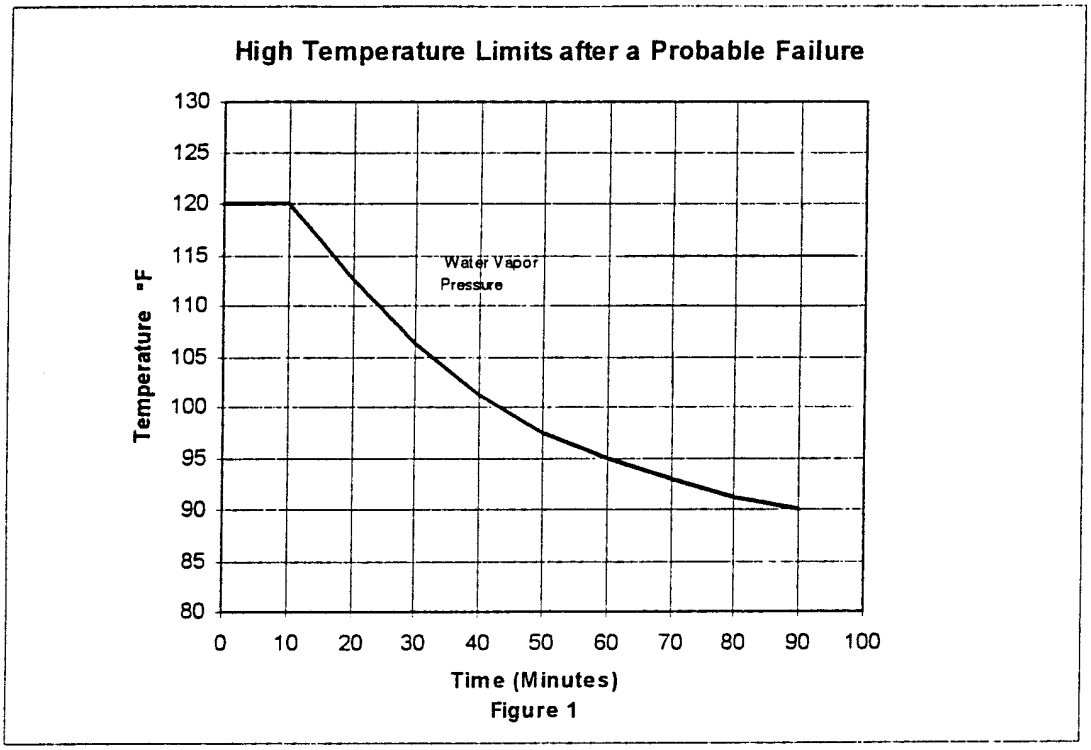

Figure 1

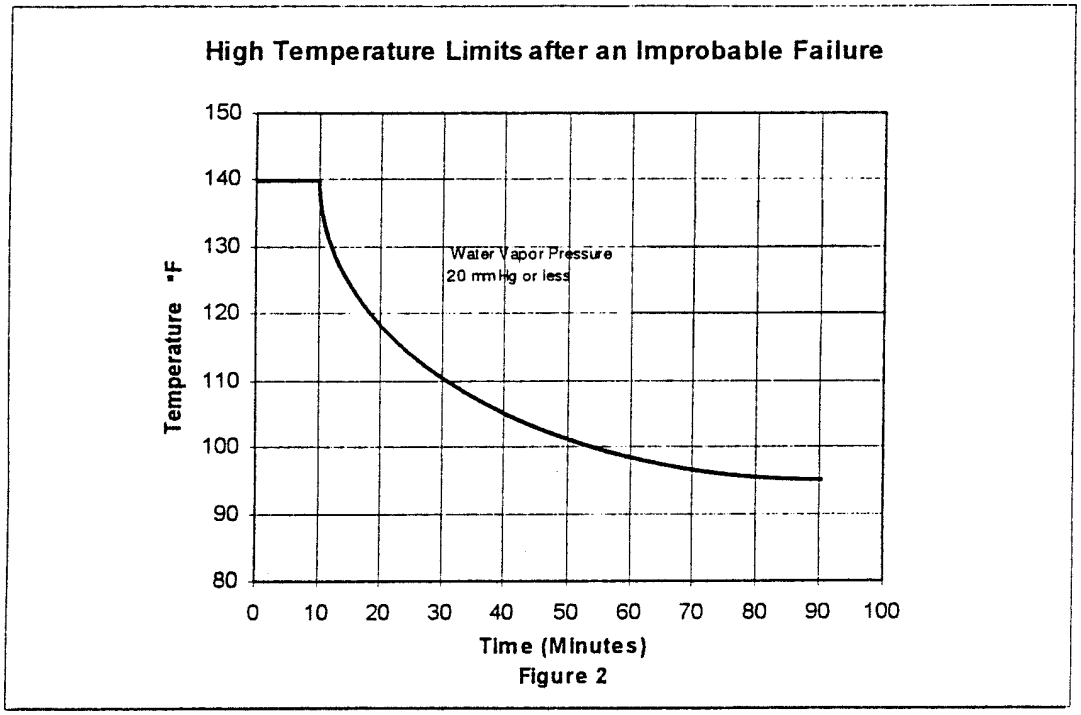

Figure 2

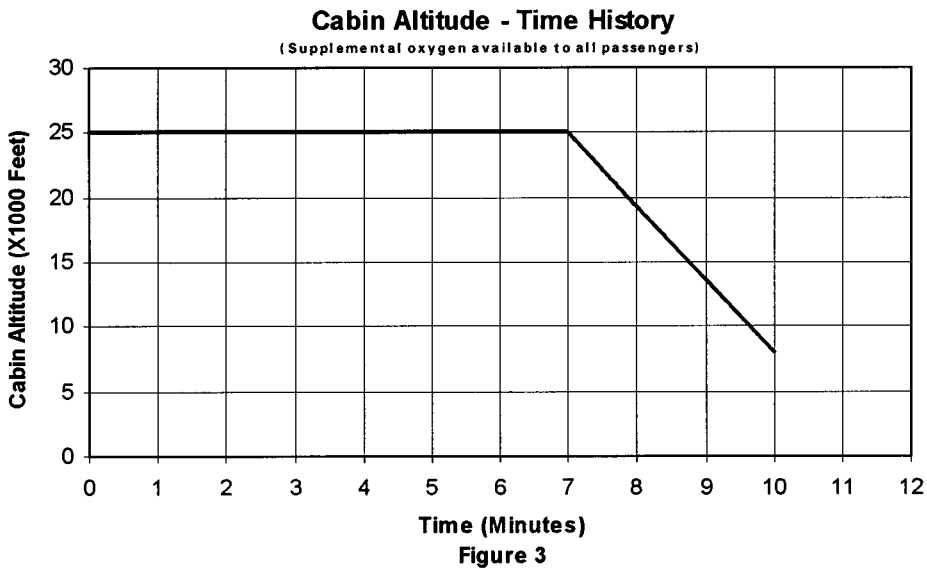

Figure 3

NOTE: For figure 3, time starts at the moment cabin altitude exceeds 8,000 feet during depressurization. If depressurization analysis shows that the cabin altitude limit of this curve is exceeded, the following alternate limitations apply: After depressurization, the maximum cabin altitude exceedence is limited to 30,000 feet. The maximum time the cabin altitude may exceed 25,000 feet is 2 minutes; time starting when the cabin altitude exceeds 25,000 feet and ending when it returns to 25,000 feet.

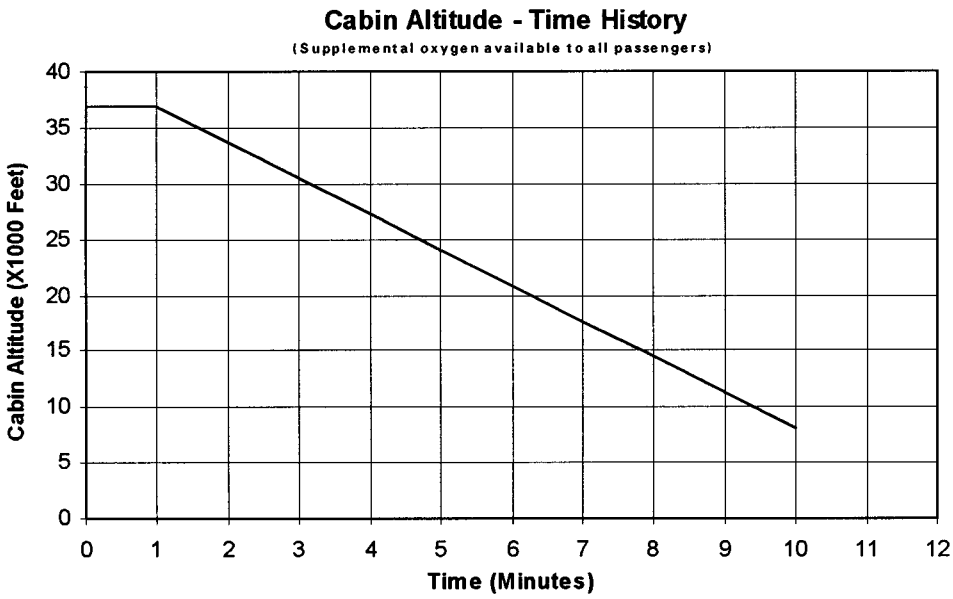

Figure 4

NOTE: For figure 4, time starts at the moment cabin altitude exceeds 8,000 feet during depressurization. If depressurization analysis shows that the cabin altitude limit of this curve is exceeded, the following alternate limitations apply: After depressurization, the maximum cabin altitude exceedence is limited to 40,000 feet. The maximum time the cabin altitude may exceed 25,000 feet is 2 minutes; time starting when the cabin altitude exceeds 25,000 feet and ending when it returns to 25,000 feet.

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 206 and 208

RIN 1010–AC09

Meetings on Proposed Rule—Oil Valuation Establishment; Federal Royalty and Federal Leases Royalty Oil Sales

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of revised meeting dates.

SUMMARY: This notice changes the dates for public meetings in Denver, Colorado, and Houston, Texas, to discuss a proposed rulemaking regarding the valuation of crude oil and royalty oil sales produced from mineral leases on Federal land. The new dates for the Denver and Houston meetings are April 15 and 17, 1997, respectively. The proposal was published in the Federal Register on January 24, 1997, (62 FR 3741). Comments on this rule must be submitted to Minerals Management Service (MMS) by April 28, 1997. The purpose of these meetings is to explain the proposed changes to the regulations governing the valuation for royalty purposes of crude oil produced from Federal leases and allow all interested parties to discuss the proposed rulemaking. Interested parties are invited to attend and participate at these meetings.

DATES: Public meetings will be held in Denver, Colorado, on April 15, 1997, from 10 a.m. to 4 p.m. Mountain time; and in Houston, Texas, on April 17, 1997, from 10 a.m. to 4 p.m. Central time.

ADDRESSES: The Denver Meeting will be held in the Veterans Affairs Building, 155 N. Van Gordon St., Lakewood, Colorado 80228, telephone number: (303) 914–5800.

The Houston Meeting will be held in the Houston Compliance Division Office, Minerals Management Service, 4141 North Sam Houston Parkway East, Houston, Texas 77032 telephone number: (281) 987–6802.

If you will be attending a meeting, please contact Mary Kay Reynolds at telephone number: (303) 275–7259 at least 2 days prior to the meeting.

FOR FURTHER INFORMATION CONTACT: David S. Guzy, Chief, Rules and Publications Staff, Minerals Management Service, Royalty Management Program, P.O. Box 25165, MS 3101, Denver, Colorado 80225–0165, telephone number: (303) 231–3432, fax number (303) 231–3194, e-Mail David __Guzy@smtp.mms.gov.

SUPPLEMENTARY INFORMATION: The meetings will be open to the public without advance registration. Public attendance may be limited to the space available. For building security measures, each person may be required to present a picture identification to gain entry to the meeting.

The meeting will be organized into two sessions:

- MMS presentation of proposed rule, 10 a.m. to 11 a.m.
- Public commenting on proposed rule, 11 a.m. to noon, and 1 p.m. to 4 p.m.

Members of the public may make statements during the meeting and are encouraged to file written statements for consideration.

Dated: February 19, 1997.

Joan Killgore,

Acting Associate Director for Royalty Management.

[FR Doc. 97–4490 Filed 2–19–97; 3:15 pm]

BILLING CODE 4310–MR–M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 943

[SPATS No. TX–033–FOR]

Texas Regulatory Program and Abandoned Mine Land Reclamation Plan

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Texas regulatory program and abandoned mine land reclamation plan (hereinafter the ''Texas program'') under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment consists of codification of the Texas Coal Mining Regulations in the Texas Administrative Code at Part 16, Economic Regulation, Chapter 12. The amendment is intended to conform the Texas Coal Mining Regulations to Texas Administrative Code formatting syntax, to correct typographical errors, and to allow for the publication of the rules in the Texas Administrative Code in full text rather than by reference.

DATES: Written comments must be received by 4:00 p.m., c.s.t, March 24, 1997. If requested, a public hearing on the proposed amendment will be held on March 18, 1997. Requests to speak at the hearing must be received by 4:00 p.m., c.s.t. on March 10, 1997.

ADDRESSES: Written comments and requests to speak at the hearing should be mailed or hand delivered to Ervin J. Barchenger, Acting Director, Tulsa Field Office, at the address listed below.

Copies of the Texas program, the proposed amendment, a listing of any scheduled public hearings, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free copy of the proposed amendment by contacting OSM's Tulsa Field Office.

Ervin J. Barchenger, Acting Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma, 74135–6547, Telephone: (918) 581–6430.

Surface Mining and Reclamation Division, Railroad Commission of Texas, 1701 North Congress Avenue, P.O. Box 12967, Austin, Texas, 78711–2967, Telephone: (512) 463–6900.

FOR FURTHER INFORMATION CONTACT: Ervin J. Barchenger, Acting Director, Tulsa Field Office, Telephone: (918) 581–6430.

SUPPLEMENTARY INFORMATION:

I. Background on the Texas Program

On February 16, 1980, the Secretary of the Interior conditionally approved the Texas program. General background information on the Texas program, including the Secretary's findings, the disposition of comments, and the conditions of approval can be found in the February 27, 1980, Federal Register (45 FR 12998). Subsequent actions concerning the Texas program can be found at 30 CFR 943.10, 943.15, and 943.16.

II. Description of the Proposed Amendment

By letter dated January 30, 1997 (Administrative Record No. TX–633), Texas submitted a proposed amendment to its program pursuant to SMCRA. Texas submitted the proposed amendment at its own initiative. Texas proposes to codify the Texas Coal Mining Regulations (TCMR) in the Texas Administrative Code (TAC) at Part 16, Economic Regulation, Chapter 12 in full text rather than by reference.

Specifically, Texas proposes to codify TCMR Parts 700 through 850, pertaining to surface coal mining and reclamation operations, at TAC §§ 12.1 through 12.710. Texas also proposes to codify TCMR §§ 051.800 through 051.817, pertaining to the Texas abandoned mine

land reclamation program, at TAC §§ 12.800 through 12.817. The codification proposal includes conforming Texas' regulations to the Texas Administrative Code formatting syntax, correcting typographical errors, and making other editorial changes.

III. Public Comment Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is seeking comments on whether the proposed amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If the amendment is deemed adequate, it will become part of the Texas program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under **DATES** or at locations other than the Tulsa Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to speak at the public hearing should contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4 p.m., c.s.t. on March 10, 1997. The location and time of the hearing will be arranged with those persons requesting the hearing. Any disabled individual who has need for a special accommodation to attend a public hearing should contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. If no one requests an opportunity to speak at the public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined 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.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

Unfunded Mandates

This rule will not impose a cost of $100 million or more in any given year on any governmental entity or the private sector.

List of Subjects in 30 CFR Part 943

Intergovernmental relations, Surface mining, Underground mining.

Dated: February 7, 1997.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 97–4340 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 175

Revitalizing Base Closure Communities and Community Assistance

AGENCY: Department of Defense, Office of the Deputy Under Secretary of Defense (Industrial Affairs and Installations).

ACTION: Proposed rule.

SUMMARY: This part promulgates policies and procedures for implementing section 2837 of the National Defense Authorization Act for FY96 concerning the Federal agency lease back of property transferred to Local Redevelopment Authorities (LRAs) at installations approved for closure or realignment.

DATES: Comments must be received by April 22, 1997.

ADDRESSES: Comments must be forwarded to the Base Closure and Community Reinvestment Office, 400 Army-Navy Drive, Suite 200, Arlington,

VA 22202 (email: base—reuseacq.osd.mil).

FOR FURTHER INFORMATION CONTACT: Jennifer Atkin, Base Closure and Community Reinvestment Office, 400 Army-Navy Drive, Suite 200, Arlington, VA 22202, telephone (703) 604–2400.

SUPPLEMENTARY INFORMATION:

Background Information

Large parcels of surplus BRAC property are frequently conveyed to an LRA for use in accordance with the LRA's redevelopment plan. Because Federal users have priority claim on this property, small parcels or even individual buildings within or adjacent to the large parcel may be claimed by a Federal entity. These Federal uses are included as part of the LRA's redevelopment plan and are compatible with the proposed use of the surrounding property. Should the Federal entity depart at some point in the future, however, the property would be disposed of by the General Service Administration in accordance with the Federal Real Property and Administrative Services Act. This subsequent Federal action could disrupt local economic recovery efforts by requiring the community to go through another lengthy Federal real property disposal process, and could result in uses that are incompatible with the community's redevelopment plans.

Congress recognized that this piecemeal approach could be harmful to long-range planning and development opportunities and changed the law to enable more community control over redevelopment while still allowing the Federal government the ability to utilize government property without additional costs. Section 2837 of the National Defense Authorization Act for FY 1996 (Pub. L. 104–106) amends the Defense Base Closure and Realignment Act of 1990 (Pub. L. 101–510, 10 U.S.C. 2687 note) to allow base closure property that is still needed by the Department of Defense or another Federal agency to be transferred to an LRA, provided the LRA leases the property back to the Federal entity. The lease cannot require rental payments.

Applicability

The ''leaseback'' is a new authority, not a new requirement. Ultimately, the decision whether to transfer property under this authority rests with the military department keeping in mind that the Department of Defense cannot require Federal agencies to give up right of ownership in order for the LRA to take advantage of a leaseback of the property. If a leaseback is requested by the LRA, however, Federal agencies are urged to give full consideration to leasing instead of owning the property.

This authority can be used to transfer property at BRAC 91, 93, and 95 sites. In addition, it can be used to transfer property needed by existing Federal tenants or Federal departments or agencies desiring to locate onto the property. Military Departments can only transfer property and then lease it back if they are acting as an executive agent on behalf of a Defense Agency or if the Secretary of the Military Department certifies that the transaction is in the best interest of the Military Department and consistent with the recommendations of the Base Closure Commission.

Lease Arrangements

If an LRA desires a leaseback of property, it will be the responsibility of the LRA to offer the Federal department or agency lease arrangements that encourage choosing the leaseback option. The goal should be offer terms that afford the Federal department or agency rights as close to those associated with ownership of the property as is practicable. Subject to the requirements outlined in this rule (including a prohibition against charging rental payments), the LRA and Federal entity have significant latitude to negotiate a lease that is beneficial to both parties and are encouraged to be creative in establishing the lease parameters.

Conveyance Process

This rule establishes two options for conveyance of leaseback property to an LRA: (1) Conveyance as part of an Economic Development Conveyance (EDC) using the existing EDC procedures, and (2) conveyance of property not associated with an EDC using procedures established in this rule. In this case, the LRA will be required to show how a leaseback is necessary for the long-term economic redevelopment of the installation property.

Statement of Determination and Certifications

Executive Order 12866, ''Regulatory Planning and Review''

It has been determined that this rule is not a significant regulatory action as defined under section 3(f)(1) through 3(f)(4) of Executive Order 12866.

Public Law 96–354, ''Regulatory Flexibility Act'' (5 U.S.C. 601)

It has been determined that this rule will not have a significant economic impact on a substantial number of small entities.

Public Law 104–13, ''Paperwork Reduction Act of 1995'' (44 U.S.C. Chapter 35)

It has been certified that this rule does not impose any reporting or recordkeeping requirements.

List of Subjects in 32 CFR Part 175

Community development, Government employees, Military personnel, Surplus government property.

Accordingly, 32 CFR part 175 is proposed to be amended to read as follows:

PART 175—[AMENDED]

1. The authority citation for 32 CFR part 175 continues to read as follows:

Authority: 10 U.S.C. 2687 note.

2. Section 175.3 is proposed to be amended by adding a new paragraph (l) to read as follows:

§ 175.3 Definitions.

* * * * *

(l) *Similar use.* A use that is comparable to or essentially the same as the use under the original lease.

* * * * *

3. Sections 175.4, 175.5, and 175.6 are proposed to be revised to read as follows:

§ 175.4 Policy.

It is DoD policy to help communities impacted by base closures and realignments achieve rapid economic recovery through effective reuse of the assets of closing and realigning bases—more quickly, more effectively, and in ways based on local market conditions and locally developed reuse plans. This will be accomplished by quickly ensuring that communities and the Military Departments communicate effectively and work together to accomplish mutual goals of quick property disposal and rapid job generation. This part does not create any rights or remedies and may not be relied upon by any person, organization, or other entity to allege a denial of any rights or remedies other than those provided by Title XXIX of Pub. L. 103–160, Pub. L. 103–421, or Title XXVIII of Pub. L. 104–106.

§ 175.5 Responsibilities.

(a) The Deputy Under Secretary of Defense (Industrial Affairs and Installations), after coordination with the General Counsel of the Department of Defense and other officials as appropriate, may issue guidance

through the publication of a manual or other such document as may be necessary to implement laws, directives and instructions on the retention or disposal of real and personal property at closing or realigning bases.

(b) The Heads of the DoD Components shall ensure compliance with this part and guidance issued by the Assistant Secretary of Defense for Economic Security and the Deputy Under Secretary of Defense (Industrial Affairs and Installations) on revitalizing base closure communities.

§ 175.6 Delegations of authority.

(a) The authority provided by sections 202 and 203 of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 483 and 484) for the utilization and disposal of excess and surplus property at closing and realigning bases has been delegated by the Administrator, GSA, to the Secretary of Defense by delegations dated March 1, 1989; October 9, 1990; September 13, 1991; and, September 1, 1995.[1] Authority under these delegations has been previously delegated to the Secretaries of the Military Departments, who may delegate this authority further.

(b) Authorities delegated to the Deputy Under Secretary of Defense (Industrial Affairs and Installations)[2] by § 174.5 are hereby redelegated to the Secretaries of the Military Departments, unless otherwise provided within this part or other DoD directive, instruction, manual, or regulation. These authorities may be delegated further.

4. Section 175.7 is proposed to be amended by revising paragraphs (a)(13)(i), (d)(3)(i), and by adding paragraph (k) to read as follows:

§ 175.7 Procedures.

* * * * *

(a) * * *

(13) * * *

(i) In unusual circumstances, extensions beyond six months can be granted by the Deputy Under Secretary of Defense (Industrial Affairs and Installations).

* * * * *

(d) * * *

(3) * * *

(i) In the event there is no LRA recognized by DoD and/or if a redevelopment plan is not received from the LRA within 15 months from the determination of surplus under paragraph (a)(13) of this section, (unless an extension of time has been granted by the Deputy Under Secretary of Defense (Industrial Affairs and Installations)), the applicable Military Department shall proceed with the disposal of property under applicable property disposal and environmental laws and regulations.

* * * * *

(k) *Leaseback of property at base closure and realignment sites.* (1) 10 U.S.C. 2687 note (BRAC 1990), as added by section 2837 of Pub. L. 104–106, gives the Secretary of Defense the authority to transfer property that is still needed by a Federal Department or Agency to an LRA provided the LRA agrees to lease the property back to the Federal Department or Agency in accordance with all statutory and regulatory guidance. The purpose of this authority, hereinafter referred to as a ''leaseback'', is to enable the LRA to obtain ownership of the property pursuant to the BRAC process while still ensuring that the Federal need for use of the property is accommodated.

(2) Subject to BRAC 1990 and this part, the decision whether to transfer property pursuant to a leaseback rests with the relevant military department. However, a military department may only transfer property via a leaseback if the Federal entity that needs the property agrees to the leaseback arrangement.

(3) If for any reason property cannot be transferred pursuant to a leaseback (e.g., the relevant Federal Agency prefers ownership, the LRA and the Federal entity cannot agree on terms of the lease, or the military department determines that a leaseback would not be in the Federal interest), such property shall remain in Federal ownership unless and until the relevant landholding entity determines that it is surplus pursuant to the Federal Property Management Regulations.

(4) If a building or structure is proposed for transfer under this authority, that which is leased back to the Federal Department or Agency may be all or a portion of that building or structure.

(5) The leaseback authority may be used at all installations approved for closure or realignment under BRAC 1990.

(6) Transfers under this authority must be to an LRA.

(7) Transfers under this authority may be by lease in furtherance of conveyance or deed. A lease in furtherance of conveyance is appropriate only in those circumstances where deed transfer cannot be accomplished because the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) (42 U.S.C. 9601, et seq.) for such transfer have not been met. The lease in furtherance of conveyance or accompanying contract shall include a provision stating that the LRA agrees to take title to the property when requirements for the transfer have been satisfied.

(8) The leaseback authority can be used to transfer property that is needed either by existing Federal tenants or by Federal Departments or Agencies desiring to locate onto the property after operational closure. The Military Department that is closing or realigning the installation may not transfer property to an LRA under this authority and lease it back unless:

(i) The Military Department is acting in an Executive Agent capacity on behalf of a Defense Agency that certifies that a leaseback is in the interest of that Defense Agency; or,

(ii) The Secretary of the Military Department certifies that a leaseback is in the best interest of the Military Department and that use of the property by the Military Department is consistent with the obligation to close or realign the installation in accordance with the recommendations of the Defense Base Closure and Realignment Commission.

(9) Property eligible for a leaseback is not surplus because it is still needed by a Federal entity. However, notwithstanding that the property is not surplus and that the LRA would not otherwise have to include such property in its redevelopment plan, the LRA should include the proposed leaseback of property in its redevelopment plan, taking into account the planned Federal use of such property.

(10) The terms of the LRA's lease to the Federal entity should afford the Federal Department or Agency rights as close to those associated with ownership of the property as is practicable. The requirements of the General Services Acquisition Regulation (GSAR) (48 CFR part 570) are not applicable to the lease, but provisions in the GSAR may be used to the extent they are consistent with this Part. The terms of the lease are negotiable subject to the following:

(i) The lease shall be for a term of no more than 50 years, but may provide for options for renewal or extension of the term at the request of the Federal

[1] Available from the Base Closure and Community Reinvestment Office, 400 Army Navy Drive, Suite 200, Arlington, VA 22202, email: ''base—reuse@acq.osd.mil''

[2] A Deputy Secretary of Defense memorandum of May 15, 1996, ''OUSD (Acquisition and Technology Reorganization'' disestablished the office of the Assistant Secretary of Defense for Economic Security and established the office of the Deputy Under Secretary of Defense (Industrial Affairs and Installations). Copies are available from the Base Closure and Community Reinvestment Office, 400 Army Navy Drive, Suite 200, Arlington, VA 22202, email: ''base—reuse@acq.osde.mil''

Department or Agency concerned. The lease term should be based on the needs of the Federal entity.

(ii) The lease, or any renewals or extensions thereof, shall not require rental payments.

(iii) The lease shall not require the Federal Government to pay the LRA or other local government entity for municipal services including fire and police protection.

(iv) The Federal Department or Agency concerned may be responsible for services such as janitorial, grounds keeping, utilities, capital maintenance, and other services normally provided by a landlord. Acquisition of such services by the Federal Department or Agency is to be accomplished through the use of Federal Acquisition Regulation procedures or otherwise in accordance with applicable statutory and regulatory requirements.

(v) The lease shall include a provision prohibiting the LRA from transferring ownership rights to another entity during the term of the lease, other than one of the political jurisdictions that comprise the LRA, without the written consent of the Federal Department or Agency occupying the leaseback property.

(vi) The lease shall include a provision specifying that if the Federal Department or Agency concerned no longer needs the property before the expiration of the term of the lease, the remainder of the lease term may be satisfied by the same or another Federal Department or Agency using the leased property for a use similar to the use under the lease.

(A) The General Services Administration shall assist with identifying other Federal interest in leasing the property.

(B) Prior to exercising such provision, the Federal Department or Agency shall consult with the LRA concerned, or the elected body with jurisdiction over the property if the LRA no longer exists.

(vii) The terms of the lease shall provide that the Federal Department or Agency may repair, improve, and maintain the property at its expense without the approval of the LRA.

(11) Conveyance to an LRA under this authority shall be in one of the following ways:

(i) Lease back property that is to be conveyed under an Economic Development Conveyance (EDC) shall be conveyed as part of the EDC in accordance with the existing EDC procedures and § 175.7(k)(11)(ii)(B)(*4*). The LRA shall submit the following in addition to the application requirements outlined in § 175.7(e)(5):

(A) A description of the parcel or parcels the LRA proposes to have transferred to it and then to lease back to a Federal Department or Agency;

(B) A written statement signed by an authorized representative of the Federal entity that it agrees to accept a leaseback of the property; and,

(C) A statement explaining why a leaseback is necessary for the long-term economic redevelopment of the installation property.

(ii) Leaseback property not associated with property to be conveyed under an EDC shall be conveyed in accordance with the following procedures:

(A) As soon as possible after the LRA's submission of its redevelopment plan to the DoD and HUD, the LRA shall submit a request for a leaseback to the Military Department. The Military Department may impose additional requirements as necessary, but at a minimum, the request shall contain the following:

(*1*) A description of the parcel or parcels the LRA proposes to have transferred to it and then to lease back to a Federal Department or Agency;

(*2*) A written statement signed by an authorized representative of the Federal entity that it agrees to accept a leaseback of the property; and,

(*3*) A statement explaining why a leaseback is necessary for the long-term economic redevelopment of the installation property.

(B) The transfer may be for consideration at or below the estimated present fair market value. In those instances in which the property is conveyed for consideration below the estimated present fair market value, the Military Department shall prepare a written explanation of why the estimated present fair market value was not obtained.

(*1*) In a rural area, the transfer shall comply with § 175.7(f)(5).

(*2*) Payment may be in cash or in-kind.

(*3*) The Military Department shall determine the estimated present fair market value of the property before transfer under this authority.

(*4*) The exact amount of consideration, or the formula to be used to determine that consideration, as well as the schedule for payment of consideration must be agreed upon in writing before transfer under this authority.

Dated: February 18, 1997.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 97–4333 Filed 2–20–97; 8:45 am]

BILLING CODE 5000–04–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD 05–97–007]

RIN 2115–AE46

Special Local Regulations for Marine Events; Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend permanent special local regulations established for marine events held in the Norfolk Harbor, Elizabeth River, between Norfolk and Portsmouth, Virginia by identifying specific annual events for which the regulated area will be in effect. This action is intended to update the regulation in order to enhance the safety of life and property during the events.

DATES: Comments must be received on or before April 22, 1997.

ADDRESSES: Comments may be mailed to Commander (Aosr), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704–5004, or hand delivered to Room 516 at the same address between 7:30 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398–6204. Comments will become part of this docket and will be available for inspection and copying at the above address.

FOR FURTHER INFORMATION CONTACT: S.L. Phillips, Project Manager, Search and Rescue Branch, at (757) 398-6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comment should include their names and addresses, identify this rulemaking (CGD 05–97–007) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address listed under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

33 CFR 100.501 established special local regulations for marine events held in the Norfolk Harbor, Elizabeth River, between Norfolk and Portsmouth, Virginia. The effect of these regulations is the control of vessel traffic during marine events to enhance the safety of participants, spectators, and transiting vessels. The regulations are implemented at various times, for various events throughout the year by publishing notice in the Federal Register and the Fifth Coast Guard District Local Notice to Mariners. This proposal would update the regulations to reflect specific events for which the regulations will be in effect.

Discussion of Proposed Rule

The Coast Guard proposes to amend the special local regulations previously established for this event area by incorporating a table which identifies the specific events during which the regulated area will be in effect. Since this action will not increase the period of time that the channel is restricted and the Coast Guard patrol commander may stop any event to assist transit of vessels through the regulated area, normal marine traffic should not be severely disrupted.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This proposal merely provides additional information to an existing regulation and does not impose any new restrictions on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. ''Small Entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (14 U.S.C. 632). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b), that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection of Information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; 27 March 1996), this proposal is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

2. Section 100.501 is amended by revising paragraph (c) and adding Table 1 to read as follows:

§ 100.501 Norfolk Harbor, Elizabeth River, Norfolk, Virginia and Portsmouth, Virginia.

* * * * *

(c) *Effective periods.* This section is effective annually for the duration of each marine event listed in Table 1, or as otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register notice. The Coast Guard Patrol Commander will announce by Broadcast Notice to Mariners the specific time periods during which the regulations will be enforced.

Table 1 of § 100.501

Harborfest

Sponsor: Norfolk Harborfest, Inc.
Date: First Friday, Saturday, and Sunday in June

Great American Picnic

Sponsor: Festevents, Inc.
Date: July 4

Cock Island Race

Sponsor: Ports Events, Inc.
Date: Third Saturday in July

Rendezvous at Zero Mile Marker

Sponsor: Ports Events, Inc.
Date: Third Saturday in August

U.S. Navy Fleet Week Celebration

Sponsor: U.S. Navy
Date: Second Friday in October

Holidays in the City

Sponsor: Festevents, Inc.
Date: Fourth Saturday in November

New Years Eve Fireworks Display

Sponsor: Festevents, Inc.
Date: December 31.

Dated: February 5, 1997.

Kent H. Williams,

Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 97–4359 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 100

[CGD 05–97–004]

RIN 2115–AE46

Special Local Regulations for Marine Events; Southern Branch, Elizabeth River, Portsmouth, Virginia

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend permanent special local regulations for the Crawford Bay Crew Classic, a marine event held annually in the Southern Branch, Elizabeth River, Portsmouth, Virginia, by changing the dates on which the regulations are in effect. This action is intended to update the regulation in order to enhance the safety of life and property during the event.

DATES: Comments must be received on or before March 24, 1997.

ADDRESSES: Comments may be mailed to Commander (Aosr), Fifth Coast Guard District, 431 Crawford Street,

Portsmouth, Virginia 23704–5004, or hand delivered to Room 516 at the same address between 7:30 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398–6204. Comments will become part of this docket and will be available for inspection and copying at the above address.

FOR FURTHER INFORMATION CONTACT: S. L. Phillips, Project Manager, Search and Rescue Branch, at (757) 398–6204.

SUPPLEMENTARY INFORMATION:

Request for Comments

This Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 05–97–004) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons waiting acknowledgement of receipt of comments should enclose stamped, self-addressed postcards or envelopes. The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address listed under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Background and Purpose

Ports Events, Inc., the sponsor of the Crawford Bay Crew Classic, has requested to change the dates of this annual event from the third Friday and Saturday in March to the fourth Friday and Saturday in April to conduct the event in warmer weather conditions. To enhance the safety of participants, spectators, and transiting vessels, special local regulations are necessary to control vessel traffic during the event. This proposal would update the regulations to reflect the new dates of the event.

Discussion of Proposed Rule

The Coast Guard proposes to amend the effective period of special local regulations previously established for this event from the third Friday and Saturday in March to the fourth Friday and Saturday in April to reflect the new event dates. Since this action will not increase the period of time that the channel is restricted and the Coast Guard patrol commander will be allowing vessels to transit whenever a race heat is not being run, commercial traffic should not be severely disrupted.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This proposal merely changes the effective date of an existing regulation and does not impose any new restriction on vessel traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. ''Small Entities'' include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b), that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal contains no collection of Information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.b.2.e(34)(h) of Commandant Instruction M16475.1b (as amended, 61 FR 13564; 27 March 1996), this proposal is categorically excluded form further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR Part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46.

2. Section 100.523 is amended by revising paragraph (c) to read as follows:

§ 100.523 Southern Branch, Elizabeth River, Portsmouth, Virginia.

* * * * *

(c) *Effective periods.* This section is effective on the fourth Friday of April and on the fourth Saturday of April, unless otherwise specified in the Coast Guard Local Notice to Mariners and a Federal Register notice.

Dated: February 5, 1997.

Kent H. Williams,

Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 97–4357 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 181

[CGD 92–065]

RIN 2115–AE37

Hull Identification Numbers for Recreational Boats

AGENCY: Coast Guard, DOT.

ACTION: Supplemental notice of proposed rulemaking.

SUMMARY: The Coast Guard is proposing to amend its regulations concerning the identification numbers affixed to the hulls of recreational boats, including boats carrying six or fewer passengers for hire. These amendments are necessary to align the present numbering system with the newly-adopted international system. This would facilitate the sale of U.S. products abroad. In addition, the Coast Guard is proposing several minor amendments to its regulations on hull identification numbers.

DATES: Comments must be received on or before May 22, 1997.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G–LRA/3406) (CGD 92–065), U.S. Coast Guard Headquarters 2100 Second Street SW., Washington, DC 20593–0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477. Comments on collection-of-information requirements must be mailed also to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2 p.m., Monday through Friday, except Federal holidays.

A copy of the material listed in ''Incorporation by Reference'' of this preamble is available for inspection at room 3104, U.S. Coast Guard Headquarters.

FOR FURTHER INFORMATION CONTACT: Mr. Alston Colihan, Office of Boating Safety, (202) 267–0981.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 92–065) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Marine Safety Council at the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Regulatory History

On May 6, 1994, the Coast Guard published a notice of proposed rulemaking (NPRM) entitled ''Expanded Hull Identification Number and New Requirements for Certificates of Origin'' in the Federal Register (59 FR 23651). The Coast Guard received 114 letters commenting on the proposal. No public hearing was requested, and none was held.

On November 9, 1994, a notice announcing a workshop and reopening the comment period for the NPRM was published in the Federal Register (59 FR 55823).

Background and Purpose

Under 46 U.S.C. 12501, the Secretary of Transportation is required to establish and maintain a vessel identification system (VIS) for use by law enforcement and other public officials. This authority has been delegated to the Commandant of the Coast Guard (49 CFR 1.46(ss)). The VIS is intended to provide a nationwide pool of information on vessels and vessel owners that will help in identifying and recovering stolen vessels and deterring vessel theft. To aid in the development of a VIS for recreational boats, the Coast Guard proposed to expand the hull identification number required for those boats under 33 CFR part 181 to include certain vessel-specific information and a check digit to make fraudulent alternations more difficult. In addition, the Coast Guard proposed that vessel manufacturers and importers provide a Certificate of Origin (COO) with each vessel produced in, or imported into, the U.S. for the purposes of sale. The COO would ensure that documentation certifying the information and establishing a chain of ownership was available.

Due to extensive opposition to the proposed 19-character HIN and the COO, the comment period was extended from November 9, 1994, to January 9, 1995, and a public workshop was held on December 8, 1994. After review of all comments received, the Coast Guard decided to issue a new proposal that would align the HIN with the recently-adopted standard of the International Organization for Standardization (ISO) and delete the COO.

Discussion of Comments and Changes to the NPRM

The Coast Guard received 114 comments in response to the NPRM from 33 boat manufacturers, 8 boat dealers, 6 insurance companies, 42 State and law-enforcement organizations, and 25 individuals and organizations. In addition, the Coast Guard received oral comments at the December 8, 1994, workshop. These comments and the changes made to the NPRM are summarized as follows.

(a) *Format of hull identification number (proposed § 181.25).* The present regulation in 33 CFR 181.25 requires that a 12-character HIN be affixed in two places on the hull of each new recreational boat made in the U.S. or imported into the U.S. The HIN consists of the manufacturer identification code (three characters), the boat's serial number (five characters), the month and year of certification or manufacture (two characters), and the model year (two characters). The NPRM proposed an expansion of the present HIN to include a two-character prefix to indicate the country of origin and five characters following the HIN to indicate overall length, hull material, means of propulsion, type of boat, and a check digit to help detect fraudulent alterations of the HIN. As a result of the overwhelmingly negative comments received to the NPRM, this supplemental notice of proposed rulemaking (SNPRM) proposes to add only the two-character prefix for country of origin and delete the last five proposed characters. The HIN, as proposed in this notice, is aligned with the format recently adopted by the International Organization for Standardization (ISO).

The HIN format, as proposed in the NPRM, was based on the Vehicle Identification Number (VIN), which has worked well in the automotive industry. Unfortunately, while there are probably fewer than 100 companies manufacturing automobiles worldwide, there are more than 4,500 boat manufacturers in the U.S. alone. Recreational boat manufacturers tend to be small and less likely to have computers. Consequently, spending 15 minutes to manually calculate the check digit alone for a single boat is, for them, an excessive paperwork burden.

Though the present regulations have changed only slightly since they became effective in 1972, the Coast Guard estimates that hundreds of boats still are manufactured annually with incorrect 12-character HIN's. Were the Coast Guard to expand the HIN to 19 characters, including a check digit, the potential for error would significantly increase, making it more difficult to determine whether an error was intentional or not.

The comments also noted a number of practical problems. For example, several comments noted that some boats do not have room to accommodate a longer number in the required location and would have to be redesigned. One noted that an error found in an HIN on the transom of an aluminum boat might require replacement of the entire transom. Still others mentioned problems for law enforcement officers in reviewing documents that repeat the HIN because of the difficulty in reading long numbers, particularly numbers not separated by hyphens or spaces.

Though a number of alternative formats were suggested in the comments, most calling for a 17-character format, the Coast Guard decided that it would propose using the shorter 14-character format consistent with ISO. By using the ISO format, it enables U.S. manufacturers to market their products abroad without having to affix two different sets of numbers on each boat.

One other reason why the Coast Guard proposes removal of the requirement for the five additional HIN characters is because the Office of Management and Budget (OMB), which administers the Paperwork Reduction Act (see the ''Collection of Information'' section in this preamble), received many negative comments alleging that the additional characters would impose significant paperwork burdens. OMB indicated that it would be taking a very close look at the proposed paperwork requirements in this rulemaking and that more justification for the additional characters, if retained, would be necessary.

As the proposed 14-character HIN is consistent with the internationally-adopted ISO HIN, entities or organizations, such as State, insurance, theft investigation, or law enforcement agencies, that favor an HIN with additional characters to aid in marine investigations and deter boat theft should work with the ISO to change the international standard. In this way, a single, internationally-recognized format can be maintained. In the interim, existing § 181.27 allows manufacturers to place additional characters before or after the HIN.

(b) *Certificate of Origin (Removed).* The requirement for a certificate of origin (COO), as proposed in the NPRM, has been removed. The COO was to be a document identifying the boat and certifying transfer of ownership from its manufacturer to the retail purchaser and so on to subsequent purchasers. It was expected to provide assistance in proving ownership of the boat. Many of the States currently have laws requiring manufacturers to furnish COO's. Considering the costs and information collection burdens associated with the proposed COO requirements and the fact that States are not subject to the Paperwork Reduction Act, the States are in a better position to develop their own uniform Certificate of Origin requirements. The major obstacles to the proposed requirement for a COO are the information-collection burdens, the costs of forms meeting security features recommended by the National Association of State Boating Law Administrators (NASBLA), and the absence of Coast Guard authority to charge manufacturers for expenditures on these forms.

(c) *Applicability (existing § 181.21).* Several comments suggested that the Coast Guard require hull identification numbers for all vessels, including commercial vessels. These suggestions are beyond the scope of this rulemaking, which is limited to recreational boats, including boats carrying six or fewer passengers.

Section 181.21 is also proposed to be amended to remove obsolete and unnecessary provisions without substantive change.

(d) *Definition of model year (proposed § 181.3(f)).* In existing § 181.3(f), ''model year'' is defined as the period beginning August 1 of any year and ending on July 31 of the following year, with the model year being designated as the year in which the period ends. Several comments stated that this definition is vague and subject to varying interpretation. For example, it is not keyed to a specific date, such as the date of construction, assembly, or importation. Other comments complained that the model year should not be confined to specified dates (i.e., August 1 and July 31) in case they wanted to vary the introduction date of a new model.

The proposed definition has been completely revised to address these concerns.

(e) *Assignment of hull identification number (proposed § 181.24).* This new section is provided for clarity and contains no substantive changes from the existing regulations.

(f) *Display of hull identification number (proposed § 181.29(b)).* One comment stated that the primary HIN location should be revised to make the HIN readable when a boat is in the water. The Coast Guard agrees and proposes amending the paragraph to indicate that the HIN must be affixed where it is readily visible above the waterline.

Two identical hull identification numbers are required to be displayed on each boat hull, a primary HIN on the transom of most boats and a duplicate HIN somewhere on the interior of the boat. The intention is for the primary HIN to be readily visible. Marine police officers routinely attempt to read the HIN on boats during State law enforcement boardings, and many HIN's are not visible because they are affixed to the transom beneath swim platforms or below the waterline. Existing § 181.29 would be amended to show that the primary HIN must be affixed where it is readily visible above the waterline. If, when affixed in accordance with proposed § 181.29(b)(1), the primary HIN is not readily visible, the manufacturer must affix the HIN in accordance with proposed § 181.29(b)(2).

(g) *Display of duplicate hull identification number (proposed § 181.29(d)).* A comment from a law enforcement officer wanted a standard international requirement for placement of the duplicate HIN to ensure that it is accessible without having to disassemble portions of the boat.

While accessibility without requiring disassembly of portions of a boat is desirable, creating this accessibility would defeat the purpose of having a duplicate HIN, that is to help identify boats on which the primary HIN has been removed or altered. Considering the infinite variety of boat designs and configurations, defining such a uniform location would be prohibitively difficult.

(h) *Permanency of hull identification number (proposed § 181.29(e)).* Several comments stated that all vessels should be required to have HIN's affixed in a uniform manner. Another comment stated that the methods used to affix HIN's should be made more durable. According to the comments, manufacturers should be required to stamp or emboss HIN's into the hull instead of allowing glued or pop-riveted HIN plates.

The Coast Guard acknowledges the desirability of uniform permanency requirements for HIN's. However, because boats are constructed from so many different materials, such as canvas, vinyl, wood, aluminum and fiberglass, the variety of materials, prevents the establishment of uniform permanency requirements. As currently written in § 181.29, each HIN must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate, the plate must be fastened in such a manner that its removal would normally cause some

scarring of or damage to the surrounding hull area.

The words ''otherwise permanently affixed'' and ''so that alteration, removal, or replacement would be obvious'' are subject to interpretation. The Coast Guard considers these words to mean that ordinary and reasonable methods must be used to ensure that the HIN will remain intact and legible for the useful life of the boat, and in such a way that would discourage anyone from altering or removing the HIN number.

(i) *Assignment of manufacturer identification code (proposed § 181.31).* One comment stated that the Coast Guard should accept a manufacturer identification code (MIC) issued by an international agency or an organization designated by the European Union (EU). According to the comment, a U.S. importer would then have to submit proof that the MIC displayed on a boat was assigned by the international agency or EU-designated organization.

One reason for requiring manufacturers and importers to obtain an MIC from the Coast Guard is because the Coast Guard has no legal recourse against foreign manufacturers of boats that contain substantial-risk defects or fail to comply with applicable Federal safety standards. The practical effect of requiring U.S. manufacturers and importers of boats built in foreign countries to obtain an MIC from the Coast Guard is to identify the U.S. agent or U.S. subsidiary responsible for notifying owners and correcting defects or non-compliances in accordance with 33 CFR part 179.

The Coast Guard does not believe it would be appropriate to accept manufacturer identification codes issued by other international agencies or EU-designated organizations, until such time as international agreements are in effect which establish the responsibilities and accountability of foreign manufacturers for defective or non-complying boats sold in the United States.

Several comments stated that the Coast Guard should not issue an MIC over the telephone and that applicants for an MIC should be required to submit a completed application with a notarized signature, a copy of a business license or a seller's permit, and photographs of the established place of business. The comments also stated that the regulations should require the Coast Guard or an official designated by the State to inspect the place of business before an MIC is issued.

The Coast Guard has ceased issuing MIC's over the telephone and concurs with the need for some means to ensure that a company which applies for an MIC is, in fact, in the business of manufacturing boats. Some companies that have applied for and received MIC's were not in the business of manufacturing boats, but were engaged in boat theft or insurance fraud. While the Coast Guard does not concur with the comments proposing requirements for photographs of established places of business or notarized signatures, the Coast Guard agrees that a copy of an applicant's State business license or a State seller's permit will help the Coast Guard and the States keep track of company owners and the physical locations of boat manufacturing plants and discourage the use of MIC's for fraudulent purposes. Submission of an applicant's State business license or a seller's permit would also preclude the necessity for a visit to the manufacturer's place of business.

Both State boat registration and titling authorities and the Coast Guard need a means to ensure that a company applying for an MIC is, in fact, in the business of manufacturing boats. Therefore, § 181.31(a) would be amended to require a manufacturer apply for an MIC to include a copy of its State business license or seller's permit to help the Coast Guard keep track of the identities of company officials and the physical locations of its plants and to discourage the use of an MIC for fraudulent purposes.

One weakness in the existing regulations covering the issuance of these codes is that, as currently written, they do not provide for Coast Guard to refuse to issue or revoke an MIC. This has led to companies which applied for and received MIC's, which were not in the business of manufacturing boats, but were engaged in boat theft, insurance fraud or avoided responsibilities for defect notification and recall by filing for bankruptcy and then resuming boat manufacturing under a different MIC. Therefore, proposed § 181.31(d) is added to allow for refusal of an application for an MIC or revocation of an MIC.

(j) *Assignment of hull identification numbers for persons who build or import boats for their own use (proposed § 181.31(c); relocated to proposed § 181.24(b)).* Paragraph (c) of § 181.31 as appearing in the NPRM concerned the assignment of numbers for persons who build or import boats for their own use and not for the purposes of sale. The location of this paragraph was confusing because it was placed in a section describing how manufacturers are to obtain manufacturer identification codes. It now has been relocated, without substantive change, to proposed § 181.24(b), a new section concerning assignment of HIN's.

(k) *Conditions for use of manufacturer identification code (existing § 181.33).* One comment stated that manufacturer name or address changes should be in writing.

Section 181.33(b) currently contains this requirement.

(l) *Removal of HIN (proposed § 181.35).* Several comments recommended that, once the HIN is stamped or embossed, there should be no alteration without the written permission of the Commandant of the Coast Guard. Two other comments supported making the alteration of an HIN a felony nationwide and stated that there should be no alteration without the written permission of the Commandant of the Coast Guard and the issuing authority of the State involved.

While existing § 181.35 prohibits the removal or alteration of an HIN unless authorized by the Commandant, the Coast Guard agrees that the Commandant's permission should be in writing to add to the integrity of the system and proposes to amend the section accordingly. The Coast Guard routinely advises State issuing authorities about the alterations to the HIN's it authorizes and does not believe that requiring a separate State authorization would substantially enhance the integrity of the system.

(m) *Miscellaneous comments.* Several comments suggested the term ''length,'' in reference to the characters indicating length of the boat, be defined. With the withdrawal of the proposal to require five additional characters, one of which would indicate a vessel's length, this comment is no longer relevant to the proposed amendments.

Another comment requested changes in boat documentation procedures. This comment concerns 46 CFR part 67 and is not relevant to the proposed regulations.

One comment suggested that an international law be established requiring that boats be inspected by law enforcement agencies or by State registration authorities each time a title is changed or transferred. This comment is beyond the scope of this rulemaking.

A comment from an insurer of personal watercraft (PWC) stated that all replacement hulls for PWC should have a serialized number permanently affixed to the main lower portion of the hull and that all PWC manufacturers should be required to provide certifications of replacements. The certification, according to the comment, should include the original HIN of the HIN of the PWC, the name and signature of the

present owner of the PWC, the name of the facility replacing the PWC hull, and a statement about the destruction and disposal of damaged PWC hulls. The Coast Guard has urged both PWC manufacturers and manufacturers of replacement hulls to verify the destruction and disposal of damaged PWC hulls and to affix the same HIN originally assigned to a PWC. These procedures would ensure that PWC with replacement hulls can be traced through manufacturer warranty and State boat registration and numbering systems and would make it virtually impossible for a damaged PWC hull to be recycled as a usable boat. The Coast Guard recognizes that PWC represent the largest number of boats stolen annually. However, certification regarding replacement, destruction, and disposal of PWC hulls is an issue which is beyond the scope of the present rulemaking. The Coast Guard is considering the problems relating to replacement hulls under a separate initiative.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. An estimated 2,000,000 recreational boats are manufactured or imported annually, each presently required to have the 12-character HIN located in two places on the hull. In addition, about 17,000 boats are built each year by private individuals. This means a total of 4,034,000 HIN's (two per boat) are affixed annually. The estimated average cost for determining and affixing the present 12-character HIN is $.50 per boat. The estimated increase in costs for adding two more characters, as proposed, would be an additional $.10 or less per boat.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. ''Small entities'' may include (1) small businesses and not-for-profit organizations that are independently owned and operated and that are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

The proposed regulations would apply to both small and large manufacturers and importers of boats, as well as to private individuals who build or import their boats. Numerous comments were received, primarily from small manufacturers, objecting to the burdens that would be imposed by the use of the proposed 19-character HIN. In response to these comments, the Coast Guard has decided to delete the last five characters from its proposed 19-character HIN and propose only the original 12-character HIN with a two-character prefix for country of origin. This would result in a decrease of five characters while aligning the HIN with international standards. The addition of the two-character prefix would result in only a slight increase in costs ($.10 or less) per boat. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this new proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposal will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposal will economically affect it.

Collection of Information

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) reviews each proposed rule that contains a collection-of-information requirement to determine whether the practical value of the information is worth the burden imposed by its collection. Collection-of-information requirements include reporting, recordkeeping, notification, labeling, and other, similar requirements.

This proposal contains collection-of-information requirements in § § 181.25, 181.29, and 181.31. The following particulars apply:

DOT: 2115.

OMB Control No.: 2115–0573.

Administration: U.S. Coast Guard.

Title: Hull Identification Number for Recreational Boats.

Need for Information: Two characters identifying the country of origin would be required to be added to the presently-required, 12-character HIN. This is necessary to align the HIN format with the newly-established standard of the International Organization for Standardization (ISO) in order to maintain a uniform system and improve access by U.S. manufacturers to international markets.

Proposed Use of Information: To be used by State agencies, local law enforcement agencies, the Coast Guard, and other Federal agencies to identify each recreational boat manufactured domestically or imported.

Estimated Annual Burden: It takes about 10 minutes per boat to determine the characters and affix the presently-required, 12-character HIN. The time required under this proposal to determine the code for the country of origin and add its assigned two letters to the HIN would be negligible.

Respondents: Boat manufacturers and importers (4,500), individuals building their own boats (17,000) and issuing authorities in States and territories of the United States (56).

Forms: The two characters would be added to the two identical HIN's affixed to each recreational boat.

Average Burden Hours per Respondent: Negligible. The two characters that would be added refer to the country of origin, readily available information.

The Coast Guard has submitted the requirements to OMB for review under section 3504(h) of the Paperwork Reduction Act. Persons submitting comments on the requirements should submit their comments to both OMB and to the Coast Guard where indicated under **ADDRESSES.**

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

The authority for this rulemaking under 46 U.S.C. 12501 and 12502. Section 12506 authorizes the Coast Guard to delegate to a State its authority to establish and maintain a vessel identification system. Under 33 CFR part 187, States may elect to participate in the VIS program and, in doing so, must use the hull identification numbers assigned under the provisions being addressed in this rulemaking.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under paragraph 2.b.2.e(34) of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. This

proposal concerns labeling of boats for identification and has no environmental consequences. A ''Categorical Exclusion Determination'' is available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 181

Incorporation by reference, Labeling, Marine safety, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 181 as follows:

PART 181—MANUFACTURER REQUIREMENTS

1. The authority citation for part 181 is revised to read as follows:

Authority: 46 U.S.C. 4302, 12501, 12502; 49 CFR 1.46.

2. In § 181.3, the definitions of *Date of manufacture* and *Model year* are revised to read as follows:

§ 181.3 Definitions.

* * * * *

Date of manufacture means a date that is no earlier than the date construction or assembly of a boat begins and no later than the date the boat leaves the place of manufacture or assembly or is imported into the United States for the purposes of sale.

* * * * *

Model year means the calendar year (January 1 through December 31) of, or the calendar year following

(1) The boat's date of manufacture; or

(2) If the boat is required to be certified, its date of certification.

* * * * *

3. In § 181.4, paragraph (a) and paragraph (b) introductory text are revised and, in paragraph (b), a new item is added, in alphabetical order, to the list to read as follows:

§ 181.4 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the Federal Register; and the material must be available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Boating Safety (G–OPB), 2100 Second Street SW., Washington, DC 20593–0001, and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

International Organization for Standardization (ISO): Maintenance Agency Secretariat, c/o DIN Deutsches Institut fur Normung, Burggrafenstrasse 6, Postfach 1107, D–1000 Berlin 30, Republic of Germany:

ISO 3166–88, Codes for the Representation of Names of Counties—181.25.

* * * * *

4. Section 181.21 is revised to read as follows:

§ 181.21 Purpose and applicability.

This subpart prescribes requirements for identifying boats.

5. Section 181.24 is added to read as follows:

§ 181.24 Assignment of hull identification number.

(a) For a boat under § 181.23(a), the manufacturer or importer shall assign the required hull identification number according to § 181.25.

(b) For a boat under § 181.23(b), the builder or importer shall obtain the required hull identification number from the issuing authority of the State where the boat will be used principally or, if the State does not assign hull identification numbers, from the U.S. Coast Guard Recreational Boating Product Assurance Division, 2100 Second Street SW., Washington, DC 20593–0001.

6. Section 181.25 is revised to read as follows:

§ 181.25 Format of hull identification number.

(a) Each hull identification number required by § 181.23 must consist of the following 14 characters:

(1) The first two characters must be the alphabetic Code from column 2 of ISO 3166–88 indicating the country where the boat was manufactured.

(2) Characters three through five must be a manufacturer identification code assigned under § 181.31.

(3) Characters 6 through 10 must be a serial number assigned by the manufacturer or an issuing authority in English letters (except I, O, and Q), Arabic numerals, or both.

(4) Characters 11 and 12 must indicate the month and year of the date of manufacture, date of importation into the United States, or, if the boat is required to be certified, the date of certification. Character 11 must indicate the month by using the letter ''A'' for January, ''B'' for February, and so on until ''L'' for December. Character 12 must be an Arabic numeral indicting the last digit of the year.

(5) Characters 13 and 14 must indicate the model year using Arabic numerals for the last two numbers of the model year, such as ''96'' for 1996 and ''97'' for 1997.

(b) The characters must not be interrupted by slashes, hyphens, or spaces, except for a hyphen of at least 10 millimeters (.375 in.) in length following the first two characters.

7. Section 181.29 is revised to read as follows:

§ 181.29 Display of hull identification number.

(a) Two identical hull identification numbers must be displayed on the hull of each boat.

(b) Except as noted in paragraph (c) of this section, the primary hull identification number must be located as follows:

(1) On boats with transoms, to the starboard outboard side of the transom above the waterline and within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.

(2) On boats without transoms or on boats on which it would be impractical to locate the number on the transom, to the starboard outboard side of the hull above the waterline, aft, within one foot of the stern and within two inches of the top of the transom, gunwale, or hull/deck joint, whichever is lowest.

(3) On catamarans and pontoon boats that have readily replaceable hulls, to the aft crossbeam, within one foot of the starboard hull attachment.

(4) On other boats with readily replaceable hulls, a boat manufacturer can use alternative locations with the written permission of the U.S. Coast Guard Recreational Boating Product Assurance Division at the address in § 181.24(b).

(c) If the hull identification number would not be readily visible if located as required under paragraph (b)(1) of this section (because of rails, fittings, swim platforms, or other accessories or transoms with reverse sheer), the number must be affixed in accordance with paragraph (b)(2) of this section.

(d) The duplicate hull identification number must be affixed in an unexposed location on the interior of the boat or beneath a fitting or item of hardware.

(e) Each hull identification number must be carved, burned, stamped, embossed, molded, bonded, or otherwise permanently affixed to the boat so that alteration, removal, or replacement would be obvious. If the number is on a separate plate attached by a mechanical means, such as by rivets or bolts, the plate must be

attached by some additional means (such as with an epoxy glue) in such a manner that removal of the plate would normally cause some scarring of or damage to the surrounding hull area. A hull identification number must not be attached to parts of the boat that are removable.

(f) The characters of each hull identification number must be no less than one-fourth of an inch in height.

8. Section § 181.31 is revised to read as follows:

§ 181.31 Assignment of manufacturer identification code.

(a) To obtain the manufacturer identification code required by § 181.25(a)(2), each manufacturer, other than an importer, required under § 181.23(a) to identify a boat shall submit a written request to the U.S. Coast Guard Recreational Boating Product Assurance Branch, 2100 Second Street SW., Washington, DC 20593–0001. The request must indicate the manufacturer's name and U.S. address along with the general types and lengths of boats that will be manufactured. The request must also include a copy of the manufacturer's State business license or seller's permit.

(b) To obtain the manufacturer identification code required by § 181.25(a)(2), each importer required under § 181.23(a) to identify a boat shall submit a written request for a manufacturer identification code as required by paragraph (a) of this section. The request must indicate the importer's name and U.S. address along with a list of the manufacturers and their addresses, and the general types and lengths, of boats that will be imported. The request must also include a copy of the importer's State business license or seller's permit.

(c) The Coast Guard has assigned manufacturer identification codes to issuing authorities in the States for the assignment of hull identification numbers to persons who are required to identify boats under § 181.23(b).

(d) The Coast Guard may refuse to issue a manufacturer identification code and may revoke a previously issued code.

9. Section 181.35 is revised to read as follows:

§ 181.35 Removal of hull identification number.

No person may remove or alter a hull identification number without the written permission of the Commandant of the Coast Guard.

Dated: February 14, 1997.

N.T. Saunders,

Rear Admiral, U.S. Coast Guard, Assistant Commandant for Operations.

[FR Doc. 97–4360 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 50

[AD–FRL–5692–2]

RIN 2060–AE66

National Ambient Air Quality Standards for Particulate Matter: Proposed Appendix L Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of Availability of Supplemental Information.

SUMMARY: The purpose of this notice is to inform the public that EPA is considering minor technical changes to the proposed Federal Reference Method (FRM) for $PM_{2.5}$ sampling published on December 13, 1996. The nature of these changes include improvements in the inlet assembly to prevent precipitation inside the inlet and reduce solar heating, and other miscellaneous modifications to provide more reliable sampling capability. There may be unanticipated modifications, which will be described in the docket and elsewhere. A description of these changes will be placed in Docket No. A–95–54 and, when available posted on EPA's Technical Transfer Network/Bulletin Board System (TTN/BBS). If EPA concludes that it is necessary to evaluate additional changes, these will be placed in the docket at a later date.

FOR FURTHER INFORMATION CONTACT: For questions regarding the FRM, contact Neil H. Frank at (919) 541–5560. For general questions regarding the NAAQS contact Patrica Koman at (919) 431–5170.

SUPPLEMENTARY INFORMATION:

Docket. Docket No. A–95–54, containing supporting information used in developing the aforementioned changes in the FRM hardware and/or method is available for public inspection and copying between 8 a.m. and 5:30 p.m. on weekdays, at the U. S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. A reasonable fee may be charged for copying.

Documents Available Electronically. An electronic version of this action as well as the December 13, 1996 Federal Register proposal notice will be available for download from EPA's TTN/BBS. The service is free, except for the cost of a telephone call. Dial (919) 541–5742 for data transfer of up to 14,400 bits per second. This information is available from both the Clean Air Act Amendments (CAAA) technical area and the Ambient Monitoring Technology Information Center (AMTIC) technical area. The TTN is also available via the Internet, TTN 2000 CAAA Internet Web site at www address (http://134.67.104.12/html/caaa/caaa.html#CAAM) and the AMTIC at www address (134.67.104.12/html/amtic/amtic.html#AMOl). For more information on the TTN, contact the systems operator at (919) 541–5384.

Dated: February 14, 1997.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 97–4329 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–M

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40 CFR Part 63

[AD–FRL–5691–1]

RIN 2060–AD94

National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: This action proposes to expand and clarify definitions in the ''National Emission Standards for Hazardous Air Pollutants: Petroleum Refineries'', which was issued as a final rule on August 18, 1995. Because the revisions add and clarify definitions, the EPA does not anticipate receiving adverse comments. Consequently the revisions are also being issued as a direct final rule in the final rules section of this Federal Register. If no significant adverse comments are timely received, no further action will be taken with respect to this proposal and the direct final rule will become final on the date provided in that action.

DATES: *Comments.* Comments must be received on or before March 24, 1997 unless a hearing is required by March 10, 1997. If a hearing is requested, written comments must be received by April 22, 1997. If a hearing is held, it will take place on March 24, 1997 beginning at 10 a.m.

ADDRESSES: *Comments.* Comments should be submitted (in duplicate, if possible) to: Air and Radiation Docket

and Information Center (6102), Attention Docket Number A–93–48 (see docket section below), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460. The EPA requests that a separate copy also be sent to the contact person listed below.

Public Hearing. If a public hearing is held, it will be held at the EPA's Office of Administration Auditorium, Research Triangle Park, North Carolina. Persons interested in attending the hearing or wishing to present oral testimony should notify Ms. JoLynn Collins, U.S. Environmental Protection Agency, Research Triangle Park, NC 27711, telephone (919) 541–5671.

Docket. Docket No. A–93–48, containing the supporting information for the original national emission standards for hazardous air pollutants (NESHAP) and this action, are available for public inspection and copying between 8:00 a.m. and 5:30 p.m., Monday through Friday, at the EPA's Air and Radiation Docket and Information Center (6102), 401 M Street SW, Washington DC 20460, or by calling (202) 260–7548. The docket is located at the above address in Room M–1500, Waterside Mall (ground floor). A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: Mr. James Durham, Waste and Chemical Processes Group, Emission Standards Division (MD–13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711, telephone number (919) 541–5672.

SUPPLEMENTARY INFORMATION: If no significant, adverse comments are timely received, no further activity is contemplated in relation to this proposed rule, and the direct final rule in the final rules section of this Federal Register will automatically go into effect on the date specified in that rule. If significant adverse comments are received the direct final rule will be withdrawn and all public comment received will be addressed in a subsequent final rule based on this proposed rule. Because the EPA will not institute a second comment period on this proposed rule, any parties interested in commenting should do so during this comment period.

For further supplemental information, the detailed rationale, and the rule provisions, see the information provided in the direct final rule in the final rules section of this Federal Register.

Executive Order 12866 Review

Under Executive Order 12866 [58 FR 51735, (October 4, 1993)], the EPA must determine whether the regulatory action is ''significant'' and therefore subject to review by the Office of Management and Budget (OMB) and the requirements of the Executive Order. The Order defines a ''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 entitlements, grants, user fees, or land 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.

Because today's action clarifies existing control requirements and does not add any additional control, monitoring, recordkeeping, or reporting requirements, this rule was classified ''non-significant'' under Executive Order 12866 and, therefore was not reviewed by OMB.

Regulatory Flexibility

The Regulatory Flexibility Act 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 this 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 proposed rule would not have a significant impact on a substantial number of small entities because it simply clarifies the applicability of control requirements in the Petroleum Refineries NESHAP, does not alter control, monitoring, recordkeeping, or reporting requirements, and does not include any provisions that create a burden for any of the regulated entities. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act

Under the Unfunded Mandates Reform Act, the EPA must prepare a statement to accompany any rule where the estimated costs to State, local, or tribal governments, or to the private sector, will be $100 million or more per year. At the time of promulgation, the EPA determined that the petroleum refineries NESHAP does not include a Federal mandate that may result in estimated costs of $100 million or more to either State, local, or tribal governments in the aggregate or to the private sector. This determination is not altered by today's action, the purpose of which is to add clarity and flexibility to existing requirements. Consequently, an unfunded mandates statement has not been prepared.

List of Subjects in 40 CFR Part 63

Environmental protection, Air pollution control, Hazardous air pollutants, Petroleum refineries, Reporting and recordkeeping requirements, Storage vessels.

Dated: February 11, 1997.

Mary D. Nichols,

Assistant Administrator for Air and Radiation.

[FR Doc. 97–4325 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 70

[AD–FRL–5689–5]

Clean Air Act Interim Approval of Operating Permits Program; State of Maine

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes adding a sixth interim approval condition to its interim approval of the Operating Permits Program submitted by Maine for the purpose of complying with Federal requirements for an approvable State program to issue operating permits to all major stationary sources, and to certain other sources. In today's Federal Register, see the final interim approval granting Maine's program, EPA is granting source category-limited interim approval to Maine's Operating Permits Program subject to five conditions listed in that action.

DATES: Comments on this proposed action must be received in writing by March 24, 1997.

ADDRESSES: Comments should be addressed to Donald Dahl, Air Permits, CAP, U.S. Environmental Protection Agency, Region I, JFK Federal Building, Boston, MA 02203–2211. Copies of the State's submittal and other supporting information used in developing the proposed interim approval are available for inspection during normal business hours at the following location: U.S. Environmental Protection Agency,

Region 1, One Congress Street, 11th floor, Boston, MA 02203–2211.

FOR FURTHER INFORMATION CONTACT: Donald Dahl, CAP, U.S. Environmental Protection Agency, Region 1, JFK Federal Building, Boston, MA 02203–2211, (617) 565–4298.

I. Background and Purpose

A. Introduction

As required under title V of the 1990 Clean Air Act Amendments (sections 501–507 of the Clean Air Act (''the Act'')), EPA has promulgated rules which define the minimum elements of an approvable State operating permits program and the corresponding standards and procedures by which the EPA will approve, oversee, and withdraw approval of State operating permits programs (see 57 FR 32250 (July 21, 1992)). These rules are codified at 40 Code of Federal Regulations (CFR) part 70. Title V requires States to develop, and submit to EPA, programs for issuing these operating permits to all major stationary sources and to certain other sources.

The Act requires that States develop and submit these programs to EPA by November 15, 1993, and that EPA act to approve or disapprove each program within 1 year after receiving the submittal. The EPA's program review occurs pursuant to section 502 of the Act and the Part 70 regulations, which together outline criteria for approval or disapproval. Where a program substantially, but not fully, meets the requirements of part 70, EPA may grant the program interim approval for a period of up to 2 years.

B. Federal Oversight and Sanctions

If EPA were to finalize this additional condition for interim approval, it would extend for two years following the effective date of final interim approval, which is 30 days from today. During the interim approval period, the State of Maine would be protected from sanctions, and EPA would not be obligated to promulgate, administer and enforce a Federal permits program for the State of Maine. Permits issued under a program with interim approval have full standing with respect to Part 70, and the 1-year time period for submittal of permit applications by subject sources begins upon the effective date of interim approval, as does the 3-year time period for processing the initial permit applications.[1]

Following final interim approval, if the State of Maine failed to submit a complete corrective program for full approval by the date 6 months before expiration of the interim approval, EPA would start an 18-month clock for mandatory sanctions. If the State of Maine then failed to submit a corrective program that EPA found complete before the expiration of that 18-month period, EPA would apply sanctions as required by section 502(d)(2) of the Act, which would remain in effect until EPA determined that the State of Maine had corrected the deficiency by submitting a complete corrective program. If, six months after application of the first sanction, the State of Maine still has not submitted a corrective program that EPA finds complete, a second sanction will be required.

If, following final interim approval, EPA were to disapprove the State of Maine's complete corrective program, EPA would be required under section 502(d)(2) to apply sanctions on the date 18 months after the effective date of the disapproval, unless prior to that date the State of Maine had submitted a revised program and EPA had determined that it corrected the deficiencies that prompted the disapproval. If, six months after EPA applies the first sanction, the State of Maine has not submitted a revised program that EPA has determined corrected the deficiencies that prompted disapproval, a second sanction will be required.

Moreover, if EPA has not granted full approval to the State of Maine's program by the expiration of an interim approval and that expiration occurs after November 15, 1995, EPA must promulgate, administer and enforce a Federal permits program for the State of Maine upon interim approval expiration.

II. Proposed Action and Implications

A. Analysis of State Submission

This document focuses on adding a sixth condition for granting full approval of Maine's title V operating permits program. Maine's title V program, submitted on October 23, 1995, contained a list of ''insignificant activities'' that an applicant did not need to address in its application or have the activity listed in its permit unless that activity was subject to an applicable requirement. See 40 CFR 70.5(c). The list contained 156 activities and was developed by consolidating title V programs from several other States. EPA proposed approving this list, 61 FR 49289 (September 19, 1996). In part, EPA based its proposal to approve Maine's insignificant activity list on the fact that Maine's program requires that an activity, if subject to an applicable requirement, must be listed in a facility's application. In addition, EPA was not aware that any of the activities listed had emissions above what EPA considered insignificant.

On October 17, 1996, EPA received a comment from the Town of Jay stating that six of the activities listed in Maine's program had significant emissions. The activities the Town listed in its comments were: (1) Paper forming; (2) vacuum system exhaust; (3) liquor clarifier and storage tanks and associated pumping, piping, and handling; (4) stock cleaning and pressurized pulp washing; (5) broke beaters, repulpers, pulp and repulping tanks, stock chests and bulk pulp handling; and (6) sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems. According to the Town, total emissions from these activities at just one facility exceeds 1000 tons of volatile organic compounds (VOCs) per year. However, EPA also received a letter from an industrial facility claiming the emissions were overstated by the Town, and in fact were less than 100 tons of VOCs per year. The Maine DEP submitted a letter questioning the assumptions Jay made in projecting emission levels from these activities. Jay also submitted a second letter explaining its assumptions. All this correspondence is available in the docket supporting this action.

Based on all data EPA has received to date about the emissions from these activities, EPA concludes that the emissions from all of these activities can approach or exceed major source or major modification thresholds under the Act and therefore are not ''insignificant'' for the purposes of a title V application, even if there is no applicable requirement for these activities. Therefore, these six items should be removed from the list of insignificant activities. Maine still has flexibility; however, to tailor how much information about these activities a source would need to include in its application because it appears that there are no current applicable requirements for these activities. For example, EPA's ''White Paper for Streamlined Development of Part 70 Permit Applications,'' dated July 10, 1995 suggests a general description of the emissions and emission units would suffice for units subject to no applicable requirements.

B. Proposed Action

The scope of Maine's Part 70 program covers all Part 70 sources within the

[1] Note that states may require applications to be submitted earlier than required under section 503(c). See Chapter 140, Appendix C.3. of Maine's rules.

state of Maine, except any sources of air pollution over which an Indian Tribe has jurisdiction. *See, e.g.,* 59 FR 55813, 55815–18 (Nov. 9, 1994). The term ''Indian Tribe'' is defined under the Act as ''any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.'' *See* section 302(r) of the CAA; *see also* 59 FR 43956, 43962 (Aug. 25, 1994); 58 FR 54364 (Oct. 21, 1993). EPA is not taking any position in this action on whether any Federally recognized tribe in Maine has jurisdiction over sources of air pollution.

The EPA is proposing to add a sixth condition to Maine's source category-limited interim approval of the operating permits program submitted by Maine on October 24, 1995. If promulgated, the State must make, in addition to the five conditions stated in the final rules section of today's Federal Register, the following change in its rule to receive full approval:

1. Maine must remove the following activities from Appendix B of Chapter 140 of the State's rules: (1) Paper forming; (2) vacuum system exhaust; (3) liquor clarifier and storage tanks and associated pumping, piping, and handling; (4) stock cleaning and pressurized pulp washing; (5) broke beaters, repulpers, pulp and repulping tanks, stock chests and bulk pulp handling; and (6) sewer manholes, junction boxes, sumps and lift stations associated with wastewater treatment systems.

III. Administrative Requirements

A. Request for Public Comments

The EPA is requesting comments on this additional proposed interim approval condition. Copies of the State's submittal and other information relied upon for the proposed interim approval are contained in a docket maintained at the EPA Regional Office. The docket is an organized and complete file of all the information submitted to, or otherwise considered by, EPA in the development of this proposed interim approval. The principal purposes of the docket are:

(1) To allow interested parties a means to identify and locate documents so that they can effectively participate in the approval process, and

(2) To serve as the administrative record in the event of judicial review. The EPA will consider any comments received by March 24, 1997.

B. Executive Order 12866

The Office of Management and Budget has exempted this action from Executive Order 12866 review.

C. Regulatory Flexibility Act

The EPA's actions under section 502 of the Act do not create any new requirements, but simply address operating permits programs submitted to satisfy the requirements of 40 CFR part 70. Because this action does not impose any new requirements, it does not have a significant impact on a substantial number of small entities.

D. 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 costs to State, local, or tribal governments in the aggregate; or to the 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 action promulgated today does not include a Federal mandate that may result in estimated 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 preexisting requirements under State or local law, and imposes no new Federal requirements. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. Additionally, it will not cost $100 million to operate or comply with this program.

List of Subjects in 40 CFR Part 70

Environmental protection, Administrative practice and procedure, Air pollution control, Intergovernmental relations, Operating permits, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401–7671q.

Dated: February 5, 1997.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 97–4328 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 97–63, RM–9000]

Radio Broadcasting Services; Greenwood , AR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed by Fred R. Morton, Jr. requesting the allotment of Channel 268A to Greenwood, Arkansas, as its second local FM transmission service. Coordinates used for Channel 268A at Greenwood are 35–12–54 and 94–15–30.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Secretary, Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Fred R. Morton, Jr., 5103 North Cherry, Lawton, OK 73505.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–63, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4301 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–66; RM–8997]

Radio Broadcasting Services; Fredonia, KY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by JoeMyers Productions, Inc., proposing the allotment of Channel 221A at Fredonia, Kentucky, as the community's first local aural transmission service. Channel 221A can be allotted to Fredonia in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.2 kilometers (3.8 miles) northeast to avoid short-spacings to the licensed sites of Station WYNU(FM), Channel 222C, Milan, Tennessee, Station WBKR(FM), Channel 223C, Owensboro, Kentucky, and Station WMJL–FM, Channel 274A, Marion, Kentucky. The coordinates for Channel 221A at Fredonia are North Latitude 37–15–22 and West Longitude 88–01–49.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, NW., Suite 200, Washington, DC 20006 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–66, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4300 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–64; RM–9001]

Radio Broadcasting Services; Lexington, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Atlantis Broadcasting Co., L.L.C., proposing the allotment of Channel 258A at Lexington, Illinois, as the community's first local aural transmission service. Channel 258A can be allotted to Lexington in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.1 kilometers (5.1 miles) southwest to avoid short-spacings to the licensed sites of Station WAJK(FM), Channel 257B1, LaSalle, Illinois, and Station WUSN(FM), Channel 258B, Chicago, Illinois. The coordinates for Channel 258A at Lexington are North Latitude 40–35–15 and West Longitude 88–50–39.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James K. Edmundson, Esq., Gardner, Carton & Douglas, 1301 K Street, NW., Suite 900, East Tower, Washington, DC 20005 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–64, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4299 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–65; RM–9002]

Radio Broadcasting Services; Chewelah, WA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by LifeTalk Broadcasting Association proposing the allotment of Channel *283C3 at Chewelah, Washington, and its reservation for noncommercial educational use. Channel *283C3 can be

allotted to Chewelah in compliance with the Commission's minimum distance separation requirements with a site restriction of 4.9 kilometers (3.0 miles) north to avoid a short-spacing to the licensed site of Station KEEH(FM), Channel 284A, Spokane, Washington. The coordinates for Channel *283C3 at Chewelah are North Latitude 48–19–17 and West Longitude 117–44–35. Since Chewelah is located within 320 kilometers (200 miles) of the U.S.-Canadian border, concurrence of the Canadian government has been requested.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Donald E. Martin, P.C., P.O. Box 19351, Washington, DC 20036 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–65, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4298 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

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47 CFR Part 73

[MM Docket No. 97–57, RM–9016]

Radio Broadcasting Services; Hope, ND

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Vixon Valley Broadcasting seeking the allotment of Channel 284A to Hope, North Dakota, as the community's first local aural service. Channel 284A can be allotted to Hope in compliance with the Commission's minimum distance separation requirements, without the imposition of a site restriction, at coordinates 47–19–24 NL; 97–43–00 WL. Canadian concurrence in the allotment is required because the community is located within 320 kilometers (200 miles) of the U.S.-Canadian border.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Victor A. Michael, Jr., President, Vixon Valley Broadcasting, c/o Magic City Media, 1912 Capitol Avenue, Suite 300, Cheyenne, WY 82001 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–57, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4297 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

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47 CFR Part 73

[MM Docket No. 97–62, RM–9008]

Radio Broadcasting Services; Orofino, ID

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Topaz Enterprises, Inc. proposing the allotment of Channel 253A to Orofino, Idaho, an incorporated community, as its second local FM transmission service. Coordinates used for Channel 253A at Orofino are 46–28–48 and 116–15–00. As Orofino, Idaho, is located within 320 kilometers (199 miles) of the Canadian border, the Commission must obtain the concurrence of the Canadian government to this proposal.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner and its consultant, as follows: Topaz Enterprises, Inc., Attn: Dale A. Ganske, President, 5546–3 Century Avenue, Middleton, WI 53562 (Petitioner); and Larry G. Fuss, Contemporary Communications, P.O. Box 1787, Cleveland, MS 38732 (Consultant).

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–62, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4296 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

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47 CFR Part 73

[MM Docket No. 97–59, RM–8976]

Radio Broadcasting Services; Clayton and Jena, LA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Clayton FM Partnership requesting the substitution of Channel 257A for Channel 300A to Clayton, Louisiana, and modification of Clayton FM's construction permit to reflect the alternate channel. To accommodate the channel change at Clayton, the Commission also proposes the substitution of Channel 274A for Channel 257A at Jena, Louisiana, and the modification of Station KJNA(FM)'s license to specify the alternate Class A channel. Channels 257A and 274A can be allotted to Clayton and Jena, respectively, in compliance with the Commission's minimum distance separation requirements. Channel 257A can be allotted to Clayton at the transmitter site specified Clayton FM's construction permit at coordinates 31–46–05 NL; 91–34–39 WL. Channel 274A can be allotted to Jena at KJNA's licensed transmitter site at 31–41–51 NL; 92–05–43 WL.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Vincent J. Curtis, Jr., Fletcher, Heald & Hildreth, P.L.C., 1300 N. 17th Street, 11th Floor, Rosslyn, Virginia 22209 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–59, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4294 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–58, RM–8998]

Radio Broadcasting Services; Randolph, UT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Vixon Valley Broadcasting proposing the allotment of Channel 272A to Randolph, Utah, as the community's first local aural transmission service. Channel 272A can be allotted to Randolph in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for Channel 272A at Randolph are 41–39–54 and 111–11–12.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Victor A Michael Jr., President, Vixon Valley Broadcasting, c/o Magic City Media, 1912 Capitol Avenue, Suite 300, Cheyenne, WY 82001.

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–58, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4293 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–67; RM–8996]

Radio Broadcasting Services; Freeport, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Highland Broadcasting Company proposing the allotment of Channel 295A at Freeport, Illinois, as the community's third local FM transmission service. Channel 295A can be allotted to Freeport in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.4 kilometers (3.4 miles) north to avoid short-spacings to the licensed sites of Station WSWT(FM), Channel 295B, Peoria, Illinois, and Station WSJY(FM), Channel 297B, Fort Atkinson, Wisconsin. The coordinates for Channel 295A at Freeport are North Latitude 42–19–28 and West Longitude 89–35–13.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Henry E. Crawford, Esq., 1150 Connecticut Ave., NW., Suite 900, Washington, DC 20036 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT: Sharon P. McDonald, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–67, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4292 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–60, RM–8982]

Radio Broadcasting Services; Waynesboro and Collinwood, TN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Ohio Broadcast Associates requesting the reallotment of Channel 235C3 from Waynesboro to Collinwood, Tennessee, as the community's first local aural broadcast service, and the modification of Station WFRQ(FM)'s license to specify Collinwood as its community of license. Channel 235C3 can be allotted to Collinwood in compliance with the Commission's minimum distance separation requirements at the site specified in Station WFRQ(FM)'s license, at coordinates 35–08–16 and 87–49–43.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Audrey Malkan, Owner, Ohio Broadcast Associates, 404 Avalon Avenue, Muscle Shoals, Alabama 35662 (petitioner).

FOR FURTHER INFORMATION CONTACT: Pam Blumenthal, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–60, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Center (Room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, ITS, Inc., (202) 857–3800, 2100 M Street, NW, Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4291 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

47 CFR Part 73

[MM Docket No. 97–61, RM–9010]

Radio Broadcasting Services; Superior, MT

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Mountain Tower Broadcasting proposing the allotment of Channel 298A to Superior, Montana, as that community's first local broadcast service. The coordinates for Channel 298A are 47–11–30 and 114–53–18. Canadian concurrence will be requested for the allotment of Channel 298A at Superior.

DATES: Comments must be filed on or before April 7, 1997, and reply comments on or before April 22, 1997.

ADDRESSES: Federal Communications Commission, Washington, DC. 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Victor A. Michael Jr., President, Mountain Tower Broadcasting, c/o Magic City Media, 1912 Capitol Avenue, Suite 300, Cheyenne, Wyoming 82001.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 97–61, adopted February 7, 1997, and released February 14, 1997. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., Suite 140, Washington, DC. 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97–4290 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 192 and 195

[Docket No. PS–94; Notice 6]

RIN 2137–AB38

Qualification of Pipeline Personnel

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Notice of public meeting.

SUMMARY: This document announces the first meeting of an advisory committee to conduct a negotiated rulemaking to develop a proposed rule on qualifications of pipeline employees performing certain safety-related functions on pipelines subject to the pipeline safety regulations. The advisory committee is composed of persons who represent the interests that would be affected by the rule, such as gas pipeline operators, hazardous liquid and carbon dioxide pipeline operators, representatives of state and federal governments, and other interested parties.

DATES: The advisory committee's first meeting will be held from 8:30 am to 5 pm on April 23–24, 1997.

ADDRESSES: The advisory committee meeting will be held in Room 3200–3204 at the U.S. Department of Transportation, Nassif Building, 400 7th Street SW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Eben M. Wyman, (202) 366–0918, regarding the subject matter of this Notice; or the Dockets Unit, (202) 366–4453, for copies of this document or other material in the docket.

SUPPLEMENTARY INFORMATION:

Congressional Mandates

Under sections 106 and 205 of the Pipeline Safety Act of 1992 (Pub. L. No. 102–508; October 24, 1992), 49 U.S.C. 60102, Congress mandated DOT to require that ''all individuals responsible for the operation and maintenance of pipeline facilities be tested for qualifications and certified to perform such functions.'' Section 4 of the Accountable Pipeline Safety and Partnership Act of 1996 (Pub. L. No. 104–304; October 12, 1996), amended that mandate to require that ''all individuals who operate and maintain pipeline facilities shall be qualified to operate and maintain the pipeline facilities.'' The new mandate retains the requirement that ''qualifications applicable to an individual who operates and maintains a pipeline facility shall address the ability to recognize and react appropriately to abnormal operating conditions that may indicate a dangerous situation or a condition exceeding design limits. The operator of a pipeline facility shall ensure that employees who operate and maintain the facility are qualified to operate and maintain the pipeline facilities.''

Notice of Intent To Form a Negotiated Rulemaking Committee

On July 2, 1996, RSPA issued a Notice of Intent (NOI) (61 FR 34410) to inform the public of RSPA's intent to form a Negotiated Rulemaking Committee to develop a proposed rule on the qualification of pipeline personnel who are engaged in pipeline operations, maintenance, and emergency-response functions. Concurrently with the issuance of the NOI, RSPA issued a Notice (61 FR 34413) withdrawing a previous Notice of Proposed Rulemaking in Docket No. PS–94 titled ''Qualification of Pipeline Personnel'' (59 FR 39506). The NOI listed interests that could be affected by a qualification rule and tentatively identified various organizations that could represent those interests. The NOI also invited comments on the issues to be negotiated, and invited interested parties to apply for appointment to the committee if they could demonstrate that their interests could not be adequately represented by the proposed committee members.

RSPA received over 20 comments to the NOI, all of which supported the negotiated rulemaking initiative. A few comments focused on the ''Key Issues for Negotiation'' in the NOI. These commenters requested a more general approach to the pipeline qualification issue, and urged RSPA to avoid involvement with specific pipeline-related functions. Further, a gas trade association said that it would be premature to discuss the ''key issues,'' and suggested a number of basic ''guiding principals'' for discussions during the negotiation.

RSPA did not intend to limit the Committee's discussion to the ''key issues'' described in the NOI. RSPA is willing to address the comments to the NOI directly, or allow the representatives of these organizations to bring their concerns to the negotiating table. The meeting's agenda and processes will be left to the Committee's discretion, with the help of the facilitator. These procedural issues will be resolved at this initial meeting.

Members of the RSPA Negotiated Rulemaking Committee

As noted in the NOI, the Federal Mediation and Conciliation Service (FMCS) served as the convener of this negotiated rulemaking, and will be serving as the facilitator for the Negotiated Rulemaking Committee. RSPA representatives met with FMCS on several occasions to discuss the issues that needed to be addressed and the interests that needed to be represented on a negotiated rulemaking committee. FMCS contacted organizations that might be able to represent various interests, reviewed additional applications for representation, and drafted a tentative membership list. Each organization will be allowed one seat at the negotiating table. Subsequently, the following organizations were approved by the Secretary for membership on the Negotiated Rulemaking Committee:

1. American Gas Association (AGA)

The AGA represents a large number of gas distribution and a few transmission companies in the pipeline industry. AGA members consist of both large and small operators.

2. American Petroleum Institute (API)

API represents the interests of the hazardous liquid pipeline companies. API is the major trade association in the petroleum industry.

3. Interstate Natural Gas Association of America (INGAA)

INGAA consists mainly of the larger interstate gas transmission pipelines. INGAA represents the larger interstate gas transmission pipeline companies in the natural gas transportation industry.

4. American Public Gas Association (APGA)

APGA is a trade association of publicly-owned and municipal gas companies. APGA represents the interests of these municipalities, and although these public companies are generally small, they operate a large number of the distribution pipelines in American cities and suburbs.

5. National Propane Gas Association (NPGA)

NPGA consists of many companies that deal with transportation of propane gas. Members of NPGA are usually smaller operators, but the interests of the larger propane transportation companies are also represented.

6. Association of Texas Intrastate Natural Gas Pipelines

This association represents the interests of intrastate natural gas transmission pipelines. The Association's work with industry training organizations may contribute to development of the qualifications rule.

7. Midwest Gas Association (MGA)

MGA is a non-profit organization consisting of over 100 investor-owned utilities, municipal utilities, contractors, and manufacturers. Working with others in the gas pipeline transportation industry, MGA has developed many training programs, including those involving pipeline transportation.

8. National Association of Corrosion Engineers (NACE)

NACE is an organization of corrosion experts. Corrosion is the second most common source of pipeline failures, and NACE works primarily on issues of corrosion and corrosion control systems.

9. National Association of Pipeline Safety Representatives (NAPSR)

NAPSR is an organization of state pipeline safety programs. This organization represents the state pipeline safety program managers, most of whom would incorporate the Federal final rule on operator personnel qualifications into their state's pipeline safety program.

10. National Association of Regulatory Utility Commissioners (NARUC)

NARUC represents the interests of the state utility commissioners, who regulate gas rates and terms of service in most of the fifty states. The qualification rulemaking could have an impact on the costs of gas service incorporated in gas service rates.

11. National Association of Fire Marshals

This is a national organization consisting of state fire officials who have expertise on the issue of qualification for emergency response.

12. International Union of Operating Engineers (IUOE)

This labor organization represents the interests of many pipeline workers. IUOE represents 21,000 gas industry workers.

13. International Brotherhood of Electrical Workers (IBEW)

This labor organization represents a substantial number of pipeline construction and maintenance workers.

14. Office of Pipeline Safety (OPS)

OPS will serve as the representative of RSPA, representing the United States Government on the issue of operator personnel qualifications. The OPS representative will be the Designated Federal Official at the negotiations.

RSPA coordinated with FMCS throughout the convening process to identify and approach an environmental organization to serve on the committee. Although many environmental groups were contacted, none were interested in participating in the negotiation. Government agencies that are environmentally focused also assisted by soliciting participation through their mailing lists or on their Internet page. Some of these groups said that the issue was too narrowly focused to generate their interest or said they did not know enough about the issue to participate.

Environmental groups have had multiple opportunities to express their interest. RSPA solicited applications through the NOI and even named an environmental group as a likely participant. FMCS concluded that a good faith effort was made to include an environmental organization and, due to the lack of interest, suggested that the convening of the committee should proceed with the existing membership.

Conduct of Meeting

The initial meeting will be held from 8:30 am to 5:00 pm over a two-day period, and may conclude early on the second day depending on the progress of the Committee. Although these meetings will be open to the public, the amount of audience participation, if any, will be determined by the Committee.

At the initial meeting of the Committee, considerable explanation and training in the Negotiated Rulemaking process will be provided by FMCS. The Committee will also need to address and reach consensus on many procedural issues, such as the meeting(s) agenda, ground rules for members to follow when addressing the Committee, the procedure for keeping a record or ''minutes'' of the meeting(s), and a schedule for distribution of minutes for correction and concurrence prior to placing them in the public docket. Most importantly, the committee will need to agree on a timeline for the negotiation and a schedule of committee meetings.

RSPA believes that the negotiated rulemaking process will provide ample opportunity for all affected parties to present their views and to reach a consensus on a pipeline personnel qualifications rule.

Issued in Washington, D.C., on February 14, 1997.

Richard B. Felder,

Associate Administrator for Pipeline Safety.

[FR Doc. 97–4275 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–06–P

National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. 96–122; Notice 01]

RIN 2127–AG33

Preliminary Theft Data; Motor Vehicle Theft Prevention Standard

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Publication of preliminary theft data; request for comments.

SUMMARY: This document requests comments on data about passenger motor vehicle thefts that occurred in calendar year (CY) 1995, including theft rates for existing passenger motor vehicle lines manufactured in model year (MY) 1995. The theft data preliminarily indicate that the vehicle theft rate for CY/MY 1995 vehicles (3.61 thefts per thousand vehicles) decreased by 13.4 percent from the theft rate for CY/MY 1994 vehicles (4.17 thefts per thousand vehicles).

Publication of these data fulfills NHTSA's statutory obligation to periodically obtain accurate and timely theft data, and publish the information for review and comment.

DATES: Comments must be submitted on or before April 22, 1997.

ADDRESSES: All comments should refer to the docket number and notice number cited in the heading of this document and be submitted, preferably with ten copies to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, DC 20590. Docket hours are from 9:30 am to 4:00 pm, Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Ms. Rosalind Proctor, Office of Planning and Consumer Programs, NHTSA, 400 Seventh Street, SW, Washington, DC 20590. Ms. Proctor's telephone number is (202) 366–0846. Her fax number is (202) 493–2739.

SUPPLEMENTARY INFORMATION: NHTSA administers a program for reducing motor vehicle theft. The central feature of this program is the Federal Motor Vehicle Theft Prevention Standard, 49 CFR Part 541. The standard specifies performance requirements for inscribing or affixing vehicle identification numbers (VINs) onto certain major original equipment and replacement parts of high-theft lines of passenger motor vehicles.

The agency is required by 49 U.S.C. 33104(b)(4) to periodically obtain, from the most reliable source, accurate and timely theft data, and publish the data for review and comment. To fulfill the § 33104(b)(4) mandate, this document reports the preliminary theft data for CY 1995, the most recent calendar year for which data are available.

In calculating the 1995 theft rates, NHTSA followed the same procedures it used in calculating the MY 1994 theft rates. (For 1994 theft data calculations, see 61 FR 50069, September 24, 1996). As in all previous reports, NHTSA's data were based on information provided to NHTSA by the National Crime Information Center (NCIC) of the Federal Bureau of Investigation. The NCIC is a governmental system that receives vehicle theft information from nearly 23,000 criminal justice agencies and other law enforcement authorities throughout the United States. The NCIC data also include reported thefts of self-insured and uninsured vehicles, not all of which are reported to other data sources.

The 1995 theft rate for each vehicle line was calculated by dividing the number of reported thefts of MY 1995 vehicles of that line stolen during calendar year 1995, by the total number of vehicles in that line manufactured for MY 1995, as reported to the Environmental Protection Agency.

The preliminary 1995 theft data show a decrease in the vehicle theft rate when compared to the theft rate experienced in CY/MY 1994. The preliminary theft rate for MY 1995 passenger vehicles stolen in calendar year 1995 decreased to 3.61 thefts per thousand vehicles produced, a decrease of 13.4 percent from the rate of 4.17 thefts per thousand vehicles experienced by MY 1994 vehicles in CY 1994. For MY 1995 vehicles, out of a total of 207 vehicle lines, 86 lines had a theft rate higher than 3.5826 per thousand vehicles, the established median theft rate for MYs 1990/1991. (See 59 FR 12400, March 16, 1994). Of the 86 vehicle lines with a theft rate higher than 3.5826, 71 are passenger car lines, 12 are multipurpose passenger vehicle lines, and 3 are light-duty truck lines.

In Table I, NHTSA has tentatively ranked each of the MY 1995 vehicle lines in descending order of theft rate. Public comment is sought on the accuracy of the data, including the data for the production volumes of individual vehicle lines.

Comments must not exceed 15 pages in length (49 CFR Part 553.21). Attachments may be appended to these submissions without regard to the 15 page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above for this document will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments on this document will be available for inspection in the docket. NHTSA will continue to file relevant information as it becomes available for inspection in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

Authority: 49 U.S.C. 33101, 33102 and 33104; delegation of authority at 49 CFR 1.50.

THEFT RATES OF MODEL YEAR 1995 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1995

	Manufacturer	Make/model (line)	Thefts 1995	Production (MFGR'S) 1995	1995 (per 1,000 vehicles produced) theft rate
1	TOYOTA	SUPRA	31	1,542	20.1038
2	MITSUBISHI	DIAMANTE	249	12,947	19.2323
3	CHRYSLER CORP	LEBARON COUPE/CONVERTIBLE	537	35,844	14.9816
4	MITSUBISHI	MONTERO	459	31,643	14.5056
5	CHRYSLER CORP.	DODGE SPIRIT	341	24,557	13.8861
6	TOYOTA	LEXUS GS	100	7,700	12.9870
7	CHRYSLER CORP.	PLYMOUTH ACCLAIM	308	23,761	12.9624
8	HONDA/ACURA	LEGEND	296	22,847	12.9557
9	PORSCHE	911	96	7,487	12.8222
10	HYUNDAI	SCOUPE	101	8,673	11.6453
11	MITSUBISHI	MIRAGE	692	60,209	11.4933
12	MITSUBISHI	EXPO	79	7,347	10.7527
13	BMW	M3	98	9,279	10.5615
14	MITSUBISHI	GALANT/SIGMA	676	80,384	8.4096
15	FORD MOTOR CO.	MUSTANG	1,388	165,831	8.3700
16	NISSAN	300ZX	28	3,624	7.7263
17	FORD MOTOR CO.	F150 PICKUP TRUCK	843	109,770	7.6797
18	NISSAN	ALTIMA	1,245	163,237	7.6269
19	FIAT	F355	4	529	7.5614
20	TOYOTA	LEXUS SC	120	15,915	7.5401
21	NISSAN	INFINITI Q45	64	8,579	7.4601
22	MITSUBISHI	ECLIPSE	435	61,045	7.1259
23	HONDA	PRELUDE	93	13,763	6.7572
24	HONDA/ACURA	2.5TL	3	444	6.7568
25	NISSAN	PATHFINDER	666	104,565	6.3692
26	NISSAN	240SX	157	25,114	6.2515
27	GENERAL MOTORS	OLDSMOBILE CUTLASS CIERA	769	123,593	6.2220
28	GENERAL MOTORS	CHEVROLET CORVETTE	124	19,949	6.2159
29	HYUNDAI	ELANTRA	298	50,215	5.9345
30	HONDA/ACURA	INTEGRA	411	72,753	5.6493
31	TOYOTA	4-RUNNER	565	101,650	5.5583
32	CHRYSLER CORP.	JEEP GRAND CHEROKEE	1,464	263,571	5.5545
33	PORSCHE	968	3	559	5.3667
34	MERCEDES BENZ	140(S–CLASS)	140	26,141	5.3556
35	TOYOTA	TERCEL	494	93,018	5.3108
36	GENERAL MOTORS	BUICK CENTURY	581	110,291	5.2679
37	MITSUBISHI	3000GT	82	15,597	5.2574
38	BMW	3	284	54,625	5.1991
39	MAZDA	626/MX–6	573	110,320	5.1940
40	CHRYSLER CORP.	TOWN & COUNTRY MPV	64	12,365	5.1759
41	GENERAL MOTORS	GEO TRACKER	266	51,400	5.1751
42	HONDA/ACURA	NSX	4	781	5.1216
43	NISSAN	MAXIMA	779	154,596	5.0389
44	TOYOTA	COROLLA/COROLLA SPORT	1,042	211,049	4.9372
45	HYUNDAI	SONATA	161	32,807	4.9075
46	CHRYSLER CORP.	DODGE STEALTH	22	4,497	4.8922
47	TOYOTA	PICKUP TRUCK	218	44,724	4.8743
48	CHRYSLER CORP.	PLYMOUTH NEON	843	173,510	4.8585
49	CHRYSLER CORP.	NEW YORKER/LHS	241	49,779	4.8414
50	CHRYSLER CORP.	JEEP WRANGLER	500	104,244	4.7964
51	CHRYSLER CORP.	EAGLE TALON	164	34,297	4.7818
52	CHRYSLER CORP.	PLYMOUTH VOYAGER/GRAND	782	163,590	4.7802
53	TOYOTA	CAMRY	1,489	314,047	4.7413
54	GENERAL MOTORS	CHEVROLET CORSICA	669	142,074	4.7088
55	MAZDA	MPV WAGON	77	16,379	4.7011
56	GENERAL MOTORS	CHEVROLET BERETTA	333	71,753	4.6409
57	CHRYSLER CORP.	DODGE NEON	943	203,881	4.6252
58	GENERAL MOTORS	PONTIAC TRANS SPORT	198	42,984	4.6064
59	SUZUKI	SIDEKICK	144	31,741	4.5367
60	FORD MOTOR CO.	LINCOLN TOWN CAR	488	107,707	4.5308
61	BMW	5	164	36,329	4.5143
62	CHRYSLER CORP.	DODGE CARAVAN/GRAND	976	217,893	4.4793
63	HYUNDAI	ACCENT	225	51,061	4.4065
64	CHRYSLER CORP.	EAGLE VISION	110	25,140	4.3755
65	FORD MOTOR CO.	ASPIRE	272	62,775	4.3329
66	HONDA	ACCORD	1,411	327,746	4.3052
67	MERCEDES BENZ	129(SL—CLASS)	36	8,380	4.2959
68	MAZDA	323/PROTEGE	352	82,433	4.2701

THEFT RATES OF MODEL YEAR 1995 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1995—Continued

	Manufacturer	Make/model (line)	Thefts 1995	Production (MFGR'S) 1995	1995 (per 1,000 vehicles produced) theft rate
69	HONDA	PASSPORT	155	36,620	4.2327
70	GENERAL MOTORS	BUICK SKYLARK	220	52,743	4.1712
71	BMW	8	5	1,230	4.0650
72	CHRYSLER CORP.	INTREPID	611	151,118	4.0432
73	GENERAL MOTORS	CHEVROLET CAMARO	495	122,959	4.0257
74	GENERAL MOTORS	PONTIAC GRAND AM	1,055	262,739	4.0154
75	MAZDA	929	17	4,248	4.0019
76	GENERAL MOTORS	GEO PRIZM	408	103,820	3.9299
77	FORD MOTOR CO.	PROBE	229	58,275	3.9296
78	FORD MOTOR CO.	MERCURY TRACER	249	63,707	3.9085
79	NISSAN	INFINITI J30	77	20,117	3.8276
80	HONDA	CIVIC	1,242	325,199	3.8192
81	GENERAL MOTORS	OLDSMOBILE ACHIEVA	192	51,388	3.7363
82	FORD MOTOR CO.	LINCOLN MARK VIII	75	20,107	3.7300
83	MITSUBISHI	PICKUP TRUCK	37	9,991	3.7033
84	FORD MOTOR CO.	MERCURY SABLE	380	102,624	3.7028
85	CHRYSLER CORP.	DODGE AVENGER	121	33,055	3.6606
86	GENERAL MOTORS	PONTIAC FIREBIRD	187	51,279	3.6467
87	TOYOTA	LEXUS LS	80	22,659	3.5306
88	TOYOTA	CELICA	88	25,391	3.4658
89	ISUZU	PICKUP TRUCK	57	16,493	3.4560
90	FORD MOTOR CO.	MERCURY MYSTIQUE	229	66,690	3.4338
91	FORD MOTOR CO.	THUNDERBIRD	389	114,919	3.3850
92	NISSAN	INFINITI G20	59	17,457	3.3797
93	GENERAL MOTORS	CHEVROLET LUMINA APV	198	58,819	3.3663
94	KIA MOTORS	SEPHIA	68	20,250	3.3580
95	TOYOTA	PASEO	14	4,211	3.3246
96	NISSAN	SENTRA	425	128,110	3.3175
97	TOYOTA	LEXUS ES	128	38,608	3.3154
98	GENERAL MOTORS	GEO METRO	252	76,079	3.3123
99	JAGUAR	XJ6	40	12,195	3.2800
100	CHRYSLER CORP.	SEBRING	67	20,613	3.2504
101	FORD MOTOR CO.	ESCORT	1,186	364,969	3.2496
102	MAZDA	MX–3	28	8,627	3.2456
103	TOYOTA	MR2	1	309	3.2362
104	FORD MOTOR CO.	TAURUS	1,238	396,050	3.1259
105	FORD MOTOR CO.	CONTOUR	546	179,245	3.0461
106	CHRYSLER CORP.	JEEP CHEROKEE	376	123,859	3.0357
107	MAZDA	MILLENIA	134	45,891	2.9200
108	FORD MOTOR CO.	MERCURY COUGAR	170	60,279	2.8202
109	VOLKSWAGEN	GOLF III/GTI	60	21,285	2.8189
110	NISSAN	PICKUP TRUCK	479	173,383	2.7627
111	FORD MOTOR CO.	LINCOLN CONTINENTAL	88	32,816	2.6816
112	CHRYSLER CORP.	DODGE STRATUS	126	48,060	2.6217
113	VOLKSWAGEN	JETTA III	208	79,470	2.6173
114	GENERAL MOTORS	CHEVROLET CAVALIER	398	152,457	2.6106
115	CHRYSLER CORP.	DODGE DAKOTA PICKUP	307	117,873	2.6045
116	CHRYSLER CORP.	EAGLE SUMMIT	30	12,632	2.5791
117	GENERAL MOTORS	PONTIAC GRAND PRIX	341	132,266	2.5781
118	ISUZU	RODEO	231	89,961	2.5678
119	CHRYSLER CORP.	CIRRUS	158	61,913	2.5520
120	GENERAL MOTORS	GMC SAFARI	132	52,479	2.5153
121	GENERAL MOTORS	CHEVROLET CAPRICE	134	55,459	2.4162
122	MAZDA	MX–5 MIATA	47	19,822	2.3711
123	SUBARU	IMPREZA	69	29,916	2.3065
124	GENERAL MOTORS	OLDSMOBILE SILHOUETTE	40	17,347	2.3059
125	GENERAL MOTORS	OLDSMOBILE CUTLASS SUPREME	238	104,586	2.2756
126	SUZUKI	SAMURAI	1	440	2.2727
127	GENERAL MOTORS	CADILLAC DEVILLE/SIXTY SPECIAL	238	105,621	2.2533
128	GENERAL MOTORS	CHEVROLET S–10 PICKUP	530	245,938	2.1550
129	CHRYSLER CORP.	DODGE VIPER	3	1,431	2.0964
130	TOYOTA	TACOMA PICKUP TRUCK	162	79,946	2.0264
131	KIA MOTORS	SPORTAGE	21	10,473	2.0052
132	MAZDA	RX–7	1	501	1.9960
133	GENERAL MOTORS	CHEVROLET ASTRO	308	157,562	1.9548
134	GENERAL MOTORS	PONTIAC BONNEVILLE	179	92,140	1.9427
135	JAGUAR	XJ12	1	520	1.9231

THEFT RATES OF MODEL YEAR 1995 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1995—Continued

	Manufacturer	Make/model (line)	Thefts 1995	Production (MFGR'S) 1995	1995 (per 1,000 vehicles produced) theft rate
136	GENERAL MOTORS	OLDSMOBILE CUTLASS CRUISER	17	8,865	1.9177
137	VOLKSWAGEN	PASSAT	30	15,712	1.9094
138	GENERAL MOTORS	CADILLAC ELDORADO	46	24,488	1.8785
139	TOYOTA	T100 PICKUP TRUCK	66	35,352	1.8669
140	GENERAL MOTORS	SATURN SC	111	59,912	1.8527
141	VOLVO	850	108	58,537	1.8450
142	MERCEDES BENZ	124 (E-CLASS)	58	31,583	1.8364
143	GENERAL MOTORS	CHEVROLET BLAZER S–10	405	221,093	1.8318
144	GENERAL MOTORS	PONTIAC SUNFIRE	97	53,129	1.8257
145	GENERAL MOTORS	GMC SONOMA TRUCK	108	59,435	1.8171
146	FORD MOTOR CO.	EXPLORER	468	260,844	1.7942
147	GENERAL MOTORS	SATURN SL	362	208,457	1.7366
148	GENERAL MOTORS	BUICK REGAL	155	90,290	1.7167
149	NISSAN	QUEST	111	65,072	1.7058
150	FORD MOTOR CO.	MERCURY GRAND MARQUIS	161	94,519	1.7034
151	TOYOTA	AVALON	100	60,370	1.6565
152	FORD MOTOR CO.	CROWN VICTORIA	106	64,247	1.6499
153	FORD MOTOR CO.	AEROSTAR	181	109,873	1.6474
154	FORD MOTOR CO.	WINDSTAR	523	321,744	1.6255
155	MERCEDES BENZ	202 (C—CLASS)	55	34,068	1.6144
156	GENERAL MOTORS	GMC JIMMY S–15	112	71,652	1.5631
157	TOYOTA	PREVIA	31	20,905	1.4829
158	JAGUAR	XJS	8	5,441	1.4703
159	GENERAL MOTORS	CHEVROLET LUMINA	477	337,623	1.4128
160	FORD MOTOR CO.	RANGER PICKUP	310	220,493	1.4059
161	SAAB	900	34	24,332	1.3973
162	SUBARU	LEGACY	106	78,271	1.3543
163	JAGUAR	XJR	1	750	1.3333
164	SUZUKI	SWIFT	7	5,330	1.3133
165	ISUZU	TROOPER	31	24,647	1.2578
166	MAZDA	B SERIES PICKUP	37	29,848	1.2396
167	SAAB	9000	9	7,338	1.2265
168	VOLVO	940	15	12,238	1.2257
169	BMW	7	22	17,960	1.2249
170	GENERAL MOTORS	CADILLAC SEVILLE	42	35,789	1.1735
171	GENERAL MOTORS	OLDSMOBILE AURORA	52	45,677	1.1384
172	GENERAL MOTORS	BUICK RIVIERA	45	39,626	1.1356
173	GENERAL MOTORS	CADILLAC FLEETWOOD	16	14,839	1.0782
174	AUDI	CABRIOLET	1	950	1.0526
175	FORD MOTOR CO	MERCURY VILLAGER (MPV)	81	87,745	0.9231
176	GENERAL MOTORS	SATURN SW	16	17,900	0.8939
177	CHRYSLER CORP	CONCORDE	46	51,524	0.8928
178	GENERAL MOTORS	BUICK LESABRE	144	163,726	0.8795
179	GENERAL MOTORS	OLDSMOBILE 88 ROYALE	59	70,346	0.8387
180	SUBARU	SVX	1	1,228	0.8143
181	VOLVO	960	11	14,228	0.7731
182	AUDI	90	3	4,475	0.6704
183	GENERAL MOTORS	BUICK PARK AVENUE	36	60,667	0.5934
184	AUDI	A6	5	8,492	0.5888
185	GENERAL MOTORS	OLDSMOBILE 98/TOURING	13	24,161	0.5381
186	GENERAL MOTORS	BUICK ROADMASTER	15	28,375	0.5286
187	HONDA	ODYSSEY	15	32,065	0.4678
188	SUZUKI	ESTEEM	2	4,466	0.4478
189	GENERAL MOTORS	GMC G15/25/35 VANDURA	4	31,897	0.1254
190	GENERAL MOTORS	CHEVROLET G10/20/30 VAN/SPORTVAN	12	102,383	0.1172
191	AUDI	S6	0	2,377	0.0000
192	FIAT	ALFA ROMEO 164	0	361	0.0000
193	FIAT	FERRARI 348	0	181	0.0000
194	FIAT	FERRARI 456	0	155	0.0000
195	FIAT	FERRARI 512	0	76	0.0000
196	FIAT	FERRARI F50	0	56	0.0000
197	GENERAL MOTORS	BUICK COACHBUILDER	0	98	0.0000
198	GENERAL MOTORS	GMC G15/25/35 RALLY	0	1,650	0.0000
199	LAMBORGHINI	DIABLO	0	285	0.0000
200	LOTUS	ESPIRIT	0	241	0.0000
201	PORSCHE	928	0	77	0.0000
202	ROLLS-ROYCE	BROOKLANDS	0	25	0.0000

THEFT RATES OF MODEL YEAR 1995 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 1995—Continued

	Manufacturer	Make/model (line)	Thefts 1995	Production (MFGR'S) 1995	1995 (per 1,000 vehicles produced) theft rate
203	ROLLS-ROYCE	CORNICHE/CONTINENTAL	0	105	0.0000
204	ROLLS-ROYCE	SIL SPIRIT/SPUR/MULS	0	132	0.0000
205	ROLLS-ROYCE	TURBO R	0	19	0.0000
206	VOLKSWAGEN	EUROVAN	0	1,814	0.0000
207	VOLVO	LIMOUSINE	0	6	0.0000

Issued on: February 18, 1997.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 97–4356 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–59–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[I.D. 021097C]

New England Fishery Management Council; Mid-Atlantic Fishery Management Council; Public hearings

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

ACTION: Public hearings; request for comments.

SUMMARY: The New England Fishery Management Council and the Mid-Atlantic Fishery Management Council (Councils) will hold public hearings to receive comments on Amendment 9 to the Northeast Multispecies Fishery Management Plan (FMP). The Councils have determined a need for better management of the monkfish resource to stem the long-term decline in stock biomass, average size, and the proportion of mature fish. Management measures to reduce the catch of small monkfish will help resolve the problem, but additional reductions in landings and mortality are needed to stop overfishing. The Councils propose to reduce fishing effort in no more than 7 years through reductions in total allowable landings (TAL). The TAL reductions would be achieved through a combination of days-at-sea (DAS) limits, quotas, trip limits, limited access, size limits, and minimum mesh limits.

DATES: Written comments on Amendment 9 will be accepted through March 14, 1997. Testimony may be presented at the public hearings, which are scheduled to be held from February 24 to March 10, 1997. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: Direct written comments or requests for copies of the public hearing document, draft Amendment 9 document, or the draft Supplemental Environmental Impact Statement to Paul J. Howard, Executive Director, New England Fishery Management Council, 5 Broadway, Saugus, MA 01906; telephone 617/231–0422, or David Keifer, Executive Director, Mid-Atlantic Fishery Management, 300 South New Street, Suite 2115, Dover, DE 19901; telephone 302/674–2331.

The hearings will be held in Maine, New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland, Virginia, and North Carolina. See **SUPPLEMENTARY INFORMATION** for locations of the hearings and special accommodations.

FOR FURTHER INFORMATION CONTACT: Paul J. Howard, 617–231–0422.

SUPPLEMENTARY INFORMATION:

Background

Recent U.S. landings of monkfish have increased dramatically in response to an increase in the market value of the species in combination with the decline in abundance of traditional groundfish species. Most monkfish are taken as bycatch in the Northwest Atlantic groundfish and scallop fisheries, although directed effort is increasing. Directed effort is occurring in both deepwater (100–150 fathoms) by otter trawls and in shoal waters by gillnets and scallop dredges. Interest in fishing for monkfish has been fueled by the valuable liver market and increasing market acceptance of small monkfish tails. This trend is expected to continue, especially as fishermen seek alternatives to the traditional scallop and groundfish fisheries, which are now strictly regulated.

Management Measures by Area

Amendment 9 to the FMP would bring monkfish under Federal management authority throughout the Northeast region (Virginia to Maine). The Councils are proposing two management areas for monkfish, a northern fishery management area (NFMA) and a southern fishery management area (SFMA). The reason for the separation is partly based on the biological characteristics of the resource and partly based on the differences in fisheries in the Gulf of Maine versus areas to the south.

TAL targets have been established for the two fishery management areas and are consistent with the monkfish overfishing definition and the rebuilding strategy adopted by the Councils. Different management measures would apply to vessels fishing in these two management areas.

Limited Access Program

A limited access program for vessels that target and land large volumes of monkfish would be based on historic participation from February 28, 1991, to February 27, 1995 (the monkfish control date). Vessels must comply with the control date guidelines to be eligible for qualification. These limited access vessels could target monkfish under a seasonal quota or under a limited number of DAS, depending on the management measures in the final amendment.

Monkfish Selectivity

Limited access vessels would be required to use at least 10–inch (25.4–cm) square or 12–inch (30.5–cm) diamond mesh to target monkfish. This requirement is necessary to reduce the groundfish bycatch below the 5 percent threshold for a certified fishery as specified by Amendment 7 to the Multispecies FMP.

Amendment 9, which takes into account the effect of large mesh on bycatch, may open the monkfish limited access fishery in some areas. Other areas

may remain closed due to the prevalence of groundfish. This action would also supersede the previous framework adjustments for certain monkfish fisheries (the adjustment allowing vessels to use 8–inch (20.3–cm) mesh to target monkfish south of 40°10′ N. latitude). The Councils, therefore, anticipate that the limited access monkfish fishery could operate with 10–inch (25.4–cm) square and 12–inch (30.5–cm) diamond mesh in many areas, but other monkfish fisheries would require certification by the Regional Administrator according to the regulations established by Amendment 7.

Monkfish mesh selectivity with these large mesh nets is unknown. The body shape of monkfish, however, prevents even large changes in minimum mesh size from substantially improving monkfish selectivity. The proposed management alternatives, therefore, rely more on ceilings for total landings, trip limits and size limits to reduce fishing mortality.

Summary of Management Measures

The Councils prefer alternative 3 because it would not allow multispecies vessels to target monkfish, except under the multispecies DAS program. It also relies less on trip limits to control monkfish bycatch. Alternatives 1 and 4 are non-preferred. Both would meet the biological objectives but they would require lower trip limits to allocate more monkfish for the limited access fishery. This approach could cause increased discarding of monkfish, which would be unavoidable when vessels are fishing for other species.

The Councils considered but rejected Alternative 2 and a no action alternative. Alternative 2 would meet the management objectives for monkfish and allow some targeting of monkfish by vessels in the groundfish and scallop fisheries. It would not, however, prevent intensified fishing effort on monkfish. The no- action alternative would not prevent overfishing, would not meet the management objectives for monkfish, nor would it prevent increased fishing effort.

Management Measures Common to All Alternatives

1. TAL for the NFMA of 3,000 mt beginning on July 1, 1997. Future TALs reflect reductions in expected bycatch, while the limited access TAL allocations would remain constant.

2. TAL for the SFMA of 6,000 mt beginning on July 1, 1997. Future TALs reflect reductions in expected bycatch, while the limited access TAL allocations would remain constant.

3. A limited access program to control the number of vessels targeting monkfish with seasonal monkfish quotas or limits on the number of DAS for each qualifying vessel.

4. Minimum size limits—14 inches (35.6 cm) tail length, or 21 inches (53.3 cm) total length.

5. Landings of monkfish livers—25 percent of the total weight of tails, or 10 percent of the total weight of whole fish.

6. Dealer and vessel permitting requirements.

7. Mandatory reporting of landings and effort for each fishing trip.

8. A framework adjustment procedure to modify area closures, minimum size limits, minimum mesh sizes, liver ratios, bycatch trip limits, and other measures that regulate the limited access fisheries.

Management Alternatives

The three alternatives differ in how bycatch is defined and how directed fishing effort is regulated. The draft Amendment 9 document describes these alternatives in more detail.

Alternative 1 - Non-preferred

a. Trip limits and effort reductions, now in place, to manage the bycatch fisheries. The trip limits are specified by gear type, area, and permit category.

b. Seasonal quotas for limited access vessels.

Alternative 3 - Preferred

a. Unlike the other alternatives, monkfish would become a regulated multispecies and could be targeted by vessels with fleet or individual DAS. Monkfish would be a regulated species of concern, classified like cod, haddock, and yellowtail flounder.

b. Vessels without multispecies permits may qualify for fleet or individual monkfish-only DAS allocations, based on their history targeting and landing monkfish.

c. TALs are targets to be achieved through future adjustments to the management measures via the framework adjustment procedure.

d. Scallopers could land 5,000 lb (2.27 mt) (tail weight) per trip, or 400 lb (0.18 mt) (tail weight) per DAS, whichever is less.

Alternative 4 - Non-preferred

a. Qualifying vessels would be allocated fleet DAS to target monkfish. Multispecies vessels would be unable to target monkfish, unless they qualify based on their history of landing monkfish.

b. Annual DAS amounts would be determined from the monkfish allocation for the limited access fishery.

c. Trip limits for groundfish and scallop fisheries of 175 to 200 lb (0.08 to 0.09 mt) tail weight per DAS would be allowed.

Public Hearings

The dates, time, and locations of the hearings are scheduled as follows:

1. Monday, February 24, 1997, 7 p.m.—Urban Forestry Center, 45 Elwyn Road, Portsmouth, NH, telephone: 603/431–6774.

2. Wednesday, February 26, 1997, 7 p.m.—Sheraton Fontainbleau Hotel, 10100 Coastal Highway, Ocean City, MD, telephone: 410/638–2100.

3. Thursday, February 27, 1997, 7 p.m.—Double Tree Club Hotel, 880 Military Highway, Norfolk, VA, telephone: 757/461–9192.

4. Friday, February 28, 1997, 7 p.m.—Holiday Inn, 1001 Virginia Dare Trail, Nags Head, NC, telephone: 919/441–6333.

5. Saturday, March 1, 1997, 10:30 a.m.—Samoset Resort, 220 Warrenton Street, Rockport, ME, telephone: 207/594–2511.

6. Monday, March 3, 1997, 7 p.m.—Howard Johnson Hotel, 955 Hooper Avenue, Toms River, NJ, telephone: 908/244–1000.

7. Tuesday, March 4, 1997, 7:30 p.m.—Holiday Inn, 3845 Veterans Memorial Highway, Ronkonkoma, NY, telephone: 516/585–9500.

8. Wednesday, March 5, 1997, 7 p.m.—Holiday Inn at the Crossings, 800 Greenwich Avenue, Warwick, RI, telephone: 401/732–6000.

9. Thursday, March 6, 1997, 7 p.m.—Tara Hyannis, West End Circle, Hyannis, MA, telephone: 508/775–7775.

10. Friday, March 7, 1997, 1 p.m.—Sadler Function Hall, Sadler Street Extension, Gloucester, MA, telephone: 508/281–8665.

11. Monday, March 10, 1997, 7 p.m.—Radisson Eastland Hotel, 157 High Street, Portland, ME, telephone: 207/775–5418.

12. Monday, March 17, 1997, 1:30 p.m. to 5:30 p.m.—Seaport Inn, 110 Middle Street, Fairhaven, MA, telephone: 508/997–1281.

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see **ADDRESSES**) at least 5 days prior to the meeting date.

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

Dated: February 13, 1997.

Bruce Morehead,

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

[FR Doc. 97–4265 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

50 CFR Part 679

[Docket No. 970206022–7022–01; I.D. 012197C]

RIN 0648–AJ35

Fisheries in the Exclusive Economic Zone Off Alaska; Modify Prior Notice of Landing Requirement

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to implement a regulatory amendment to the Individual Fishing Quota (IFQ) Program for fixed gear Pacific halibut and sablefish fisheries in and off Alaska. This action would redefine the length of time within which a 6–hour prior notice of landing is valid and require that a new prior notice of IFQ landing be submitted to NMFS if the landing originally reported will take place either before or more than 2 hours after the date and time scheduled in the original prior notice of IFQ landing. This action is necessary to reinforce the enforcement rationale underlying the original requirement and improve compliance with IFQ regulations. This action is intended to improve the IFQ Program's ability to manage Pacific halibut and sablefish resources efficiently.

DATES: Comments on the proposed rule and Regulatory Impact Review (RIR) must be received by March 24, 1997.

ADDRESSES: Comments must be sent to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, Room 453, 709 West 9th Street, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802, Attention: Lori J. Gravel. Copies of the RIR for this action may be obtained from the same address.

FOR FURTHER INFORMATION CONTACT: James Hale, 907–586–7228.

SUPPLEMENTARY INFORMATION:

Background

The fixed gear halibut and sablefish fisheries are managed by the IFQ Program, a limited access system for fixed gear Pacific halibut (*Hippoglossus stenolepis*) and sablefish (*Anoplopoma fimbria*) fisheries in and off Alaska. The North Pacific Fishery Management Council (Council), under authority of the Magnuson-Stevens Fishery Conservation and Management Act and the Northern Pacific Halibut Act of 1982 (Halibut Act), recommended the IFQ Program, which NMFS implemented in 1995. The IFQ Program was designed to reduce excessive fishing capacity, while maintaining the social and economic character of the fixed gear fishery and the Alaskan coastal communities where many of these fishermen are based.

In the implementing rules for the IFQ Program, NMFS requires that a vessel operator wishing to land IFQ species notify NMFS no less than 6 hours prior to the landing and include in this notification the name and location of the registered buyer to whom the fish will be landed and the anticipated date and time of landing (§ 679.5(l)(1)(i)). The intent of this prior-notice regulation is to provide NMFS with advance notice of a pending landing so that NMFS Enforcement personnel may be present to monitor the landing and ensure compliance with program regulations.

After the first 2 years of the IFQ Program, NMFS has found that this regulation does not adequately serve the enforcement function and proposes to revise it to reflect more clearly the intended purpose of the 6–hour prior notice requirement. The current regulations do not require fishermen to make the landing at the time scheduled in the prior-notice report; they are restricted only from making the landing before 6 hours have elapsed since the prior-notice report was submitted. Moreover, the current regulation requires only an ''anticipated date and time of landing'' and states that the prior-notice report must be given ''no fewer than 6 hours before the landing.'' The prior notice of landing can be waived at the discretion of clearing officers on a case-by-case basis, but NMFS Enforcement can neither enforce an ''anticipated date and time'' nor currently require fishermen to land at the time reported in the prior-notice report as long as the landing is not made within 6 hours from the time the prior-notice report is submitted. The current regulation prevents efficient use of enforcement resources, because it fails to require that fishermen land IFQ species at the time scheduled in the prior notice (or within a reasonable time thereof) so that enforcement personnel may be present for the landing.

NMFS proposes a regulatory amendment to modify the requirement by defining the length of time within which a 6–hour prior notice is valid. This action would require that fishermen land IFQ species at the time specified in the prior notice or within 2 hours after the specified time. In the event that a vessel does not make the landing within the 2–hour limit on an original prior-notice report, this action would require the vessel operator to submit a new prior-notice report subject to all the requirements of the original report. Note also that a vessel operator wishing to make a landing earlier than the time originally scheduled in a prior-notice report must still have a 6–hour margin of time within which to submit a new 6–hour prior notice of landing.

Also, the current regulations require that the prior-notice report include the name and location of the registered buyer to whom a landing will be made. ''Location'' may be misinterpreted to mean the business address of the registered buyer rather than, as was intended, the actual location of the landing. This action would clarify that the prior notice report must provide NMFS with the location of the landing.

The prior-notice report is crucial to NMFS Enforcement's ability to monitor IFQ landings. The proposed regulatory change would improve a reporting requirement that is necessary to the integrity of the program as a conservation and management tool.

Classification

This proposed rule contains a collection-of-information requirement subject to the Paperwork Reduction At (PRA). The requirement for a 6–hour prior notice of IFQ landings has been approved by the Office of Management and Budget (OMB) Control Number 0648–0272. Public reporting burden for this collection of information is estimated to average 12 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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 collection of 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 use of automated collection techniques or other forms of information technology. Send comments on this or another aspects of the information collection to NMFS (See ADDRESSES) above, and to OMB at the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 (Attn: NOAA Desk Officer).

Not withstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply

with, a collection of information subject to the requirements of the PRA, unless that collection displays a currently valid OMB Control Number.

This proposed rule has been determined to be not significant for purposes of E.O. 12866.

The Assistant General Counsel for Legislation and Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities as follows.

This change constitutes a minor regulatory amendment needed to reinforce the intended purpose of the 6–hour prior notice of landing. The current regulations do not require, as was intended, fishermen to make the landing at the time scheduled in the Prior Notice; they are restricted only from making the landing before 6 hours have elapsed since the Prior Notice was given. This action would define the length of time within which a 6–hour prior notice is valid and require that fishermen land IFQ species at the time specified in the prior notice or within 2 hours after the specified time.

The estimate of the reporting burden associated with the prior notice of landing is .2 hours and $2.00 per response, as described in the Supporting Statement for Collection of Information submitted for OMB authorization of the IFQ Program (OMB control number 0648–0272). NMFS expects instances when a vessel operator inadvertently miscalculates the expected time of landing and thus needs to submit an additional prior notice to be relatively infrequent. Hence, the economic impact of this rule would not be significant.

Therefore, a regulatory flexibility analysis was not prepared.

List of Subjects in 50 CFR 679

Fisheries, Reporting and recordkeeping requirements.

Dated: February 13, 1997.

Nancy Foster

Deputy Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR Part 679 is proposed to be amended as follows:

PART 679—FISHERIES OF THE EXCLUSIVE ECONOMIC ZONE OFF ALASKA

1. The authority citation for part 679 continues to read as follows:

Authority: 16 U.S.C. 773 *et seq.*, 1801 *et seq.*

2. In § 679.5, paragraph (l)(1)(i)(B) is revised and paragraph (l)(1)(i)(D) is added to read as follows:

§ 679.5 Recordkeeping and reporting.

* * * * *

(l) * * *

(1) * * *

(i) * * *

(B) Notification must include: Name of the registered buyer(s) to whom the IFQ halibut or IFQ sablefish will be landed and the location of the landing; vessel identification; estimated weight of the IFQ halibut or IFQ sablefish that will be landed; identification number(s) of the IFQ card(s) that will be used to land the IFQ halibut or IFQ sablefish; and the date and time that the landing will take place.

* * * * *

(D) The operator of any vessel wishing to land IFQ halibut or IFQ sablefish before the date and time reported in the prior notice or later than 2 hours after the date and time reported in the prior notice must submit a new prior notice of IFQ landing in compliance with the provisions set forth in paragraphs (l)(1)(i)(A) through (C) of this section.

* * * * *

[FR Doc. 97–4263 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

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50 CFR Part 697

[I.D. 021197A]

RIN 0648–AH58

Atlantic Weakfish Fisheries; Public Hearings

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

ACTION: Notice of public hearings; request for comments.

SUMMARY: NMFS will hold three public hearings to receive comments from fishery participants and other members of the public regarding proposed regulations on the harvest and possession of weakfish in the exclusive economic zone of the Atlantic Ocean from Maine through Florida.

DATES: Written comments on the proposed rule and supporting documents (Draft Supplemental Environmental Impact Statement and Regulatory Impact Review (DSEIS/RIR) must be received on or before March 17, 1997. The public hearings will be held during the month of March. See **SUPPLEMENTARY INFORMATION** for dates and times of the public hearings.

ADDRESSES: Written comments should be sent to Richard H. Schaefer, Chief, Staff Office of Intergovernmental and Recreational Fisheries (Fx2), National Marine Fisheries Service, 8484 Georgia Avenue, Suite 425, Silver Spring, MD 20910. Clearly mark the outside of the envelope ''Atlantic Weakfish Comments.'' The public hearings will be held in New Jersey, Delaware, and North Carolina. See **SUPPLEMENTARY INFORMATION** for the public hearing locations.

FOR FURTHER INFORMATION CONTACT: Thomas Meyer/Paul Perra, 301–427–2014.

SUPPLEMENTARY INFORMATION: The proposed regulations are necessary to be compatible with rules already implemented by the coastal states through the Atlantic States Marine Fisheries Commission's Amendment 3 to the Interstate Fishery Management Plan for Weakfish, and to ensure the rebuilding of the weakfish stock along the east coast of the Atlantic Ocean.

A complete description of the measures, and the purpose and need for the proposed action, is contained in the proposed rule published on February 14, 1997 (62 FR 6935) and is not repeated here. Copies of the proposed rule may be obtained by writing (see **ADDRESSES**) or calling the contact person (see **FOR FURTHER INFORMATION CONTACT**).

To accommodate people unable to attend a hearing or wishing to provide additional comments, NMFS also solicits written comments on the proposed rule.

The public hearings will be held as follows:

Tuesday, March 4, 1997, Cape May Court House, NJ 7–9 p.m.

Rutgers' Cooperative Extension Office
355 South Dennis/Court House Road (Route 657)
Cape May Court House, NJ 08210

Thursday, March 6, 1997, Manteo, NC, 7–9 p.m.

North Carolina Aquarium
Airport Road
Manteo, NC 27954

Monday, March 10, 1997, Dover, DE, 7:30–9 p.m.

Department of Natural Resources
Environmental Control Auditorium
89 Kings Highway
Dover, DE 19903

The purpose of this document is to alert the interested public of hearings and provide for public participation. These hearings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Thomas Meyer by February 25, 1997 (see **ADDRESSES**).

Authority: 16 U.S.C. 5101 *et seq.*

Gary C. Matlock,

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

[FR Doc. 97–4349 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–22–F

Notices

Federal Register
Vol. 62, No. 35
Friday, February 21, 1997

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 AGRICULTURE

Agriculture Research Service

Notice of Federal Invention Available for Licensing and Intent to Grant Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of availability and intent.

SUMMARY: Notice is hereby given that a Federally owned invention, U.S. Plant Patent Application Serial No. 08/634,149, filed April 19, 1996, entitled ''Tift 94 Bermudagrass'' is available for licensing and that the U.S. Department of Agriculture, Agricultural Research Service intends to grant to The University of Georgia Research Foundation of Athens, Georgia, an exclusive license for U.S. Plant Patent Application Serial No. 08/634,149.

DATES: Comments must be received by May 22, 1997.

ADDRESSES: Send comments to: USDA, ARS, Office of the Director, National Center for Agricultural Utilization Research, Room 2042, 1815 N. University Street, Peoria, Illinois 61604.

FOR FURTHER INFORMATION CONTACT: Andrew Watkins of the National Center for Agricultural Utilization Research at the Peoria address given above; telephone: 309–681–6545.

SUPPLEMENTARY INFORMATION: The Federal Government's patent rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as The University of Georgia Research Foundation has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within ninety days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

R.M. Parry, Jr.,
Assistant Administrator.

[FR Doc. 97–4248 Filed 2–20–97; 8:45 am]

BILLING CODE 3410–03–M

Animal and Plant Health Inspection Service

[Docket No. 97–006–1]

Calgene, Inc.; Receipt of Petition for Determination of Nonregulated Status for Genetically Engineered Cotton

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice.

SUMMARY: We are advising the public that the Animal and Plant Health Inspection Service has received a petition from Calgene, Inc., seeking a determination of nonregulated status for cotton lines designated as BXN® with Bt cotton lines derived from transformation events 31807 and 31808 that have been genetically engineered for tolerance to the herbicide bromoxynil and for resistance to lepidopteran insect pests. The petition has been submitted in accordance with our regulations concerning the introduction of certain genetically engineered organisms and products. In accordance with those regulations, we are soliciting public comments on whether these cotton lines present a plant pest risk.

DATES: Written comments must be received on or before April 22, 1997.

ADDRESSES: Please send an original and three copies of your comments to Docket No. 97–006–1, Regulatory Analysis and Development, PPD, APHIS, Suite 3C03, 4700 River Road Unit 118, Riverdale, MD 20737–1238. Please state that your comments refer to Docket No. 97–006–1. A copy of the petition and any comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Persons wishing access to that room to inspect the petition or comments are asked to call in advance of visiting at (202) 690–2817.

FOR FURTHER INFORMATION CONTACT: Dr. James White, BSS, PPQ, APHIS, Suite 5B05, 4700 River Road Unit 147, Riverdale, MD 20737–1236; (301) 734–7612. To obtain a copy of the petition, contact Ms. Kay Peterson at (301) 734–7612; e-mail: mkpeterson@aphis.usda.gov.

SUPPLEMENTARY INFORMATION: The regulations in 7 CFR part 340, ''Introduction of Organisms and Products Altered or Produced Through Genetic Engineering Which Are Plant Pests or Which There Is Reason to Believe Are Plant Pests,'' regulate, among other things, the introduction (importation, interstate movement, or release into the environment) of organisms and products altered or produced through genetic engineering that are plant pests or that there is reason to believe are plant pests. Such genetically engineered organisms and products are considered ''regulated articles.''

The regulations in § 340.6(a) provide that any person may submit a petition to the Animal and Plant Health Inspection Service (APHIS) seeking a determination that an article should not be regulated under 7 CFR part 340. Paragraphs (b) and (c) of § 340.6 describe the form that a petition for determination of nonregulated status must take and the information that must be included in the petition.

On January 13, 1997, APHIS received a petition (APHIS Petition No. 97–013–01p) from Calgene, Inc., (Calgene) of Davis, CA, requesting a determination of nonregulated status under 7 CFR part 340 for bromoxynil-tolerant and lepidopteran insect-resistant cotton lines designated as BXN® with BT derived from transformation events 31807 and 31808 (events 31807 and 31808). The Calgene petition states that the subject cotton lines should not be regulated by APHIS because they do not present a plant pest risk.

As described in the petition, events 31807 and 31808 have been genetically engineered to express a nitrilase enzyme isolated from *Klebsiella pneumoniae* subsp. *ozaenae* which degrades the herbicide bromoxynil, and a CryIA(c) insect control protein originally derived from *Bacillus thuringiensis* subsp. *kurstaki* HD–73 (Bt). The subject cotton lines also contain the *nptII* gene which

codes for the enzyme neomycin phosphotransferase and has been used as a selectable marker in the development of the transgenic cotton plants. Expression of the introduced genes is controlled in part by noncoding DNA sequences derived from the plant pathogens *Agrobacterium tumefaciens* and cauliflower mosaic virus. The *Agrobacterium* transformation system was used to transfer the added genes into the *Gossypium hirsutum* (var. Coker 130) parental plants.

The subject cotton lines are currently considered regulated articles under the regulations in 7 CFR part 340 because they contain gene sequences derived from plant pathogenic sources. Events 31807 and 31808 have been evaluated in field trials conducted since 1994 under APHIS notifications. In the process of reviewing the notifications for field trials of these cotton lines, APHIS determined that the vectors and other elements were disarmed and that the trials, which were conducted under conditions of reproductive and physical containment or isolation, would not present a risk of plant pest introduction or dissemination.

In the Federal Plant Pest Act, as amended (7 U.S.C. 150aa *et seq.*), ''plant pest'' is defined as ''any living stage of: Any insects, mites, nematodes, slugs, snails, protozoa, or other invertebrate animals, bacteria, fungi, other parasitic plants or reproductive parts thereof, viruses, or any organisms similar to or allied with any of the foregoing, or any infectious substances, which can directly or indirectly injure or cause disease or damage in any plants or parts thereof, or any processed, manufactured or other products of plants.'' APHIS views this definition very broadly. The definition covers direct or indirect injury, disease, or damage not just to agricultural crops, but also to plants in general, for example, native species, as well as to organisms that may be beneficial to plants, for example, honeybees, rhizobia, etc.

The U.S. Environmental Protection Agency (EPA) is responsible for the regulation of pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (7 U.S.C. 136 *et seq.*). FIFRA requires that all pesticides, including insecticides and herbicides, be registered prior to distribution or sale, unless exempt by EPA regulation. Accordingly, the plant pesticide active ingredient Bt CryIA(c) delta-endotoxin will be regulated by EPA under an existing registration. In cases in which the genetically modified plant allows for a new or different use pattern for an herbicide, the EPA must approve the new or different use. Residue tolerances for pesticides are established by the EPA under the Federal Food, Drug and Cosmetic Act (FFDCA) (21 U.S.C. 201 *et seq.*), and the Food and Drug Administration (FDA) enforces tolerances set by the EPA under the FFDCA.

The FDA published a statement of policy on foods derived from new plant varieties in the Federal Register on May 29, 1992 (57 FR 22984–23005). The statement of policy includes a discussion of the FDA's authority for ensuring food safety under the FFDCA, and provides guidance to industry on the scientific considerations associated with the development of foods derived from new plant varieties, including those plants developed through the techniques of genetic engineering. Calgene has entered into the consultative process with the FDA on the subject cotton lines.

In accordance with § 340.6(d) of the regulations, we are publishing this notice to inform the public that APHIS will accept written comments regarding the Petition for Determination of Nonregulated Status from any interested person for a period of 60 days from the date of this notice. The petition and any comments received are available for public review, and copies of the petition may be ordered (see the **ADDRESSES** section of this notice).

After the comment period closes, APHIS will review the data submitted by the petitioner, all written comments received during the comment period, and any other relevant information. Based on the available information, APHIS will furnish a response to the petitioner, either approving the petition in whole or in part, or denying the petition. APHIS will then publish a notice in the Federal Register announcing the regulatory status of Calgene's BXN® with Bt cotton lines derived from transformation events 31807 and 31808 and the availability of APHIS' written decision.

Authority: 7 U.S.C. 150aa–150jj, 151–167, and 1622n; 31 U.S.C. 9701; 7 CFR 2.22, 2.80, and 371.2(c).

Done in Washington, DC, this 14th day of February 1997.

Terry L. Medley,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 97–4308 Filed 2–20–97; 8:45 am]

BILLING CODE 3410–34–P

Commodity Credit Corporation

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Commodity Credit Corporation's (CCC) intention to request an extension for and revision to a currently approved information collection in support of the CCC's Dairy Export Incentive Program (DEIP) based on re-estimates.

DATES: Comments on this notice must be received by April 22, 1997.

ADDITIONAL INFORMATION OR COMMENTS: Contact L.T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035, telephone (202) 720–6211.

SUPPLEMENTARY INFORMATION:

Title: CCC's Dairy Export Incentive Program (DEIP).

OMB Number: 0551–0029.

Expiration Date of Approval: June 30, 1997.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: The major objectives of the DEIP are to expand U.S. dairy exports and to encourage other countries exporting agricultural commodities to undertake serious negotiations on agricultural trade problems. At the current time, more than 112 countries and 3 country regions are targeted destinations under the program and more than 226 exporters are eligible to participate. Under 7 CFR Part 1494, exporters are required to submit the following: (1) information required for program participation (section 1494.301), (2) performance security (section 1494.401), (3) export sales information in connection with applying for a CCC bonus (section 1494.501), (4) evidence of export and related information (section 1494.701), and (5) evidence that the eligible commodity entered into the eligible country (section 1494.401). In addition, each exporter must maintain accurate records showing sales and deliveries of the eligible commodity exported in connection with an agreement made under the DEIP as outlined in section 1494.1001. The information collected is

used by CCC to manage, plan for and evaluate the use of, and account for Government resources. The reports and records are required to ensure the proper and judicious use of public funds.

Estimate of Burden: The public reporting burden for these collections is estimated to average .3722 hours per response.

Respondents: U.S. exporters of U.S. dairy products, U.S. banks or other financial institutions, dairy associations, U.S. export trade associations, and U.S. Government agencies.

Estimated Number of Respondents: 47 per annum.

Estimated Number of Responses per Respondent: 64 per annum.

Estimated Total Annual Burden of Respondents: 1,119.58 hours.

Copies of this information collection can be obtained form Valerie Countiss, the Agency Information Collection Coordinator, at (202) 720–6713.

Requests for comments: Send comments regarding (a) 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; (b) 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; (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 those who are to respond, including through the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to L.T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Christopher E. Goldthwait,

General Sales Manager, Foreign Agricultural Service, and Vice President, Commodity Credit Corporation.

[FR Doc. 97–4108 Filed 2–20–97; 8:45 am]

BILLING CODE 3410–10–M

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Commodity Credit Corporation, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Commodity Credit Corporation's (CCC) intention to request an extension for and revision to a currently approved information collection in support of the CCC's Export Enhancement Program (EEP) based on re-estimates.

DATES: Comments on this notice must be received by April 22, 1997.

ADDITIONAL INFORMATION OR COMMENTS: Contact L. T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035, telephone (202) 720–6211.

SUPPLEMENTARY INFORMATION:

Title: CCC's Export Enhancement Program (EEP).

OMB Number: 0551–0028.

Expiration Date of Approval: June 30, 1997.

Type of Request: Extension and revision of a currently approved information collection.

Abstract: The major objectives of the EEP are to expand U.S. agricultural exports and to challenge unfair trade practices by paying cash to exporters as bonuses, allowing them to sell U.S. agricultural products in targeted countries at competitive prices. At the current time, more than 87 countries and 5 country regions are targeted export destinations under the program and more than 311 exporters are eligible to participate. Under 7 CFR part 1494, exporters are required to submit the following: (1) information required for program participation (section 1494.301), (2) performance security (section 1494.401), (3) export sales information in connection with applying for a CCC bonus (section 1494.501), (4) evidence of export and related information (section 1494.701), and (5) evidence that the eligible commodity entered into the eligible country (section 1494.401). In addition, each exporter must maintain accurate records showing sales and deliveries of the eligible commodity exported in connection with an agreement made under the EEP as outlined in section 1494.1001. The information collected is used by CCC to manage, plan for and evaluate the use of, and account for Government resources. The reports and records are required to ensure the proper and judicious use of public funds.

Estimate of Burden: The public reporting burden for these collections is estimated to average .3535 hours per response.

Respondents: U.S. exporters of U.S. agricultural commodities, U.S. banks or other financial institutions, producer associations, U.S. export trade associations, and U.S. Government agencies.

Estimated Number of Respondents: 40 per annum.

Estimated Number of Responses per Respondent: 139 per annum.

Estimated Total Annual Burden of Respondents: 1,965.46 hours.

Copies of this information collection can be obtained from Valerie Countiss, the Agency Information Collection Coordinator, at (202) 720–6713.

Requests for comments: Send comments regarding (a) 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; (b) 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; (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 those who are to respond, including through the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. Comments may be sent to L.T. McElvain, Director, Commodity Credit Corporation Operations Division, Foreign Agricultural Service, U.S. Department of Agriculture, AgBox 1035, Washington, DC 20250–1035.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Christopher E. Goldthwait,

General Sales Manager, Foreign Agricultural Service, and Vice President, Commodity Credit Corporation.

[FR Doc. 97–4109 Filed 2–20–97; 8:45 am]

BILLING CODE 3410–10–M

ASSASSINATION RECORDS REVIEW BOARD

Formal Determinations, Releases, Designation, Reconsideration, and Corrections

AGENCY: Assassination Records Review Board.

ACTION: Notice.

SUMMARY: The Assassination Records Review Board (Review Board) met in a closed meeting on January 29–30, 1997, and made formal determinations on the release of records under the President John F. Kennedy Assassination Records Collection Act of 1992 (Supp. V 1994) (JFK Act). By issuing this notice, the Review Board complies with the section of the JFK Act that requires the Review Board to publish the results of its decisions on a document-by-document basis in the Federal Register within 14 days of the date of the decision.

FOR FURTHER INFORMATION CONTACT: T. Jeremy Gunn, General Counsel and Associate Director for Research and Analysis, Assassination Records Review Board, 600 E St., NW., Second Floor, Washington, D.C. 20530, (202) 724–0088, fax (202) 724–0457.

SUPPLEMENTARY INFORMATION: This notice complies with the requirements of the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107.9(c)(4)(A) (1992). On January 29–30, 1997, the Review Board made formal determinations on records it reviewed under the JFK Act. These determinations are listed below. The assassination records are identified by the record identification number assigned in the President John F. Kennedy Assassination Records Collection database maintained by the National Archives.

Notice of Formal Determinations

For each document, the number of releases of previously redacted information immediately follows the record identification number, followed in turn by the number of postponements sustained, and, where appropriate, the date the document is scheduled to be released or re-reviewed.

FBI Documents: Open in Full
124–10128–10191; 10; 0; n/a
124–10128–10197; 11; 0; n/a
124–10163–10139; 1; 0; n/a
124–10167–10450; 11; 0; n/a
124–10185–10114; 2; 0; n/a
124–10189–10029; 3; 0; n/a
124–10234–10394; 11; 0; n/a
124–10234–10396; 3; 0; n/a
124–10235–10045; 3; 0; n/a
124–10235–10047; 5; 0; n/a
124–10237–10258; 9; 0; n/a
124–10237–10295; 7; 0; n/a
124–10259–10083; 12; 0; n/a
124–10259–10309; 2; 0; n/a
124–10263–10263; 5; 0; n/a
124–10263–10331; 9; 0; n/a
124–10263–10332; 7; 0; n/a
124–10263–10394; 9; 0; n/a
124–10263–10402; 8; 0; n/a
124–10263–10403; 8; 0; n/a
124–10263–10406; 6; 0; n/a
124–10263–10407; 4; 0; n/a
124–10264–10348; 3; 0; n/a
124–10265–10025; 3; 0; n/a
124–10265–10363; 11; 0; n/a
124–10265–10448; 2; 0; n/a
124–10266–10001; 3; 0; n/a
124–10268–10153; 7; 0; n/a
124–10272–10231; 19; 0; n/a
CIA Documents: Open in Full
104–10012–10017; 8; 0; n/a
104–10013–10274; 3; 0; n/a
104–10067–10007; 1; 0; n/a
USSS Documents: Open in Full
154–10002–10430; 5; 0; n/a
Office of the Secretary of Defense Documents: Open in Full
195–10004–10001; 1; 0; n/a
195–10004–10002; 1; 0; n/a
195–10004–10003; 1; 0; n/a
FBI Documents: Postponed in Part
124–10031–10007; 3; 1; 01/2007
124–10031–10293; 0; 2; 01/2007
124–10044–10072; 3; 4; 01/2007
124–10046–10313; 3; 1; 01/2007
124–10050–10186; 1; 1; 10/2017
124–10053–10347; 0; 1; 10/2017
124–10058–10419; 18; 2; 01/2007
124–10059–10118; 10; 3; 01/2007
124–10063–10229; 30; 24; 01/2007
124–10073–10090; 10; 3; 01/2007
124–10086–10157; 29; 2; 01/2007
124–10118–10393; 7; 3; 01/2007
124–10129–10308; 1; 1; 10/2017
124–10131–10126; 7; 3; 01/2007
124–10136–10002; 1; 1; 10/2017
124–10138–10036; 16; 7; 01/2007
124–10144–10091; 0; 1; 10/2017
124–10144–10092; 0; 2; 10/2017
124–10144–10093; 19; 2; 10/2017
124–10144–10095; 4; 13; 10/2017
124–10151–10109; 1; 1; 01/2007
124–10151–10264; 18; 2; 01/2007
124–10160–10065; 3; 1; 01/2007
124–10160–10402; 1; 1; 01/2007
124–10161–10016; 8; 5; 01/2007
124–10171–10425; 18; 20; 01/2007
124–10173–10044; 29; 2; 01/2007
124–10175–10037; 19; 2; 10/2017
124–10177–10365; 10; 3; 01/2007
124–10179–10107; 19; 5; 01/2007
124–10179–10108; 16; 3; 01/2007
124–10184–10313; 30; 24; 01/2007
124–10187–10049; 0; 2; 10/2017
124–10237–10296; 3; 4; 01/2007
124–10250–10229; 0; 2; 01/2007
124–10250–10245; 29; 2; 01/2007
124–10251–10033; 3; 1; 01/2007
124–10251–10316; 3; 1; 01/2007
124–10256–10146; 3; 1; 01/2007
124–10259–10019; 18; 2; 01/2007
124–10259–10330; 1; 1; 01/2007
124–10267–10302; 18; 2; 01/2007
124–10269–10159; 3; 1; 01/2007
124–10270–10080; 1; 1; 01/2007
124–10049–10139; 1; 1; 01/2007
124–10180–10124; 3; 1; 01/2007
124–10180–10250; 18; 3; 01/2007
124–10181–10339; 11; 3; 10/2017
124–10182–10310; 2; 3; 10/2017
124–10182–10417; 11; 6; 01/2007
124–10184–10157; 7; 2; 10/2017
124–10188–10261; 7; 1; 01/2007
124–10189–10024; 4; 4; 01/2007
124–10228–10341; 9; 2; 01/2007
124–10231–10312; 2; 2; 01/2007
124–10231–10316; 4; 4; 01/2007
124–10231–10326; 4; 4; 01/2007
124–10231–10336; 4; 4; 01/2007
124–10231–10339; 2; 2; 01/2007
124–10243–10003; 11; 6; 01/2007
124–10245–10256; 6; 2; 01/2007
124–10248–10186; 1; 1; 01/2007
124–10253–10096; 1; 1; 01/2007
124–10263–10356; 4; 2; 01/2007
124–10263–10408; 2; 2; 01/2007
124–10265–10035; 0; 1; 01/2007
124–10266–10025; 12; 3; 01/2007
124–10266–10027; 5; 2; 01/2007
124–10266–10111; 2; 2; 01/2007
124–10270–10024; 5; 2; 01/2007
124–10270–10448; 17; 8; 01/2007
124–10276–10019; 24; 6; 01/2007
CIA Documents: Postponed in Part
104–10051–10152; 0; 2; 05/1997
104–10051–10153; 13; 4; 05/1997
104–10052–10015; 78; 34; 01/2007
104–10054–10051; 361; 10; 01/2007
104–10054–10060; 44; 19; 10/2017
104–10054–10287; 96; 100; 05/1997
104–10059–10337; 67; 33; 05/1997
104–10063–10125; 3; 3; 01/2007
104–10063–10276; 3; 2; 01/2007
104–10063–10279; 5; 4; 01/2007
104–10063–10295; 14; 12; 01/2007
104–10063–10297; 2; 2; 01/2007
104–10063–10322; 16; 12; 05/1997
104–10063–10331; 1; 1; 01/2007
104–10063–10333; 16; 12; 05/1997
104–10063–10339; 12; 21; 01/2007
104–10063–10340; 2; 4; 01/2007
104–10063–10347; 3; 3; 01/2007
104–10063–10349; 3; 3; 01/2007
104–10065–10028; 0; 36; 05/1997
104–10065–10085; 26; 19; 05/1997
104–10065–10197; 4; 6; 05/2001
104–10065–10288; 1; 2; 10/2017
104–10066–10006; 5; 5; 05/1997
104–10066–10031; 6; 6; 01/2007
104–10066–10051; 1; 2; 10/2017
104–10066–10066; 5; 19; 05/1997
104–10066–10107; 6; 6; 05/1997
104–10066–10133; 13; 18; 05/1997
104–10066–10226; 4; 1; 05/1997
104–10066–10235; 8; 9; 05/1997
104–10067–10117; 3; 9; 05/1997
104–10067–10190; 2; 1; 10/2017
104–10067–10209; 2; 10; 05/1997
104–10067–10251; 1; 1; 10/2017
104–10067–10291; 11; 9; 01/2007
104–10067–10378; 29; 3; 10/2017
104–10067–10420; 4; 9; 05/1997
104–10068–10115; 1; 4; 05/1997
104–10068–10119; 10; 12; 01/2007
104–10068–10166; 22; 8; 01/2007
104–10068–10168; 12; 7; 05/1997
104–10068–10170; 20; 7; 05/1997
104–10068–10174; 3; 3; 10/2017

The following documents contained postponements that were scheduled for

re-review on 12/1996. Those postponements were reviewed on January 30, 1997 with the following results:

104–10012–10022; 3; 4; 05/1997
104–10012–10035; 5; 7; 05/1997
104–10015–10261; 57; 19; 05/1997
104–10054–10018; 35; 36; 05/1997
104–10054–10366; 7; 30; 05/1997
104–10055–10058; 2; 28; 05/1997
104–10055–10125; 146; 2; 10/2017
104–10057–10096; 2; 39; 09/2006
104–10057–10117; 1; 6; 09/2006
104–10061–10080; 1; 9; 05/1997
104–10061–10208; 15; 15; 05/1997
104–10061–10261; 4; 5; 05/1997
104–10061–10265; 4; 6; 05/1997
104–10061–10315; 4; 4; 05/1997
104–10061–10325; 17; 7; 05/1997
104–10062–10160; 13; 1; 10/2017
104–10062–10207; 9; 9; 10/2017

USSS Documents: Postponed in Part

154–10002–10428; 0; 5; 10/2017
154–10002–10429; 3; 2; 10/2017

HSCA Documents: Postponed in Part

180–10077–10403; 0; 1; 10/2017
180–10078–10492; 0; 1; 10/2017
180–10089–10489; 0; 1; 10/2017
180–10089–10490; 0; 1; 10/2017
180–10089–10492; 0; 1; 10/2017
180–10104–10298; 0; 4; 10/2017
180–10104–10299; 0; 6; 10/2017
180–10104–10335; 0; 2; 10/2017
180–10104–10340; 0; 2; 10/2017
180–10108–10017; 0; 5; 10/2017
180–10110–10029; 11; 98; 05/1997
180–10110–10061; 1; 1; 05/1997
180–10110–10074; 0; 2; 10/2017
180–10110–10078; 4; 4; 05/2001
180–10110–10108; 0; 4; 05/1997
180–10110–10113; 0; 1; 05/1997
180–10110–10121; 3; 4; 10/2017
180–10110–10123; 1; 29; 05/1997
180–10110–10124; 2; 2; 05/1997
180–10110–10125; 0; 14; 05/1997
180–10110–10147; 0; 1; 05/1997
180–10118–10087; 0; 2; 10/2017
180–10131–10332; 9; 62; 05/1997
180–10140–10100; 0; 3; 01/2007
180–10140–10102; 1; 1; 05/1997
180–10140–10107; 0; 1; 05/1997
180–10140–10117; 6; 1; 01/2007
180–10140–10126; 9; 2; 05/1997
180–10140–10131; 1; 1; 01/2007
180–10140–10147; 1; 1; 01/2007
180–10140–10182; 0; 3; 05/1997
180–10140–10185; 1; 1; 05/1997
180–10140–10245; 1; 2; 05/1997
180–10140–10246; 12; 8; 05/1997
180–10140–10266; 3; 1; 10/2017
180–10140–10267; 3; 1; 10/2017
180–10140–10268; 2; 1; 10/2017
180–10140–10320; 2; 1; 05/1997
180–10140–10336; 14; 4; 05/1997
180–10140–10341; 0; 2; 05/2001
180–10140–10350; 12; 1; 01/2007
180–10140–10351; 12; 1; 01/2007
180–10140–10368; 0; 9; 01/2007
180–10140–10374; 0; 2; 05/1997
180–10140–10381; 58; 3; 05/1997
180–10140–10449; 1; 1; 10/2017
180–10141–10094; 1; 1; 10/2017
180–10141–10154; 1; 1; 05/1997
180–10141–10168; 4; 1; 01/2007
180–10141–10304; 0; 3; 05/1997
180–10141–10313; 62; 42; 05/1997
180–10141–10481; 2; 1; 05/2001
180–10141–10490; 11; 2; 10/2017
180–10141–10491; 28; 9; 05/1997
180–10141–10498; 18; 2; 10/2017
180–10142–10001; 12; 4; 10/2017
180–10142–10002; 5; 4; 05/1997
180–10142–10010; 5; 6; 05/1997
180–10142–10012; 4; 2; 05/2001
180–10142–10016; 4; 1; 10/2017
180–10142–10024; 2; 1; 05/1997
180–10142–10040; 1; 1; 05/1997
180–10142–10061; 12; 8; 05/1997
180–10142–10076; 34; 13; 05/1997
180–10142–10078; 35; 3; 05/1997
180–10142–10080; 1; 6; 05/2001
180–10142–10086; 28; 14; 05/1997
180–10142–10088; 5; 1; 01/2007
180–10142–10089; 2; 1; 05/1997
180–10142–10092; 13; 6; 05/2001
180–10142–10099; 0; 1; 05/1997
180–10142–10101; 3; 29; 05/1997
180–10142–10102; 2; 1; 10/2017
180–10142–10114; 12; 4; 05/1997
180–10142–10117; 3; 9; 05/1997
180–10142–10122; 17; 6; 05/2001
180–10142–10127; 9; 2; 10/2017
180–10142–10129; 13; 4; 05/2001
180–10142–10133; 19; 5; 05/2001
180–10142–10135; 12; 4; 10/2017
180–10142–10160; 18; 5; 10/2017
180–10142–10162; 25; 4; 05/1997
180–10142–10174; 8; 9; 01/2007

NSA Documents: Postponed in Part:

144–10001–10119; 9; 9; 10/2017

Notice of Additional Releases

After consultation with appropriate Federal Agencies, the Review Board announces that the following Federal Bureau of Investigation records are now being opened in full: 124–10003–10052; 124–10003–10385; 124–10003–10395; 124–10003–10402; 124–10003–10462; 124–10023–10256; 124–10027–10415; 124–10029–10267; 124–10029–10391; 124–10031–10145; 124–10035–10390; 124–10039–10485; 124–10058–10058; 124–10058–10078; 124–10058–10087; 124–10061–10458; 124–10062–10389; 124–10062–10400; 124–10065–10074; 124–10067–10124; 124–10067–10267; 124–10067–10268; 124–10067–10271; 124–10081–10383; 124–10085–10201; 124–10085–10319; 124–10089–10177; 124–10094–10029; 124–10103–10218; 124–10108–10346; 124–10118–10374; 124–10121–10020; 124–10126–10320; 124–10129–10086; 124–10130–10251; 124–10135–10139; 124–10137–10135; 124–10138–10016; 124–10138–10065; 124–10140–10116; 124–10147–10142; 124–10148–10032; 124–10153–10000; 124–10155–10276; 124–10158–10028; 124–10158–10029; 124–10160–10018; 124–10162–10023; 124–10162–10068; 124–10163–10222; 124–10164–10474; 124–10168–10001; 124–10168–10013; 124–10168–10022; 124–10168–10029; 124–10168–10030; 124–10168–10034; 124–10168–10039; 124–10170–10002; 124–10170–10007; 124–10170–10014; 124–10170–10020; 124–10171–10007; 124–10172–10076; 124–10173–10069; 124–10173–10378; 124–10173–10399; 124–10174–10453; 124–10175–10340; 124–10176–10178; 124–10177–10012; 124–10179–10105; 124–10179–10106; 124–10179–10263; 124–10180–10224; 124–10180–10227; 124–10180–10235; 124–10180–10240; 124–10180–10246; 124–10180–10292; 124–10180–10299; 124–10180–10301; 124–10181–10189; 124–10181–10254; 124–10181–10286; 124–10181–10306; 124–10182–10276; 124–10182–10282; 124–10182–10324; 124–10182–10337; 124–10182–10339; 124–10182–10342; 124–10182–10346; 124–10182–10354; 124–10182–10358; 124–10182–10364; 124–10182–10416; 124–10183–10200; 124–10184–10021; 124–10184–10099; 124–10184–10104; 124–10184–10118; 124–10184–10128; 124–10184–10149; 124–10184–10219; 124–10184–10261; 124–10185–10106; 124–10185–10108; 124–10185–10120; 124–10185–10223; 124–10185–10239; 124–10185–10262; 124–10187–10146; 124–10187–10205; 124–10188–10073; 124–10188–10074; 124–10188–10082; 124–10188–10086; 124–10188–10095; 124–10188–10107; 124–10188–10108; 124–10188–10111; 124–10188–10112; 124–10188–10117; 124–10188–10124; 124–10188–10128; 124–10188–10129; 124–10188–10131; 124–10188–10184; 124–10188–10186; 124–10188–10234; 124–10188–10310; 124–10188–10313; 124–10188–10328; 124–10188–10333; 124–10188–10336; 124–10188–10342; 124–10188–10468; 124–10188–10471; 124–10190–10001; 124–10190–10003; 124–10190–10019; 124–10190–10021; 124–10190–10025; 124–10190–10027; 124–10190–10033; 124–10190–10041; 124–10190–10047; 124–10190–10067; 124–10190–10069; 124–10229–10403; 124–10230–10436; 124–10233–10377; 124–10238–10312; 124–10239–10212; 124–10243–10001; 124–10243–10017; 124–10246–10233; 124–10253–10103; 124–10257–10409; 124–10260–10275; 124–10264–10170; 124–10265–10483; 124–10267–10470; 124–10267–10491; 124–10270–10004; 124–10270–10019; 124–10270–10037; 124–10273–10117; 124–10273–10297; 124–10273–10374; 124–10274–10039; 124–10274–10286; 124–10274–10293; 124–10274–10294;

124–10275–10209; 124–10275–10216; 124–10275–10220; 124–10275–10224

After consultation with appropriate Federal Agencies, the Review Board announces that the following House Select Committee on Assassination records are now being opened in full: 180–10065–10357; 180–10065–10358; 180–10065–10362; 180–10065–10385; 180–10066–10437; 180–10066–10438; 180–10066–10439; 180–10066–10440; 180–10066–10492; 180–10066–10494; 180–10069–10443; 180–10069–10449; 180–10071–10108; 180–10071–10109; 180–10071–10110; 180–10071–10168; 180–10072–10351; 180–10074–10033; 180–10074–10055; 180–10074–10305; 180–10076–10005; 180–10076–10009; 180–10076–10195; 180–10076–10197; 180–10076–10198; 180–10076–10210; 180–10076–10236; 180–10077–10275; 180–10077–10277; 180–10078–10018; 180–10078–10019; 180–10078–10020; 180–10078–10297; 180–10078–10298; 180–10078–10299; 180–10078–10343; 180–10078–10356; 180–10078–10357; 180–10078–10359; 180–10078–10476; 180–10078–10479; 180–10080–10017; 180–10081–10402; 180–10084–10203; 180–10085–10136; 180–10085–10137; 180–10085–10399; 180–10085–10474; 180–10085–10476; 180–10085–10480; 180–10086–10265; 180–10087–10439; 180–10088–10069; 180–10091–10172; 180–10091–10230; 180–10091–10477; 180–10091–10478; 180–10091–10488; 180–10091–10491; 180–10093–10004; 180–10096–10375; 180–10096–10397; 180–10096–10404; 180–10096–10412; 180–10096–10414; 180–10096–10415; 180–10096–10416; 180–10096–10461; 180–10097–10293; 180–10099–10252; 180–10100–10006; 180–10100–10007; 180–10100–10017; 180–10100–10019; 180–10100–10021; 180–10100–10022; 180–10100–10023; 180–10100–10024; 180–10100–10025; 180–10100–10026; 180–10100–10027; 180–10101–10173; 180–10101–10216; 180–10101–10335; 180–10101–10371; 180–10101–10372; 180–10101–10373; 180–10102–10301; 180–10102–10302; 180–10102–10303; 180–10102–10304; 180–10102–10305; 180–10102–10307; 180–10102–10308; 180–10102–10309; 180–10102–10310; 180–10102–10311; 180–10102–10312; 180–10102–10313; 180–10102–10314; 180–10102–10329; 180–10104–10332; 180–10104–10333; 180–10104–10334; 180–10104–10336; 180–10104–10337; 180–10104–10338; 180–10104–10339; 180–10104–10341; 180–10104–10361; 180–10104–10460; 180–10108–10000; 180–10112–10100; 180–10112–10102; 180–10112–10177; 180–10113–10433; 180–10120–10321; 180–10147–10279

Notice of Assassination Records Designation

Designation: On January 30, 1997, the Assassination Records Review Board designated the following United States Secret Service materials assassination records: ''Protect Subject Abstract'' CASE NR: 127–671–0018686 (four pages)

Notice of Reconsideration

On January 29–30, 1997, the CIA provided additional evidence to the Review Board regarding four documents that previously had been voted upon by the Review Board at meetings reported at Federal Register Notice 97–492, 62 FR 1311. Upon receiving and evaluating this additional evidence, the Review Board voted to sustain postponements as follows:

Record No.	Number of original releases	Number of original postponements	Number of revised releases	Number of revised postponements	Date of revised re-review
104–10004–10213	19	9	18	10	05/1997
104–10051–10106	4	4	5	10	05/1997
104–10054–10007	85	4	84	5	12/2006
104–10055–10072	83	4	82	5	12/2006

On January 29–30, 1997, the FBI provided additional evidence to the Review Board regarding three documents that previously had been voted upon by the Review Board at meetings reported at Federal Register Notices FR Doc. 96–19278, 61 FR 39624, FR Doc. 96–13838, 61 FR 28158, and FR Doc. 15835, 61 FR 31917. Upon receiving and evaluating this additional evidence, the Review Board voted to sustain postponements as follows:

Record No.	Number of original releases	Number of original postponements	Number of revised releases	Number of revised postponements	Date of revised re-review
124–10035–10387	10	0	11	3	01/2007
124–10172–10033	4	11	10	3	10/2017
124–10273–10136	69	27	68	28	10/2017

On September 27, 1996, the Review Board made formal determinations that were published in the October 18, 1996 Federal Register (FR Doc. 96–26742, 61 FR 54411). At its January 29–30, 1997 meeting, the Review Board voted to withdraw its votes on the following CIA document for reconsideration at a future meeting: 180–10078–10478.

On December 16–17, 1996, the Review Board made formal determinations that were published in the January 9, 1997 Federal Register (FR Doc. 97–492, 62 FR 1311). At its January 29–30, 1997 meeting, the Review Board voted to withdraw its votes on the following CIA documents for reconsideration at a future meeting: 104–10009–10224, 104–10012–10080.

Notice of Correction

In its implementation of the JFK Act, the Federal Bureau of Investigation inadvertently assigned two record identification numbers (124–10237–10162 and 124–10240–10037) to the same assassination record. The Review Board's final determinations regarding this assassination record were published in the November 5, 1996 Federal Register (see FR Doc. 96–28333, 61 FR 56937) under record number 124–10237–10162. The FBI subsequently notified the Review Board of the prior inadvertent assignment of two record identification numbers, and of the FBI's decision to use 124–10240–10037 as the sole record identification number henceforward. Accordingly, the assassination record in question is being processed and released to the public, pursuant to the Review Board's determinations, as record identification number 124–10240–10037.

Dated: February 14, 1997.

David G. Marwell,

Executive Director.

[FR Doc. 97–4226 Filed 2–20–97; 8:45 am]

BILLING CODE 6118–01–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 commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: March 24, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: On October 4, 25 and December 30, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (61 FR 51881, 55268 and 68706) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and 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 commodities and services to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and 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 commodities and services proposed for addition to the Procurement List.

Accordingly, the following commodities and services are hereby added to the Procurement List:

Commodities

Stakes/Lath, Survey, Wood
5510–00–NSH–0044 thru –0097

(Requirements for the USDA Forest Service, Fort Jones, CA)

Xerographic Paper
7530–01–156–9775
7530–01–157–1015

Services

Administrative Services, General Services Administration, PBS, Northwest/Arctic Region

Commissary Shelf Stocking and Custodial, Fort Monroe, Virginia

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.

Beverly L. Milkman,

Executive Director.

[FR Doc. 97–4341 Filed 2–20–97; 8:45 am]

BILLING CODE 6353–01–P

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 commodities to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: March 24, 1997.

ADDRESS: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: On December 30, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (61 F.R. 30223) of proposed addition to the Procurement List. Comments were received from one current contractor for patient examining gloves. The contractor took issue with the statement concerning impact on small entities that appeared in the notice of proposed rulemaking and with the idea of nonprofit agencies employing people who are blind or have other severe disabilities having preference over other contractors.

The statement in the notice of proposed rulemaking to which the first contractor objected was a conclusion by the Committee, required by the Regulatory Flexibility Act, that it did not appear that the proposed addition to the Procurement List would have a severe impact on a significant number of small entities. Because the addition will only affect a small number of contractors, the Committee believes this statement was correct. As for the contractor's objection to the JWOD Program, it should be noted that the Program was created by statute to help the large number of people who are blind or have other severe disabilities and who cannot obtain or have difficulty obtaining other employment. By creating the JWOD Program, the Congress recognized that some other Government contractors would lose business opportunities.

The Committee is only adding a portion of the Government requirement covered by this MAS to the Procurement List. Other contractors will continue to be able to supply gloves using the MAS, under which no contractor has any guarantee of receiving a specific level of sales. The Committee will monitor the number of gloves sold by the nonprofit agency to assure the maximum annual amount set aside for the JWOD Program is not exceeded. If that point is reached, the nonprofit agency will be instructed to discontinue marketing its gloves under the JWOD name. Under these circumstances, the Committee does not believe that this addition will have a severe adverse impact on any current contractor.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodity and impact of the addition on the current or most recent contractors, the Committee has determined that the commodities 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 commodities to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities 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 commodities proposed for addition to the Procurement List.

Accordingly, the following commodities are hereby added to the Procurement List:

Gloves, Patient Examining
6515–01–373–8306
6515–01–411–4796
6515–01–441–6103
(25% of VA purchases of powdered gloves inspected to the highest standard (e.g., Aladan's ''Classic'' glove))

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.

Beverly L. Milkman,

Executive Director.

[FR Doc. 97–4342 Filed 2–20–97; 8:45 am]

BILLING CODE 6353–01–P

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 a commodity and a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: March 24, 1997.

ADDRESS: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (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 commodity and service 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 commodity and service to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodity and service.

3. The action will result in authorizing small entities to furnish the commodity and service 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 commodity and service 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 commodity and service have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Service

Janitorial/Custodial

Naval Reserve Center
Kearny, New Jersey
NPA: The First Occupational Center of New Jersey, Orange, New Jersey

Commodity

Strap, Webbing
5340–01–114–7712
NPA: Mississippi Industries for the Blind, Jackson, Mississippi.

Beverly L. Milkman,

Executive Director.

[FR Doc. 97–4343 Filed 2–20–97; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF COMMERCE

Bureau of the Census

[Docket No. 970212029–7029–01]

RIN 0607–XX27

Annual Surveys in Manufacturing Area

AGENCY: Bureau of the Census, Commerce.

ACTION: Notice of determination.

SUMMARY: In conformity with Title 13, United States Code (Sections 182, 224, and 225), I have determined that annual data to be derived from the surveys listed below are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry. The data derived from these surveys, most of which have been conducted for many years, are not publicly available from nongovernmental or other governmental sources.

FOR FURTHER INFORMATION CONTACT: David W. Cartwright, Chief, Manufacturing and Construction Division on (301) 457–4593.

SUPPLEMENTARY INFORMATION: The Census Bureau is authorized to take surveys necessary to furnish current data on the subjects covered by the major censuses authorized by Title 13, United States Code. These surveys will provide continuing and timely national statistical data on manufacturing for the period between economic censuses. The next economic censuses will be conducted for 1997. The data collected in these surveys will be within the general scope and nature of those inquiries covered in the economic censuses.

Annual Current Industrial Reports

Most of the following commodity or product surveys provide data on shipments or production; some provide data on stocks, unfilled orders, orders booked, consumption, and so forth. Reports will be required of all or a sample of establishments engaged in the production of the items covered by the following list of surveys.

In accordance with the Paperwork Reduction Act, Public Law 104–13, these surveys have been approved by the Office of Management and Budget (OMB) under OMB control numbers 0607–0392, 0607–0395, 0607–0476, and 0607–0625.

MA22F—Yarn Production
MA22K—Knit Fabric Production
MA22Q—Carpets and Rugs
MA23D—Gloves and Mittens
MA24T—Lumber Production and Mill Stocks
MA28A—Inorganic Chemicals
MA28B—Inorganic Fertilizer Materials and Related Products
MA28C—Industrial Gases
MA28F—Paint and Allied Products
MA28G—Pharmaceutical Preparations, except Biologicals
MA31A—Footwear
MA32C—Refractories

MA32E—Consumer, Scientific, Technical, and Industrial Glassware
MA33A—Ferrous Castings
MA33B—Steel Mill Products
MA33E—Nonferrous Castings
MA33L—Insulated Wire and Cable
MA34K—Steel Shipping Drums and Pails
MA35A—Farm Machinery and Lawn and Garden Equipment
MA35D—Construction Machinery
MA35F—Mining Machinery and Mineral Processing Equipment
MA35J—Selected Industrial Air Pollution Control Equipment
MA35L—Internal Combustion Engines
MA35M—Air-conditioning and Refrigeration Equipment
MA35P—Pumps and Compressors
MA35Q—Antifriction Bearings
MA35R—Computers and Office and Accounting Machines
MA36A—Switchgear, Switchboard Apparatus, Relays, and Industrial Controls
MA36E—Electric Housewares and Fans
MA36F—Major Household Appliances
MA36H—Motors and Generators
MA36K—Wiring Devices and Supplies
MA36M—Consumer Electronics
MA36P—Communication Equipment
MA36Q—Semiconductors and Printed Circuit Boards
MA37D—Aerospace Orders
MA38B—Selected Instruments and Related Products
MA38R—Electromedical Equipment

The following list of surveys represents annual counterparts of monthly and quarterly surveys and will cover only those establishments that are not canvassed or do not report in the more frequent surveys. Accordingly, there will be no duplication in reporting. The content of these annual reports will be identical with that of the monthly and quarterly reports.

M20A—Flour Milling Products
M32G—Glass Containers
M33D—Aluminum Producers and Importers
M33J—Inventories of Steel Producing Mills
M37G—New Complete Aircraft and Aircraft Engines, except Military
M37L—Truck Trailers
MQ22D—Consumption on the Woolen System and Worsted Combing
MQ23A—Apparel (short form)
MQ23X—Sheets, Pillowcases, and Towels
MQ32A—Flat Glass
MQ32D—Clay Construction Products
MQ34E—Plumbing Fixtures
MQ36C—Fluorescent Lamp Ballasts

Annual Survey of Manufactures

The Annual Survey of Manufactures collects industry statistics such as total value of shipments, employment, payroll, workers' hours, capital expenditures, cost of materials consumed, supplemental labor costs, and so forth. This survey, while conducted on a sample basis, covers all manufacturing industries, including data on plants under construction but not yet in operation.

In accordance with the Paperwork Reduction Act, Public Law 104–13, this survey has been approved by the OMB under OMB control number 0607–0449.

Survey of Industrial Research and Development

The Survey of Industrial Research and Development measures spending on research and development activities in private U.S. businesses. The Census Bureau collects and compiles this information with funding from the National Science Foundation (NSF). The NSF publishes the results in its publication series. Four data items in the survey provide interim statistics collected in the Census Bureau's Economic Censuses. These items (total company sales, total company employment, total expenditures and Federally-funded expenditures for research and development conducted within the company) are collected on a mandatory basis under the authority of Title 13. Responses to all other data collected for the NSF are voluntary.

In accordance with the Paperwork Reduction Act, Public Law 104–13, this survey has been approved by the OMB under OMB control number 3145–0027.

Conclusion

I have, therefore, directed that these annual surveys be conducted for the purpose of collecting the data as described.

Dated: February 12, 1997.

Martha Farnsworth Riche,

Director, Bureau of the Census.

[FR Doc. 97–4320 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–07–P

Bureau of Export Administration

Materials Processing Equipment Technical Advisory Committee; Open Meeting

A meeting of the Material Processing Equipment Technical Advisory Committee will be held March 18, 1997, 9 a.m., in the Herbert C. Hoover Building, Room 3884, 14th Street between Pennsylvania and Constitution Avenues, NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to materials processing and related technology.

Agenda

1. Opening remarks by the Chairman.
2. Presentation of papers or comments by the public.
3. Update on The Wassenaar Arrangement.
4. Update on the Nuclear Suppliers Group.
5. Discussion on guaranteed machine tool positioning accuracy.

The meeting will be open to the public and a limited number of seats will be available. To the extent that time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that presenters forward the public presentation materials two weeks prior to the meeting date to the following address: Ms. Lee Ann Carpenter, OAS/EA MS: 3886C, Bureau of Export Administration, U.S. Department of Commerce, Washington, DC 20230.

For further information or copies of the minutes, contact Lee Ann Carpenter on (202) 482–2583.

Dated: February 18, 1997.

Lee Ann Carpenter,

Director, Technical Advisory Committee Unit.

[FR Doc. 97–4362 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–DT–M

Transportation and Related Equipment Technical Advisory Committee; Partially Closed Meeting

A meeting of the Transportation and Related Equipment Technical Advisory Committee will be held March 18, 1997, 9 a.m., in the Herbert C. Hoover Building, Room 1617M(2), 14th Street between Constitution & Pennsylvania Avenues, NW., Washington, DC. The Committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to transportation and related equipment or technology.

General Session

1. Opening remarks by the Chairman.
2. Presentation of public papers or comments.
3. Report on the status of the Wassenaar Arrangement: implementation, List Review schedule, and reporting status.

4. Report on the status of the encryption regulations.

5. Update on the Missile Technology Control Regime.

6. Discussion of commercial communications satellite and ''hot section'' technology regulations, in particular the status of the fuels issue.

Closed Session

7. Discussion of matters properly classified under Executive Order 12958, dealing with the U.S. export control program and strategic criteria related thereto.

The General Session of the meeting will be open to the public and a limited number of seats will be available. To the extent time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials to Committee members, the Committee suggests that you forward your public presentation materials two weeks prior to the meeting to the following address: Ms. Lee Ann Carpenter, OAS/EA MS: 3886C, Bureau of Export Administration, U.S. Department of Commerce, Washington, DC 20230.

The Assistant Secretary for Administration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1996, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, that the series of meetings or portions of meetings of the Committee and of any Subcommittee thereof, dealing with the classified materials listed in 5 U.S.C. 552(c)(1) shall be exempt from the provisions relating to the public meetings found in section 10(a)(1) and (a)(3), of the Federal Advisory Committee Act. The remaining series of meetings or portions thereof will be open to the public.

A copy of the Notice of Determination to close meetings or portions of meetings of the Committee is available for public inspection and copying in the Central Reference and Records, Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, DC. For further information or copies of the minutes call (202) 482–2583.

Dated: February 18, 1997.

Lee Ann Carpenter,

Director, Technical Advisory Committee Unit.

[FR Doc. 97–4361 Filed 2–20–97; 8:45 am]

BILLING CODE 3510–01–M

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Submission for OMB Review; Comment Request

February 14, 1997.

The Corporation for National and Community Service (CNCS), has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, (44 U.S.C. Chapter 35). Copies of these individual ICRs, with applicable supporting documentation, may be obtained by calling the Corporation for National and Community Service Office of Evaluation, Chuck Helfer, (202) 606–5000, Extension 248.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Corporation for National and Community Service, Office of Management and Budget, Room 10235, Washington, D.C., 20503. (202) 395–7316, on or before March 24, 1997.

The OMB is particularly interested in comments which:

Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Corporation, including whether the information will have practical utility;

Evaluate 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;

Enhance the quality, utility and clarity of the information to be collected; and

Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Agency: Corporation for National and Community Service.

Title: LSAHE Participant Outcome Survey.

OMB Number: New form.

Affected Public: College students in institutions supported by the LSAHE program.

Number of Respondents: 2,000.

Estimated Time Per Respondent: 25 minutes.

Total Burden Hours: 833.

Total Annualized capital/startup costs: 0.

Total Annual Cost (operating/maintaining systems or purchasing services): $5,000.

Description: The Corporation for National and Community Service seeks approval of a new form to evaluate the impact of the LSAHE program on student participants.

Dated: February 14, 1997.

Lance Potter,

Director, Office of Evaluation.

[FR Doc. 97–4283 Filed 2–20–97; 8:45 am]

BILLING CODE 6050–28–P

DEPARTMENT OF EDUCATION

[CFDA NO.: 84.031G]

Endowment Challenge Grant Program; Withdrawal of Closing Date Notice Inviting Applications for New Awards for Fiscal Year (FY) 1997

SUMMARY: On August 20, 1996 a notice was published in the Federal Register (61 FR 43128) inviting applications for new awards under the Endowment Challenge Grant Program for FY 1997. Since the Congress did not appropriate FY 1997 funds for the Endowment Challenge Grant Program, the Department of Education withdraws this notice inviting applications for new awards for FY 1997 under this program. The Department will not make new awards in FY 1997.

FOR FURTHER INFORMATION CONTACT: Mr. William J. Carter, U.S. Department of Education, 600 Independence Avenue, S.W., Portals Building, Suite CY–80, Washington, D.C. 20202–5337. Telephone: (202) 708–8866. Internet address: William__Carter@ed.gov; FAX: (202) 401–7532. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m. Eastern time, Monday through Friday.

Program Authority: 20 U.S.C. 1065.

Dated: February 12, 1997.

David A. Longanecker,

Assistant Secretary for Postsecondary Education.

[FR Doc. 97–4272 Filed 2–20–97; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER97–1328–000, et al.]

Boston Edison Company, et al.; Electric Rate and Corporate Regulation Filings

February 12, 1997.

Take notice that the following filings have been made with the Commission:

1. Boston Edison Company

[Docket No. ER97–1328–000]

Take notice that on January 31, 1997, Boston Edison Company (Boston Edison) of Boston, Massachusetts, tendered for filing amendments to conform its open-access transmission Tariff No. 8 to the new NEPOOL tariff, submitted by the NEPOOL Executive Committee on December 31, 1996, and amendments to make Boston Edison's share of the Hydro-Quebec transmission facilities available on an open-access basis. Boston Edison asks that the proposed Hydro-Quebec amendments be made effective as of March 1, 1997. Boston Edison asks that its NEPOOL conforming amendments be made effective on March 1, 1997 if the new NEPOOL Tariff is allowed to become effective on that date. Due to the relationship between its conforming amendments and the new NEPOOL Tariff, Boston Edison states that the conforming amendments should not become effective unless and until the NEPOOL amendments become effective.

Boston Edison states that this filing has been posted and that copies have been served upon its own transmission customers, the recipients of the new NEPOOL tariff, and the Massachusetts Department of Public Utilities.

Comment date: February 25, 1997, in accordance with Standard Paragraph E at the end of this notice.

2. Duke Power Company and PanEnergy Corp

[Docket No. EC97–13–000]

Take notice that on February 3, 1997, Duke Power Company (''Duke''), on behalf of itself and certain of its affiliates, and PanEnergy Corp (''PanEnergy''), on behalf of itself and certain of its affiliates (collectively ''Applicants''), tendered for filing pursuant to Section 203 of the Federal Power Act (the ''FPA''), 16 U.S.C. § 824b, Part 33 of the Commission's Regulations, 18 CFR 33, and 18 CFR 2.26, an Application for an order approving the proposed merger of Duke and PanEnergy and changes in control over certain of their respective power marketer affiliates.

Applicants state that pursuant to an Agreement and Plan of Merger dated as of November 24, 1996, Duke and PanEnergy will merge through an exchange of stock, with Duke to continue as the surviving corporation. They state that after consummation of the merger, PanEnergy will become a wholly-owned subsidiary of Duke, which will change its name to Duke Energy Corporation. Applicants further state that, as a result of the merger of Duke and PanEnergy, control over Duke/Louis Dreyfus L.L.C. (an FPA-jurisdictional affiliate of Duke) and PanEnergy Trading and Market Services L.L.C., PanEnergy Power Services, Inc. and PanEnergy Lake Charles Generation, Inc. (each an FPA-jurisdictional affiliate of PanEnergy) will change. According to Applicants, the FPA-jurisdictional contracts held by their power marketer affiliates will not be transferred at the time of the merger, and the respective power marketers will continue to hold and perform under them. The Applicants state that they have submitted the information required by Part 33 of the Commission's Regulations, and by the Commission's recently-issued Merger Policy Statement (Order No. 592, Inquiry Concerning the Commission's Merger Policy Under the Federal Power Act; Policy Statement (issued December 18, 1996), 61 Fed. Reg. 68,595 (December 30, 1996), to be codified at 18 CFR 2.26, in support of the Application.

Applicants represent that, as required by 18 CFR 33.6, copies of the Application and related testimony and exhibits have been served on each of Duke's wholesale customers and on the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: April 4, 1997, in accordance with Standard Paragraph E at the end of this notice.

3. CMS Generation Pinamucan Limited Duration Company

[Docket No. EG97–30–000]

On January 27, 1997, CMS Generation Pinamucan Limited Duration Company, Fairlane Plaza South, 330 Town Center Drive, Suite 1100, Dearborn, Michigan 48126, 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.

Applicant intends to acquire up to 44 percent of the common stock of Magellan Corporation, Inc., a Philippine Corporation. Magellan Corporation, Inc. owns and operates an approximately 63 MW diesel fuel-fired electric generating facility (Facility) located in Rosario, Cavite, Philippines. The electric energy produced by the Facility will be sold exclusively at wholesale. None of the electric energy generated will be sold to consumers in the United States.

Comment date: March 4, 1997, 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. Logan Generating Company, L.P., Premier Enterprises, Inc., E Prime, Inc., Mid American Natural Resources, Inc., Texaco Natural Gas Inc., WPS Power Development, Inc., North American Power Brokers, Inc.

[Docket Nos. ER95–1007–003, ER95–1123–005, ER95–1269–005, ER95–1423–004, ER95–1787–005, ER96–1088–007, and ER96–1156–003 (not consolidated)]

Take notice that the following informational filings have been made with the Commission and are on file and available for inspection and copying in the Commission's Public Reference Room:

On February 3, 1997, Logan Generating Company, L.P. filed certain information as required by the Commission's June 28, 1995, order in Docket No. ER95–1007–000.

On February 7, 1997, Premier Enterprises, Inc. filed certain information as required by the Commission's August 7, 1995, order in Docket No. ER95–1123–000.

On February 6, 1997, E Prime, Inc. filed certain information as required by the Commission's March 29, 1996, order in Docket No. ER95–1269–000.

On February 7, 1997, Mid American Natural Resources, Inc. filed certain information as required by the Commission's August 25, 1995, order in Docket No. ER95–1423–000.

On February 6, 1997, Texaco Natural Gas Inc. filed certain information as required by the Commission's January 25, 1996, order in Docket No. ER95–1787–000.

On January 22, 1997, WPS Power Development, Inc. filed certain information as required by the Commission's April 16, 1996, order in Docket No. ER96–1088–000.

On February 7, 1997, North American Power Brokers, Inc. filed certain information as required by the Commission's April 24, 1996, order in Docket No. ER96–1156–000.

5. Ohio Valley Electric Corporation, Indiana-Kentucky Electric Corporation

[Docket No. ER97–1447–000]

Take notice that on January 29, 1997, Ohio Valley Electric Corporation (including its wholly-owned subsidiary, Indiana-Kentucky Electric Corporation) (OVEC), tendered for filing a Service Agreement for Non-Firm Point-to-Point transmission Service, dated November 1, 1996 (the Service Agreement) between OVEC and The Cincinnati Gas & Electric Company, PSI Energy, Inc. (together, the Cinergy Operating Companies) and Cinergy Services, Inc. (Cinergy Services), as agent for and on behalf of the Cinergy Operating Companies. OVEC proposes an effective date of January 27, 1997 and requests waiver of the Commission's notice requirement to allow the requested effective date. The Service Agreement provides for non-firm transmission service by OVEC to the Cinergy Operating Companies.

In its filing, OVEC states that the rates and charges included in the Service Agreement are the rates and charges set forth in OVEC's Order No. 888 compliance filing (Docket No. OA96–190–000).

Copies of this filing were served upon the Public Utilities Commission of Ohio, the Indiana Utility Regulatory Commission, the Kentucky Public Service Commission and Cinergy Services.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

6. The Dayton Power and Light Company

[Docket No. ER97–1448–000])

Take notice that on January 30, 1997, The Dayton Power and Light Company (Dayton), submitted service agreements establishing VTEC Energy, Inc. as customers under the terms of Dayton's Open Access Transmission Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements. Copies of the filing were served upon VTEC Energy, Inc., and the Public Utilities Commission of Ohio.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

7. Wisconsin Public Service Corporation

[Docket No. ER97–1449–000]

Take notice that on January 29, 1997, Wisconsin Public Service Corporation (WPSC), tendered for filing executed Transmission Service Agreements with itself for its own off-system sales. The Agreements provide for transmission service under the Open Access Transmission Service Tariff, FERC Original Volume No. 11.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

8. Public Service Electric and Gas Company

[Docket No. ER97–1450–000]

Take notice that on January 29, 1997, Public Service Electric and Gas Company (PSE&G), tendered for filing an agreement to provide non-firm transmission service to NorAm Energy Services, Inc., pursuant to PSE&G's Open Access Transmission Tariff presently on file with the Commission in Docket No. OA96–80–000.

PSE&G further requests waiver of the Commission's Regulations such that the agreement can be made effective as of January 15, 1997.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

9. The Dayton Power and Light Company

[Docket No. ER97–1451–000]

Take notice that on January 30, 1997, The Dayton Power and Light Company (Dayton), submitted service agreements establishing Consumers Power Company, and The Detroit Edison Company as customers under the terms of Dayton's Market-Based Sales Tariff.

Dayton requests an effective date of one day subsequent to this filing for the service agreements. Accordingly, Dayton requests waiver of the Commission's notice requirements. Copies of this filing were served upon Consumers Power Company, The Detroit Edison Company and the Public Utilities Commission of Ohio.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

10. Atlantic City Electric Company

[Docket No. ER97–1452–000]

Take notice that on January 29, 1997, Atlantic City Electric Company (Atlantic Electric), tendered for filing service agreements under which Atlantic Electric will provide capacity and energy to Aquila Power Corporation, Baltimore Gas and Electric Company, Carolina Power & Light Company, Catex Vitol Electric L.L.C., Citizens Lehman Power Sales, Consolidated Edison Company, Coral Power, L.L.C., Duke/Louis Dreyfus L.L.C., Enron Capital & Trade Resources, Equitable Power Service Company, Heartland Energy Services, Koch Power Services, Long Island Lighting Company, Morgan Stanley Capital Group, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation, NorAm Energy Services, PECO Energy Company, Pennsylvania Power and Light, Plum Street Energy Marketing, Public Service Electric & Gas Company, Rainbow Energy Marketing Corporation, Sonat Power Marketing, L.P., Tenneco Energy, TransCanada Power Corporation, USGen Power Services, L.P. and The Utility Trade Corporation in accordance with the Atlantic Electric wholesale power sales tariff. Atlantic Electric requests the agreements be accepted to become effective on January 1, 1997.

Atlantic Electric states that a copy of the filing has been served on the listed entities.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

11. Atlantic City Electric Company

[Docket No. ER97–1453–000]

Take notice that on January 29, 1997, Atlantic City Electric Company (Atlantic Electric) tendered for filing an amendment to its tariff under which it sells power and energy at market-based rates.

Atlantic Electric states that a copy of the filing was served on all existing customers under the Atlantic Electric market-based rate tariff and on the New Jersey Board of Public Utilities.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

12. Southwestern Public Service Company

[Docket No. ER97–1454–000]

Take notice that on January 30, 1997, Southwestern Public Service Company (Southwestern), submitted a Quarterly Report under Southwestern's market-based sales tariff. The report is for the period of October 1, 1996 through December 31, 1996.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

13. New York State Electric & Gas Corporation

[Docket No. ER97–1455–000]

Take notice that on January 30, 1997, New York State Electric & Gas Corporation (NYSEG), filed Service Agreements between NYSEG and Heartland Energy Services, Inc., Green Mountain Power Corporation, and Rainbow Energy Marketing Corporation,

(Customers). These Service Agreements specify that the customers have agreed to the rates, terms and conditions of the NYSEG open access transmission tariff filed on July 9, 1996, in Docket No. OA96–195–000.

NYSEG requests waiver of the Commission's sixty-day notice requirements and an effective date of January 31, 1997, for the Service Agreements. NYSEG has served copies of the filing on The New York State Public Service Commission and on the Customers.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

14. The Montana Power Company

[Docket No. ER97–1458–000]

Take notice that on January 29, 1997, The Montana Power Company (Montana), tendered for filing a revised Appendix 1 as required by Exhibit C for retail sales in accordance with the provisions of the Residential Purchase and Sale Agreement (Agreement) between Montana and the Bonneville Power Administration (BPA).

The Agreement was entered into pursuant to the Pacific Northwest Electric Power Planning and Conservation Act, Public Law 96–501. The Agreement provides for the exchange of electric power between Montana and BPA for the benefit of Montana's residential and farm customers.

A copy of the filing has been served upon BPA.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

15. New England Power Company

[Docket No. ER97–1459–000]

Take notice that on January 30, 1997, New England Power Company filed a Service Agreement with Citizens Lehman Power Sales under NEP's FERC Electric Tariff, Original Volume No. 5.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

16. Kentucky Utilities Company

[Docket No. ER97–1460–000]

Take notice that on January 30, 1997, Kentucky Utilities Company (KU), tendered for filing information on transactions that occurred during October 1, 1996 through December 31, 1996, pursuant to the Power Services Tariff accepted by the Commission in Docket No. ER95–854–000.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

17. Virginia Electric and Power Company

[Docket No. ER97–1461–000]

Take notice that on January 29, 1997, Virginia Electric and Power Company (Virginia Power), tendered for filing Service Agreements for Non-Firm Point-to-Point Transmission Service with Cleveland Electric Illuminating Company, Niagara Mohawk Power Corporation, Plum Street Energy Marketing, Inc., SCANA Energy Marketing, Inc., Southern Company Services, Inc., The Power Company of America, Toledo Edison Company, Wisconsin Electric Power Company and The Wholesale Power Group and two Service Agreements for Firm Point-to-Point Transmission service with Carolina Power & Light Company under the Open Access Transmission Tariff to Eligible Purchasers dated July 9, 1996. Under the tendered Service Agreement Virginia Power will provide non-firm/firm point-to-point service to the Transmission customers as agreed to by the parties under the rates, terms and conditions of the Open Access Transmission Tariff.

Copies of the filing were served upon the Virginia State Corporation Commission, the North Carolina Utilities Commission, the Ohio Public Utilities Commission and the Wisconsin Public Service Commission.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

18. Virginia Electric and Power Company

[Docket No. ER97–1462–000]

Take notice that on January 30, 1997, Virginia Electric and Power Company, tendered for filing an application for membership in the Western System Power Pool.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

19. Southwestern Public Service Company

[Docket No. ER97–1463–000]

Take notice that on January 28, 1997, Southwestern Public Service Company submitted revisions to its market-based sales tariff which correct minor typographical errors and add language implementing the Commission's transmission unbundling requirement.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

20. Louisville Gas and Electric Company

[Docket No. ER97–1464–000]

Take notice that on January 29, 1997, Louisville Gas and Electric Company (LG&E), tendered for filing an executed Service Agreement between LG&E and Southern Indiana Gas and Electric Company (SIGECO) under LG&E's Rate GSS. LG&E originally filed an unexecuted agreement in Docket No. ER97–1095–000.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

21. Northern States Power Company (Minnesota Company)

[Docket No. ER97–1465–000]

Take notice that on January 30, 1997, Northern States Power Company (Minnesota) (NSP), tendered for filing a Firm Point-to-Point Transmission Service Agreement for NSP Wholesale (Point of Delivery: Wisconsin Public Service) under the Northern States Power Company Transmission Tariff.

NSP requests that the Commission accept the agreement effective January 1, 1997, and requests waiver of the commission's notice requirements in order for the agreement to be accepted for filing on the date requested.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

22. Boston Edison Company

[Docket No. ER97–1466–000]

Take notice that on January 30, 1997, Boston Edison Company (Boston Edison), tendered for filing a Service Agreement under Original Volume No. 8, FERC Order 888 Tariff (Tariff) for TransCanada Energy Ltd. (TransCanada). Boston Edison requests that the Service Agreement become effective as of January 1, 1997.

Boston Edison states that it has served a copy of this filing on TransCanada and the Massachusetts Department of Public Utilities.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

23. PECO Energy Company

[Docket No. ER97–1467–000]

Take notice that on January 29, 1997, PECO Energy Company (PECO), filed a summary of transactions made during the fourth quarter of calendar year 1996 under PECO's market based rate tariff for power service accepted by the Commission in Docket No. ER96–640–000.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

24. Great Bay Power Corporation

[Docket No. ER97–1468–000]

Take notice that on January 29, 1997, Great Bay Power Corporation, tendered for filing a summary of activity for the quarter ending December 31, 1996.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

25. Louisville Gas and Electric Company

[Docket No. ER97–1470–000]

Take notice that on January 29, 1997, Louisville Gas and Electric Company (LG&E), tendered for filing an executed Service Agreement between LG&E and Koch Energy Trading, Inc. under LG&E's Rate GSS.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

26. Arizona Public Service Company

[Docket No. ER97–1471–000]

Take notice that on January 29, 1997, Arizona Public Service Company (APS), tendered for filing a Service Agreement to provide Network Integration Transmission Service under APS' Open Access Transmission Tariff filed in Compliance with FERC Order No. 888 with Ajo Improvement Company (Ajo).

A copy of this filing has been served on Ajo and the Arizona Corporation Commission.

Comment date: February 26, 1997, in accordance with Standard Paragraph E at the end of this notice.

27. Central Vermont Public Service Corporation

[Docket No. OA97–508–000]

Take notice that on January 27, 1997, Central Vermont Public Service Corporation tendered for filing an amendment to its open access transmission tariff that provides for service over Central Vermont's share of the Phase I and Phase II transmission facilities between Des Cantons, Quebec and Tewsbury, Massachusetts. Central Vermont requests that the Commission waive its notice of filing requirements and allow the amendment to become effective on January 27, 1997.

Comment date: March 6, 1997, in accordance with Standard Paragraph E at the end of this notice.

28. Nevada Power Company

[Docket No. OA97–509–000]

Take notice that on January 24, 1997, Nevada Power Company (Nevada Power) tendered for filing 12 letters which demonstrate its intent to unbundle the transmission and generation components of the rate contained in certain economy energy agreements executed on or before July 9, 1996 pursuant to the Federal Energy Regulatory Commission Order No. 888 dated April 24, 1996.

Copies of this filing have been served on The Public Service Commission of Nevada, California Department of Water Resources, Citizens Utilities Company, City of Anaheim, City of Boulder City, City of Burbank, City of Colton, City of Farmington, City of Glendale, City of Pasadena, City of Riverside, City of Vernon, Colorado River Commission, Deseret Generation & Transmission Cooperative, Lincoln County Power District No. 1, Metropolitan Water District of Southern California, Overton Power District No. 5, Pacific Gas & Electric Company, PacifiCorp, Public Service Company of New Mexico, Salt River Project, Southern California Edison Company, Tri-State Generation, Tucson Electric Power Company, Utah Assoc. Municipal Power Systems, and Valley Electric Association.

Comment date: March 13, 1997, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said 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 18 CFR 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 this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 97–4245 Filed 2–20–97; 8:45 am]

BILLING CODE 6717–01–P

[Project No. 11499–000; Tennessee]

Armstrong Energy Resources; Notice of Opportunity for Site Visit

February 14, 1997.

The Federal Energy Regulatory Commission (FERC) and the Tennessee Valley Authority (TVA) are reviewing a proposal from Armstrong Energy Resources to construct and operate the 1,500-megawatt Laurel Branch Pumped Storage Project No. 11499. The Laurel Branch Project would be located in Bledsoe County, Tennessee, seven miles northeast of Dunlap, Tennessee.

Since the July 1996 Scoping Document I was issued for Armstrong Energy Resources' (AER) proposed Laurel Branch Project No. 11499 and Reynolds Creek Project No. 11500, AER has decided not to pursue the Reynolds Creek Project. AER, by letter filed January 9, 1997, with the FERC, has withdrawn its proposal, and surrendered its preliminary permit, for the Reynolds Creek Pumped Storage Project No. 11500. AER, in deciding to pursue only the Laurel Branch Project, has also defined the preferred transmission line corridor and alternative corridors for the project and reduced the initial project boundary.

Scoping and Site Visit

FERC and TVA have scheduled a joint second public scoping meeting for Armstrong Energy Resources' revised proposal on March 4, 1997 (notice of this meeting was issued earlier on February 3, 1997). The meeting will be held at Sequatchie County High School on the west side of Highway #28 in Dunlap, Tennessee. The March 4 meeting will focus on the proposed changes to Laurel Branch Project and the proposed transmission corridor and alternative corridors. The formal public meeting will be held from 6:30 pm to 9:30 pm, CDT, with registration beginning at 5 pm.

Prior to the formal public meeting, an Information Open House will be held from 5 pm to 6:30 pm, or later. The Information Open House is an informal opportunity for questions and information about the overall project scope and environmental review process. At the Information Open House, AER will have on display for public examination, a large map showing the proposed Laurel Branch Project, the preferred transmission corridor and alternatives, and private properties that will be affected with names of the landowners.

After the meeting on March 5, 1997, there will be an opportunity for a short site visit. The site visit will be conducted mostly by private vehicles and will cover the project areas, including the defined transmission corridor (and alternatives), that are accessible by paved public roads. Further details of the site visit will be provided at the scoping meetings. Those persons who are interested in the site visit may contact Ginger Seeber of TVA at (423) 632–1721, to register. There will also be an opportunity at the meeting to register for the site visit.

For further information on this process, please contact Eddie R. Crouse,

FERC, (202) 219–2794, or Linda Oxendine, TVA, (423) 632–3440.

Lois D. Cashell,

Secretary.

[FR Doc. 97–4247 Filed 2–20–97; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CP97–193–000]

Transcontinental Gas Pipe Line Corp.; Notice of Intent To Prepare an Environmental Assessment for the Proposed Maiden Lateral Looping Project and Request for Comments on Environmental Issues

February 14, 1997.

The staff of the Federal Energy Regulatory Commission (FERC or Commission) will prepare an environmental assessment (EA) that will discuss the environmental impacts of the construction and operation of about 17.77 miles of 16-inch-diameter pipeline loop and upgrades to an existing meter station, proposed in the Maiden Lateral Looping Project.[1] This EA will be used by the Commission in its decision-making process to determine whether the project is in the public convenience and necessity.

Summary of the Proposed Project

Transacontinental Gas Pipe Line Corporation (Transco) wants to expand the capacity of its facilities in North Carolina to transport an additional 38,000 dekatherms of natural gas per day to Piedmont Natural Gas Company (Piedmont). Transaco seeks authority to construct and operate:

- About 17.77 miles of 16-diameter pipeline loop on Transco's existing 10-inch-diameter Maiden Lateral in Lincoln and Catawba Counties, North Carolina; and
- The expansion of Transco's existing Lowesville Meter Station, which is located at the interconnection of Transco's mainline and the Maiden Lateral.

The location of the project facilities is shown in appendix 1.[2] If you are interested in obtaining procedural information, please write to the Secretary of the Commission.

Land Requirements for Construction

Construction of the proposed facilities, including the meter station modification, would require about 152.2 acres of land. Transco proposes to use a construction right-of-way width of about 65 feet (5 feet southerly and 60 feet northerly of its existing 10-inch-diameter Maiden Lateral). This 20-foot offset would allow Transco to construct the majority of its new pipeline loop within its existing 50-foot-wide right-of-way. Since Transco would use its existing right-of-way during construction activities, only 1.19 acres of new permanent right-of-way would be required. Temporary work areas would be restored and allowed to revert to their former use.

The EA Process

The National Environmental Policy Act (NEPA) requires the Commission to take into account the environmental impacts that could result from an action whenever it considers the issuance of a Certificate of Public Convenience and Necessity. NEPA also requires us to discover and address concerns the public may have about proposals. We call this ''scoping''. The main goal of the scoping process is to focus the analysis in the EA on the important environmental issues. By this Notice of Intent, the Commission requests public comments on the scope of the issues it will address in the EA. All comments received are considered during the preparation of the EA. State and local government representatives are encouraged to notify their constituents of this proposed action and encourage them to comment on their areas of concern.

The EA will discuss impacts that could occur as a result of the construction and operation of the proposed project under these general headings:

- Geology and soils.
- Water resources, fisheries, and wetlands.
- Land use.
- Cultural resources.
- Vegetation and wildlife.
- Endangered and threatened species.
- Public safety.
- Air quality and noise.
- Hazardous waste.

We will also evaluate possible alternatives to the proposed project or portions of the project, and make recommendations on how to lessen or avoid impacts on the various resource areas.

Our independent analysis of the issues will be in the EA. Depending on the comments received during the scoping process, the EA may be published and mailed to Federal, state, and local agencies, public interest groups, interested individuals, affected landowners, newspapers, libraries, and the Commission's official service list for this proceeding. A comment period will be allotted for review if the EA is published. We will consider all comments on the EA before we recommend that the Commission approve or not approve the project.

Currently Identified Environmental Issues

We have already identified two issues that we think deserve attention based on a preliminary review of the proposed facilities and the environmental information provided by Transco. This preliminary list of issues may be changed based on your comments and our analysis.

- About 48 private water supply wells and springs are within 150 feet of the construction right-of-way; and
- About 28 residences are within 50 feet of the edge of the proposed construction right-of-way; 17 of which would be within or at 25 feet of the construction right-of-way.

Public Participation

You can make a difference by sending a letter addressing your specific comments or concerns about the project. You should focus on the potential environmental effects of the proposal, alternatives to the proposal, and measures to avoid or lessen environmental impact. The more specific your comments, the more useful they will be. Please follow the instructions below to ensure that your comments are received and properly recorded:

- Address your letter to: Lois Cashell, Secretary, Federal Energy Regulatory Commission, 888 First St., N.E., Room 1A, Washington, DC 20426;
- Reference Docket No. CP97–193–000;
- Mail your comments so that they will be received in Washington, DC on or before March 10, 1997.

Becoming an Intervenor

In addition to involvement in the EA scoping process, you may want to become an official party to the proceeding or become an ''intervenor''. Among other things, intervenors have the right to receive copies of case-related Commission documents and filings by other intervenors. Likewise, each intervenor must provide copies of

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[1] Transcontinental Gas Pipe Line Corporation's application was filed with the Commission under Section 7 of the Natural Gas Act and Part 157 of the Commission's regulations.

[2] The appendices referenced in this notice are not being printed in the Federal Register. Copies are available from the Commission's Public Reference and Files Maintenance Branch, 888 First Street, N.E., Washington, DC 20426, or call (202) 208–1371. Copies of the appendices were sent to all those receiving this notice in the mail.

its filings to all other parties. If you want to become intervenor you must file a motion to intervene according to Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.214) (see appendix 2).

You do not need intervenor status to have your scoping comments considered.

Lois D. Cashell,

Secretary.

[FR Doc. 97–4246 Filed 2–20–97; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–5691–5]

Protection of Stratospheric Ozone: Notice of Revocation of a Technician Certification Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of revocation.

SUMMARY: Through this action EPA is announcing the revocation of Refrigerant Certification Services (RCS) of Houston, Texas, previously approved to provide the technician certification exam in accordance with the regulations promulgated at 40 CFR part 82 subpart F. RCS was issued a letter of revocation on February 13, 1997, that included an explanation of the basis for EPA's decision.

This program has not complied with the requirements established for technician certification programs pursuant to section 608 of the Clean Air Act Amendments (the Act). In accordance with those requirements, all approved technician certification programs must provide the certification test and issue credentials consistent with the applicable requirements. Failure to comply with any of the requirements may result in revocation. RCS has been indicted for criminal actions directly related to the administration of the section 608 Technician Certification Program.

In accordance with 40 CFR 82.161(e), EPA revoked approval of RCS to offer the section 608 Technician Certification Program on February 13, 1997. RCS is no longer authorized to certify technicians or issue valid certification credentials.

The criminal indictment against RCS and the three related indictments against RCS representatives are based on information regarding administration of certification test and inappropriate issuance of credentials. Therefore, most technicians certified by RCS during the period that the program operated an EPA-approved program will remain certified in accordance with 40 CFR section 82.161(a). Technicians that were not properly certified by RCS and/or were issued credentials indicating that such certification did occur properly will be contacted by EPA. Technicians that comprise this subset either participated in testing events proctored by Herman E Brodzenski or were in contact with Mr. Brodzenski regarding the issuance of certification credentials. EPA would like to clarify that not every technician that participated in testing events administered by Mr. Brodzenski may be contacted by EPA. However, a group of approximately 100 technicians that either participated in a testing event or requested the issuance of certification credentials from Mr. Brodzenski will be contacted regarding whether or not these individuals are properly certified.

DATE: Refrigerant Certification Services had their approval to offer a technician certification program revoked, effective February 13, 1997.

FOR FURTHER INFORMATION CONTACT: Sue Stendebach, Program Implementation Branch, Stratospheric Protection Division, Office of Atmospheric Programs, Office of Air and Radiation (6205–J), 401 M Street, SW., Washington, DC 20460, 202/233–9117. The Stratospheric Ozone Information Hotline at 1–800–296–1996 can also be contacted for further information.

Dated: February 13, 1997.

Paul M. Stolpman,

Director, Office Of Atmospheric Programs.

[FR Doc. 97–4331 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5692–5]

Proposed Settlement Agreement, Clean Air Act Suit

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act, as amended, (''CAA''), notice is hereby given of a proposed settlement agreement, which was lodged with the United States District Court for the District of Columbia by the United States Environmental Protection Agency (''EPA'') on January 31, 1997, in a lawsuit filed by the Washington Legal Foundation. A number of United States Senators and Representatives are co-plaintiffs. This lawsuit concerns, among other things, EPA's alleged failure to meet mandatory deadlines under section 312 of the CAA to provide to Congress (1) a Cost/Benefit Report regarding the costs and benefits of past compliance with certain CAA standards (''Retrospective Report'') and (2) the first Cost/Benefit Report making projections into the future regarding expected costs, benefits and other effects of compliance with CAA standards (''Prospective Report''). The proposed settlement agreement provides that EPA shall promulgate the Retrospective Report to Congress no later than October 15, 1997 and the first Prospective Report no later than August 30, 1999.

For a period of thirty (30) days following the date of publication of this notice, the Agency will accept written comments relating to the proposed settlement agreement from persons who were not named as parties to the litigation in question. In accordance with section 113(g) of the CAA, EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement agreement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the Act. Unless EPA or the Department of Justice determines, following the comment period, that consent is inappropriate, the parties intend that the CAA provisions of the final settlement agreement, including the deadlines for the promulgation of the reports provided for in § 312, will be incorporated into an appropriate order of the court.

A copy of the proposed settlement agreement was lodged with the Clerk of the United States District Court for the District of Columbia on January 31, 1997. Copies are also available from Samantha Hooks (2344), Air and Radiation Division, Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260–7620. Written comments should be sent to Hale Hawbecker at the above address and must be submitted on or before March 24, 1997.

Dated: February 10, 1997.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 97–4322 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–M

[FRL–5692–4]

Proposed Settlement Agreement; National Emission Standards for Hazardous Air Pollutants (NESHAP) From Facilities That Manufacture Pharmaceutical Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed settlement; request for public comment.

SUMMARY: In accordance with section 113(g) of the Clean Air Act as amended (CA), 42 U.S.C. § 7413(g), notice is hereby given of a proposed settlement agreement entered into by EPA and the Natural Resources Defense Council (NRDC). The proposed settlement agreement establishes a schedule for when EPA intends to take final action on the NESHAP for manufacturers of pharmaceutical products. The proposed settlement agreement accompanies revisions to a consent decree entered into by EPA and NRDC in establishing schedules for EPA's issuance, *inter alia*, of a number of effluent guidelines and standards under section 304(m) of the Clean Water Act (CA), including effluent guidelines for pharmaceutical manufacturers. EPA is agreeing to undertake the NESHAP rulemaking for the pharmaceutical manufacturers on the same schedule as the effluent guidelines for pharmaceutical manufacturers.

For a period of thirty (30) days following the date of publication of this notice, the Agency will receive written comments relating to the settlement from persons not party to the proposed settlement agreement. EPA or the Department of Justice may withhold or withdraw consent to the proposed settlement if the comments disclose facts or circumstances that indicate that such consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the CA.

A copy of the proposed settlement agreement was filed with the clerk of the United States District Court for the District of Columbia on January 31, 1997. Copies are also available from Phyllis Cochran, Air and Radiation Division (2344), Office of General Counsel, U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460, (202) 260–7606. Written comments should be sent to Karen H. Clark at the address above and must be submitted on or before March 24, 1997.

Dated: February 10, 1997.

Scott C. Fulton,

Acting General Counsel.

[FR Doc. 97–4323 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–M

[FRL–5693–3]

Establishment of the Microbial and Disinfectants/Disinfection Byproducts Advisory Committee

AGENCY: U.S. Environmental Protection Agency.

ACTION: Establishment of FACA committee and meeting announcement.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (FACA) at 5 U.S.C. App. II section 9(a)(2), the Environmental Protection Agency (EPA) is giving notice that it is establishing the Microbial and Disinfectants/Disinfection Byproducts Advisory Committee. The purpose of this Committee is to assist the Agency in the development of regulations, guidance and policies to address microorganisms and disinfectants/disinfection byproducts in drinking water. EPA has determined that this is in the public interest and will assist the Agency in performing its duties as prescribed in the Safe Drinking Water Act (SDWA).

Copies of the committee Charter will be filed with the appropriate committees of Congress and the Library of Congress.

NOTICE OF MEETING: The Committee's first meeting is scheduled for March 13 and 14, 1997, from 9:00 a.m. until 5:30 p.m. on each day, at the office of RESOLVE at 2828 Pennsylvania Avenue, Northwest, Suite 402, Washington D.C. The purpose of the meeting is to discuss 1) organizational matters of the Committee and 2) possible components of an Interim Enhanced Surface Water Treatment Rule (IESWTR) and a Stage 1 Disinfectants/Disinfection Byproducts (DBP) Rule, including discussion of related technical issues such as enhanced coagulation and turbidity control.

The meeting will be open to the public. Members of the public may attend the meeting, make statements to the extent time permits and file written statements with the Committee for its consideration.

FOR FURTHER INFORMATION: Members of the public who would like more information or who would like to present an oral statement or submit a written statement are requested to contact Steve Potts, Office of Ground Water Drinking Water, U.S. EPA, Mail Code 4607, 401 M Street, SW, Washington, DC 20460. Mr. Potts may also be reached by telephone at (202) 260–5015 or contacted by e-mail at Potts.Steve@EPAMAIL.EPA.GOV.

SUPPLEMENTARY INFORMATION:

Background

EPA is responsible under the SDWA for the development of regulations to address microbial pathogens and DBPs in drinking water. The 1996 amendments to the Act require the Agency to promulgate two of these regulations, the IESWTR and Stage 1 DBP Rule, by November 1998. The amendments also establish deadlines for subsequent rules in this cluster. Regulatory concerns include possible risk trade-offs between microbial pathogens and chemical DBPs.

As a result of formal regulatory negotiations in 1992 and 1993, EPA published regulatory proposals in the Federal Register in July 1994. In May 1996, the Agency initiated a series of public meetings for purposes of information exchange on issues related to the development of rules in the cluster. The creation of a Microbial and Disinfectants/Disinfection Byproducts Advisory Committee is necessary and in the public interest as it will provide the structured environment for focused efforts to collect, share and analyze information and data and for consensus building discussions.

Participants: The Committee will consist of a balanced membership of approximately twenty (20) members appointed by the Deputy Administrator. Membership will include but is not limited to representatives of EPA, States, drinking water suppliers and public interest groups.

Dated: February 18, 1997.

Cynthia C. Dougherty,

Director, Office of Ground Water and Drinking Water.

[FR Doc. 97–4493 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

[ER-FRL–5477–6]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 OR (202) 564–7153.

Weekly receipt of Environmental Impact Statements Filed February 10, 1997 Through February 14, 1997 Pursuant to 40 CFR 1506.9.

EIS No. 970057, Final EIS, AFS, TN, Upper Ocoee River Corridor Land and Water-Based Recreational

Development, Implementation, Cherokee National Forest, Ocoee Ranger District, Polk County, TN, *Due*: March 24, 1997, *Contact*: Dave Carroll (423) 339–8620.

EIS No. 970058, Draft EIS, FAA, NH, Manchester (New Hampshire) Airport Master Plan Update, Improvements to Airside and Landside Facilities, Airport Layout Plan, Permits and Approvals, Manchester, NH, Due: April 07, 1997, *Contact*: John Sila (617) 647–8211.

EIS No. 970059, Draft Supplement, AFS, AK, Kensington Venture Underground Gold Mine Project, Additional Information, Development, Construction and Operation, Operating Plan Approval, NPDES, Section 10 and 404 Permits, Tongass National Forest, Sherman Creek, City of Juneau, AK, *Due*: April 07, 1997, Contact: Roger Birk (907) 586–8800.

Dated: February 18, 1997.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 97–4351 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–U

[ER-FRL–5477–7]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared February 3, 1997 Through February 7, 1997 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 5, 1996 (61 FR 15251).

Draft EISs

ERP No. D–AFS–J65060–UT Rating EC2, Alta Ski Area Master Development Plan Update Approval, Special-Use-Permit and COE Permits Issuance, Wasatch-Cache National Forest, Salt Lake Ranger District, Salt Lake County, UT.

Summary: EPA expressed environmental concerns about impacts to wetlands and air quality impacts.

ERP No. D–AFS–J65258–MT Rating EC2, Lewis and Clark National Forest Plan, Implementation, Oil and Gas Leasing Analysis, Upper Missouri River Basin, several counties, MT.

Summary: EPA expressed environmental concerns about potential cumulative impacts from directional drilling and associated oil and gas exploration and development activities. The final EIS should address wetland protection, specific air and water quality monitoring and validation plans.

ERP No. D–AFS–J65259–CO Rating EC2, Aspen Highlands Ski Area Expansion, Master Development Plan Amendment, COE 404 Permit and Special-Use-Permit, White River National Forest, Aspen Ranger District, Pitkin County, CO.

Summary: EPA expressed environmental concerns about inadequate modeling and analysis to determine air quality impacts.

ERP No. D–AFS–K65192–CA Rating EC2, Jaybird Multi-Resource Project, Implementation, Downieville Ranger District, Yuba County, CA.

Summary: EPA expressed environmental concerns that the proposed management activities are not directly integrated into the overall watershed management plan. The final EIS should clearly define roles and responsibilities for monitoring activities.

ERP No. D–AFS–L65265–WA Rating LO, North Sherman and Fritz Timber Sales, Implementation, Colville National Forest, Kettle Falls Ranger District, Ferry County, WA.

Summary: EPA expressed lack of objections. No formal comment letter was sent to the preparing agency.

ERP No. D–AFS–L65280–ID Rating EC2, Mosquito-Fly Project Area, Implementation, Harvest Timber, Road Construction and Grant Access to Private Land, Idaho Panhandle National Forests, St. Joe Ranger District, Shoshone County, ID.

Summary: EPA expressed environmental concerns about the retention of roadless area characteristics, water quality, and cumulative/indirect impacts.

ERP No. D–AFS–L67035–OR Rating EO2, Stewart Mining Operation, Plan of Operation Approval, Implementation, City Creek, North Umpqua Ranger District, Umpqua National Forest, Douglas and Lane Counties, OR.

Summary: EPA expressed environmental objections about compliance with Aquatic Conservation Strategy Objectives provided in the Northwest Forest Plan Record of Decision, and about impacts to the Outstandingly Remarkable Values recognized in the North Umpqua River and Streamboat Creek, from sedimentation and acid rock drainage.

ERP No. D–BLM–J65191–00 Rating EC2, Standards for Rangeland Health and Guidelines for Livestock Grazing Management on Bureau of Land Management Administered Lands, Implementation, MT, ND and SD.

Summary: EPA expressed environmental concerns that the Standards and Guidelines may not adequately protect the chemical, physical and biological integrity of water quality to meet the Clean Water Act. There was confusion concerning what CWA Section 303 water quality standards (WQS) mean and how the States implement WQS. Consistency, additional information and environmental commitments were requested in the final EIS. The final EIS should include specifics of the mitigation plans.

ERP No. D–BLM–K67039–NV Rating LO, Denton-Rawhide Mine Expansion Project, Plan of Operation Approval, Implementation, Mineral County, NV.

Summary: EPA expressed a lack of objection.

ERP No. D–BLM–L65272–ID Rating EC2, Challis Land and Resource Management Plan, Implementation, Upper Columbus—Salmon Clearwater Districts, Salmon River, Lemhi and Custer Counties, ID.

Summary: EPA expressed environmental concerns on water quality impacts from grazing activities. EPA suggests that the final EIS include specifics on mitigation plans, including implementation to improve degraded riparian areas.

ERP No. D–COE–L36104–WA Rating LO, Howard A. Hanson Dam Continued Operation and Maintenance Plan, Implementation, Green River, King County, WA.

Summary: Our abbreviated review has revealed no EPA concerns on this project.

ERP No. D–IBR–K31018–AZ Rating EO2, Programmatic EIS—Pima-Maricopa Irrigation Project, Construction and Operation, Maricopa and Pinal Counties, AZ.

Summary: EPA had environmental objection with the large scope of the proposed action and its long-term sustainability. The PDEIS did not persuasively demonstrate that potential adverse environmental impacts can be avoided, minimized, or mitigated. EPA recommended prioritization of project components for implementation with primary emphasis on rehabilitation of existing irrigation systems and agricultural areas. EPA also strongly advocated monitoring and adaptive management and urged full integration of the local comprehensive water management plan. EPA expressed concern with potential adverse impacts to surface and groundwater quality, riparian areas, air quality, fish and

wildlife habitat, and public health and safety.

ERP No. D–STA–G50009–00 Rating LO, Programmatic EIS—International Bridge Crossing Project, Construction and Operation, Along the United States-Mexico Border from EL Paso to Brownsville, TX, Presidential Permit, NM and TX.

Summary: EPA had no objection to the proposed action.

ERP No. D–UMC–K24018–CA Rating EC2, Sewage Effluent Compliance Project, Implementation, Lower Santa Margarita Basin, Marine Corps Base Camp Pendleton, San Diego County, CA.

Summary: EPA expressed environmental concerns with the alternative analysis and requested clarification of wetland issues.

ERP No. DA–DOE–A22076–NM Rating LO, Waste Isolation Pilot Plant Disposal Phase, Updated Information, Disposal of Transuranic Waste, Carlsbad, NM.

Summary: EPA expressed lack of objections to the preferred alternative.

Final EISs

ERP No. F–AFS–J60017–CO Fraser Valley Loop Transmission Line Project, Construction, Operation, Associated Operations and Maintenance Activities, Approval of Permits, Arapaho and Roosevelt National Forests, Grand County, CO.

Summary: EPA continued to express environmental concerns that many of the potential impacts to wetlands, old growth, and raptor nests will not be known until a biological survey of the area is done. EPA also expressed environmental concern over possible conflicts that may still exist between this EIS and draft land management plans.

ERP No. F–AFS–J65242–MT Checkerboard Land Exchange, Plan of Approval and Implementation, Kootenai, Lolo and Flathead National Forests, Lincoln, Flathead and Sanders Counties, MT.

Summary: EPA expressed environmental concerns about potential adverse water quality and fisheries impacts that could occur on lands exchanged to the Plum Creek Timber Company (PCTC) due to high intensity timber harvesting and road building activities by PCTC on these lands.

ERP No. F–AFS–K65189–CA, Cavanah Multi-Resource Management Project, Implementation, Enhancing Forest Health and Productivity, Tahoe National Forest, Foresthill Ranger District, Placer County, CA.

Summary: EPA expressed environmental concerns that the number of proposed road obliterations will not be adequate to improve water quality.

ERP No. F–BLM–K67037–NV, Twin Creeks Mine Consolidation and Expansion, which Encompasses the former Rabbit Creek Mine and the former Chimmey Creek Mine, Plan of Operation Approval and Permit Issuance, Winnemucca District, Humboldt County, NV.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F–COE–G39029–LA, Programmatic EIS—Marsh Management Project, Hydrologic Manipulation, COE Section 10 and 404 Permit Issuance, Coastal Wetland of Louisiana a part of the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) River Basins, LA.

Summary: EPA recommended that the Record of Decision identify the future directions or activities that can be implemented by the COE to address hydrologic manipulation issues in coastal Louisiana.

ERP No. F–COE–G85180–LA, Estelle Plantation Partnership Municipal Golf Course and Housing Development, Implementation, Jefferson Parish, LA.

Summary: EPA continued to have environmental concerns regarding the preferred actions but defers further comment pending completion of the Clean Water Act Section 404 Permit processing.

ERP No. F–FHW–K40214–CA, Alternatives to Replacement of the Embarcadero Freeway and the Terminal Separator Structure, (Formerly CA–480) Implementation, Permit Approvals and Funding, San Francisco County, CA.

Summary: Review of the Final EIS was not deemed necessary. No formal comment letter was sent to the preparing agency.

ERP No. F–GSA–C81017–NY, US Brooklyn Court Project, Demolition of the Emanuel Celler Federal Building, Construction of a New Courthouse and Renovation/Adaptive Reuse of the General Post Office at Cadman Plaza East, Kings County, NY.

Summary: EPA continued to have environmental concerns about the meteorological data used in the air model. EPA has requested that updated information be used in a revised modeling analysis.

Dated: February 18, 1997.

B. Katherine Biggs,

Associate Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 97–4352 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–U

[FRL–5691–9]

Notice of Public Meeting on the National Performance Measures Strategy for Enforcement and Compliance Assurance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of second public meeting to solicit suggestions for innovative, supplemental measures of enforcement and compliance assurance program performance; develop a common understanding with partners and stakeholders about a set of national measures and the steps necessary to implement them (based on the state of national compliance); and discuss how to carry out an implementation plan to put the new set of measures into practice.

SUMMARY: The Environmental Protection Agency (EPA) Office of Enforcement and Compliance Assurance (OECA) held its first public meeting on Monday, February 3, 1997, in Alexandria, VA to hear presentations and statements from a cross-section of stakeholders about innovative approaches to measuring enforcement and compliance assurance program performance. This notice is hereby given that the EPA is soliciting comments for the second public meeting to continue to hear from stakeholders regarding the way EPA measures its enforcement programs.

DATES: The meeting date will take place on Monday, March 17, 1997, from 8:30 a.m to 5 p.m.

ADDRESSES: The public meeting will take place on Monday, March 17, 1997 at the Holiday Inn Civic Center, 50 8th Street, San Francisco, California 94103 (415–626–6103 or 1–800–243–1135).

FOR FURTHER INFORMATION CONTACT: James McDonald, U.S. Environmental Protection Agency, Office of Enforcement and Compliance Assurance, 401 M Street, S.W. (2201A), Washington, D.C., 20460; telephone (202) 564–4043, fax (202) 501–0701 or via the INTERNET at McDonald.James@EPAMAIL.EPA.GOV.

SUPPLEMENTARY INFORMATION:

I. Background

For many years, EPA has counted annual enforcement outputs (e.g., inspections conducted, number of civil and criminal cases, penalties assessed) as the predominant measure of performance for the enforcement and compliance assurance program. While these outputs will continue to be used as an important measure of environmental enforcement, EPA seeks additional measures to assess the status

and trends of regulatory compliance, as well as environmental improvements resulting from enforcement and compliance assurance activities. This need was recognized during the enforcement reorganization in 1993, and a commitment was made during that process to develop additional measures. In addition, the requirements of the Government Performance and Results Act (GPRA) offer an opportunity to review and improve performance measures.

For almost three years, the Office of Enforcement and Compliance Assurance (OECA) has been taking steps to improve its performance measures for enforcement and compliance assurance activities. During that time, OECA: (1) convened a Measures of Success Work Group comprised of EPA and Regional officials, (2) developed and implemented a Case Conclusion Data Sheet (CCDS) to gather new types of information about completed cases, (3) developed and implemented a reporting measure for compliance assistance activities, and (4) realigned single-media data bases to enable reporting of enforcement data by industry sector.

Through these steps, OECA has made progress in developing an enhanced set of performance measures. Specifically, OECA is now able to supplement traditional enforcement output measures with other measures, including: (1) actions taken by violators to return to compliance, (2) quantitative environmental impact and qualitative environmental benefit of those actions, (3) types, amounts, and impact of compliance assistance activities, and (4) industry-specific compliance rates. These elements were fully operational together for the first time in FY 96, and the results of these efforts are being compiled in a national accomplishments report. However, OECA recognizes further improvements can, and should, be made with regard to reporting the state of national compliance and trends of environmental enforcement and compliance.

The purpose of this notice is to reach out for new ideas from EPA's regulatory partners (i.e., State, Tribal, and local governments) and interested stakeholders, and solicit participation in EPA's second national meeting on performance measures for its enforcement and compliance assurance program.

II. The National Performance Measures Strategy

The purpose of the National Performance Measures Strategy is to develop and implement an enhanced set of performance measures for the enforcement and compliance assurance program. The Strategy includes: (1) soliciting new ideas from regulatory partners and stakeholders for more meaningful and sophisticated measures of program performance, (2) developing a common understanding with regulatory partners and stakeholders about a set of national measures and the short- and long-term steps necessary to implement them, and (3) carrying out an implementation plan to put the new set of measures into practice.

The Strategy includes the following elements:

1. Conduct dialogue with regulatory partners, including senior EPA Headquarters and Regional managers, State officials, and a Department of Justice representative, to assist with implementation of the Strategy.
2. Hold initial public meetings to present objectives of the Strategy and key measurement issues and hear presentations and statements from a cross-section of stakeholders (by mid-March 1997).
3. Meet with sets of stakeholders during FY 97 to discuss ideas and proposals for improved measures and/or conduct meetings of mixed stakeholders in various locations (between March and June 1997).
4. Meet with other Federal regulatory and law enforcement agencies to learn about new performance measurement approaches being used in enforcement and compliance programs (between March and June 1997).
5. Hold a ''capstone'' conference with a cross-section of stakeholders at the end of the outreach process to identify common understandings, areas of agreement, and unresolved issues (by mid-September 1997).
6. Develop a report of findings and an implementation plan with a schedule (by October 1, 1997).
7. Implement new ideas and approaches in accordance with the schedule.

III. Agenda/Focus Topics for Public Meeting

EPA is interested in hearing and considering ideas from regulatory partners and a wide range of stakeholders regarding the state of compliance and additional ways to measure the performance of EPA's enforcement and compliance assurance program. EPA accepts the idea that its current approach of counting annual enforcement outputs needs to be supplemented by other approaches that measure improvements in environmental quality and the state of compliance. As such, the Agency wants to focus the outreach effort on identifying and implementing new approaches rather than on the limitations of its current approach.

Stakeholders and regulatory partners are asked to focus on the following issues of special interest to EPA:

1. What innovative approaches are being used (or could be used) by other environmental agencies, other regulatory agencies, and law enforcement agencies to measure the effects of their enforcement and compliance assurance programs?

2. What innovative approaches are being used by regulated facilities, companies, or trade groups and associations to measure the effect of their efforts to achieve and maintain compliance and protect the environment?

3. What can EPA use to measure the impact of its enforcement and compliance assurance program in low-income/ minority population communities?

4. How can EPA measure industry performance in complying with environmental laws and regulations?

5. How can EPA measure the deterrent effect of its enforcement-related activities, including conducting inspections, taking enforcement actions, and publicizing those actions?

6. How can EPA measure the impact of compliance assistance activities and compliance incentives, such as its audit and self-disclosure policy?

IV. Information for Participants

Persons wishing to attend the meeting, and/or make an oral presentation are encouraged to offer ideas and proposals through submission of written comments, participation in the public meeting organized by EPA, or both. Prior registration is encouraged by sending your name, affiliation, phone and fax number. Persons interested in presenting should send in addition to the general registration information, a brief statement describing your presentation to Michelle Angelich, Science Applications International Corporation, 1710 Goodridge Drive, MS 1–11–8, McLean, Virginia, 22102; telephone 703–821–4432, fax 703–903–1373 by Friday, March 7, 1997. Persons wishing to submit pre-filed testimony may also send or fax such material to Ms. Angelich. Presenters will be notified of their time slots or panel assignments once the final format is determined. This meeting will be open to the public as space permits, and a transcript of the proceedings will be prepared.

Dated: February 14, 1997.

Michael M. Stahl,

Acting Assistant Administrator, Office of Enforcement and Compliance Assurance.

[FR Doc. 97–4336 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–P

[FRL–5692–6]

Proposed Settlement Under Section 122(h)(1) of the Comprehensive Environmental Response, Compensation and Liability Act; In the Matter of Union Steel Products, Inc. Site

AGENCY: U.S. Environmental Protection Agency (EPA).

ACTION: Request for public comment.

SUMMARY: Notice of Settlement: in accordance with Section 122(i)(1) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (''CERCLA''), notice is hereby given of a settlement concerning past response costs at the Union Steel Products, Inc. Site in Albion, Michigan. This proposed agreement has been forwarded to the Attorney General for the required prior written approval for this Settlement, as set forth under section 122(g)(4) of CERCLA.

DATES: Comments must be provided on or before March 24, 1997.

ADDRESSES: Comments should addressed to the Docket Clerk, Mail Code MFA–10J, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois, 60604, and should refer to: In the Matter of Union Steel Products, Inc. Site, Docket No. _____.

FOR FURTHER INFORMATION CONTACT: Kurt N. Lindland, Mail Code CS–29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

SUPPLEMENTARY INFORMATION: The following party executed binding certification of its consent to participate in the settlement: Eagle-Picher Industries, Inc.

This party will pay proceeds from a $450,000 bankruptcy claim for response costs related to the Union Steel Products, Inc. Site, if the United States Environmental Protection Agency determines that it will not withdraw or withhold its consent to the proposed settlement after consideration of comments submitted pursuant to this notice.

U.S. EPA may enter into this settlement under the authority of section 122(h) of CERCLA. Section 122(h)(1) authorizes EPA to settle any claims under section 107 of CERCLA where such claim has not been referred to the Department of Justice. Pursuant to this authority, the agreement proposes to settle with a party who is potentially responsible for costs incurred by EPA at the Union Steel Products, Inc. Site.

A copy of the proposed administrative order on consent and additional background information relating to the settlement, including a list of parties to the settlement, are available for review and may be obtained in person or by mail from Kurt N. Lindland, Mail Code CS–29A, U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

The U.S. Environmental Protection Agency will receive written comments relating to this settlement for thirty days from the date of publication of this notice.

Authority: The Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. sections 9601 *et seq.*

William E. Muno,

Director, Superfund Division.

[FR Doc. 97–4324 Filed 2–20–97; 8:45 am]

BILLING CODE 6560–50–M

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collections Being Reviewed by the Federal Communications Commission

February 13, 1997.

SUMMARY: The Federal Communications Commissions, 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 clarify 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: Persons wishing to comment on this information collection should submit comments April 22, 1997.

ADDRESSES: Direct all comments to Dorothy Conway, Federal Communications Commissions, Room 234, 1919 M St., N.W., Washington, DC 20554 or via internet to dconway@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Dorothy Conway at 202–418–0217 or via internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060–0108.

Title: Emergency Alert Systems EAS Activation Report.

Form No.: FCC Form 201.

Type of Review: Revision of existing collection.

Respondents: Broadcasting Stations.

Number of Respondents: 13,000 respondents with 1,300 annually.

Estimated Time Per Response: 2 minutes.

Total Annual Burden: 42.

Estimated costs per respondent: 0.

Needs and uses: The Emergency Broadcast System (EBS) has been changed to the Emergency Alert System (EAS). This change required that all EBS collections/forms to be corrected to reflect the name change. The EAS Activation Report Postcard was developed as part of the EAS planning program. The program is a three agency agreement between the FCC, NOAA National Weather Service, and the Federal Emergency Management Agency (FEMA). The information is needed to maintain accurate records and documentation of broadcast stations and cable systems in compliance with FCC rules, and to enhance and encourage participation in the national, state and local EAS. Any reduction in the frequency of this activity would result in a proportional loss of benefit and would cause a delay in the detection of EAS equipment failures that could cause the loss of national, state and local emergency messages to the public which in turn could cause the loss of life and property.

OMB Number: 3060–0589.

Title: Remittance Advice Form.

Type of Review: Revision of currently approved collection.

Form Number: FCC Form 159/159–C.

Respondents: Businesses or other for-profit; Individuals or households; small business or organizations.

Number of Respondents: 213,500.

Estimated time per response: 15 minutes.

Total annual burden: 53,375 hours.

Needs and Uses: Fees, Fines & Debts. This form is the Commission's remittance advice and is to accompany any payment submitted with it. The purpose of the form is to provide the identity of the payor, the amount being paid, and the reason the payment is being made. Specific identification of the payor, such as call sign, or the bill that was rendered, such as invoice number, is also required. This information facilitates the efficient and accurate processing of the Commission's collections by its designated entities, such as a lockbox bank. In P.L. 104–134, Chapter 10, Sec.31001, signed April, 1966, the head of each Federal agency must require each person doing business with that agency to furnish to it such person's taxpayer identifying number. Effective July, 1996 the U.S. Treasury will ''flag'' (and notify the Commission) andy and all payment requests to anyone doing business with the U.S. Government, if their taxpayer identifying number has not been furnished. The information will be used by the FCC and the U.S. Treasury for purposes of collecting and reporting on any delinquent amounts arising out of such person's relationship with the Government. For businesses, the taxpayer identifying number is its Internal Revenue Service-issued employer identification number. This number is currently used by the FCC as the business' account number for identification purposes only. Obtaining a social security number from an individual is a new requirement imposed on all Federal agencies.

Federal Communications Commission.

Shirley S. Suggs,

Chief, Publications Branch.

[FR Doc. 97–4295 Filed 2–20–97; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Sunshine Act Meeting

Pursuant to the provisions of the ''Government in the Sunshine Act'' (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 10:00 a.m. on Tuesday, February 25, 1997, to consider the following matters:

SUMMARY AGENDA: No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Reports of actions taken pursuant to authority delegated by the Board of Directors.

DISCUSSION AGENDA: Memorandum and resolution re: Notice of Proposed Rulemaking re: Recordkeeping and Confirmation Requirements for Securities Transactions, 12 C.F.R. Part 344.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550 17th Street NW., Washington, DC.

The FDIC will provide attendees with auxiliary aids (e.g., sign language interpretation) required for this meeting. Those attendees needing such assistance should call (202) 416–2449 (Voice); (202) 416–2004 (TTY), to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Jerry L. Langley, Executive Secretary of the Corporation, at (202) 898–6757.

Dated: February 18, 1997.

Federal Deposit Insurance Corporation.

Jerry L. Langley,

Executive Secretary.

[FR Doc. 97–4452 Filed 2–19–97; 11:32 am]

BILLING CODE 6714–01–M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License; Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

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

A2Z International Trading, Inc., 2920 West Aireport Blvd., Sanford, FL 32771, Officers: Nema Moussa, President and Ali Alawadhi, Vice President

''A'' Pacific Express, Enterprises, 1710 S. Del Mar Ave., Suite 123, San Gabriel, CA 91776, Officers: Karly Kai Lai Vanders, President and Abby An, Director

Unik Forwarding, Inc., 146-42 Guy Brewer Boulevard, Jamaica, NY 11434, Officer: Urban Mounsey, Director

Dated: February 18, 1997.

Joseph C. Polking,

Secretary.

[FR Doc. 97–4309 Filed 2–20–97; 8:45 am]

BILLING CODE 6730–01–M

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, February 26, 1997.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 2lst Streets, N.W., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED:

Summary Agenda: Because of their routine nature, no discussion of the following items is anticipated. These matters will be voted on without discussion unless a member of the Board requests that the items be moved to the discussion agenda.

1. Proposed technical and clarifying amendments to Regulation CC (Availability of Funds and Collection of Checks) (proposed earlier for public comment; Docket No. R–0926).

2. Proposals concerning (a) guidelines for the use of volume-based pricing for Federal Reserve priced services and (b) volume-based fees for the automated clearing house (ACH) service.

3. Any items carried forward from a previously announced meeting.

Discussion Agenda: PLEASE NOTE THAT NO DISCUSSION ITEMS ARE SCHEDULED FOR THIS MEETING.

Note: If the item is moved from the Summary Agenda to the Discussion Agenda, discussion of the items will be recorded. Cassettes will then be available for listening in the Board's Freedom of Information Office, and copies can be ordered for $5 per cassette by calling (202) 452–3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204.

Dated: February 19, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97–4423 Filed 2–19–97; 9:59 am]

BILLING CODE 6210–01–P

Sunshine Act Meeting

AGENCY HOLDING THE MEETING: Board of Governors of the Federal Reserve System.

TIME AND DATE: Approximately 10:15 a.m., Wednesday, February 26, 1997, following a recess at the conclusion of the open meeting.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st 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 items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452–3204. You may call (202) 452–3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: February 19, 1997.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 97–4424 Filed 2–19–97; 9:59 am]

BILLING CODE 6210–01–P

GENERAL SERVICES ADMINISTRATION

Record of Decision; Centers for Disease Control and Prevention; Clifton Road Campus Expansion, Atlanta, GA

Action

This is the Record of Decision (ROD) for the Clifton Road Campus Expansion for the Centers for Disease Control and Prevention (CDC) in Atlanta, Georgia. The Proposed Action includes demolition, new construction, and renovation of buildings on CDC's existing Clifton Road Campus, as well as acquisition and development of a 17.6 acre site adjacent to the existing campus.

Over a 20-year planning period (1995–2015), the General Services Administration (GSA) and CDC anticipate the Proposed Action will meet the following long-range CDC housing requirements:

- Increase existing workstations from 2,095 to approximately 3,300;
- Increase existing parking spaces from 1,781 to approximately 3,300, including visitor;
- Increase existing gross building area from 1,006,000 square feet to 1,702,000 square feet;
- Reduce the number of antiquated and non-functional Clifton Road facilities; and,
- Increase the physical security of the Clifton Road Campus, which is CDC's World Headquarters and primary infectious disease research facility.

CDC and GSA plan for the expansion to occur in two general 10-year phases. From 1995–2005, the Government will renovate and/or replace existing facilities, and will construct replacement parking facilities and minor support buildings. During the second period, 2006–2015, CDC expects to house additional programmatic growth in new construction. CDC intends for the Clifton Road Campus to continue to serve as its World Headquarters, and as its primary infectious disease research facility. Other CDC functions, such as environmental health, and general office space, will be housed at the CDC Chamblee Campus, or in leased office space located away from the Clifton Road Corridor. If the Proposed Action is implemented, additional land acquisition to house the long-range program will increase the site area of the existing Clifton Road Campus from 27.6 acres to 45.2 acres;

The purpose and need for the Proposed Action is to provide an efficient, cost-effective means to accommodate CDC's current and future space needs in its Clifton Road location through the year 2015. The Proposed Action is needed to adequately address CDC's current program needs at Clifton Road through renovation and reconfiguration of existing antiquated space, as well as to provide new space to accommodate anticipated future research and operational activities.

Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, the Council on Environmental Quality Regulations (40 CFR Part 1500–1508), and GSA Order PBS P 1095.4B, GSA prepared an Environmental Impact Statement (EIS) for the Proposed Action. The purpose of the EIS is to:

- Identify and analyze reasonable alternatives to the Proposed Action;
- Identify the potential impacts resulting from the Proposed Action and reasonable alternatives;
- Identify measures to mitigate adverse impacts resulting from the Proposed Action and reasonable alternatives, and;
- Actively solicit and incorporate public comments into the CDC/GSA decision making process.

The purpose of the ROD is to clearly communicate the Government's decision on implementing the Proposed Action or a reasonable alternative to the Proposed Action, and the basis for that decision, and to identify any mitigation measures to be implemented as part of the decision. The Draft and Final EIS documents are incorporated into this ROD by reference, and are available upon request from GSA.

GSA released the Draft EIS for a 45-day public comment period on August 16, 1996. The Final EIS was released for a 30-day public comment period that closed on January 6, 1997. GSA provided written notices of availability for these documents in the Federal Register, the Atlanta Journal-Constitution, and through direct mailings to interested parties. GSA distributed approximately 80 copies of the Draft and Final EIS to Federal, state and local governments, elected officials, neighborhood associations, and other interested parties identified during the 19 month NEPA review process.

GSA and CDC involved the public in the decision making process through a combination of newspaper notices, direct mailings, written correspondence, a public scoping meeting (August 1, 1995), a public hearing on the Draft EIS (September 25, 1996), and several meetings with Civic Associations and not-for-profit organizations who own property on the 17.6 acres to be acquired as part of the Proposed Action. CDC and GSA elected to add one major alternative with two sub-alternatives (discussed below) to the Draft EIS as a result of these meetings.

Alternatives Considered

In 1992, CDC and GSA began looking at alternative strategies to house CDC's current and long-term space requirements through a master planning approach. CDC and GSA considered many factors in developing the master plan, including: site acquisition and development costs and suitability; expandability of sites for future growth; traffic and environmental considerations; current land use of potential sites; and, proximity to existing Government-owned CDC campuses (Clifton Road and Chamblee).

In the initial master planning stages, CDC and GSA considered total and partial relocation of the Clifton Road Campus (Environmental Assessment, GSA, July 20, 1993). GSA and CDC examined several alternative sites near the Clifton Road Campus, including a site near the Veterans Administration

Hospital Complex on Clairemont Road near Emory University, and a site near Mercer University-Atlanta Campus at University Drive and Flowers Road. Neither of these sites met the CDC/GSA criteria for partial relocation of the Clifton Road Campus. Based on the conclusions of the Environmental Assessment, CDC and GSA concentrated on meetings CDC's housing needs closer to the existing CDC World Headquarters, the Clifton Road Campus.

Through the environmental review process, GSA and CDC identified a technically preferred alternative and several feasible alternatives, defined below, as well as the ''No Action'' alternative required under NEPA.

Technically Preferred Alternative (i.e., the Proposed Action): The Government would acquire 17.6 acres of existing residential, commercial and institutional property immediately to the west of the existing CDC Clifton Road Campus. The site is generally bounded by Clifton Road, Clifton Way and Michael Streets. The Government would acquire and demolish up to 43 existing structures on site, and would modify portions of Clifton Way and Michael Street to improve traffic ingress/egress, and improve physical security on the site. Existing residential, commercial and institutional occupants would be compensated and relocated from the 17.6 acre site under the provisions of the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs relations (40 CFR Part 24). This alternative maximizes design options and development potential for both the existing and proposed CDC campuses, and would also greatly enhance the security of the CDC World Headquarters Complex.

Limited Expansion Alternatives: Under these alternatives, the Government would acquire less than the full 17.6 acres adjacent to the existing Clifton Road Campus in order to minimize adverse impacts to several institutional uses located immediately adjacent to Clifton Road, namely a Dekalb County Fire Station, the Emory University Research Committee Graduate School Annex (Emory Annex), located in a single-family detached home, office of the Georgia Association for Pastoral Care (GAPC), and the offices of Global Health Action (GHA), formally the International Service Association for Health. The bulk of the 20-year CDC program would be constructed on a site approximately one to three acres smaller than the proposed action site, and would exclude all or a combination of the above mentioned properties from Government acquisition.

On-Site Consolidation: Under this alternative, CDC and GSA would implement the construction and modernization program discussed under the Proposed Action on the existing Clifton Road Campus: that is, the Government would not acquire any additional land proximate to the existing Clifton Road Campus.

No Action Alternative: Under this alternative, CDC and GSA would not implement the construction program and the land acquisition described under the Proposed Action. This means that CDC would adopt a *status quo* approach to its long-term housing needs, staying in over-crowded, antiquated buildings on campus, and housing any overflow needs in leased space off-campus. For purposes of this EIS, the No Action alternative serves as a baseline for measuring future conditions in the vicinity of the proposed action in key impact areas such as traffic, air and water quality, and development type and density, against the projected impacts of the proposed Action and feasible alternatives.

Environmental Consequences of the Proposed Action and Feasible Alternatives

The Proposed Action (Technically Preferred Alternative): Based on the research and analyses conducted in the preparation of the Draft and Final EIS, the Proposed Action is expected to have minor adverse impacts on ambient air quality, housing, and transportation & parking, minor positive impacts on comprehensive planning and zoning, and a major adverse impact on vegetation & wildlife.

Short-term and highly localized air quality impacts would occur primarily during the construction periods for new facilities, and during highly congested AM and PM peak traffic hours. Air quality impacts will be partially mitigated through CDC's continued use of Transportation Demand Management (TDM) strategies designed to increase use of alternatives to single-occupant vehicle commuting. CDC will continue to work closely with MARTA, with other large employers in the Clifton Road Corridor, and with concerned citizens to improve TDM measures.

Minor housing impacts will occur through the demolition of 35 single family residences, and one small multi-family apartment complex. Within the census tract containing the proposed site, this reduction constitutes approximately four percent of existing housing stock, and only one percent of housing stock in the Druid Hills census designated place (CDP). Adverse impacts to displaced owners will be mitigated under the provisions of the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federal Assisted Programs regulations (40 CFR Part 24).

The Proposed Action will result in adverse traffic impacts to several important intersections in the form of increased delay time, expressed as Level of Service (LOS) degradation. Intersections where at least one future year LOS component will be worse under the Proposed Action versus the No Action Alternative are: Clifton Road and Briarcliff Road (2005); Clifton Road and Houston Mill Road (year 2015); Clifton Road and North Decatur Road (2015); Briarcliff Road and La Vista Road (2015); Shepherds Lane and La Vista Road (2005); and Clifton Road and Clifton Way (2005). CDC will partially mitigate the Clifton Road/Clifton Way intersection LOS degradation through redesign and possible resignalization of the intersection, in consultation with Dekalb County. Neither GSA nor CDC is authorized to spend Government funds for off-site road improvements, but will attempt to partially mitigate LOS degradation at other key intersections through the use of TDM measures.

The Proposed Action is expected to have minor positive impacts to planning and zoning because it is more consistent with future intended land use patterns than current uses.

Vegetation and wildlife will be adversely affected by the Proposed Action due primarily to habitat destruction when the site is graded. CDC will implement a comprehensive tree identification and retention element as part of a master landscaping plan for the entire 17.6 acre site to mitigate these impacts to the greatest extent practicable.

Limited Expansion Alternatives: Based on the research and analyses conducted in the preparation of the Draft and Final EIS, GSA and CDC expect the Limited Expansion Alternatives to have impacts similar to and of approximately the same magnitude as the Proposed Action. These include minor adverse impacts on ambient air quality, housing, and transportation & parking, minor positive impacts on comprehensive planning and zoning, and major adverse impacts on vegetation & wildlife, and landforms & topography.

Short-term and highly localized air quality impacts would occur primarily during the construction periods for new facilities, and during highly congested AM and PM peak traffic hours. These air quality impacts would be partially mitigated through CDC's continued use

of TDM strategies designed to increase use of transportation alternatives to single-occupant vehicle commuting. CDC would continue to work closely with MARTA and with other large employers in the Clifton Road Corridor and concerned citizens to improve TDM measures.

Minor housing impacts will occur through the demolition of 35 single family residences, and one small multi-family apartment complex. Within the census tract containing the proposed site, this reduction constitutes approximately four percent of existing housing stock, and only one percent of housing stock in the Druid Hills CDP. Adverse impacts to displaced owners will be mitigated under the provisions of the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs regulations (40 CFR Part 24). The Limited Expansion Alternatives would minimize adverse impacts to several institutional uses along the Clinton Road portion of the site, including a Dekalb County Fire Station, the Emory Annex, GHA, and GAPC, by excluding all or a combination of them from Government acquisition and subsequent relocation.

The Limited Expansion Alternatives would result in adverse traffic impacts to several important intersections in the form of increased delay time, expressed as LOS degradation. Intersections where at lease one future year LOS component will be worse under the proposed action versus the No Action Alternative are: Clinton Road and Briarcliff Road (2005); Clifton Road and Houston Mill Road (year 2015); Clifton Road and North Decatur Road (2015); Briarcliff Road and La Vista Road (2015); Shepherds Land and La Vista Road (2005); and, Clifton Road and Clifton Way (2005). CDC would partially mitigate the Clifton Road/Clifton Way intersection LOS degradation through redesign and possible resignalization of the intersection, in consultation with Dekalb County, Neither GSA nor CDC is authorized to spend Government funds for off-site road improvements, but CDC would attempt to partially mitigate LOS degradation at other key intersections through the use of TDM measures.

The Limited Expansion Alternatives are expected to have minor positive impacts to planning and zoning because they are more consistent with future intended land use patterns than current uses.

Vegetation and wildlife would be adversely affected by the proposed action due primarily to habitat destruction when the site is partially graded. CDC would implement a comprehensive tree identification and retention element as part of a master landscaping plan for the entire 17.6 acre site to mitigate these impacts to the greatest extent practicable.

The Limited Expansion Alternatives would have adverse effects on landforms & topography because CDC would not control the entire site and would have to use less efficient solutions than comprehensive site grading to overcome the extreme elevation differences and drainage issues from Clifton Road down to Peavine Creek. For example, large retaining walls similar to the one behind the existing Dekalb County Fire Station would have to be constructed behind all the facilities adjacent to Clifton Road, thus exacerbating elevation differences between the upper and middle parts of the site.

On Site Expansion: Based on the research and analyses conducted in preparation of the Draft and Final EIS, GSA and CDC expect the On Site Expansion Alternative to have minor adverse impacts on hydrology/water quality, vegetation & wildlife, ambient air quality, ambient noise, comprehensive planning & zoning, and housing, and a major adverse impact on transportation & parking.

CDC and GSA anticipate potential minor adverse impacts to hydrology/water quality, and vegetation & wildlife because even though the Government would not acquire the 17.6 acre parcel, growth patterns in the area indicate that it would likely be developed by other parties over the 20-year analysis period. If the development occurs sporadically over this period, the opportunities to systematically address grading, runoff control, tree retention and landscaping, etc. are significantly reduced.

Short-term and highly localized air quality impacts would occur primarily during the construction periods for new CDC facilities and for private development of the 17.6 acre site, and during highly congested AM and PM peak traffic hours. These impacts would be higher under this alternative than others because this alternative projects the greatest additional density in the Clifton Road Corridor. Air quality impacts would be partially mitigated through CDC's continued use of TDM strategies designed to increase use of transportation alternatives to single-occupational vehicle commuting. CDC would continue to work closely with MARTA and with other large employers in the Clifton Road Corridor and concerned citizens to maximize effective TDM measures.

Ambient noise impacts to adjacent residential areas of the 17.6 acre site would increase somewhat during CDC construction periods, but not to unacceptably high levels.

Minor adverse housing impacts could occur under the On Site Expansion Alternative because private development of the 17.6 acre site could take place over the 20-year analysis period in a piecemeal fashion, leaving some residential properties ''as-is'' while others are developed. This type of development pattern can create noise, traffic, and other nuisances for residents while the area is in transition.

The On Site Expansion Alternative would result in adverse traffic impacts to several important intersections in the form of increased delay time, expressed as LOS degradation. Intersections where at least one future year LOS component will be worse under the Limited Expansion Alternatives versus the No Action Alternative are: Clifton Road and Briarcliff Road (2005); Clifton Road and Houston Mill Road (2005); Clifton Road and Haygood Drive (2005); Clifton Road and North Decatur Road (2015); Shepherds Lane and La Vista Road (2005); Briarcliff Road and La Vista Road (2005); North Decatur Road and Haygood Drive (2005); and Clifton Road and Clifton Way (2205). CDC could partially mitigate the Clifton Road/Clifton Way intersection LOS degradation through redesign and possible resignalization of the intersection, in consultation with Dekalb County and surrounding property owners. Neither GSA nor CDC is authorized to spend Government funds for off-site road improvements, but will attempt to partially mitigate LOS degradation at other key intersections through the use of TDM measures.

The On Site Expansion Alternative is expected to have minor negative impacts to planning and zoning because it does not allow for the comprehensive development of the 17.6 acre site in a manner consistent with future intended land use patterns.

No Action: Based on the research and analyses conducted in preparation of the Draft and Final EIS, GSA and CDC expect the No Action Alternative to have minor adverse impacts on hydrology/water quality, vegetation & wildlife, ambient air quality, ambient noise, comprehensive planning & zoning, housing, and on transportation & parking.

CDC and GSA anticipate potential minor adverse impacts to hydrology/water quality, and vegetation & wildlife because even though the Government would not acquire the 17.6 acre parcel, growth patterns in the area indicate that it would likely be developed by other

parties over the 20-year analysis period. If the development occurs sporadically over this period, the opportunities to systematically address grading, runoff control, tree retention and landscaping, etc. are significantly reduced.

Short-term and highly localized air quality impacts would occur primarily during the construction periods for private development of the 17.6 acre site, and during highly congested AM and PM peak traffic hours. Air quality impacts would be partially mitigated through CDC's continued use of TDM strategies designed to increase use of transportation alternatives to single-occupant vehicle commuting. CDC would continue to work closely with MARTA, with other large employers in the Clifton Road Corridor, and with concerned citizens to improve TDM measures.

Minor ambient noise impacts to adjacent residential areas of the 17.6 acre site would occur from private development of the 17.6 acre site over the 20-year analysis period.

Minor adverse housing impacts could occur under the No Action Alternative because private development of the 17.6 acre site could take place over the 20-year analysis period in a piecemeal fashion, leaving some residential properties ''as-is'' while others are developed. This type of development pattern can create noise, traffic, and other nuisances for residents while the area is in transition.

The No Action Alternative would result in adverse traffic impacts to several important intersections in the form of increased delay time, expressed as LOS degradation, because of ''background development'' that would occur in the area regardless of CDC's development activities. Intersections where at least one future year LOS component will be worse under the No Action Alternative versus current conditions are: Clifton Road and Briarcliff Road (2005); Clifton Road and Haygood Drive (2005); Clifton Road and North Decatur Road (2005); Shepherds Lane and La Vista Road (2005); Briarcliff Road and La Vista Road (2005); North Decatur Road and Haygood Drive (2005); and, Clifton Road and Clifton Way (2005). CDC could partially mitigate the Clifton Road/Clifton Way intersection LOS degradation through redesign and possible resignalization of the intersection, in consultation with Dekalb County and surrounding property owners. Neither GSA nor CDC is authorized to spend Government funds for off-site road improvements, but will attempt to partially mitigate LOS degradation at other key intersections through the use of TDM measures.

The No Action Alternative is expected to have minor negative impacts to planning and zoning because it does not allow for the comprehensive development of the 17.6 acre site in a manner consistent with future intended land use patterns.

Rationale for Decision

The Proposed Action, which is also the Technically Preferred Alternative, will enable GSA and CDC to plan for and accommodate CDC's long-term housing needs at the Clifton Road Campus in the most economical and efficient manner. The Proposed Action maximizes design options and development potential for both the existing campus and the proposed CDC expansion, and, most importantly, will greatly enhance the security of the Headquarters Complex. This alternative poses the least adverse environmental impacts compared with other feasible alternatives, and is, therefore, the Environmentally Preferred Alternative.

The Limited Expansion Alternatives are feasible, but would not allow the Government the maximum flexibility to plan for and configure site security, site infrastructure, or the placement of future laboratory, parking and support facilities in the most efficient and cost-effective ways over the 20-year development horizon. The environmental impacts of the Limited Expansion Alternatives are very similar to those resulting from the Proposed Action; therefore, implementing a Limited Expansion Alternative versus the Proposed Action would not result in additional mitigation of adverse environmental impacts, but would pose additional constraints and costs on the Government to implement CDC's long-range facility plans.

Implementing the No Action Alternative neither results in additional mitigation of environmental impacts, nor allows the Government to address the purpose and need for the Proposed Action: to provide an efficient, cost-effective means to accommodate CDC's future space needs in its Clifton Road location through the year 2015. The Proposed Action is needed to adequately address CDC's current program needs at Clifton Road through renovation and reconfiguration of existing space, as well as to provide new space to accommodate anticipated future research and operational activities.

Therefore, having given consideration to all of the factors discovered during the 19 month environmental review process, it is GSA's decision to proceed with the Proposed Action: Government acquisition and development of 17.6 acres of existing residential, commercial and institutional property immediately to the west of the existing CDC Clifton Road Campus, as described in this ROD, and in the Draft and Final EIS documents incorporated by reference in this ROD.

Dated: February 10, 1997.

Phil Youngberg,

Regional Environmental Officer.

[FR Doc. 97–4026 Filed 2–20–97; 8:45 am]

BILLING CODE 6820–23–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Public Health and Science; Notice of a Cooperative Agreement With the Children's Hospital of Philadelphia

The Office of Minority Health (OMH), Office of Public Health and Science, announces that it will enter into a cooperative agreement with Children's Hospital of Philadelphia to establish a model program for asthma attack avoidance education.

The purpose of this cooperative agreement is to establish a community-based, parent-child focused program designed to increase identification of potential asthma attack-triggering factors among minority, specifically African-American, urban children, and to ensure appropriate referral for medical care. The OMH will provide technical assistance and oversight as necessary for the implementation, conduct, and assessment of the project activities. On an as-needed basis, OMH will assist in arranging consultation from other Government agencies and non-government agencies.

Authorizing Legislation

This cooperative agreement is authorized under Title XVII, Section 1707(d)(1) of the Public Health Service Act, as amended by Public Law 101–527.

Background

Assistance will be provided only to Children's Hospital of Philadelphia. No other applications are being solicited under this announcement. The Children's Hospital of Philadelphia is uniquely qualified to accomplish the objectives of this cooperative agreement because it has the following combination of factors:

- A service area consisting primarily of an economically disadvantaged minority population.

• Pediatric services focusing on predominately African-American children from economically disadvantaged neighborhoods.

• Primary care programs which include a full range of medical care and educational programs promoting good health practices. These education programs are designed to meet the health care prevention needs of critical and chronically ill children.

• An established Center for Asthma Treatment that provides services primarily to African American children.

• An urban area with a predominant minority population which has a high rate of asthma among children and youth of African American descent, as evidenced by the 1,873 asthma related visits the hospital reported in 1995, with 1,540 of them being children of African-American descent.

• Commitment of neighborhood partners to provide sites for asthma related educational and prevention programs.

• Experience in conducting parent and teen focused programs.

This cooperative agreement will be awarded for a 3-year project period with funding at $250,000 (including indirect cost) per 12-month budget period. Continuation awards within the project period will be made on the basis of satisfactory progress and the availability of funds.

Where To Obtain Additional Information

If you are interest in obtaining information regarding this project, contact Ms. Cynthia Amis, Office of Minority Health, 5515 Security Lane, Suite 1000, Rockville, Maryland 20852 or telephone (301) 594–0769.

Dated: January 23, 1997.

Clay E. Simpson, Jr.,

Deputy Assistant Secretary for Minority Health.

[FR Doc. 97–4287 Filed 2–20–97; 8:45 am]

BILLING CODE 4160–17–M

Centers for Disease Control and Prevention

[INFO–97–03]

Proposed Data Collections Submitted for Public Comment and Recommendations

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 Centers for Disease Control and Prevention (CDC) will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the data collection plans and instruments, call the CDC Reports Clearance Officer on (404) 639–7090.

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 collection of 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 for other forms of information technology. Send comments to Wilma Johnson, CDC Reports Clearance Officer, 1600 Clifton Road, MS-D24, Atlanta, GA 30333. Written comments should be received within 60 days of this notice.

Proposed Projects

1. Technical Assistance to Enhance the Statistical and Analytic capacity of State and Local Public Health Professionals For Year 2000 Applications—(0920–0290)—Extension—Responsibility for identifying and providing data for monitoring the Year 2000 objectives is shared by agencies throughout the government, in State and local governments and in the private sector. Each of the 22 health priority areas outlined in the Year 2000 Objectives provides an assessment of the availability of data for establishing baseline measures and potential data sources for tracking progress. A key set of provisions of the Year 2000 Health Objectives Planning Act of 1990 (Pub. L. 101–582) provided for grants to states for the development of plans to implement the Year 2000 Health Objectives within each state, including the assessment of health within each of the states. The Act further mandated the development of uniform health status indicators for use by federal, state and local health agencies and model methods of collecting and reporting data. In order to enhance state capacity to use data, the National Center for Health Statistics (NCHS/CDC) has provided training in the use of data for public health purposes through the Applied Statistics Training Institute (ASTI). ASTI presents a series of short focused courses on data collection, analysis and utilization. These courses are offered to professionals in state and local health departments. The attendees gain knowledge of practical applications and techniques for evaluating the Year 2000 health objectives. Also, by sponsoring these courses, CDC can expect certain standards of data analysis on the local level. An upgrading of methodological skills for those persons at the local level primarily responsible for analysis is vitally important in understanding the health status of a population and in planning effective prevention programs. Each year ASTI mails a Bulletin of Courses to state and local public health agencies informing them, of the curriculum of courses available. An application for training form is included in the Bulletin of Courses for use by individuals interested in attending a course. This collection of information consists solely of those application forms. The total cost to respondents is estimated at $2,000.

Respondents	Number of respondents	Number of responses/ respondent	Average burden/ response (in hrs.)	Total burden (in hrs.)
Agencies and Individuals	600	1	0.167	100
Total				100

Wilma G. Johnson,

Acting Associate Director for Policy Planning And Evaluation, Centers for Disease Control and Prevention (CDC).

[FR Doc. 97–4005 Filed 2–20–97; 8:45 am]

BILLING CODE 4163–18–P

National Institute for Occupational Safety and Health; Request for Comments on the Toxicity of Carbonless Copy Paper

AGENCY: National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC), Department of Health and Human Services.

ACTION: Request for comments.

SUMMARY: NIOSH is requesting comments from all interested parties concerning possible adverse health effects among workers who have used carbonless copy paper. Interested parties may submit medical case reports, experimental data, or other information relating to the effects caused by such exposures. This information will be used by NIOSH to evaluate whether exposure to the chemical substances in carbonless copy paper poses health risks, and to determine the need for preventive health measures or additional research.

DATES: Written comments to this notice should be submitted to Diane Manning, NIOSH Docket Office, 4676 Columbia Parkway, M/S C–34, Cincinnati, Ohio 45226 on or before April 22, 1997. Comments may also be faxed to Diane Manning at (513) 533–8285 or submitted by email to: dmm2@cdc.gov as WordPerfect 5.0, 5.1/5.2, 6.0/6.1, or ASCII files.

FOR FURTHER INFORMATION CONTACT: Technical information may be obtained from Dr. Paul A. Schulte, NIOSH, CDC, 4676 Columbia Parkway, Mailstop C–14, Cincinnati, Ohio 45226, telephone (513) 533–8303.

SUPPLEMENTARY INFORMATION: Pursuant to sections 20 and 22 of the Occupational Safety and Health Act of 1970 [29 U.S.C. 669 and 671], NIOSH is authorized to gather information in order to develop recommendations for improving occupational safety and health. NIOSH has been concerned about reported undesirable health effects in workers occupationally exposed to chemicals contained in or released from carbonless copy paper. On June 12, 1987, NIOSH published a Federal Register Notice (52 FR 22534) requesting comments and secondary data on the toxicity of carbonless copy paper. At that time it was determined, based on the submitted information, that insufficient data were available to conclude that the relationship between exposure to carbonless copy paper and the suggested health effects was a causal one.

Carbonless copy paper is used to simultaneously make multiple paper copies of an original document. This system eliminates the need for carbon paper by using paper with a microencapsulated undercoating containing dyes and solvents. Writing, typing, or printing on the top sheet breaks the microcapsules immediately underneath, releasing the dyes and solvents to form the image on the paper surface below. Some substances used in carbonless copy paper include aliphatic compounds (C_{10}–C_{14}), aromatic compounds such as alkyl substituted biphenyls (polychlorinated biphenyls have not been used in carbonless copy paper in the United States since the early 1970's), phenyl methyl benzenes and hydrogenated terphenyls, diaryl ethanes, alkyl benzenes, benzyl xylene, isoparaffins, diisopropyl naththalenes, dibutyl phthalate, glutaraldehyde, formaldehyde, organic dyes, phenol-formaldehyde resin, kaolin, starch, styrene, butadiene-latex, hydrogenated aluminum silicate, mineral oil, and sanatasol oil.

Carbonless copy paper chemicals can be absorbed dermally or by inhalation. Several factors such as chemical composition and volume of the paper used, ambient temperature and ventilation rates in work or storage areas, and work practices may affect the extent of exposure. Adverse health effects in exposed workers were first reported in the scientific literature in the late 1960's. The signs and symptoms attributed to dermal exposure have included dryness, redness, irritation, eczema, tingle, and itchiness of the skin. The signs and symptoms attributed to inhalation exposures have included nasal congestion, drainage, bleeding, and irritation; upper respiratory tract irritation; asthma; throat tickle and hoarseness; and joint pain, fatigue, and headache.

In order to update the information on carbonless copy paper, NIOSH is interested in obtaining existing and available information published or developed since 1987, including reports and research findings, to evaluate whether recommendations for health protection or further research on carbonless copy paper chemicals are needed. Examples of requested information include, but may not be limited to, the following:

1. Adverse health signs or symptoms associated with occupational exposure to carbonless copy paper or its components.

2. Epidemiology data assessing the incidence of health effects associated with occupational exposure to carbonless copy paper.

3. Medical case reports and studies of adverse health effects associated with occupational exposure to carbonless copy paper. These medical case reports and studies should be submitted without personal identifiers.

4. Industrial hygiene data and reports from work places where carbonless copy paper is used or handled.

5. *In Vivo* or *In Vitro* toxicity data and studies on the components of carbonless copy paper.

All information received in response to this notice, except that designated as trade secret and protected by section 15 of the Occupational Safety and Health Act, will be available for public examination and copying at the above address.

Dated: February 12, 1997.

Linda Rosenstock,

Director, National Institute for Occupational Safety and Health (NIOSH), Centers for Disease Control and Prevention (CDC).

[FR Doc. 97–4280 Filed 2–20–97; 8:45 am]

BILLING CODE 4163–19–P

Availability of Draft Guidance on Childhood Lead Screening

AGENCY: Centers for Disease Control and Prevention (CDC), Department of Health and Human Services.

ACTION: Notice of availability and request for comments.

SUMMARY: This notice announces the availability for review and comment of a draft document entitled, ''Screening Young Children for Lead Poisoning.'' The document was prepared by CDC staff with advice from CDC's Advisory Committee on Childhood Lead Poisoning Prevention, a group of non-Federal experts on childhood lead poisoning prevention. The document also reflects the comments of many other persons involved in scientific and programmatic aspects of childhood lead poisoning prevention and child health.

DATES: To ensure consideration, written or verbal comments on this draft document must be received by April 7, 1997.

ADDRESSES: Requests for copies of the draft document must be made by calling the toll free telephone number: (888) 232–6789. Verbal comments on the draft document may be made by calling the same toll free telephone number. Written comments on the draft

document should be sent by mail or facsimile to: Nancy Tips, NCEH/CDC, Mailstop F42, 4770 Buford Highway, N.E., Atlanta, GA, 30341–3724, facsimile (770) 488–7335.

SUPPLEMENTARY INFORMATION: Childhood lead poisoning is a major preventable environmental health problem in the United States. Since 1975, when CDC issued its first comprehensive guidelines for preventing lead poisoning in children, ''Increased Lead Absorption and Lead Poisoning in Young Children,'' CDC has worked with public health agencies, child health-care providers, and various concerned groups to prevent lead poisoning in young children. Other editions of the guidelines have been published in 1975, 1978, 1985, and 1991. Each revision has incorporated new scientific and practical information on how best to reduce the adverse effects of lead on the health of young children. This draft guidance is narrower in scope than the 1991 edition of ''Preventing Lead Poisoning in Young Children.'' It does not modify CDC's position on adverse health effects caused by lead. Instead, it makes recommendations to improve the use of screening to prevent lead poisoning among young children. These recommendations are needed because data indicate that many children, especially those living in older housing, continue to be heavily exposed to lead, whereas the average exposure of children in the United States has substantially declined. To address this situation, the recommendations in this guidance are intended to increase the screening and follow-up care of children who most need these services and to ensure that prevention approaches are appropriate to local conditions. The audience for this guidance includes State and local public health officials, who will make screening recommendations for their jurisdictions, and pediatricians and other child health-care providers, public health agencies, and health care organizations, including managed care organizations.

Dated: February 14, 1997.

Joseph R. Carter,

Acting Associate Director for Management and Operations, Centers for Disease Control and Prevention (CDC).

[FR Doc. 97–4281 Filed 2–20–97; 8:45 am]

BILLING CODE 4163–18–P

Food and Drug Administration

[Docket No. 97N–0025]

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

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that the proposed collection of information listed below has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995.

DATES: Submit written comments on the collection of information by March 24, 1997.

ADDRESSES: Submit written comments on the collection of information to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA.

FOR FURTHER INFORMATION CONTACT: Margaret R. Wolff, Office of Information Resources Management (HFA–250), Food and Drug Administration, 5600 Fishers Lane, rm. 16B–19, Rockville, MD 20857, 301–827–1223.

SUPPLEMENTARY INFORMATION: In compliance with section 3507 of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), FDA has submitted the following proposed collection of information to OMB for review and clearance:

Medical Devices Standards Activities Report (OMB Control Number 0910–0219—Extension)

FDA is collecting information necessary to update a comprehensive listing of current national and international standards activities in the field of medical devices. The collection of this information is authorized by section 514(a)(4)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d(a)(4)(B)), which requires FDA to consult with other nationally or internationally recognized standard-setting entities, including other Federal agencies concerned with standard-setting, in carrying out its responsibility to establish special controls for medical devices. This report is used by approximately 39 standards-developing organizations to coordinate their standards activities. This coordination prevents duplication of effort and insures efficient and expeditious management of standards development. Over 700 copies of this report are used by government, hospitals, libraries, industry, private citizens, and State and local government agencies, including FDA, to keep abreast of standards development activities and current technology concerning the safety of medical devices. Without the report, there would be duplication of standards efforts by voluntary standards organizations because there is no other publication that can be easily referenced to ascertain if a certain medical device standard is being or has been developed.

FDA estimates the burden of this collection of information as follows:

ESTIMATED ANNUAL REPORTING BURDEN

No. of Respondents	Annual Frequency per Response	Total Annual Responses	Hours per Response	Total Hours
39	0.5	19.5	3	58.5

There are no capital costs or operating and maintenance costs associated with this collection of information.

This collection occurs biennially and is voluntary. There are 39 national and international organizations with one report each reporting period.

Dated: February 12, 1997.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 97–4227 Filed 2–20–97; 8:45 am]

BILLING CODE 4160–01–F

[Docket No. 95D–0283]

Deciding When to Submit a 510(k) for a Change to an Existing Device; Guidance; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance entitled ''Deciding When to Submit a 510(k) for a Change to an Existing Device.'' This guidance is intended to provide direction to manufacturers of devices who intend to modify their devices and are in the process of deciding whether the modification requires a new premarket notification submission (510(k)).

DATES: Written comments on this guidance may be submitted at any time.

ADDRESSES: Submit written requests for single copies of ''Deciding When to Submit a 510(k) for a Change to an Existing Device'' to the Division of Small Manufacturers Assistance, Center for Devices and Radiological Health (HFZ–220), Food and Drug Administration, 1350 Piccard Dr., Rockville, MD 20850, 301–443–6597 (outside MD 1–800–638–2041). Send two self-addressed adhesive labels to assist that office in processing your requests, or fax your request to 301–443–8818. Copies of a facsimile of the guidance, are available from the Division of Small Manufacturers Assistance (DSMA) Facts on Demand, Center for Devices and Radiological Health (CDRH), 1–800–899–0381. Copies of the guidance may also be obtained from the World Wide Web at http://www.fda.gov/cdrh administered by DSMA and are available to anyone with a video terminal or personal computer (1–800–252–1366). Submit written comments on this guidance to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857. Two copies of any comments are to be submitted, except that individuals may submit one copy. Requests and comments should be identified with the docket number found in brackets in the heading of this document. A copy of the guidance and received comments are available for public examination in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Heather S. Rosecrans, Center for Devices and Radiological Health (HFZ–404), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–1190.

SUPPLEMENTARY INFORMATION: On April 8, 1994, FDA circulated for comment the first draft guidance entitled ''Deciding When to Submit a 510(k) for a Change to an Existing Device.'' The draft guidance was intended to provide direction to manufacturers on deciding when to submit a new 510(k) for changes to an existing device. The April 8, 1994, draft guidance was the subject of a May 12, 1994, FDA teleconference and the subject of discussion at several trade and industry association meetings.

FDA received over 60 comments regarding the April 8, 1994, draft guidance. Based on the comments received, FDA developed an August 1, 1995, second draft guidance entitled ''Deciding When to Submit a 510(k) for a Change to an Existing Device.'' FDA received 11 comments regarding the October 16, 1996, draft guidance. The comments supported the October 16, 1996, draft guidance and suggested that FDA make the following changes: (1) Include the recent publication of the Quality Systems Regulation; (2) add more references for definition and as a referral to other guidance documents; (3) give more examples and explanation of materials, particularly with labeling changes and changes in material for in vitro devices; (4) update Appendix A on suggested material terminology to reflect latest industry comment on the biomaterials compendium; and (5) correct the logic flow in the materials change chart.

Guidances have generally been issued under § 10.90(b) (21 CFR 10.90(b)), which provides for the use of guidances to state procedures or standards of general applicability that are not legal requirements, but that are acceptable to FDA. The agency is now in the process of revising § 10.90(b). Therefore, the guidance is not being issued under the authority of current § 10.90(b), and it does not create or confer any rights, privileges, or benefits for or on any person, nor does it operate to bind FDA or device manufacturers in any way.

Interested persons may, at any time, submit to the Dockets Management Branch (address above) written comments on the guidance. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. The guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Received comments will be considered to determine if further revision of the guidance is warranted.

Dated: February 4, 1997.

Joseph A. Levitt,

Deputy Director for Regulations Policy, Center for Devices and Radiological Health.

[FR Doc. 97–4303 Filed 2–20–97; 8:45 am]

BILLING CODE 4160–01–F

[Docket No. 97M–0054]

Schneider (USA), Inc.; Premarket Approval of WALLSTENT® Iliac Endoprosthesis

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing its approval of the application by Schneider (USA), Inc., Minneapolis, MN, for premarket approval, under the Federal Food, Drug, and Cosmetic Act (the act), of the WALLSTENT® Iliac Endoprosthesis. After reviewing the recommendation of the Circulatory System Devices Panel, FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of May 28, 1996, of the approval of the application. In addition, the WALLSTENT® Iliac Endoprosthesis requires tracking under the act as amended by the Safe Medical Devices Act of 1990.

DATES: Petitions for administrative review by March 24, 1997.

ADDRESSES: Written requests for copies of the summary of safety and effectiveness data and petitions for administrative review to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Judy J. Danielson, Center for Devices and Radiological Health (HFZ–450), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–443–8243.

SUPPLEMENTARY INFORMATION: On June 9, 1994, Schneider (USA), Inc., Minneapolis, MN 55432, submitted to CDRH an application for premarket approval of the WALLSTENT® Iliac Endoprosthesis. The device is a peripheral stent and is indicated for use following suboptimal percutaneous transluminal angioplasty (PTA) of common and/or external iliac artery stenotic lesions, which are less than or equal to 10 centimeters in length. A suboptimal PTA is defined as a technically successful dilation, judged by the physician to be suboptimal due to the presence of unfavorable lesion morphology such as: An inadequate angiographic and/or hemodynamic result as defined by a 30 percent or greater residual stenosis after PTA, lesion recoil, or intimal flaps; flow limiting dissections post PTA longer than the initial lesion length; or a 5 mmHg or greater mean transtenotic pressure gradient post PTA.

On March 4, 1996, the Circulatory System Devices Panel of the Medical Devices Advisory Committee, an FDA advisory committee, reviewed and recommended approval of the application. On May 28, 1996, CDRH approved the application by a letter to the applicant from the Director of the Office of Device Evaluation, CDRH.

A summary of the safety and effectiveness data on which CDRH based its approval is on file in the Dockets Management Branch (address above) and is available from that office upon written request. Requests should be identified with the name of the device and the docket number found in brackets in the heading of this document.

Under section 519(e) of the act (21 U.S.C. 360i(e)) as amended by the Safe Medical Devices Act of 1990, manufacturers of certain types of devices are required to adopt a method of tracking that follows the devices through the distribution chain and then identifies and follows the patients who receive them. FDA has identified the above device as a new generic type of device requiring tracking. FDA is providing a 30-day period for interested persons to submit to the Dockets Management Branch (address above) written comments regarding the agency's position that this new generic type of device requires tracking.

Opportunity for Administrative Review

Section 515(d)(3) of the act (21 U.S.C. 360e(d)(3)) authorizes any interested person to petition, under section 515(g) of the act, for administrative review of CDRH's decision to approve this application. A petitioner may request either a formal hearing under part 12 (21 CFR part 12) of FDA's administrative practices and procedures regulations or a review of the application and CDRH's action by an independent advisory committee of experts. A petition is to be in the form of a petition for reconsideration under 21 CFR 10.33(b). A petitioner shall identify the form of review requested (hearing or independent advisory committee) and shall submit with the petition supporting data and information showing that there is a genuine and substantial issue of material fact for resolution through administrative review. After reviewing the petition, FDA will decide whether to grant or deny the petition and will publish a notice of its decision in the Federal Register. If FDA grants the petition, the notice will state the issue to be reviewed, the form of the review to be used, the persons who may participate in the review, the time and place where the review will occur, and other details.

Petitioners may, at any time on or before March 24, 1997, file with the Dockets Management Branch (address above) two copies of each petition and supporting data and information, identified with the name of the device and the docket number found in brackets in the heading of this document. Received petitions may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

This notice is issued under the Federal Food, Drug, and Cosmetic Act (secs. 515(d), 520(h), (21 U.S.C. 360e(d), 360j(h))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Center for Devices and Radiological Health (21 CFR 5.53).

Dated: January 16, 1997.

Joseph A. Levitt,

Deputy Director for Regulations Policy, Center for Devices and Radiological Health.

[FR Doc. 97–4228 Filed 2–20–97; 8:45 am]

BILLING CODE 4160–01–F

Health Care Financing Administration

[HCFA–462 A/B]

Agency Information Collection Activities: Proposed Collection; Comment Request

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 the 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:* Clinical Laboratory Improvement Amendments (CLIA) Adverse Action Extract; *Form No.:* HCFA–462A/B; *Use:* This form is used by HCFA surveyors (State Health Department surveyors and other HCFA agents) to record which types of adverse actions are imposed against laboratories. The form will also serve to track dates of the impostion of adverse actions, dates on which a laboratory corrects deficiences, and all appeals activity. *Frequency:* Biennially; *Affected Public:* Not-for-profit institutions, Federal Government, State, Local or Tribal Govt; *Number of Respondents:* 2,500; *Total Annual Responses:* 2,500; Total Annual Hours: 5,625

To obtain copies of the supporting statement for the proposed paperwork collections referenced above, access HCFA's WEB SITE ADDRESS at http://www.hcfa.gov/regs/prdact95.htm, or to obtain the supporting statement and any related forms, E-mail your request, including your address and phone number, 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 Financial and Human Resources, Management Analysis and Planning Staff, Attention: John Rudolph, Room C2–25–05, 7500 Security Boulevard, Baltimore, Maryland 21244–1850.

Dated: February 13, 1997.

Edwin J. Glatzel,

Director, Management Analysis and Planning Staff, Office of Financial and Human Resources.

[FR Doc. 97–4338 Filed 2–20–97; 8:45 am]

BILLING CODE 4120–03–P

[HCFA–841–853]

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

AGENCY: Health Care Financing Administration, HHS.

In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Health Care Financing Administration (HCFA), Department of Health and Human Services, has submitted to the Office of Management and Budget (OMB) the following proposals for the collection of information. Interested persons are invited to send comments regarding the 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.

3. HCFA–841–853 *Type of Information Collection Request:* Revision of currently approved collection; *Title of Information Collection:* Durable Medical Equipment Regional Carrier, Certificate of Medical Necessity; *Form Nos.:* HCFA–841–853 (formally HCFA–R–182); *Use:* A Certificate of Medical Necessity is a standardized format used to communicate information provide by an attending physician and a supplier of medical equipment and supplies. The information is used by carriers to determine the medical necessity of an item or service covered by the Medicare program and being used for the treatment of the Medicare beneficiary's condition. The CMNs being submitted for OMB review are necessary in order for HCFA to determine the medical necessity of the item or service. The information needed to make this determination requires application of medical judgment that can only be provided by a physician or other clinician who is familiar with the condition of the beneficiary; *Frequency:* On Occasion; *Affected Public:* Suppliers and physicians, business or other for-profit, federal government; *Number of Respondents:* 140,000; *Total Annual Responses:* 6.8 million; *Total Annual Hours Requested:* 1.7 million.

To obtain copies of the supporting statement and any related forms, E-mail your request, including your address and phone number, to Paperwork@hcfa.gov, or call the Reports Clearance Office on (410) 786–1326. Written comments and recommendations for the proposed information collections should be sent within 30 days of this notice directly to the OMB Desk Officer designated at the following address: OMB Human Resources and Housing Branch, Attention: Allison Eydt, New Executive Office Building, Room 10235, Washington, DC. 20503.

Dated: February 18, 1997.

Edwin J. Glatzel,

Director, Management Analysis and Planning Staff, Office of Financial and Human Resources, Health Care Financing Administration.

[FR Doc. 97–4339 Filed 2–20–97; 8:45 am]

BILLING CODE 4120–03–P

Health Resources and Services Administration

''Low Income Levels'' for Health Professions and Nursing Programs

The Health Resources and Services Administration (HRSA) is updating income levels used to identify a ''low income family'' for the purpose of providing training for individuals from disadvantaged backgrounds under various health professions and nursing programs included in titles VII and VIII of the Public Health Service Act (the Act).

The Department periodically publishes in the Federal Register low income levels used for grants and cooperative agreements to institutions providing training for individuals from disadvantaged backgrounds. A ''low income level'' is one of the factors taken into consideration to determine if an individual qualifies as a disadvantaged student for purposes of health professions and nursing programs.

The programs under the Act that use ''low income levels'' as one of the factors in determining disadvantaged backgrounds include the Health Careers Opportunity Program, section 740, the Program of Financial Assistance for Disadvantaged Health Professions Students, section 740 (a)(2)(F), and Nursing Education Opportunities for Individuals from Disadvantaged Backgrounds, section 827. Loans to Disadvantaged Students, section 724, Scholarships for Health Professions Students from Disadvantaged Backgrounds, section 737, Disadvantaged Health Professions Faculty Loan Repayment and Fellowships Program, section 738 were added to title VII by the Disadvantaged Minority Health Improvement Act of 1990 (Pub. L. 101–527) and are also using the low income levels. Other factors used in determining ''disadvantaged backgrounds'' are included in individual program regulations and guidelines.

Health Careers Opportunity Program (HCOP), Section 740

This program awards grants to accredited schools of medicine, osteopathic medicine, public health, dentistry, veterinary medicine, optometry, pharmacy, allied health, podiatric medicine, chiropractic and public or nonprofit private schools which offer graduate programs in clinical psychology, and other public or private nonprofit health or educational entities to assist individuals from disadvantaged backgrounds to enter and graduate from health professions schools.

Financial Assistance for Disadvantaged Health Professions Students (FADHPS), Section 740 (a)(2)(F)

This program awards grants to accredited schools of medicine, osteopathic medicine, and dentistry to provide financial assistance to individuals from disadvantaged backgrounds who are of exceptional financial need, to help pay for their health professions education. The provision of these scholarships shall be subject to section 795 relating to residency training and practice in primary health care.

Nursing Education Opportunities for Individuals From Disadvantaged Backgrounds, Section 827

This program awards grants to public and nonprofit private schools of nursing and other public or nonprofit private entities to meet costs of special projects to increase nursing education opportunities for individuals from disadvantaged backgrounds.

Loans to Disadvantaged Students, Section 724

This program makes awards to certain accredited schools of medicine, osteopathic medicine, dentistry, optometry, pharmacy, podiatric medicine, and veterinary medicine for financially needy students from disadvantaged backgrounds.

Scholarships for Health Professions Students From Disadvantaged Backgrounds, Section 737

This program awards grants to schools of medicine, nursing, osteopathic medicine, dentistry, pharmacy, podiatric medicine, optometry, veterinary medicine, allied health, or public health, or schools that offer graduate programs in clinical psychology for the purpose of assisting such schools in providing scholarships to individuals from disadvantaged backgrounds who enrolled (or are accepted for enrollment) as full-time students.

Disadvantaged Health Professions Faculty Loan Repayment and Fellowship Program, Section 738

This program awards grants to repay the health professions education loans of disadvantaged health professionals who have agreed to serve for at least 2 years as a faculty member of a school of medicine, nursing, osteopathic medicine, dentistry, pharmacy, podiatric medicine, optometry, veterinary medicine, public health, or a

school that offers a graduate program in clinical psychology. Section 738 (a) allows loan repayment only for an individual who has not been a member of the faculty of any school at any time during the 18-month period preceding the date on which the Secretary receives the request of the individual for repayment contract (ie.,''new'' faculty).

The following income figures were taken from low income levels published by the U.S. Bureau of the Census, using an index adopted by a Federal Interagency Committee for use in a variety of Federal Programs. That index includes multiplication by a factor of 1.3 for adaptation to health professions and nursing programs which support training for individuals from disadvantaged backgrounds. The income figures have been updated to reflect increases in the Consumer Price Index through December 31, 1996.

Size of parents family [1]	Income Level [2]
1	$10,500
2	13,700
3	16,300
4	20,800
5	24,600
6 or more	27,600

[1] Includes only dependents listed on Federal income tax forms.

[2] Rounded to the nearest $100. Adjusted gross income for calendar year 1996.

Dated: February 14, 1997.

Ciro V. Sumaya,

Administrator.

[FR Doc. 97–4304 Filed 2–20–97; 8:45 am]

BILLING CODE 4160–15–P

Office of Inspector General

Program Exclusions: January 1997

AGENCY: Office of Inspector General, HHS.

ACTION: Notice of program exclusions.

During the month of January 1997, 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, Maternal and Child Health Services Block Grant and Block Grants to States for Social Services 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	
ALS, DARRELL LAMONT, LITTLE ROCK, AR	01/29/97
BASS, SUZANNE, HOPKINSVILLE, KY	01/30/97
BILODEAU, TINA R, CRESCENT CITY, CA	02/04/97
BRADLEY, GEOFFREY STEPHEN, STRAWBERRY PLAINS, TN	02/03/97
CALHOON, JOHN E, ST PETERSBURG, FL	01/30/97
DEROSA, KAREN R, KNOXVILLE, TN	02/03/97
FLEMING, PAUL D, LITTLE ROCK, AR	01/29/97
FOLEY, CANDACE E, WINTERPORT, ME	02/03/97
GAINEY, WAYMON R, FAYETTEVILLE, NC	01/30/97
GIFFORD, LOREN ARDEN, SPRINGFIELD, MO	01/29/97
GONZALEZ, JOANN, MIAMI, FL	01/30/97
GRAY, REL, OAKDALE, LA	01/29/97
HENDERSON, RANDOLF L, HOPKINSVILLE, KY	01/30/97
HENDERSON, LEROY R, TEXARKANA, TX	01/29/97
JORDAN, CARL RANKIN, SAVANNAH, GA	01/30/97
MATUTE, JOSE MANUEL, MIAMI, FL	01/30/97
NEVINS, RICHARD L, EL PASO, TX	01/29/97
NORTH SHORE EYE CLINIC, P.A., HOUSTON, TX	01/29/97
SAGMAQUEN, ROLANDA R, FRESNO, CA	02/04/97
SHELLY, RANDY, OVILLA, TX	01/29/97
SIMPSON, TAMMY S, KNOXVILLE, TN	02/03/97
SKODNEK, RICHARD P, MONTGOMERY, PA	02/03/97
VENABLE, GLORIA, CORAL CITY, FL	01/30/97
PATIENT ABUSE/NEGLECT CONVICTIONS	
ALLEN, JAMES CHRISTOPHER, TAFT, OK	01/29/97
AVANT, GUY RICHARD, HAMPTON, AR	01/29/97
BARKER, TABITHA N, FRANKLINTON, LA	01/29/97
BATES, THOMAS W, MEMPHIS, TN	01/30/97
BERRY, ESSIE M, AURORA, CO	02/18/97
BUSH, CHARLES LAMONT, ABILENE, TX	01/29/97
DENNEY, VICKIE SUE, ARDMORE, OK	01/29/97
GIPSON, RUTH EVELYN, STRATFORD, OK	01/29/97
HOLLAND, CAROL RENEE, OKLAHOMA CITY, OK	01/29/97
JOWERS, ELBERT JR, ALEXANDRIA, LA	01/29/97
KING, CAROLYN ANN, SAYRE, OK	01/29/97
MATHIS, CHARLES R, MILLERS CREEK, NC	01/30/97
MILES, CARL STEVEN, PAULS VALLEY, OK	01/29/97
SAYSON, DANIEL M, OAK HARBOR, WA	02/04/97
SPIRKA, JOHN F, PASCOAG, RI	02/03/97
VIGIL, MELVIN PAUL, GRANTS, NM	01/29/97
CONVICTION FOR HEALTH CARE FRAUD	
BARRINGTON, RAMONA L, SOAPLAKE, WA	02/04/97
CONTROLLED SUBSTANCE CONVICTIONS	
BROWN, JAMES JOSEPH, DELRAY BEACH, FL	01/30/97
LICENSE REVOCATION/SUSPENSION/SURRENDER	
ANTHONY, NETTIE, COLORADO SPRINGS, CO	02/18/97
BALLARD, MARLA JUNE, LINSIDE, WV	02/03/97
BLACKWELL, BARBARA REECE, ELIZABETHTON, TN	01/30/97
BROWN, MAUREEN ANNE, PORTSMOUTH, NH	02/03/97
CALLAHAN, GUY, CLEARWATER, FL	02/03/97
CHANG, DEBORAH RUTH, DERRY, NH	02/03/97
CLEGG, SANDRA, LEBANON, NH	02/03/97
COXEN, DIANNA, COLORADO SPRINGS, CO	02/18/97
DAIGLE, THEOPHILE H, CLAREMONT, NH	02/03/97
DAVIS, FORREST, SIERRA VISTA, AZ	02/03/97
DEGUZMAN, ANTONIO, PEMBROKE, MA	02/03/97
DENEHY, MARY, HARWINTON, CT	02/03/97
DERBY, JAMES H, WATERFORD, CT	02/03/97
DEVAN, KAJUAN M, DENVER, CO	02/18/97
DRAGONAS, PETER H, BEVERLY, MA	02/03/97
EMOND, JAMES A, MANCHESTER, NH	02/03/97
FACKLER, JANELL, STERLING, CO	02/18/97
FISCHL, HENRY J, BRIGHTON, TN	01/30/97
FROST, JENNIFER, AURORA, CO	02/18/97
FULLER, LOUISE H, WINDSOR, MA	02/03/97
FULLER, MARK, DENVER, CO	02/18/97

SUBJECT, CITY, STATE	EFFECTIVE DATE
FURNESS, PATRICIA K, HENNIKER, NH	02/03/97
GADISON, ROSILYN, DENVER, CO	02/18/97
GRACE, AYAKO, AURORA, CO	02/18/97
GREEN, FRANK D, JR, KNOXVILLE, TN	01/30/97
GREENWALD, MICHAEL, BROOKLINE, MA	02/03/97
HACKNEY, CHARLES LANDIS, WILMINGTON, NC	01/30/97
HAXO, JOHN, MARBLEHEAD, CT	02/03/97
HOLMAN, GERALD L, YAKIMA, WA	01/12/97
KAHLER, SARAH, HUGO, CO	02/18/97
KELLEY, DEBRA, LAKEWOOD, CO	02/18/97
KELLY, RONALD KAY, ELKO, NV	01/12/97
KITTREDGE, PATRICIA, HAVERILL, MA	02/03/97
LABBE, MAURICE, LEWISTON, ME	02/03/97
LYNCH, ANNETTE M, RUTLAND, VT	02/03/97
MAHBOUBIAN, SOHAIL SAM, WOODLAND HILLS, CA	01/12/97
MALIK, JULIA, STRATFORD, CT	02/03/97
MARINO, VINCENT, MARLBOROUGH, CT	02/03/97
MARTIN, CHRISTINA, LAKEWOOD, CO	02/18/97
MARTIN, LISA, TYNGSBORO, MA	02/03/97
MARTINEZ, CHRISTINE C, PUEBLO, CO	02/18/97
MARTINEZ, CHARLOTTE C, WESTMINSTER, CO	02/18/97
MARTINI, ALICE E, RAYMOND, NH	02/03/97
MASTRONARDI, ANTHONY, KEENE, NH	02/03/97
MCFARLAND, MARY A, THOMASTON, ME	02/03/97
MENO, GEORGE, WILTON, CT	02/03/97
MOOSMAN, DALLIS, LA JUNTA, CO	02/18/97
MURPHY, MARJORIE, CANTON CENTER, CT	02/03/97
NELSON, ONIE, DENVER, CO	02/18/97
NIVETTE, JAMES D, CARMEL, CA	02/04/97
NORE, ALBERT T, S WEYMOUTH, MA	02/03/97
OUELLETTE, MAUREEN ANN, MANCHESTER, NH	02/03/97
PENA, PRISCILLA, DENVER, CO	02/18/97
PIERCE, SUSAN, WELLS RIVER, VT	02/03/97
PRITCHETT, DEAN, HOTCHKISS, CO	02/18/97
PRUITT, LEITAN, THORNTON, CO	02/18/97
PULSIFER, JACQUELINE, COVENTRY, RI	02/03/97
RATTIGAN, RENEE C, MANCHESTER, NH	02/03/97
RICKER, BARBARA, LACONIA, NH	02/03/97
RODNEY, BELINDA LEE, MILTON, NH	02/03/97
ROUSE, CHRISTOPHER, LOVELAND, CO	02/18/97
SILL, POLLY, CORY, CO	02/18/97
SMITH, CECIL R, DENVER, CO	02/18/97
SNOW, KATHI, DENVER, CO	02/18/97
SOUTHWOOD, ERIC J, REDWOOD CITY, CA	02/04/97
SYREN, LEE, DENVER, CO	02/18/97
TECHLOWEC, MYRON, NORWICH, CT	02/03/97
VAUGHN, DAVID, DENVER, CO	02/18/97
WHALEN, PATRICIA K, CROYDON, NH	02/03/97
WILLIAMS, KARLA, DENVER, CO	02/18/97
OWNED/CONTROLLED BY CONVICTED/EXCLUDED	
DR NEVINS' EYEWORLD, EL PASO, TX	01/29/97
ESTRADA CHIROPRACTIC CLINIC, GALESBURG, IL	02/05/97
HEALTH CARE INNOVATIONS, INC, OVILLA, TX	01/29/97
JORDAN CLINIC, SAVANNAH, GA	01/30/97
MOBILE OPTICS, TEXARKANA, TX	01/29/97
MOUNTAIN AMBULANCE, CAMPTON, KY	01/30/97
PROGRESSIVE BILLING & MGMT SVC, MIAMI, FL	01/30/97
RANDY L SHELLY DME, OVILLA, TX	01/29/97
SUPERIOR CONVALESCENT TRANSPOR, DECATUR, GA	01/30/97
TEXAS UNITED HEALTH CARE, INC, OVILLA, TX	01/29/97
TRANS TEXAS VISION ASSOCIATES, TEXARKANA, TX	01/29/97
UNITED HEALTH CARE OF DALLAS, OVILLA, TX	01/29/97
DEFAULT ON HEAL LOAN	
ACKERMAN, ANNE E, MARIETTA, GA	02/18/97
ACKERMAN, BRIAN J, KENNESAW, GA	02/18/97
AGATA, RICHARD C, BROOKLYN, NY	02/18/97
ALEXANDER, ZANDRINA, VALRICO, FL	01/12/97
ALI, ABDIRAZAK A, COLLEGE PARK, GA	01/12/97
ALLEN, SHERMAN L, SOUTHFIELD, MI	02/05/97
AMBROSIO, JOSEPH A, GREAT NECK, NY	02/18/97
ARREOLA, RODOLFO JR, MORGANTOWN, WV	02/04/97
AUSTIN, JERRY, DANIA, FL	01/12/97
AVELAR, SUSANA, SAN FRANCISCO, CA	02/04/97
BADIA, RAYMOND, GAFNEY, SC	01/12/97
BAILEY, DARRELL E, WOODSTOCK, GA	01/12/97
BARNER, ROBERT W JR, MARIETTA, GA	02/18/97
BEERS, RICHARD H, WINTER PARK, FL	01/12/97
BERMAN, DAVID H, MARIETTA, GA	01/12/97
BILLSTROM, RICHARD L, MARIETTA, GA	01/12/97
BONDS, FREDERICK R, MT PLEASANT, MI	02/05/97
BRASWELL, JAMES, DETROIT, MI	02/05/97
BRAULT, PETER C, W MINSTER, MA	02/18/97
BREA, ANTHONY F, ROSLYN, NY	02/18/97
BREAZEALE, MICHAEL E MARIETTA, GA	01/12/97
BRENNEIS, GERARD, SHARON, PA	02/18/97
BROOKS, WILLIAM B, CHAMBLEE, GA	01/12/97
BROWN, GEOFFREY G, DECATUR, GA	01/12/97
BROWN, SHEILA V, PITTSBURGH, PA	02/18/97
BYRD, RICARDAU E, ATLANTA, GA	01/12/97
CAIN, ALICIA R, WOODBRIDGE, NJ	02/13/97
CARABALLO-WESLEY, ELIZABETH, BOSTON, MA	02/18/97
CASSAN, STEVEN S, MARIETTA, GA	02/18/97
CAVALIERE, FRANCES C, MARIETTA, GA	02/18/97
CICALA, CARMINE J, MARIETTA, GA	02/18/97
CLARK, JIMOTHY, BALTIMORE, MD	02/04/97
CLAY, CASSIUS C, ACWORTH, GA	02/18/97
COMER, BARRY L, DECATUR, GA	02/18/97
COOPER, CHARLES, BRIDGEPORT, CT	02/18/97
COX, HAROLD D, TRYON, NC	01/30/97
CRANDELL, ROBYN G, AMHERST, MA	02/18/97
CRAWFORD, FRANKLIN R, MABLETON, GA	02/18/97
CRONIN, DENIS P JR, MEDFORD, MA	02/13/97
CULBERTSON, WILLIAM J, QUINCY, MA	02/13/97
CULVER, TONI Y, COLLEGE PARK, GA	02/18/97
DANIEL, FELTON J, GAINESVILLE, GA	02/18/97
DANIELS, PATRICIA A, PHILADELPHIA, PA	02/04/97
DEOPP, WILLIAM N, MARIETTA, GA	01/12/97
DIFRANCESCO, EILEEN, HAVERTOWN, PA	02/04/97
DOOLEY, PAUL, BOSTON, MA	02/18/97
DOWNES, ROBERT R, COMMACK, NY	02/18/97
EIDENSOHN, ALAN S, BALTIMORE, MD	02/04/97
FISHER, MICHAEL J, SMYRNA, GA	01/12/97
FORTSON, HENRY D, THOMASVILLE, GA	01/12/97

SUBJECT, CITY, STATE	EFFECTIVE DATE
FOUNTAIN, RODNEY E, PENSACOLA, FL	01/12/97
FRICK, DEBORAH M, ANAHEIM, CA	02/04/97
FRIGARD, SCOTT N, MARIETTA, GA	01/12/97
GAY, WARNER A, MARIETTA, GA	01/12/97
GLOSHINSKI, LAURA E, SOUTH ORANGE, NJ	02/13/97
GOLDBLATT, AARON J, DANBORO, PA	02/18/97
GOLDFARB, GEORGIA, MCLEAN, VA	02/04/97
GRANT, PATRICIA E, DECATUR, GA	01/12/97
GRATTA, JAMES A, LAUREL, MS	02/18/97
HALL, JOHN E, ATLANTA, GA	01/12/97
HALL, JOHN L, CARTERSVILLE, GA	01/12/97
HAMMOCK, MARK A, DECATUR, GA	01/12/97
HARDING, PHYLLIS D, GARFIELD HEIGHTS, OH	02/05/97
HARRIS, JOHN D, PHILADELPHIA, PA	02/18/97
HARRIS, HAZEL P, IRVINGTON, NJ	02/13/97
HARRISON, GORDON E, HARDIN, MT	01/29/97
HEARNS, BEN J, HIGHLAND PARK, MI	02/05/97
HOWARD, ANTHONY L, SWAINSBORO, GA	01/30/97
HOWARD-JACKSON, LESLIE A, EXTON, PA	02/18/97
IBEH, FIDELIS A, BROOKLYN, NY	02/18/97
JOHNSON, CHRISTOPHER L, W HOLLYWOOD, CA	02/18/97
KLE, JAMES P, RIDGEWOOD, NY	02/18/97
LEE, CAROLE A, ACKWORTH, GA	01/12/97
MANNINO, TROY M, KATY, TX	01/29/97
MARSHALL, JOHN T, PHILLIPPI, WV	02/04/97
NICHOLAS, ROBERT K, RICHMOND, VA	02/04/97
NICHOLSON, JAMES E JR, POWDER SPRINGS, GA	01/12/97
NICOSIA, MICHAEL L, PORTLAND, TX	01/29/97
OAKES, CRAIG, EAST WINDSOR, NJ	02/13/97
OWENS, JAMES R, ATLANTA, GA	01/12/97
PAUL, FITZPATRICK, BROOKLYN, NY	02/18/97
PROVINCE, SUSAN L, SCOTTDALE, PA	02/04/97
RAIS, MATTIE B, LEXINGTON, MS	02/18/97
RAWLINS, JOEL J, DOUGLAS, GA	01/30/97
RENZ, HOWARD WAYNE, LIC, NY	02/18/97
ROBERTS, CHARLES C, DENVER, CO	01/12/97
ROBINSON, ROBYN C, NEW HAVEN, CT	02/18/97
ROEBUCK, JAMES N, NORTH WALES, PA	02/04/97
ROSS, ROGER A HAVERTOWN, PA	02/04/97
RUCKS, ANDREW C ABINGTON, MA	02/13/97
SALAZAR, MARIELENA, NEW YORK, NY	01/18/97
SALLEY, HEZEKIAH JR, SMOAKS, SC	01/12/97
SCARFO, DAN J, NEW YORK, NY	02/18/97
SCARPA, PETER D JR, PHILADELPHIA, PA	02/04/97
SCHOTT, ALAN J, BALTIMORE, MD	02/04/97
SCHRODER, ANTHONY M, MIDDLETOWN, NY	02/18/97
SCHWARTZ, ERIC G, LONG BEACH, NY	02/18/97
SENIOR, DUANE A, DETROIT, MI	02/05/97
SHAW, LINDA J, GLADYNE, PA	02/04/97
SHEAHAN, MICHAEL D, STATEN ISLAND, NY	02/18/97
SIEGEL, ROY F, SOMERVILLE, NJ	02/13/97
SIVERLING, GERALD D, BRANDON, FL	01/12/97
SKIRPAN, FRANK T, MARYSVILLE, PA	02/04/97
SMITH, CHARLES A, KANSAS CITY, MO	02/05/97
SOLLIDAY, MICHAEL P, NORTH MERRICK, NY	02/18/97
SOTO, LUCY, THROGGS NECK, NY	02/18/97
STANLEY, CAROLYN, WILMINGTON, DE	02/04/97
STEWART, MIKEL T, IRVING, TX	01/29/97
STOKKA, WAYNE M, LITTLETON, CO	02/18/97
STONE, GRACE M, ROOSEVELT, NY	02/18/97
STORER, JOHN W, CAMP HILL, PA	02/04/97
TABER, STUART M, COLUMBIA, SC	01/12/97
TANWI, LYNDON B, PITTSBURGH, PA	02/04/97
THOMAS, ROBERT L, ANDERSON, SC	01/29/97
THOMAS, ROBERT B SR, MACON, GA	01/12/97
THOMAS, VALERIE E, DETROIT, MI	02/05/97
THOMPSON, JOHN E, E BRIDGEWATER, MA	02/13/97
TIEMO, VINCENT DOYAH, PROVIDENCE, RI	02/13/97
TRODDEN, SCOTT A, NEW CASTLE, PA	02/04/97
TURNER, KEVIN J, LYNN, MA	02/18/97
VALVO, CARL L, KOUTS, IN	02/05/97
VALVO, NILA, KOUTS, IN	02/05/97
VARGAS-BIRD, IRMA M, BELLEVILLE, NJ	02/13/97
VEAL, PAUL E, COLUMBUS, MS	02/18/97
VELU, GITA, JERSEY CITY, NJ	02/13/97
VILORIA-ELSE, JENIFER, MARSHFIELD, MA	02/13/97
VOGEL, JOSEPH M, ENON VALLEY, PA	02/04/97
WAITE, WILLIAM C, PITTSBURGH, PA	02/04/97
WAKEFIELD, WILLIAM C, PITTSBURGH, PA	02/18/97
WHITE, KEVIN G, ST LOUIS, MO	02/05/97
WILLIAMS, JOSEPH F, IDAHO FALLS, ID	02/18/97
WILLIAMS, KENNETH, DURHAM, NC	01/12/97
WILLIS, ORION W, PORTSMOUTH, VA	02/04/97
WILSON, ORIN M, CAKEWOOD, NJ	02/13/97
WOOLING, LEONARD C, MARIETTA, GA	01/12/97
XIRADAKIS, MARIA, BROOKLYN, NY	02/18/97
YEATES, TERRANCE C, BROOKLYN, NY	02/18/97
ZAUN, TIMOTHY M, LAKEWOOD, OH	02/05/97
ZONDER, STUART R, ANN ARBOR, MI	02/05/97

Dated: February 12, 1997.

William M. Libercci,

Director Health Care Administrative Sanctions, Office of Enforcement and Compliance.

[FR Doc. 97–4279 Filed 2–20–97; 8:45 am]

BILLING CODE 4150–04–P

National Institute of Health

National Heart, Lung, and Blood Institute; Closed Meetings

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 Heart, Lung, and Blood Special Emphasis Panel (SEP) meetings:

Name of SEP: Sympathetic Nervous System Modulation and Blood Pressure Regulation.

Date: March 10–11, 1997.

Time: 7:30 p.m.

Place: Gaithersburg Marriott Washington Center, 9751 Washingtonian Boulevard, Gaithersburg, Maryland 20878.

Contact Person: Jon Ranhand, Ph.D., Two Rockledge Center, Room 7188, 6701 Rockledge Drive, Bethesda, MD 20892–7924, (301) 435–0280.

Purpose/Agenda: To review and evaluate grant applications.

This notice is being published less than fifteen days prior to this meeting due to the urgent need to meet timing limitations imposed by the grant review and funding cycle.

Name of SEP: Response and Adaptation to Exercise.

Date: March 25–26, 1997.
Time: 7:30 p.m.
Place: Holiday Inn, 2 Montgomery Village Avenue, Gaithersburg, Maryland.
Contact Person: Anthony M. Coelho, Ph.D., Two Rockledge Center, Room 7194, 6701 Rockledge Drive, Bethesda, MD 20892–7924, (301) 435–0288.
Purpose/Agenda: To review and evaluate grant applications.
These meetings will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Disease Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: February 13, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, National Institutes of Health.

[FR Doc. 97–4255 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Division of Extramural Activities; 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:

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel (Telephone Conference Call).
Date: March 12, 1997.
Time: 11 a.m.
Place: National Institutes of Health, 7550 Wisconsin Avenue, Room 9C10, Bethesda, Maryland 20892.
Contact Person: Dr. Howard Weinstein, Scientific Review Administrator, National Institutes of Health, 7550 Wisconsin Avenue, Room 9C10, Bethesda, MD 20892, (301) 496–9223.
Purpose/Agenda: To review and evaluate one SBIR Phase I Topic 032 Contract Proposal.
The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5 U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.
(Catalog of Federal Domestic Assistance Program No. 93.853, Clinical Research Related to Neurological Disorders; No. 93.854, Biological Basis Research in the Neurosciences)

Dated: February 12, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

[FR Doc. 97–4249 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

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 National Institute of Child Health and Human Development Special Emphasis Panel (SEP) meeting:

Purpose/Agenda To review and evaluate an individual contract proposal (TELECONFERENCE).
Name of SEP: NICHD Pediatric/Perinatal HIV Clinical Trials Network Coordinating Center.
Date: March 20, 1997.
Time: 2:00 p.m.–1:00 p.m.
Place: 6100 Executive Boulevard, 6100 Building—Room 5E01F, Rockville, Maryland 20852.
Contact Person: Hameed Khan, Ph.D., Scientific Review Administrator, NICHD, 6100 Executive Boulevard, 6100 Building, Room 5E01F, Rockville, Maryland 20852, Telephone: 301–496–1485.

The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. The discussions of this proposal could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the proposal, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. [93.864, Population Research and No. 93.865, Research for Mothers and Children, National Institutes of Health.)

Dated: February 12, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

[FR Doc. 97–4250 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute of General Medical Sciences; 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 advisory committee meeting of the National Institute of General Medical Sciences Special Emphasis Panel:

Committee Name: Anesthetics: Cellular & Molecular Actions.
Date: March 19, 1997.
Time: 8:00 a.m.—until conclusion.
Place: Radisson Hotel Clayton, 7750 Carondelet, Clayton, Missouri.
Contact Person: Irene B. Glowinski, Ph.D., Scientific Review Administrator, NIGMS, Office of Scientific Review, 45 Center Drive, Room 1AS–13J, Bethesda, MD 20892–6200, 301–594–2772 or 301–594–3663.
Purpose: To review and evaluate program project applications.

The meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C. Applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. 93.821, Biophysics and Physiological Sciences: 93.859. Pharmacological Sciences; 93.862, Genetics Research; 93.863. Cellular and Molecular Basis of Disease Research; 93.880, Minority Access Research Careers [MARC]: and 93.375, Minority Biomedical Research Support [MBRS])

Dated: February 12, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

[FR Doc. 97–4251 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute on Alcohol Abuse and Alcoholism; 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:

Purpose/Agenda: To review and evaluate grant applications.
Name of Committee: National Institute on Alcohol Abuse and Alcoholism Special Emphasis Panel.
Dates of Meeting: March 7, 1997.
Time: 8:00 a.m. to adjournment.
Place of Meeting: Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, MD 20814.
Contact Person: Ronald Suddendorf, Ph.D., 6000 Executive Blvd, Suite 409, Bethesda, MD 20892–7003, 301–443–2926.

The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5 U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which woud constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program No. 93.271, Alcohol Research Career

Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.891, Alcohol Research Center Grants; National Institutes of Health).

Dated: February 12, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

FR Doc. 97–4252 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Mental Health; 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 of the National Institute of Mental Health Special Emphasis Panel:

Agenda/Purpose: To review and evaluate grant applications.

Committee Name: National Institute of Mental Health Special Emphasis Panel.

Date: February 27, 1997.

Time: 4 p.m.

Place: Parklawn, Room 9–101, 5600 Fishers Lane, Rockville, MD 20857.

Contact Person: Donna Ricketts, Parklawn, Room 9–101, 5600 Fishers Lane, Rockville, MD 20857, Telephone: 301, 443–3936.

The meeting will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

This notice is being published less than fifteen days prior to the meeting due to the urgent need to meet timing limitations imposed by the review and funding cycle.

(Catalog of Federal Domestic Assistance Program Numbers 93.242, 93.281, 93.282)

Dated: February 12, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

[FR Doc. 97–4253 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Neurological Disorders and Stroke Division of Extramural Activities; 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:

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel.

Date: March 11–12, 1997.

Time: March 11, 12:00 p.m. to recess, March 12, 8:00 a.m. to adjournment.

Place: Crystal City Courtyard Marriott, 2899 Jefferson Davis Highway, Arlington, VA 22202.

Contact Person: Dr. Paul Sheehy, Scientific Review Branch, National Institutes of Health, 7550 Wisconsin Avenue, Room 9C10, Bethesda, MD 20892, (301) 496–9223.

Purpose/Agenda: To review and evaluate two grant applications.

The meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program No. 93.853, Clinical Research Related to Neurological Disorders; No. 93.854, Biological Basis Research in the Neurosciences)

Dated: February 13, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, National Institutes of Health.

[FR Doc. 97–4254 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute of General Medical Sciences; 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 advisory committee meeting of the National Institute of General Medical Sciences Special Emphasis Panel:

Committee Name: Structural Biology of AIDS Related Proteins.

Date: March 24–25, 1997.

Time: 8:30 a.m.–5 p.m.

Place: Holiday Inn, 5520 Wisconsin Avenue, Chevy Chase, Maryland 20815.

Contact Person: Arthur L. Zachary, Ph.D., Scientific Review Administrator, NIGMS, Office of Scientific Review, 45 Center Drive, Room 1AS–13, Bethesda, MD 20892–6200, 301–594–2886.

Purpose: To review and evaluate program project grant applications.

This meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C. Applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. 93.821, Biophysics and Physiological Sciences; 93.859, Pharmacological Sciences; 93.862, Genetics Research; 93.863, Cellular and Molecular Basis of Disease Research; 93.880, Minority Access Research Careers [MARC]; and 93.375, Minority Biomedical Research Support (MBRS))

Dated: February 13, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, National Institute of Health.

[FR Doc. 97–4256 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institute of General Medical Sciences; 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 National Institute of General Medical Sciences Review Committee meeting:

Committee Name: Minority Biomedical Research Support Review Subcommittee.

Date: March 27–28, 1997.

Time of Meeting: 8:30 a.m–5 p.m.

Open Session: 8:30 a.m.–9:30 a.m.—March 27.

Agenda: Special reports related to committee activities.

Closed Session: 9:30 a.m.–5 p.m.—March 27. 8:30 a.m.–5 p.m.—March 28.

Place: National Institutes of Health, Building 31—Conference Room 8, Bethesda, MD 20892.

Contact Person: Michael A. Sesma, Ph.D., Scientific Review Administrator, NIGMS, 45 Center Drive, Room 1AS–19, Bethesda, MD 20892–6200, 301–594–2048.

Purpose: To review institutional research training grant applications.

The meeting will be open to the public as indicated above, with attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed above in advance of the meeting.

This meeting will be closed in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Nos. 93.821, Biophysics and Physiological Sciences; 93.859, Pharmacological Sciences; 93.862, Genetics Research; 93.863, Cellular and Molecular Basis of Disease Research; 93.880, Minority Access Research Careers [MARC]; and 93.375, Minority Biomedical Research Support (MBRS).

Dated: February 13, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, National Institutes of Health.

[FR Doc. 97–4257 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

National Institutes of Health; Notice of Closed Meetings

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 meetings of the National Institute of Mental Health Special Emphasis Panel:

Agenda/Purpose: To review and evaluate grant applications.

Committee Name: National Institute of Mental Health Special Emphasis Panel.

Date: March 14, 1997.

Time: 10 a.m.

Place: River Inn, 924 25th Street NW., Washington, DC 20037.

Contact Person: Jean G. Noronha, Parklawn, Room 9C–26, 5600 Fishers Lane, Rockville, MD 20857, Telephone: (301) 443–6470.

Committee Name: National Institute of Mental Health Special Emphasis Panel.

Date: March 19, 1997.

Time: 2 p.m.

Place: Parklawn, Room 9C–26, 5600 Fishers Lane, Rockville, MD 20857.

Contact Person: Phyllis D. Artis, Parklawn, Room 9C–26, 5600 Fishers Lane, Rockville, MD 20857, Telephone: (301) 443–6470.

The meetings will be closed in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. Applications and/or proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications and/or proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(Catalog of Federal Domestic Assistance Program Numbers 93.242, 93.281, 93.282)

Dated: February 13, 1997.

LaVerne Y. Stringfield,

Committee Management Officer, NIH.

[FR Doc. 97–4258 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

Public Health Service

National Institutes of Health

Office of Research on Women's Health; Notice of Meeting—''Beyond Hunt Valley: Research on Women's Health for the 21st Century''

Notice is hereby given that the Office of Research on Women's Health, Office of the Director, National Institutes of Health, will convene a meeting on April 5, 6, and 7, 1997, at the Pyramid Crowne Plaza Hotel, Albuquerque, New Mexico. The purpose of the meeting is to update the current biomedical and behavioral research agenda for women's health, as presented in the Report of the National Institutes of Health: Opportunities for Research on Women's Health, a publication based on a conference held in Hunt Valley, Maryland, September 1991.

The NIH/FAES is accredited by the Accreditation Council for Continuing Medical Education to sponsor continuing medical educations for physicians.

The NIH/FAES designates this educational activity for a maximum of 10 hours in category 1 credit towards the AMA Physician's Recognition Award. Each physician should claim only those hours of credit that he/she actually spent in the educational activity.

The first day, April 5 will be devoted to receiving public testimony from 1:00 p.m. to 5:00 from individuals representing organizations interested in biomedical and behavioral research on women's health issues. On April 6 and 7 concurrent working groups will discuss women's health research, with particular reference to differences among populations of women. The schedule for April 6 is 8:30 a.m. to 5:30 p.m. and on April 7 the meeting will end approximately at 2:30 p.m. All sessions of the meeting are open to the public.

Studies have shown that differences exist among women, in regards to health status and health outcomes. Also, some diseases, disorders, and conditions are more common among some populations of women than others. The reasons for these differences have not been delineated. Some studies have implicated socioeconomic status, access to health care, individual behavior and attitudes, provider attitudes, culture and race/ethnicity as different reasons. However, some differences cannot be explained totally on the basis of any of these examples.

The purpose of this conference is to identify where differences exist in the diverse populations of women and to modify the NIH research agenda to better enable the identification of why these differences exist. In addition, strategies, based upon the research which can result in an improved health status and health outcome for all women, will be developed.

Experts in the fields of basic and clinical science, practitioners interested in women's health, representatives of scientific, professional and women's health organizations, and women's health advocates will be asked to assess the current status of research in women's health, in these, and other areas, identify gaps in existing knowledge, and recommend scientific approaches and strategies to take advantage of promising opportunities for research on women's health.

Open sessions will be devoted to identifying those factors which may influence health status and health outcomes including, but not limited to, racial, cultural and ethnic beliefs, attitudes, behavior environmental influences, biologic difference, effects of the changing health care environment, and socioeconomic status.

Sessions that follow will be devoted to identifying major factors among populations of women within each life stage/age group and examples of diseases, disorders, and conditions where population differences most impact women's health, and recommend research (and public policy) strategies to address these gaps in knowledge.

The Office of Research on Women's Health invites individuals representing organizations with an interest in research areas related to women's health to provide written and oral testimony on these topics and on career issues for women scientists.

Due to time constraints, only one representative from each organization may present oral testimony, with presentations limited to 10 minutes. A letter of intent to present such testimony should be sent by interested individuals and organizations to Ms. Nancy Teed, Houston Associates, 1010 Wayne Avenue, Suite 1200, Silver Spring, MD 20910. The date of receipt of the letter will establish the order of presentations at the April meeting.

Presenters should send three (3) written copies of their testimony, including a brief description of their organization, to the above address no later than March 20, 1997.

Individuals and organizations wishing to provide written statements only made send three (3) copies of their statements to the above address by March 20, 1997. All written testimony will be made available to the conferees prior to the April 6 meeting day. Comments and questions related to the April meeting should be addressed to Ms. Teed.

This meeting is the second of three regional public hearings and scientific workshops of similar design to be convened by the Office of Research on Women's Health. At the conclusion of this series of meetings, the Office of Research on Women's Health will convene a national meeting to address the deliberations and recommendations from the regional public hearingsand scientific workshops for the purpose of developing a report of priorities for research on women's health for the 21st century.

Dated: February 10, 1997.

Ruth L. Kirschstein,

Deputy Director, NIH.

[FR Doc. 97–4259 Filed 2–20–97; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, *as amended* (16 U.S.C. 1531, *et seq.*).

PRT–824189

Applicant: Alexsandr Rivlin, Oak Park, IL.

The applicant requests a permit to import one female Cuban parrot (*Amazona leucocephala*) from Kharkov, Krasnoznamennay, Ukraine for pet purposes.

PRT–825319

Applicant: End of the Road Bird Ranch, Millington, MI.

The applicant requests a permit to import six captive-bred brown-eared pheasants (*Crossoptilon crossoptilon*), ten captive-bred white-eared pheasants (*Crossoptilon mantchuricum*), and four captive-bred Elliot's pheasants (*Syrmaticus ellioti*) from the Beijing Breeding Center, Beijing, China to maintain genetic vitality for captive propagation.

PRT–825314

Applicant: Kenneth Behring, Danville, CA.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

PRT–825358

Applicant: Charles J. Watkins, Little Rock, AR.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus pygargus dorcas*) culled from a captive herd maintained under the management program of the Republic of South Africa, for the purpose of enhancement of the survival of the species.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203 and must be received by the Director on or before March 24, 1997.

Documents and other information submitted with these applications are available for review, *subject to the requirements of the Privacy Act and Freedom of Information Act,* by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, Room 430, Arlington, Virginia 22203. Phone: (703/358–2104); FAX: (703/358–2281).

Dated: February 14, 1997.

Mary Ellen Amtower,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 97–4271 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–55–P

Availability of a Draft Programmatic Environmental Impact Statement on Impacts of Artificial Salmon and Steelhead Production Strategies in the Columbia Basin

AGENCIES: U.S. Fish and Wildlife Service, (lead agency), National Marine Fisheries Service, Bonneville Power Administration (cooperating agencies).

ACTION: Notice of Reopening of Comment Period.

SUMMARY: As specified in the official Notice of Availability (FR, Vol. 61, No. 250, p. 68284), the U.S. Fish and Wildlife Service (Service) requested comments on the Draft Programmatic Environmental Impact Statement be received by February 10, 1997. This notice announces the Service has reopened the comment period.

DATES: Written comments are requested by May 1, 1997.

ADDRESS WRITTEN COMMENTS: Send comments to PEIS Team Leader, U.S. Fish and Wildlife Service, 911 NE 11 Ave, Portland, Oregon, 97232–4181.

FOR FURTHER INFORMATION CONTACT: Lee Hillwig, U.S. Fish and Wildlife Service, Telephone: 503–872–2766 or Dave Riley, Telephone: 503–226–2460.

Dated: February 13, 1997.

Michael J. Spear,

Regional Director, Region 1, U.S. Fish and Wildlife Service.

[FR Doc. 97–4140 Filed 2–20– 97; 8:45 am]

BILLING CODE 4310–55–P

Bureau of Land Management

[AK–962–1410–00–P, AA–8446–A, AA–8446–A2]

Notice for Publication; Alaska Native Claims Selection

In accordance with Departmental regulation 43 CFR 2650.7(d), notice is hereby given that a decision to issue conveyance under the provisions of Sec. 14(a) of the Alaska Native Claims Settlement Act of December 18, 1971, 43 U.S.C. 1601, 1613(a), will be issued to The Chenega Corporation for approximately 1,509.46 acres. The lands involved are in the vicinity of Chenega, Alaska.

Seward Meridian, Alaska

U.S. Survey No. 1639

T. 4 N., R. 7 E.,
T. 1 N., R. 10 E.,
T. 3 N., R. 7 E.,

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

Any party claiming a property interest which is adversely affected by the decision, an agency of the Federal government or regional corporation, shall have until March 24, 1997 to file an appeal. However, parties receiving service by certified mail shall have 30 days from the date of receipt to file an appeal. Appeals must be filed in the Bureau of Land Management at the address identified above, where the requirements for filing an appeal may be obtained. Parties who do not file an appeal in accordance with the requirements of 43 CFR part 4, subpart E, shall be deemed to have waived their rights.

Chris Sitbon,

Land Law Examiner, ANCSA Team, Branch of 962 Adjudication.

[FR Doc. 97–4282 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–JA–P

[NV–930–1430–00; Nev–059798]

Public Land Order No. 7247; Partial Revocation of Public Land Order No. 3512; Nevada

AGENCY: Bureau of Land Management, Interior.

ACTION: Public Land Order.

SUMMARY: This order partially revokes a public land order insofar as it affects

140 acres of public land withdrawn for use by the Bureau of Reclamation for the Robert B. Griffith Water Project. The land is no longer needed for the purpose for which it was withdrawn and the revocation is needed to permit disposal of the land by non-competitive sale to the City of Henderson. The land is temporarily closed to surface entry and mining due to the pending non-competitive sale. The land is within an incorporated city and will remain closed to mineral leasing.

EFFECTIVE DATE: February 21, 1997.

FOR FURTHER INFORMATION CONTACT: Dennis J. Samuelson, BLM Nevada State Office, P.O. Box 12000, Reno, Nevada 89520, 702–785–6532.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

1. Public Land Order No. 3512, which withdrew public land for the Bureau of Reclamation's Robert B. Griffith Project, is hereby revoked insofar as it affects the following described land:

Mount Diablo Meridian

T. 21 S., R. 63 E.,
sec. 28, S½NW¼SW¼ and SW¼SW¼;
sec. 29, S½SE¼.

The area described contains 140 acres in Clark County.

2. The land described in paragraph 1 is hereby made available for conveyance to the City of Henderson in accordance with Section 203 and 209 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1713, 1719 (1988).

Dated: February 7, 1997.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 97–4319 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–HC–P

[CA–065–06–1430–00, CACA–23033]

Notice of Realty Action; Classification of Public Lands for Recreation and Public Purposes, Kern County, California; Correction

AGENCY: Bureau of Land Management.

ACTION: Correction.

SUMMARY: In notice document 97–1899 beginning on page 3911 in the issue of Monday, January 27, 1997, make the following correction: The legal land description was written as follows:

San Bernardino Meridian

T.9S., R.13W.,
Section 14 Lots 6–7 (excluding MS 5254, MS 5210, and MS 5217)

Containing 15.41 acres, more or less.

The legal description should be changed to read as follows:

San Bernardino Meridian

T.9N., R.13W.,
Section 14 Lots 6–7 (excluding MS 5254 and MS 5217)

Containing 15.41 acres, more or less.

Lee Delaney,

Area Manager.

[FR Doc. 97–4277 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–40–P

[UT–940–1430–01; UTU 74938]

Notice of Proposed Withdrawal; Utah

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of correction.

SUMMARY: This order will correct the errors in acreage and legal land descriptions in Notice of Proposed Withdrawal and Opportunity for Public Meeting; Utah.

EFFECTIVE DATE: February 21, 1997.

FOR FURTHER INFORMATION CONTACT: Michael Barnes, Salt Lake District Office, (801) 977–4372 or Angela Williams, Utah State Office, (801) 539–4107.

The acreage and legal land descriptions in Notice of Proposed Withdrawal and Opportunity for Public Meeting; Utah, 49 FR 68774–68776, dated December 30, 1996, are corrected as follows:

On page 68774, third column, in the summary ''38,102.78 acres of public surface/'' is corrected to read ''38,092.78 acres of public surface/''

On page 68774, third column, in the summary ''An additional 17,210.01 acres of non-'' is corrected to read ''17,220.01 acres of non-''

On page 68775, first column, line 19, which reads ''NE¼SW¼NW¼, E½SE¼NW¼;'' is corrected to read ''NE¼SW¼NW¼, E½SW¼SE¼NW¼, E½SE¼NW¼,''

On page 68775, first column, line 26, which reads ''SE¼SW¼, SW¼SW¼, embracing that'' is corrected to read ''SE¼SW¼, SW¼SE¼, embracing that''

On page 68775, first column, line 44, which reads ''SW¼SW¼SW¼, E½SE¼SW¼SW¼,'' is corrected to read ''SW¼SW¼SW¼,''

On page 68775, first column, line 45, which reads ''W½SW¼SE¼SW¼;'' is removed.

On page 68775, second column, line 73, which reads ''Sec. 17, Lot SW¼SE¼, NW¼SW¼;'' is corrected to read ''Sec. 17, Lot 4, SW¼NW¼, NW¼SW¼;''

On page 68775, third column, line 4, which reads ''W½E½SW¼, W½SE¼;'' is corrected to read ''W½E½SE¼, W½SE¼;'

On page 68775, third column, line 8, which reads ''Sec. 29, NW¼NW½;'' is corrected to read ''Sec. 29, NW¼NW¼;''

On page 68775, third column, line 18, which reads ''T. S., R. 15 W.,'' is corrected to read ''T. 41 S., R. 15 W.,''

On page 68775, third column, line 20, which reads ''Sec. 20, N½S½SW¼,'' is corrected to read ''Sec. 20, N½S½SW¼, SE¼SW¼SW¼;'

On page 68775, third column, line 21, which reads ''W½SE¼SW¼SW¼,'' is corrected to read ''S½SE¼SW¼;'

On page 68775, third column, line 22, which reads ''E½SW¼SE¼SW¼, SE¼SE¼SW¼;'' is removed.

On page 68775, third column, line 67, which reads ''N½SE¼, NW¼;'' is corrected to read ''N½SE¼NW¼;''

On page 68776, first column, line 13, which reads ''public surface/mineral estate of 38,102.78'' is corrected to read ''public surface/mineral estate of 38,092.78''

On page 68776, first column, line 15, which reads ''6,675.20 acres. The remaining 17,210.01'' is corrected to read ''6,675.20 acres. The remaining 17,220.01''

G. William Lamb,

State Director.

[FR Doc. 97–3924 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–DQ–P

Minerals Management Service

Announcement of Minerals Management Service Public Meetings on New Royalty-In-Kind Projects

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of public meetings.

SUMMARY: The Minerals Management Service (MMS) will hold a series of one-day public meetings to discuss new ways to further utilize Federal royalty-in-kind (RIK) oil and gas programs onshore and on the Outer Continental Shelf (OCS). The meetings will be open to the public without advance registration. Public attendance may be limited to the space available. For building security measures, each person may be required to present a picture identification to gain entry to the meetings in Houston and New Orleans.

DATES: The meetings will be held as follows: Houston, TX, March 18, 1997 (OCS Oil RIK); Houston, TX, March 19, 1997 (OCS Gas RIK); Casper, WY, March 25, 1997 (Onshore Oil RIK); New

Orleans, LA, April 1, 1997 (OCS Oil RIK); and New Orleans, LA, April 2, 1997 (OCS Gas RIK). The meetings will commence at 9:30 a.m. on these respective dates and should end by 4:30 p.m.

ADDRESSES: The meetings will be held at the following locations:

Minerals Management Service, Houston Area Audit Office, 4141 N. Sam Houston Parkway, Houston, Texas 77032–3843, (281) 987–6805;

Hilton Inn Casper, 800 N. Poplar Rd., Casper, Wyoming 82601, (307) 266–6000;

Minerals Management Service, Gulf of Mexico Regional Office, Elmwood Towers Building, Conference Rooms 111–115, 1201 Elmwood Park Boulevard, Jefferson, Louisiana 70123, (504) 736–2949.

FOR FURTHER INFORMATION CONTACT: Mr. Greg Smith, Minerals Management Service, P.O. Box 25165, Mail Stop 9130, Denver, CO, 80401, telephone number (303) 275–7102, fax (303) 275–7124; e-mail Greg__Smith@SMTP.MMS.GOV or contact Mr. Jim McNamee at the same address and fax, telephone number (303) 275–7126, e-mail James__McNamee@ SMTP.MMS.GOV.

COMMENTS: Written comments on the meetings or the issues discussed below should be addressed to Mr. Greg Smith at the address given in the **FURTHER INFORMATION** section.

SUPPLEMENTARY INFORMATION: MMS conducted a Royalty Gas Marketing Pilot in 1995 in the Gulf of Mexico. The MMS sold its royalty gas to competitively selected gas marketers. The MMS had two objectives in conducting the pilot: (1) streamline royalty collections, and (2) test a process which could result in increased efficiency and greater certainty in valuation.

MMS' assessment of the gas RIK pilot indicated that it was an operational success, proving that the concept of MMS taking and selling royalty gas in-kind is feasible. However, MMS' analysis of the gas RIK revenues, as compared to in-value royalties paid and administrative savings realized, was not favorable to MMS.

Congress has directed MMS to consider additional projects for taking oil and/or gas in-kind. MMS is currently considering a variety of RIK scenarios that would build on lessons learned from the 1995 Royalty Gas Marketing Pilot. Any further RIK projects undertaken by MMS would be intended to address specific operational and revenue issues necessary before any longer-term implementation. The objectives of the proposed RIK options are to:

- Simplify the royalty collection process;
- Decrease administrative costs for both MMS and industry;
- Realize fair and equitable market value for the products;
- Provide certainty in royalty valuation;
- Decrease audit burden and appeal actions; and
- Provide MMS with alternative sources of data for use for in-value product valuation.

MMS is developing several options for taking Federal oil and gas in-kind. However, any new RIK programs will be separate from the current program of providing royalty oil in-kind to small refiners and will not involve production from Indian lands. The following are the general options being considered:

- Take OCS and onshore oil production in-kind; and
- Take OCS gas in-kind.

At the public meetings, MMS will present one or several specific options for taking royalties in-kind on a project/test basis. MMS will solicit public input at the meetings on the workability of these option(s). The issues that MMS would like to discuss at the meetings are presented below. The listing of issues is not necessarily complete but will be used as a starting point for the meetings.

1. Mandatory or voluntary participation;
2. Areas/leases to be selected for royalty in-kind projects;
3. Delivery points for RIK production: at the lease or various points away from the lease (e.g., first mainline interconnect, gas plant/refinery inlet, gas plant tailgate);
4. Transportation responsibility away from the lease (e.g., MMS, marketer, or lessee);
5. Aggregation of royalty volumes;
6. Pricing indicators to be used to assure a fair and equitable price for RIK production as well as certainty of price to industry;
7. Requirements to be placed on lessees (e.g., marketable condition, data submitted to MMS, coordination with purchasers); and
8. Requirements to be placed on purchasers (e.g., transportation of product away from the lease, data required by MMS, coordination with lessees, balancing, contract provisions concerning breach, payment terms).

MMS will more fully develop the RIK option(s) before the public meetings. Interested parties may request this information from the contacts listed in the **FURTHER INFORMATION** section.

Dated: February 14, 1997.

Robert E. Brown,

Acting Associate Director, Policy and Management Improvement.

[FR Doc. 97–4350 Filed 2–20–97; 8:45 am]

BILLING CODE 4310–MR–P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 332–379]

Likely Impact of Providing Quota-Free and Duty-Free Entry To Textiles and Apparel From Sub-Saharan Africa

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and scheduling of hearing.

EFFECTIVE DATE: February 10, 1997.

SUMMARY: Following receipt on January 14, 1997 of a request from the Committee on Ways and Means of the U.S. House of Representatives for an investigation under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332 (g)), the Commission instituted Investigation No. 332–379, Likely Impact of Providing Quota-Free and Duty-Free Entry to Textiles and Apparel from Sub-Saharan Africa. As requested by the Committee, the Commission will provide the following in its report—

(1) A review of any relevant literature on this issue prepared by governmental and non-governmental organizations;

(2) An assessment of the competitiveness of the textile and apparel industries in Sub-Saharan African countries, to the extent possible;

(3) A qualitative and quantitative assessment of the economic impact on U.S. producers, workers, and consumers of quota-free entry for imports of textiles and apparel from Sub-Saharan Africa. This assessment will address the potential shifting of global textile and apparel production facilities to Sub-Saharan Africa that might occur as a result of the changes contained in proposed legislation [H.R. 4198, African Growth and Opportunity: The End of Dependency Act of 1996, introduced in the 104th Congress by Mssrs. Crane, Rangel and McDermott]; and

(4) A qualitative and quantitative assessment of the economic impact on U.S. producers, workers, and consumers of an elimination of the exclusion of textile and apparel products from Sub-Saharan African countries, from coverage under the Generalized System of Preferences in addition to quota-free entry for imports from these same countries.

The Committee also requested that the Commission attempt to identify the

specific types of textiles and apparel products that are most likely to be produced in Sub-Saharan African countries, and which would have the most significant impact on U.S. producers, workers, and consumers. As requested by the Committee, the Commission will seek to provide its advice not later than September 2, 1997.

FOR FURTHER INFORMATION CONTACT: Lee Cook, Office of Industries (202–205–3471) or Mary Elizabeth Sweet, Office of Industries (202–205–3455), or William Gearhart, Office of the General Counsel (202–205–3091) for information on legal aspects. The media should contact Margaret O'Laughlin, Office of External Relations (202–205–1819). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202–205–1810).

Background

Among the provisions in H.R. 4198 is one relating to increased U.S. market access for textiles and apparel from Sub-Saharan Africa. According to the Committee's request, Sub-Saharan Africa supplied less than 1 percent, or about $400 million, of U.S. imports of textiles and apparel in 1995. H.R. 4198 provides that, until imports of these articles from Sub-Saharan Africa reach a much higher level, the transitional safeguards provided in Article 6 of the Uruguay Round Agreement on Textiles and Clothing should not apply. In addition, H.R. 4198 would eliminate existing U.S. quotas on imports of textiles and apparel from Sub-Saharan Africa. The Sub-Saharan African countries currently covered by U.S. textiles and apparel quotas are Kenya and Mauritius.

The Sub-Saharan African countries covered in this investigation include the following 48 countries: Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, São Tomé and Principe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sudan, Swaziland, Togo, Tanzania, Uganda, Zaire, Zambia, and Zimbabwe.

Public Hearing

A public hearing in connection with this investigation is scheduled to begin at 9:30 a.m. on May 1, 1997, at the U.S. International Trade Commission Building, 500 E Street SW., Washington, D.C. All persons have the right to appear by counsel or in person, to present information, and to be heard. Persons wishing to appear at the public hearing should file a letter asking to testify with the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, not later than the close of business (5:15 p.m.) on April 17, 1997. In addition, persons testifying should file prehearing briefs (original and 14 copies) with the Secretary by the close of business on April 17, 1997. In the event that no requests to appear at the hearing are received by the close of business on April 17, 1997, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary (202–205–1816) after April 17, 1997 to determine whether the hearing will be held. Posthearing briefs/statements and other written submissions should be filed not later than the close of business on May 8, 1997.

Written Submissions

In lieu of or in addition to appearing at the public hearing, interested persons are invited to submit written statements concerning the investigation. Written statements should be received by the close of business on May 8, 1997. Commercial or financial information which a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked ''Confidential Business Information'' at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available for inspection by interested persons. All submissions should be addressed to the Secretary at the Commission's office in Washington, D.C.

Issued: February 10, 1997

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 97–4286 Filed 2–20–97; 8:45 am]

BILLING CODE 7020–02–P

JUDICIAL CONFERENCE OF THE UNITED STATES

Committee on Automation and Technology; Notice of Opportunity To Comment and of Public Hearing on the ABA Citation Resolution

AGENCY: Judicial Conference of the United States, Committee on Automation and Technology.

ACTION: Notice of opportunity to comment and of public hearing on the ABA Citation Resolution.

In August 1996, the American Bar Association (ABA) approved a resolution made by its Special Committee on Citation Issues calling for state and federal courts to develop a standard citation system and recommending a format that could be used by state and federal courts. That resolution calls for courts to identify the citation on each decision at the time it is made available to the public. The ABA resolution is available through the Internet (http://www.ABANET.ORG/citation/home.html).

The federal judiciary seeks written public comments from judges, court personnel, the bar, and the public as to:

(1) Whether the federal courts should adopt the form of official citation for court decisions recommended by the ABA resolution; and,

(2) The costs and benefits such a decision would have on the courts, the bar, and the public.

In addition, a public hearing will be held on Thursday, April 3, beginning at 9 a.m. in the ceremonial courtroom of the U.S. District Court for the District of Columbia, 3rd and Constitution Ave., N.W., Washington, D.C. to address issues (1) and (2) stated above.

Persons and organizations wishing to submit written comments should do so by sending them to: Appellate Court and Circuit Administration Division, ATTN: ABA Citation Resolution, Suite 4–512, Administrative Office of the U.S. Courts, Washington, D.C. 20544, Fax (202) 273–1555. *Internet address:* citation@ao.uscourts.gov.

Submission of written comments is preferred in electronic form and should be sent to citation@ao.uscourts.gov in ASCII or WordPerfect 6.1 or earlier versions. Alternatively, comments may be submitted in printed form through mail or facsimile. Persons without access to Internet may send a diskette. If printed comments are submitted, ten copies should be provided. Written comments are due no later than Friday, March 14, 1997. All comments received will be considered public information.

Anyone submitting written comments who also is interested in testifying at the

public hearing should submit a written request to the above address no later than Friday, March 14, 1997. Since it is expected that only a limited number of requests can be granted, the request should set forth reasons why an oral presentation in addition to written comments would be helpful to consideration of these issues. The request should identify the persons who wish to testify, the subjects to be addressed, the estimated amount of time desired (the maximum is 15 minutes), and the organization represented, phone number, and fax number. If possible, advance copies of testimony should be submitted.

Any questions about this notice may be directed to Joan Countryman at (202) 273–1543.

Dated: February 12, 1997.

Leonidas Ralph Mecham,

Director, Administrative Office of the U.S. Courts.

[FR Doc. 97–4230 Filed 2–20–97; 8:45 am]

BILLING CODE 2210–01–P

DEPARTMENT OF JUSTICE

Notice of Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (''CERCLA'')

Consistent with the policy set forth in Section 122(d)(2)(B) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 as amended (''CERCLA''), 42 U.S.C. 9622(d)(2)(B), and the Department of Justice regulations at 28 CFR 50.7, notice is hereby given that on January 21, 1997, a proposed Consent Decree was lodged with the United States District Court for the Southern District of Indiana in *United States* v. *Jonathan W. Bankert, Jr., et al.,* Cause No. IP–91–1181C–M/S. This Consent Decree settles claims asserted by the United States pursuant to Section 107 of CERCLA, 42 U.S.C. 9607, for partial reimbursement of response costs incurred by the U.S. Environmental Protection Agency in connection with response actions at the Northside Sanitary Landfill Site in Zionsville, Indiana.

The Department of Justice will receive written comments relating to the proposed Consent Decree for thirty (30) days from the date of publication of this notice. Comments should be directed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, Washington, D.C. 20530, and should refer to *United States* v. *Jonathan W. Bankert, Jr., et al.,* DOJ Reference # 90–11–2–48H.

The proposed Consent Decree may be examined at the Office of the United States Attorney for the Southern District of Indiana, U.S. Courthouse, 5th Floor, 46 East Ohio Street, Indianapolis, Indiana 46204, at the Region V offices of the Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604–3590, and at the Consent Decree Library, 1120 G Street, NW., 4th Floor, Washington, D.C. 20005, (202) 624–0892. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of $2.75, (25 cents per page reproduction cost) payable to the Consent Decree Library.

Joel M. Gross,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 97–4278 Filed 2–20–97; 8:45 am]

BILLING CODE 4410–15–M

Drug Enforcement Administration

[Docket No. 95–29]

Roger D. McAlpin, D.M.D., Grant of Restricted Registration

On March 7, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Roger McAlpin, D.M.D. (Respondent) of Louisville, Kentucky, notifying him of an opportunity to show cause as to why DEA should not deny his application for registration as a practitioner under 21 U.S.C. 823(f), for reason that such registration would be inconsistent with the public interest.

By letter dated March 29, 1995, the Respondent, acting *pro se,* timely filed a request for a hearing, and following prehearing procedures, a hearing was held in Louisville, Kentucky on February 21, 1996, before Administrative Law Judge Mary Ellen Bittner. At the hearing, both parties called witnesses to testify and the Government introduced documentary evidence. After the hearing, the Government submitted proposed findings of fact, conclusions of law and argument. On July 3, 1996, Judge Bittner issued her Opinion and Recommended Ruling. Findings of Fact, Conclusions of Law and Decision, recommending that Respondent's application for a DEA Certificate of Registration should be granted in Schedules III non-narcotic, IV and V subject to various restrictions. On July 22, 1996, the Government filed exceptions to the Recommended Ruling of the Administrative Law Judge, and on August 6, 1996, Judge Bittner transmitted the record of these proceedings, including the Government's exceptions to the Deputy Administrator.

The Acting Deputy Administrator has considered the record in it entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Acting Deputy Administrator adopts, except as specifically noted below, the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge. The Acting Deputy Administrator's adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Acting Deputy Administrator finds that Respondent received his D.M.D. degree from the University of Kentucky in 1979. Following graduation, Respondent worked for a non-profit dental clinic in California for approximately two years. Over the ensuing years, Respondent practiced dentistry at various times in Kentucky, Illinois and Tennessee.

According to Respondent, he began using cocaine recreationally while in dental school. He testified that he quit using cocaine after graduation, but then resumed using cocaine and other controlled substances in 1981. Respondent quit abusing drugs again after approximately two years and then recommenced his abuse in the late 1980's. According to Respondent, in April 1988 he entered into a 30-day in-patient rehabilitation treatment facility. Following his discharge from the facility, he continued to attend Narcotics Anonymous and Alcoholics Anonymous meetings three to four nights a week. Subsequently, Respondent concluded that he was cured of his addiction, stopped attending support meetings, and broke off all contact with his sponsor.

In 1989, Respondent was working for a dental clinic in Tennessee which was owned by an individual who was not a dentist. In November 1989, the Tennessee Department of Health and Environment, Health Related Boards initiated an investigation of Respondent after receiving a complaint from a local pharmacist that Respondent was possibly overprescribing and distributing controlled substances. A review of Respondent's prescriptions revealed that several of Respondent's patients had received Schedule II

controlled substances at regular intervals; that multiple prescriptions for Schedule II controlled substances were filled by the same individuals at different pharmacies on the same day; and that many of these patients had the same address or interchanged addresses. On March 27, 1990, Tennessee Investigators interviewed Respondent during which Respondent admitted to abusing cocaine in the past and to selling prescriptions. Sometime in 1989, Respondent began writing and selling Schedule II prescriptions for no legitimate medical reason to approximately eight individuals who sold the drugs on the street. Respondent testified at the hearing before Judge Bittner that he needed the money to pay for his daughter's eye surgery and to reimburse the Internal Revenue Service for unpaid taxes. According to Respondent, he sold the prescriptions for approximately nine months and was occasionally using drugs himself during that time.

On March 30, 1990, Respondent surrendered his previous DEA Certificate of Registration. On June 14, 1990, the Tennessee Board of Dentistry (Tennessee Board) revoked Respondent's license to practice dentistry in the State of Tennessee. The Tennessee Board found that Respondent unlawfully prescribed controlled substances for financial gain and violated a provision of Tennessee law which prohibits a licensed dentist from being employed by a non-dentist.

In the meantime, Respondent had applied for and received a dental license in the Commonwealth of Virginia on May 1, 1990. On September 20, 1990, the Virginia Board of Dentistry (Virginia Board) revoked Respondent's license in that state. The Virginia Board found that Respondent's Tennessee license had been revoked for allowing controlled substances to be diverted to the public for illicit use; that Respondent had falsified his Virginia application, in that he denied an addiction to drugs and that he had any complaints pending in any jurisdiction against him; and that Respondent had not finalized a contract with the Caring Dentists Committee of the Virginia Dental Association as required by the Impaired Dentists' Contract he had signed with the Concerned Dentist Committee of the Tennessee Dental Association.

Subsequently, on December 15, 1990, the Kentucky Board of Dentistry (Kentucky Board) conducted a hearing regarding Respondent's license to practice dentistry in that state. The Kentucky Board concluded that Respondent violated state law by engaging in unprofessional conduct culminating in the revocation of his licenses to practice dentistry in Tennessee and Virginia. The Kentucky Board placed Respondent on probation for two years and ordered him to sign a contract with and participate in the impaired dentists program of the Kentucky Dental Association, make quarterly reports to the Kentucky Board regarding his progress in that program, and otherwise comply fully with the Kentucky Dental Practice Act. By the time of the hearing before Judge Bittner, Respondent had completed his probation with the Kentucky Board.

On May 18, 1991, Respondent forged a prescription for 16 dosage units of Lortab 7.5 mg., a Schedule III controlled substance, and attempted to have it filled at a local pharmacy. Respondent testified that he had arrived early at his Narcotics Anonymous meeting that evening and was reading a book in his car when he noticed that the book marker was an old prescription form of a dentist for whom he used to work. He then spontaneously forged the prescription and attempted to have it filled, but never received the drugs because the pharmacist determined that the prescription was forged. On August 15, 1991, Respondent pled guilty in state court to criminal attempt to possess a Schedule IV non-narcotic controlled substance and was sentenced to six months in prison, fined $200.00, and ordered to pay court costs. The sentence was credited four days for time served and then stayed in favor of one year probation and payment of the fine.

Respondent testified at the hearing before Judge Bittner that he has been drug-free since 1990, and that after his 1991 conviction he began seeing a doctor for chemical dependency counseling and drug screening. According to Respondent, he was unable to introduce into evidence any documentation regarding the drug screens and counseling because the doctor has since died. Respondent further testified that he has maintained close contact with a counselor at his church; has been attending Narcotics Anonymous meetings; had been attending Caduceus group meetings, a medical professionals support group, until the group relocated; and has been trying to get invited to join a Caduceus group that meets in Louisville.

A DEA investigator contacted the doctor at the treatment facility where Respondent had received treatment for his addiction from April 10 through May 10, 1988. The doctor indicated to the investigator that he had not had any contact with Respondent since May 10, 1988, other than one telephone call during which Respondent ''sounded grandiose'' causing the doctor to suspect that Respondent had not made a sound recovery. The doctor stated that he would not recommend granting Respondent his DEA registration without evidence of sound recovery.

Respondent testified at the hearing that if his application for DEA registration is granted, he is willing to have whatever conditions/restrictions DEA deems appropriate placed on his registration. He also testified that he is currently paying taxes and that he is repaying the Internal Revenue Service on an arranged payment schedule.

Pursuant to 21 U.S.C. 823(f), the Deputy Administrator may deny an application for a DEA Certificate of Registration if he determines that such registration would be inconsistent with the public interest. In determining the public interest, the following factors are considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health and safety.

These factors are to be considered in the disjunctive; the Deputy Administrator may rely on any one or a combination of factors and may give each factor the weight he deems appropriate in determining whether a registration should be revoked or an application for registration be denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88–42, 54 FR 16,422 (1989).

Regarding factor one, Respondent has had his license to practice dentistry revoked in both Tennessee and Virginia and the Kentucky Board placed his license on probation for two years. While Respondent is not currently authorized to practice dentistry in Tennessee and Virginia, he does now have an unrestricted registration in Kentucky, the state in which he is applying to be registered with DEA. As Judge Bittner noted, ''[w]hile a state license to practice dentistry is a necessary condition for the granting of a DEA registration, it is not dispositive.''

As to factor two, Respondent's experience in dispensing controlled substances, it is undisputed that in 1989, Respondent, motivated solely by financial gain, sold controlled substance prescriptions to approximately eight

individuals over a nine month period for no legitimate medical purpose, and that he attempted to fill a forged prescription for a controlled substance in 1991. Judge Bittner concluded that, ''Respondent's conduct in this respect weighs in favor of a finding that Respondent's registration would be inconsistent with the public interest; however, I found Respondent to be a credible witness and believe his expressions of remorse.''

Regarding factor three, following his attempt to fill a forged prescription for controlled substances, Respondent was convicted in 1991 of criminal attempt to possess a controlled substance. Judge Bittner found that ''[t]his criminal conviction supports the Government's contention that Respondent cannot responsibly handle controlled substances,'' and therefore concluded that ''this factor weighs in favor of a finding that Respondent's registration with the DEA would be inconsistent with the public interest.'' The Acting Deputy Administrator finds however, that while Respondent was charged with obtaining a controlled substance by fraud, he ultimately was convicted of criminal attempt to possess a controlled substance. Therefore, the Acting Deputy Administrator concludes that it appears that Respondent has no conviction record relating to the manufacture, distribution or dispensing of controlled substances.

As to factor four, it is evident from the record that Respondent has violated various laws and regulations relating to controlled substances. By prescribing controlled substances to eight individuals over a nine year period in 1989 for no legitimate medical purpose, Respondent violated 21 U.S.C. 841(a)(1) and 21 CFR 1306.04. He violated various state and Federal laws by self-abusing cocaine and other controlled substances. Further, his attempt to obtain controlled substances by forging a prescription violated 21 U.S.C. 843(a)(3). Judge Bittner concluded that, ''this factor weighs in favor of finding that his reregistration would be inconsistent with the public interest; however, Respondent's most recent misconduct occurred five years before the date of this hearing, and it now appears that Respondent acknowledges his wrongdoing and realizes the consequences of his actions.''

Finally, as to factor five, as Judge Bittner notes, ''[t]here is no dispute that Respondent has had a long history of drug abuse, dating back to 1974.'' Respondent acknowledged at the hearing that he has relapsed in the past following efforts at rehabilitation, however he has been drug-free since 1990, and as of the date of the hearing, continues to strive to maintain his successful rehabilitation. The Acting Deputy Administrator is troubled however, at the lack of evidence in the record regarding Respondent's rehabilitation efforts. In fact, other than Respondent's own testimony, the only other evidence presented was a letter from the doctor who oversaw his treatment in 1988, who stated that, ''(Respondent) sounds grandiose over the phone and I suspect that he does not have a sound recovery.'' However, Judge Bittner noted that she ''was very impressed by Respondent as a witness; he appeared very candid and remarkably straight-forward at the hearing and I credit his testimony that he has been in rehabilitation and has remained drug-free for five years.''

The Administrative Law Judge concluded that Respondent's past history regarding controlled substances is ''dismal'', finding that Respondent ''has abused drugs, including cocaine, throughout most of his adult life, that he sold Schedule II controlled substance prescriptions to approximately eight individuals for no legitimate medical purpose, and that he attempted to pass a forged prescription for a Schedule III controlled substance during a relapse.'' However, in light of her finding that Respondent's testimony regarding his rehabilitation from drug abuse was credible, Judge Bittner concluded that it would not be inconsistent with the public interest to grant Respondent's application for DEA registration. Judge Bittner determined however, that some restrictions were appropriate to protect the public. Accordingly, Judge Bittner recommended that Respondent's registration should be limited to non-narcotic controlled substances in Schedule III and controlled substances in Schedule IV and V; Respondent should be permitted to prescribe, but not administer or otherwise dispense, controlled substances in the above categories; and he should be required to submit a log of his prescriptions to the nearest DEA resident office for review every three months for two years from the date of issuance of his registration.

The Government filed exceptions to the Recommended Ruling of the Administrative Law Judge. The Government argued that ''the record in this proceeding, specifically Respondent's past abuse of prescribing privileges and the absence of evidence regarding Respondent's rehabilitation, supports denial of Respondent's application for DEA registration.'' The Government further argued that, ''should the Acting Deputy Administrator decide to adopt the recommended ruling of the administrative law judge, the Government requests that Respondent also be restricted from prescribing any controlled substance to himself or to members of his immediate family.''

The Acting Deputy Administrator concludes that the evidence in the record raises serious questions regarding Respondent's fitness to possess a DEA registration based upon Respondent's prescribing of controlled substances in 1989 purely for financial gain and not for any legitimate medical reason, his self-abuse of controlled substances from at least 1974 to 1990, and his attempt to obtain controlled substances by forging a prescription. Nevertheless, the Acting Deputy Administrator notes that there is no evidence of any wrongdoing since 1991, and Judge Bittner found Respondent to be credible in his expressions of remorse and assertions regarding his rehabilitative efforts. Thus, the Acting Deputy Administrator concludes that it would not be inconsistent with the public interest to grant Respondent a DEA registration. However, the Acting Deputy Administrator is concerned by the lack of evidence in the record regarding Respondent's rehabilitative efforts, other than Respondent's own testimony, and therefore, concludes that additional restrictions beyond those recommended by the Administrative Law Judge are necessary to protect the public interest. Accordingly, the Acting Deputy Administrator concludes that Respondent should be issued a limited DEA Certificate of Registration in Schedules III non-narcotic, IV and V subject to the following terms and conditions for a period of three years from the date of issuance of the registration:

(1) Respondent shall be permitted to prescribe, but not administer or otherwise dispense, controlled substances.

(2) Respondent shall not be permitted to possess any controlled substance unless properly authorized by another licensed practitioner who has been advised of the restrictions on Respondent's registration.

(3) Respondent shall not prescribe controlled substances for himself or any member of his immediate family.

(4) Respondent shall be required to submit a log of his prescriptions to the DEA Louisville Resident Office for review every three months. This log shall include, at a minimum, the date of issuance of the prescription, the name of the patient receiving the prescription, and the name, dosage and quantity of the controlled substance prescribed.

(5) Respondent is required to undergo random drug screening at his own expense not less than one time per month, and is required to forward the results of the drug screens to the DEA Louisville Resident Office.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that the application, submitted by Roger McAlpin, D.M.D., for a DEA Certificate of Registration be, and it hereby is, granted in Schedules III non-narcotic, IV and V subject to the above described restrictions. This order is effective March 24, 1997.

Dated: February 10, 1996.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 97–4345 Filed 2–20–97; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Application

Pursuant to § 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on January 13, 1997, Noramco of Delaware, Inc., Division of McNeilab, Inc., 500 Old Swedes Landing Road, Wilmington, Delaware 19801, made application by renewal to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Morphine (9300)	II
Codeine (9050)	II
Thebaine (9333)	II
Hydrocodone (9193)	II
Oxycodone (9143)	II

The firm plans to manufacture the listed controlled substances for distribution to its customers as bulk product.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than April 22, 1997.

Dated: February 6, 1997.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 97–4346 Filed 2–20–97; 8:45 am]

BILLING CODE 4410–09–M

Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on December 3, 1996, Noramco of Delaware, Inc., Division of McNeilab, Inc., 500 Old Swedes Landing Road, Wilmington, Delaware 19801, made application to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Opium, raw (9600)	II
Poppy Straw Concentrate (9670)	II

The firm plans to import the listed controlled substances to produce codeine phosphate, codeine sulfate, morphine sulfate, oxycodone and hydrocodone.

Any manufacture holding, or applying for, registration as a bulk manufacturer of these basic classes of controlled substances may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than March 24, 1997.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1311.42(b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1975), all applicants for registration to import basic classes of any controlled substances in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1311.42(a), (b), (c), (d), (e), and (f) are satisfied.

Dated: February 7, 1997.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 97–4347 Filed 2–20–97; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL–2–93]

Entela, Inc.; Expansion for Recognition as a Nationally Recognized Testing Laboratory

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Notice of requests for expansions of recognition as a nationally recognized testing laboratory, and preliminary finding.

SUMMARY: This notice announces the applications of Entela, Inc. for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, for laboratory facilities, test standards, and programs and procedures, and presents the Agency's preliminary finding.

DATES: The last date for interested parties to submit comments is April 22, 1997.

ADDRESSES: Send comments to: NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor—Room N3653, 200 Constitution Avenue, N.W., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Office of Variance Determination, NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room N3653, Washington, DC 20210.

SUPPLEMENTARY INFORMATION:

Notice of Application

Notice is hereby given that Entela, Inc. (ENT), which previously made application pursuant to section 6(b) of the Occupational Safety and Health Act of 1970, (84 Stat. 1593, 29 U.S.C. 655), Secretary of Labor's Order No. 1–90 (55 FR 9033), and 29 CFR 1910.7, for recognition as a Nationally Recognized Testing Laboratory (see 59 FR 10180, 3/3/94), and was so recognized (see 59 FR 37997, 7/26/94), has made application for expansion of its recognition as a Nationally Recognized Testing Laboratory for the programs and procedures, the equipment or materials, and the programs and procedures, listed below.

The address of the laboratory covered by this application is: Entela, Inc., 3033 Madison, S.E., Grand Rapids, Michigan 49548.

Background

This Federal Register notice is a compilation of three separate applications from Entela, Inc., as follows:

(1) Application for expansion of recognition as a Nationally Recognized Testing Laboratory for inclusion of Entela's Taiwan facility, dated May 15, 1996; (2) Application for expansion of recognition as a Nationally Recognized Testing Laboratory for additional programs and procedures, dated June 26, 1996; and (3) Application for expansion of recognition as a Nationally Recognized Testing Laboratory for additional standards, dated August 13, 1996.

Expansion of Recognition—Facilities

A report prepared by the NRTL Program Lead Assessor, dated February 24, 1994, relative to ENT's request for inclusion of its Taiwan facility in its recognition as a Nationally Recognized Testing Laboratory, contains a positive recommendation with limitations. The recommendation was limited to minor mechanical and electrical testing of instruments and small appliances as well as inspections being carried out only by Entela personnel.

By letter dated July 5, 1995, to Ken Klouse, the Lead Assessor for the NRTL Program, Kim Phillipi, President of ENT, stated that ENT would not pursue the inclusion of the Taiwan facility until changes to their overall program were reviewed. On May 15, 1996, Timothy Hubbard of Entela wrote to Ken Klouse and enclosed a revised Entela Third Party Certification Program Manual which, among other things, addressed outstanding issues concerning the Taiwan facility.

The original limitations as cited in the on-site Survey Report dated February 24, 1994, will apply to the recognition of theTaiwan facility, specifically:

a. The Taiwan facility shall be limited to carrying out minor mechanical and electrical testing of instruments and small appliances.

b. Performance of inspections shall be limited to Entella personnel.

The Taiwan facility is located at: 3F No. 260 262 Wen, Lin North Road, Pei Tou, Taipei, Taiwan.

Expansion of Recognition—Test Standards

Entela, Inc., desires recognition for testing and certification of products when tested for compliance with the following test standards, which are appropriate within the meaning of 29 CFR 1910.7(c):

ANSI/UL 22—Amusement and Gaming Machines
UL 122—Photographic Equipment
ANSI/UL 244A—Solid State Controls for Appliances
ANSI/UL 353—Limit Controls
UL 355—Cord Reels
UL 429—Electrically Operated Valves
ANSI/UL 467—Grounding and Bonding Equipment
ANSI/UL 499—Electric Heating Appliances
ANSI/UL 696—Electric Toys
UL 745–1—Portable Electric Tools
UL 745–2–1—Drills
UL 745–2–2—Screwdrivers and Impact Wrenches
UL 745–2–3—Grinders, Polishers and Disk-type Sanders
UL 745–2–4—Sanders
UL 745–2–5—Circular Saws and Circular Knives
UL 745–2–6—Hammers
UL 745–2–8—Shears and Nibblers
UL 745–2–9—Tappers
UL 745–2–11—Reciprocating Saws
UL 745–2–12—Concrete Vibrators
UL 745–2–14—Planers
UL 745–2–17—Routers and Trimmers
UL 745–2–30—Staplers
UL 745–2–31—Diamond Core Drills
UL 745–2–32—Magnetic Drill Press
UL 745–2–33—Portable Bandsaws
UL 745–2–34—Strapping Tools
UL 745–2–35—Drain Cleaners
UL 745–2–36—Hand Motor Tools
UL 745–2–37—Plate Joiners
UL 749—Household Dishwashers
UL 763—Motor Operated Commercial Food Preparing Machines
ANSI/UL 826—Household Electric Clocks
ANSI/UL 859—Household Electric Personal Grooming Appliances
ANSI/UL 917—Clock Operated Switches
ANSI/UL 921—Commercial Electric Dishwashers
UL 982—Motor Operated Household Food Preparing Machines
UL 987—Stationary and Fixed Electric Tools
UL 1018—Electric Aquarium Equipment
UL 1028—Hair Clipping and Shaving Appliances
ANSI/UL 1083—Household Electric Skillets and Frying Type Appliances
UL 1086—Household Trash Compactors
UL 1206—Electric Commercial Clothes Washing Machines
ANSI/UL 1262—Laboratory Equipment
ANSI/UL 1310—Class 2 Power Units
ANSI/UL 1447—Electric Lawn Mowers
ANSI/UL 1448—Electric Hedge Trimmers
ANSI/UL 1555—Electric Coin Operated Clothes Washing Equipment
ANSI/UL 1556—Electric Coin Operated Clothes Drying Equipment
UL 1574—Track Lighting Systems
ANSI/UL 1585—Class 2 and Class 3 Transformers
ANSI/UL 1594—Sewing and Cutting Machines
ANSI/UL 1727—Commercial Electric Personal Grooming Appliances
UL 1786—Nighlights
UL 1838—Low Voltage Landscape Lighting Systems
UL 3101–1—Electric Equipment for Laboratory Use, Part 1, General
UL 3111–1—Electric Controls for Household and Similar Use, Part 1, General

An on-site audit and an assessment of ENT's Grand Rapids facility was carried out on August 29, 1996. See the Survey Report dated November 26, 1996, for the results of the assessment. The NRTL staff made an in-depth study of the details of ENT's original application for recognition, as well as its requests for expansion, and the original and expansion on-site assessments, and its audit, and determined that ENT had the staff capability and the necessary equipment to conduct testing of producing the proposed test standards.

Expansion of Recognition—Programs and Procedures

Entela, Inc., requested expansion of its recognition, based upon the conditions as detailed in the Federal Register document titled ''Nationally Recognized Testing Laboratories; Clarification of the Types of Programs and Procedures'', 60 FR 12980, 3/9/95, for the following programs and procedures:

1. Acceptance of testing data from independent organizations, other than NRTLs.

2. Acceptance of product evaluations from independent organizations, other than NRTLs.

3. Acceptance of witnessed testing data.

4. Acceptance of testing data from non-independent organizations.

5. Acceptance of evaluation data from non-independent organizations (requiring NRTL review prior to marketing).

6. Acceptance of continued certification following minor modifications by the client.

7. Acceptance of product evaluations from organizations that function as part of the International Electrotechnical Commission Certification Body (IEC–CB) Scheme.

8. Acceptance of services other than testing or evaluation performed by subcontractors or agents.

Preliminary Finding

Based upon a review of the completed application file, the on-site assessment reports, and the recommendations of the staff, the Assistant Secretary has made a preliminary finding that Entela, Inc. can meet the requirements as prescribed by 29 CFR 1910.7 for the expansion of its recognition: (1) to recognize the Taiwan facility; (2) to include the 57 test standards previously listed; and (3) to incorporate the additional eight programs and procedures noted above.

All interested members of the public are invited to supply detailed reasons and evidence supporting or challenging the sufficiency of the applicant's having met the requirements for expansion of its recognition as a Nationally Recognized Testing Laboratory, as required by 29 CFR 1910.7 and Appendix A to 29 CFR 1910.7. Submission of pertinent written documents and exhibits shall be made no later than April 22, 1997, and must be addressed to the NRTL Recognition Program, Office of Variance Determination, Room N 3653, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Copies of the ENT application, the laboratory survey reports, and all submitted comments, as received, (Docket No. NRTL–2–93), are available for inspection and duplication at the Docket Office, Room N 2634, Occupational Safety and Health Administration, U.S. Department of Labor, at the above address.

The Assistant Secretary's final decision on whether the applicant (Entela, Inc.) satisfies the requirements for expansion of its recognition as an NRTL will be made on the basis of the entire record including the public submissions and any further proceedings that the Assistant Secretary may consider appropriate in accordance with Appendix A to Section 1910.7.

Signed at Washington, D.C., this 13th day of February, 1997.

Greg Watchman,

Acting Assistant Secretary.

[FR Doc. 97–4321 Filed 2–20–97; 8:45 am]

BILLING CODE 4510–26–P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Meetings of Humanities Panel

AGENCY: National Endowment for the Humanities.

ACTION: Notice of meetings.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92–463, as amended), notice is hereby given that the following meetings of the Humanities Panel will be held at the Old Post Office, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

FOR FURTHER INFORMATION CONTACT: Nancy E. Weiss, Advisory Committee Management Officer, National Endowment for the Humanities, Washington, DC 20506; telephone (202) 606–8322. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Endowment's TDD terminal on (202) 606–8282.

SUPPLEMENTARY INFORMATION: The proposed meetings are for the purpose of panel review, discussion, evaluation and recommendation on applications for financial assistance under the National Foundation on the Arts the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by the grant applicants. Because the proposed meetings will consider information that is likely to disclose: (1) trade secrets and commercial or financial information obtained from a person and privileged or confidential; or (2) information of a personal nature the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee meetings, dated July 19, 1993, I have determined that these meetings will be closed to the public pursuant to subsections (c)(4), and (6) of section 552b of Title 5, United States Code

1. Date: March 3, 1997.
Time: 9:00 a.m. to 5:30 p.m.
Room: 415.
Program: This meeting will review applications for Humanities Projects in Museums and Historical Organizations submitted to the Division of Public Programs, for projects at the December 6, 1996 deadline.

2. Date: March 7, 1997.
Time: 9:00 a.m. to 5:30 p.m.
Room: 415.
Program: This meeting will review applications for Humanities Projects in Media submitted to the Division of Public Programs, for projects at the December 6, 1996 deadline.

3. Date: March 10, 1997.
Time: 9:00 a.m. to 5:30 p.m.
Room: 415.
Program: This meeting will review applications for Humanities Projects in Libraries and Archives submitted to the Division of Public Programs, for projects at the December 6, 1996 deadline.

4. Date: March 14, 1997.
Time: 9:00 a.m. to 5:30 p.m.
Room: 415.
Program: This meeting will review applications for Humanities Projects in Museums and Historical Organizations submitted to the Division of Public Programs, for projects at the December 6, 1996 deadline.

5. Date: March 17, 1997.
Time: 9:00 a.m. to 5:30 p.m.
Room: 415.
Program: This meeting will review applications for Humanities Projects in Media submitted to the Division of Public Programs, for projects at the December 6, 1996 deadline.

Nancy E. Weiss,

Advisory Committee Management Officer.

[FR Doc. 97–4311 Filed 2–20–97; 8:45 am]

BILLING CODE 7536–01–M

National Endowment for the Arts

Leadership Initiatives Advisory Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), as amended, notice is hereby given that a meeting of the Leadership Initiatives Advisory Panel (Media Arts Millennium Section) to the National Council on the Arts will be held on February 21, from 2:00 p.m. to 4:00 p.m. The meeting will be held in Room 716, at the Nancy Hanks Center, 1100 Pennsylvania Avenue, N.W., Washington, D.C., 20506.

A portion of this meeting will be open to the public from 3:30 p.m. to 4:00 p.m. for a policy discussion.

The remaining portion of this meeting from 2:00 p.m. to 3:30 p.m. is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as

amended, including information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of June 22, 1995, these sessions will be closed to the public pursuant to subsection (c)(4), (6) and (9)(B) of section 552b of Title 5, United States Code.

Any person may observe meetings, or portions thereof, of advisory panels which are open to the public, and may be permitted to participate in the panel's discussions at the discretion of the panel chairman and with the approval of the full-time Federal employee in attendance.

If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506, 202/682–5532, TDY–TDD 202/682–5496, at least seven (7) days prior to the meeting.

Further information with reference to this meeting can be obtained from Ms. Kathy Plowitz-Worden, Committee Management Officer, National Endowment for the Arts, Washington, D.C., 20506, or call 202/682–5691.

Dated: February 12, 1997.

Kathy Plowitz-Worden,

Panel Coordinator, Panel Operations, National Endowment for the Arts.

[FR Doc. 97–4312 Filed 2–20–97; 8:45 am]

BILLING CODE 7537–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Design, Manufacture, and Industrial Innovation; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Design, Manufacture, and Industrial Innovation—(1194).

Date and Time: March 11–12, 1997, 8:30 a.m.–5:00 p.m.

Place: Room 370, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Persons: Dr. Kesh Narayanan, Head, Small Business Office, (703) 306–1391, Cheryl Albus, Program Analyst, Small Business Office, (703) 306–1391, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to the NSF for financial support.

Agenda: To review and evaluate SBIR Phase II proposals for commercial potential as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 USC 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: February 18, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

[FR Doc. 97–4316 Filed 2–20–97; 8:45 am]

BILLING CODE 7555–01–M

Earth Sciences Proposal Review Panel; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Name: Earth Sciences Proposal Review Panel (1569).

Date: March 12, 13, & 14, 1997.

Time: 8:00 a.m. to 6:00 p.m. each day.

Place: Rooms 310, 340, 360, 380, & 390, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. Alan M. Gaines, Section Head, Division of Earth Sciences, Room 785, National Science Foundation, Arlington, VA (703) 306–1553.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate earth sciences proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 18, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

[FR Doc. 97–4314 Filed 2–20–97; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Geosciences: Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in the Geosciences (1756).

Date and Time: March 11–12, 1997, 9:00 a.m. to 5:00 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Room 770, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Dr. Stephan P. Nelson, Program Director for the Mesoscale Dynamic Meteorology Program; Division of Atmospheric Sciences; Room 775; 4201 Wilson Blvd., Arlington, VA 22230; telephone number (703) 306–1526.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate the U.S. Weather Research Program (USWRP) preliminary proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempted under 5 U.S.C. 552b(c), (4) and (6) of the Government Sunshine Act.

Dated: February 18, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

[FR Doc. 97–4313 Filed 2–20–97; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Materials Research; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name and Committee Code: Special Emphasis Panel in Materials Research (DMR) #1203.

Date and Time: March 11, 1997 8:30 a.m.–5:00 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Room 1020, Arlington, VA 22230.

Type of Meeting: Closed.

Contact person: Dr. LaVerne D. Hess, Program Director, Division of Materials Research, Room 1065, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230, Telephone (703) 306–1837.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Faculty Early Career Development (CAREER) Program.

Reason for Closing: The proposals being reviewed may include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b.(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 18, 1997.

Linda Allen-Benton,

Deputy Director, Division of Human Resource Management, Acting Committee Management Officer.

[FR Doc. 97–4315 Filed 2–20–97; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL TRANSPORTATION SAFETY BOARD

Public Forum in Washington, D.C.: Automobile Airbags and Child Transportation

In connection with its investigation of the issues concerning automobile airbags and child transportation, the National Transportation Safety Board will convene a public forum at 9 a.m., (local time) on March 17, 1997, at the Renaissance Mayflower Hotel, 1127 Connecticut Avenue, NW., Washington, DC. For more information, contact Paul Schlamm, Office of Public Affairs, Washington, DC 20594, telephone (202) 314–6100.

February 18, 1997.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 97–4310 Filed 2–20–97; 8:45 am]

BILLING CODE 7533–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–397]

Washington Public Power Supply System; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Washington Public Power Supply System (the licensee) to withdraw its June 6, 1995, as supplemented by letter dated April 22, 1996, application for proposed amendment to Facility Operating License No. NPF–21 for the Washington Nuclear Project No. 2, located in Benton County, Washington.

The proposed change would have modified the facility Technical Specifications (TS) pertaining to organizational position titles, Plant Operations Committee composition and chairmanship, and a minor editorial correction. In addition, TS 6.2.1.e would have been deleted and 6.2.1.d modified to incorporate the quality assurance function per Generic Letter 88–06 dated March 22, 1988.

The Commission had previously issued Notices of Consideration of Issuance of Amendment published in the Federal Register on July 19, 1995 (60 FR 37102) and June 28, 1996 (61 FR 33779). However, by letter dated January 29, 1997, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 6, 1995, as supplemented by letter dated April 22, 1996, and the licensee's letter dated January 29, 1997, 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 at the local public document room located at the Richland Public Library, 955 Northgate Street, Richland, Washington 99352.

Dated at Rockville, Maryland, this 13th day of February 1997.

For the Nuclear Regulatory Commission.

Timothy G. Colburn,

Senior Project Manager, Project Directorate IV–2, Division of Reactor Projects—III/IV Office of Nuclear Reactor Regulation.

[FR Doc. 97–4307 Filed 2–20–97; 8:45 am]

BILLING CODE 7590–01–P

OFFICE OF MANAGEMENT AND BUDGET

Budget Rescissions and Deferrals; Notice

To The Congress of The United States

In accordance with the Congressional Budget and Impoundment Control Act of 1974, I herewith report nine proposed rescissions of budgetary resources, totaling $397 million, and one revised deferral, totaling $7 million.

The proposed rescissions affect the Departments of Agriculture, Defense-Military, Energy, Housing and Urban Development, and Justice, and the General Services Administration. The deferral affects the Social Security Administration.

William J. Clinton.

The White House
February 10, 1997.

BILLING CODE 0110–01–P

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Rescission No.	ITEM	Budgetary Resources
	Department of Agriculture	
	Foreign Agricultural Service	
R97-1	P.L. 480 grants -- Titles I (OFD), II, and III	3,500
R97-2	P.L. 480 program account	46,500
	Department of Defense - Military	
	Operation and Maintenance	
R97-4	Operation and maintenance, Defense-wide	10,000
	Procurement	
R97-5	National Guard and Reserve equipment	62,000
	Department of Energy	
	Energy Programs	
R97-6	Strategic petroleum reserve	11,000
	Power Marketing Administrations	
R97-7	Construction, rehabilitation, operation and maintenance, Western Area Power Administration	2,111
	Department of Housing and Urban Development	
	Public and Indian Housing Programs	
R97-8	Annual contributions for assisted housing	250,000
	Department of Justice	
	General Administration	
R97-9	Working capital fund	6,400
	General Services Administration	
	General Activities	
R97-10	Expenses, Presidential transition	5,600
	Total, rescissions	397,111

Deferral No.	ITEM	Budgetary Resources
	Social Security Administration	
D97-7A	Limitation on administrative expenses	7,369
	Total, deferrals	7,369

Department of Agriculture

Foreign Agricultural Service

Public Law 480 Program and Grant Accounts

Of the funds made available under this heading in Public Law 104–180, $50,000,000 are rescinded of which: $3,500,000 shall be from the amounts appropriated for ocean freight differential costs; and $46,500,000 shall be from the amounts appropriated for the costs of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended.

Rescission Proposal No. R97-1

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Agriculture	New budget authority..... (P.L. 104-180) $ 880,405,000
BUREAU: Foreign Agricultural Service	Other budgetary resources.. $ 27,190,615
Appropriations title and symbol: P.L. 480 grants - Titles I (OFD), II, and III 12X2278	Total budgetary resources... $ 907,595,615
	Amount proposed for rescission..... $ 3,500,000
OMB identification code: 12-2278-0-1-151	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [X] Yes [ ] No	
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: Funding is provided in this account for the non-credit components of Public Law 480: Title I ocean freight differential, Title II and Title III.

The Administration and the Congress agreed to make market development the primary purpose of the P.L. 480 direct credit program in the 1996 Farm Bill. This streamlined focus allows for a greater targeting of program resources on the most promising market development opportunities. This $3.5 million rescission of Title I Ocean Freight Differential funds, when combined with a proposed rescission of $46.5 million in subsidy budget authority in the P.L. 480 direct credit program account, totals a proposed $50 million reduction that would bring the net FY 1997 budget authority for the program as a whole to $151 million. Commodity shipments would be reduced by approximately 200,000 metric tons as a result of this proposed rescission. However, allocations of Title I commodity assistance that have already been announced for FY 1997 would not be affected by the proposed rescission because the reduction in program funding will be taken from a reserve of unallocated funds and from unobligated funds carried over from FY 1996.

U.S. farm incomes are higher, making this subsidy excessive. In addition, U.S. farmers no longer produce large, unmarketable surpluses of commodities. The original purpose of the program was to help dispose of such surpluses.

Estimated Program Effect: Commodity shipments would be reduced by 200,000 metric tons.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
1,097,769	1,095,774	-1,995	-1,295	-210	---	---	---

Rescission Proposal No. R97-2

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Agriculture	New budget authority..... $ 187,369,000 (P.L. 104-180)
BUREAU: Foreign Agricultural Service	Other budgetary resources.. $ 7,404,644
Appropriations title and symbol: P.L. 480 program account 12X2277	Total budgetary resources... $ 194,773,644
	Amount proposed for rescission..... $ 46,500,000
OMB identification code: 12-2277-0-1-151	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act
Grant program: [ ] Yes [X] No	[ ] Other _____
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: Funding is provided in this account for the subsidy costs associated with direct loans obligated in FY 1992 and beyond, as well as administrative expenses of this program.

The Administration and the Congress agreed to make market development the primary purpose of the P.L. 480 Title I direct credit program in the 1996 Farm Bill. This streamlined focus allows for a greater targeting of program resources on the most promising market development opportunities. This $46.5 million rescission in subsidy budget authority, when combined with a proposed rescission of $3.5 million in Title I ocean freight differential funds in the P.L. 480 grant account, totals a proposed $50 million reduction that would bring the net FY 1997 budget authority for the program as a whole to $151 million. Commodity shipments would be reduced by approximately 200,000 metric tons as a result of this proposed rescission. However, allocations of Title I commodity assistance that have already been announced for FY 1997 would not be affected by the proposed rescission because the reduction in program funding will be taken from a reserve of unallocated funds and from unobligated funds carried over from FY 1996.

U.S. farm incomes are higher, making this subsidy excessive. In addition, U.S. farmers no longer produce large, unmarketable surpluses of commodities. The original purpose of the program was to help dispose of such surpluses.

Estimated Program Effect: Commodity shipments would be reduced by 200,000 metric tons.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
187,674	161,169	-26,505	-17,205	-2,790	---	---	---

Department of Defense

Operation and Maintenance

Operation and Maintenance, Defense-Wide

Of the funds made available under this heading in Public Law 104–208, $10,000,000 are rescinded.

Rescission Proposal No. R97-4

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Defense - Military	New budget authority..... $ 10,073,736,000 (P.L. 104-208) Other budgetary resources.. $ 825,264,000 Total budgetary resources... $ 10,899,000,000
BUREAU: Operation and Maintenance	
Appropriations title and symbol: Operation and maintenance, Defense-wide 9770100	Amount proposed for rescission..... $ 10,000,000
OMB identification code: 97-0100-0-1-051	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [X] Annual [ ] Multi-year: _____ (expiration date) [ ] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: Funding is provided in this account for Defense-wide operation and maintenance activities, including operating forces, mobilization, training and recruiting, and administration and service-wide activities.

Due to slight variations in force structure and training schedules, the funds proposed for rescission are in excess of requirements and are not needed for training and other activities funded by this account. Funds would be rescinded from low-priority Reserve programs.

Estimated Program Effect: There would be no effect on the military capability of Reserve forces.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
10,215,000	10,207,500	-7,500	-1,860	-390	-160	-50	---

Department of Defense

Procurement

National Guard and Reserve Equipment

Of the funds made available under this heading in Public Law 104–208, $62,000,000 are rescinded.

Rescission Proposal No. R97-5

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Defense - Military	New budget authority..... $ 779,000,000 (P.L. 104-208) Other budgetary resources.. $ 445,000,000 Total budgetary resources... $ 1,224,000,000
BUREAU: Procurement	
Appropriations title and symbol: National Guard and Reserve equipment 977/90350 975/70350 976/80350	Amount proposed for rescission..... $ 62,000,000
OMB identification code: 97-0350-0-1-051	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual September 30, 1997 September 30, 1998 [X] Multi-year: September 30, 1999 (expiration date) [ ] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: Funding is provided in this account for Reserve and National Guard equipment.

The funds proposed for rescission are in excess of amounts necessary to meet all required equipment needs.

Estimated Program Effect: There would be no effect on the military readiness of Reserve forces.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
798,000	788,390	-9,610	-22,196	-14,446	-8,610	-4,402	-2,666

Department of Energy

Energy Programs

Strategic Petroleum Reserve

Of the available unobligated balances under this heading, $11,000,000 are rescinded.

Rescission Proposal No. R97-6

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Energy	New budget authority..... $ 220,000,000 (P.L. 104-208)
BUREAU: Energy Programs	Other budgetary resources.. $ 77,328,934
Appropriations title and symbol: Strategic Petroleum Reserve 89x0218	Total budgetary resources... $ 297,328,934 Amount proposed for rescission..... $ 11,000,000
OMB identification code: 89-0218-0-1-274	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: This account was established to provide the United States with adequate strategic and economic protection against disruption in oil supplies. This proposal would rescind funds in excess of program needs. Funds are derived through cost savings resulting from: commercialization of two pipelines and St. James terminal in which maintenance costs will be transferred to the lessee; and eliminating and replacing high maintenance equipment.

Estimated Program Effect: The Department's ability to accomplish its mission successfully would not be affected by this rescission proposal.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
246,000	239,950	-6,050	-3,850	-1,100	—	—	—

Department of Energy

Power Marketing Administration

Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration

Of the available unobligated balances under this heading, $2,111,000 are rescinded.

Rescission Proposal No. R97-7

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Energy	New budget authority..... (P.L. 104-206) $ 197,356,000
BUREAU: Power Marketing Administrations	Other budgetary resources.. $ 217,539,000
Appropriations title and symbol: Construction, rehabilitation, operation and maintenance, Western Area Power Administration 89X5068	Total budgetary resources... $ 414,895,000
	Amount proposed for rescission..... $ 2,111,000
OMB identification code: 89-5068-0-2-271	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: This proposal would rescind funds in excess Western Area Power Administration program needs. Excess funds result from lower than anticipated costs in FY 1997 programs.

Estimated Program Effect: The Department's ability to accomplish its mission successfully would not be affected by this rescission proposal.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
230,000	229,050	-950	-1,161	---	---	---	---

Department of Housing and Urban Development

Public and Indian Housing Programs

Annual Contributions for Assisted Housing

Of the amounts recaptured under this head during fiscal year 1997 and prior years, with the exception of the recaptures specified in section 214 of Public Law 104–204, $250,000,000 shall be rescinded.

Rescission Proposal No. R97-8

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Housing and Urban Development	New budget authority..... (P.L. 104-204) $ 464,442
BUREAU: Public and Indian Housing Programs	Other budgetary resources.. $ 1,891,569,068
Appropriations title and symbol: Annual contributions for assisted housing 86X0164	Total budgetary resources... $ 1,892,033,510
	Amount proposed for rescission..... $ 250,000,000
OMB identification code: 86-0164-0-1-604	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [X] Yes [ ] No	
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: Funding is provided in this account for three major housing categories: (1) Low-income housing (section 8); (2) Housing for the elderly and disabled (sections 202 and 811); and, (3) Public and Indian housing.

This proposal would rescind approximately $250 million of obligated balances estimated to be recaptured during FY 1997 and prior years. These recaptures will result from the elimination of excess funds available on some long-term section 8 contracts, the cancellation of reservations for public housing development projects that are unable to proceed to construction, and the recapture of funds from inactive programs. It is anticipated that $325 million in recaptures will be realized. Pursuant to section 214 of P.L. 104-204, $25 million of these recaptures will be transferred to the Housing for Persons with AIDS (HOPWA) program, and $50 million will be used for the Preservation program. The remaining amount, approximately $250 million, is proposed for rescission.

Estimated Program Effect: There would be no effect on HUD's housing programs from the rescission of recaptured funds.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
19,847,000	19,837,000	-10,000	-25,000	-41,000	-34,000	-33,000	-33,000

Department of Justice

General Administration

Working Capital Fund

Of the available unobligated balances under this heading, $6,400,000 are rescinded.

Rescission Proposal No. R97-9

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: Department of Justice	New budget authority..... $ 0
BUREAU: General Administration	Other budgetary resources.. $ 928,266,780
Appropriations title and symbol: Working capital fund 15X4526	Total budgetary resources... $ 928,266,780
	Amount proposed for rescission..... $ 6,400,000
OMB identification code: 15-4526-0-4-751	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act
Grant program: [ ] Yes [X] No	[ ] Other _____
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [ ] Appropriation [ ] Contract authority [X] Other Offsetting Collections

Justification: The funds proposed for rescission are in excess of resources needed for currently approved initiatives.

Estimated Program Effect: None.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
758,000	751,600	-6,400	---	---	---	---	---

General Services Administration

Expenses, Presidential Transition

Of the amounts made available under this heading in Public Law 104–208, $5,600,000 are rescinded.

Rescission Proposal No. R97-10

PROPOSED RESCISSION OF BUDGET AUTHORITY
Report Pursuant to Section 1012 of P.L. 93-344

AGENCY: General Services Administration	New budget authority..... (P.L. 104-208) $ 5,600,000
BUREAU: General Activities	Other budgetary resources.. $ 0
Appropriations title and symbol: Expenses, Presidential transition 4770107	Total budgetary resources... $ 5,600,000
	Amount proposed for rescission..... $ 5,600,000
OMB identification code: 023-30-0107-0-1-802	**Legal authority (in addition to sec. 1012):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [X] Annual [ ] Multi-year: _____ (expiration date) [ ] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: The FY 1997 Treasury/Postal Appropriations Act provided $5.6 million for expenses associated with Presidential transition. Pursuant to the Presidential Transition Act of 1963, as amended (3 U.S.C. 102, note), these funds are not to be expended when the incumbent President is reelected and shall be returned to the general funds of the Treasury.

Under the terms of the Budget Enforcement Act (BEA), the Treasury/Postal Appropriations Act was scored in the amount of $5.6 million in budget authority and outlays for this appropriation by both OMB and CBO. Since these funds will revert to the Treasury, the Administration is proposing this rescission to capture savings under the terms of the BEA. It is our understanding that the CBO baseline contains this funding.

Estimated Program Effect: None.

Outlay Effect: (in thousands of dollars):

1997 Outlay Estimate		Outlay Changes					
Without Rescission	With Rescission	FY 1997	FY 1998	FY 1999	FY 2000	FY 2001	FY 2002
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Supplemental Report; Report Pursuant to Section 1014(c) of Public Law 93–344

This report updates Deferral No. 97–7, which was transmitted to Congress on December 4, 1996.

This revision increases by $4,136 the previous deferral of $7,364,828 in the Limitation on administrative expenses, Social Security Administration, resulting in a total deferral of $7,368,964. This increase results from the deferral of additional carryover of funds from FY 1996 that cannot be used in FY 1997.

Deferral No. 97-7A

DEFERRAL OF BUDGET AUTHORITY
Report Pursuant to Section 1013 of P.L. 93-344

AGENCY: Social Security Administration	**New budget authority.....** $ 234,895,000 (P.L. 104-208)
BUREAU:	**Other budgetary resources.....** $ 54,414,828
Appropriation title and symbol: Limitation on administrative expenses 1/ 28X8704	**Total budgetary resources.....** $ 289,309,828
	Amount to be deferred: **Part of year.....** $ _____ **Entire year.....** *$ 7,368,964
OMB identification code: 20-8007-0-7-651	**Legal authority (in addition to sec. 1013):** [X] Antideficiency Act [ ] Other _____
Grant program: [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multi-year: _____ (expiration date) [X] No-Year	**Type of budget authority:** [X] Appropriation [ ] Contract authority [ ] Other _____

Justification: This account includes funding for construction and/or renovation of Social Security trust fund-owned headquarters and field office buildings. In addition, funds remain available for costs associated with acquisition of land in Colonial Park Estates adjacent to the Social Security Administration complex in Baltimore, Maryland. The Social Security Administration has received an approved FY 1997 apportionment for $50,000 to cover potential upward adjustments of prior-year costs related to field office roof repair and replacement projects. Deferred funds may be made available for two purposes: (1) purchase of 9.8 acres of privately-owned land consisting of 14 scattered lots within the Social Security Administration complex that the Federal Government made a commitment to the original owners to purchase and to pay relocation costs contingent upon the owner's desire to sell at some future date; and (2) construction, renovation, and expansion projects when a need for such projects is identified and determined to be necessary for the efficient operation of the Social Security Administration. This action is taken pursuant to the Antideficiency Act (31 U.S.C. 1512).

Estimated Program Effect: None.

Outlay Effect: None

1/ This account was the subject of a similar deferral in FY 1996 (D96-2A).

* Revised from previous report.

[FR Doc. 97–4276 Filed 2–20–97; 8:45 am]

BILLING CODE 3110–01–C

PENSION BENEFIT GUARANTY CORPORATION

Request for Comment on Proposed Collection of Information Under the Paperwork Reduction Act; Locating and Paying Participants

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of intention to request OMB approval.

SUMMARY: The Pension Benefit Guaranty Corporation intends to request that the Office of Management and Budget approve a collection of information under the Paperwork Reduction Act. The purpose of the information collection is to enable the PBGC to pay benefits to participants and beneficiaries in plans covered by the PBGC insurance program.

ADDRESSES: All written comments should be addressed to: Office of General Counsel, Pension Benefit Guaranty Corporation, Suite 340, 1200 K St. NW., Washington, D. C. 20005. The comments will be available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, 1200 K Street, NW., Washington, DC 20005, between the hours of 9 a.m. and 4 p.m. A copy of the proposed collection can be obtained, without charge, by writing to the PBGC the above address.

FOR FURTHER INFORMATION CONTACT: Marc L. Jordan, Attorney, Office of the General Counsel, Suite 340, 1200 K Street, NW., Washington, DC 20005, 202–326–4026 (202–326–4179 for TTY and TDD). (These are not toll-free numbers.) A copy of the proposed collection can be obtained, without charge, by writing to the PBGC at the above address.

SUPPLEMENTARY INFORMATION: The PBGC intends to request OMB approval of a collection of information needed to pay participants and beneficiaries who may be entitled to pension benefits under a defined benefit plan that has terminated. The collection consists of information participants and beneficiaries are asked to provide in connection with an application for benefits. In addition, in some instances, as part of a search for participants and beneficiaries who may be entitled to benefits, the PBGC requests individuals to provide identifying information that the individual would provide as part of an initial contact with the PBGC. All requested information is needed to enable the PBGC to determine benefit entitlements and to make appropriate payments.

The PBGC estimates that it will request that 62,720 individuals submit applications for benefits and that the associated burden is 30,360 hours (an average of slightly less than 30 minutes per individual). The PBGC further estimates that 5,000 individuals will provide the PBGC with identifying information as part of an initial contact and that the associated burden is 1,250 hours (15 minutes per individual). Thus, the total estimated burden associated with this collection of information is 36,610 hours.

The PBGC solicits 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 of the proposed collection of information, including the validity of the methodology and assumptions used;

(iii) Enhance the quality, utility, and clarity of the information to be collected; and

(iv) Minimize the burden of the collection of information on those who are to respond, 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.

Issued at Washington, D.C., this 18th day of February, 1997.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 97–4344 Filed 2–20–97; 8:45 am]

BILLING CODE 7708–01–P

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Qualified Domestic Relations Orders Submitted to the PBGC

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice.

SUMMARY: The Pension Benefit Guaranty Corporation has requested that the Office of Management and Budget (''OMB'') extend the approval for a collection of information under the Paperwork Reduction Act. The information collection relates to model forms contained in a PBGC booklet (''Divorce Orders & PBGC'') providing guidance on how to submit a proper qualified domestic relations order to the PBGC. The effect of this notice is to advise the public of, and to solicit public comment to OMB on, the extension of approval of this collection of information.

DATE: All comments must be submitted to OMB by March 24, 1997.

ADDRESSES: All written comments should be addressed to: Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for the Pension Benefit Guaranty Corporation, 725 17th Street, NW., Room 10235, Washington, DC 20503. A copy of the request for approval may be obtained by writing to the PBGC Communications and Public Affairs Department, suite 240, 1200 K Street, NW., Washington, DC 20005, or by visiting that office between the hours of 9 a.m. and 4 p.m. Copies of the booklet, ''Divorce Orders & PBGC,'' may be obtained by calling PBGC's Customer Service Center at 1–800–400–PBGC or writing to the PBGC QDRO Coordinator, P.O. Box 19153, Washington, DC 20036–0153. The booklet also is available from the PBGC Homepage on the World Wide Web, at http://www.pbgc.gov.

FOR FURTHER INFORMATION CONTACT: James L. Beller, Attorney, Office of the General Counsel, Suite 340, 1200 K Street, NW., Washington, DC 20005, 202–326–4020, ext. 3865 (202–326–4179 for TTY and TDD). (These are not toll-free numbers.)

SUPPLEMENTAL INFORMATION: The Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) establishes policies and procedures for controlling the paperwork burdens imposed by Federal agencies on the public. The Act vests the OMB with regulatory responsibility over these burdens, and OMB has promulgated rules on the clearance of collections of information by Federal agencies.

On September 10, 1996, the PBGC published a notice (61 FR 47774) of its request for approval, on an emergency basis, of a new collection of information relating to guidance on the submission of qualified domestic relations orders (''QDROs'') to the PBGC. OMB approved the collection of information with an expiration date of March 31, 1997. On November 25, 1996, the PBGC published a notice (61 FR 59917) informing the public of its intention to seek a three-year extension of the approval of this collection of information and soliciting comments. No comments were received.

The PBGC is a federal agency that insures the benefits of nearly 42 million working men and women in about 55,000 private-sector defined benefit pension plans. A defined benefit pension plan that does not have enough

money to pay benefits may be terminated if the employer responsible for the plan faces severe financial difficulty, such as bankruptcy, and is unable to maintain the plan. In such an event, the PBGC becomes trustee of the plan and pays benefits, subject to legal limits, to plan participants and beneficiaries.

The benefits of a pension plan participant generally may not be assigned or alienated. Title I of ERISA provides an exception for domestic relations orders that relate to child support, alimony payments, or marital property rights of an alternate payee (a spouse, former spouse, child, or other dependent of a plan participant). The exception applies only if the domestic relations order meets specific legal requirements that make it a QDRO. The PBGC reviews submitted domestic relations orders to determine whether the order is qualified before paying benefits to an alternate payee.

The PBGC receives many inquiries on the requirements for QDROs. Many domestic relations orders, both in draft and final form, do not meet the applicable requirements. The PBGC works with practitioners on a case-by-case basis to ensure that their orders are amended to meet applicable requirements. This process is time-consuming for practitioners and for the PBGC.

To simplify the process, the PBGC has included model QDROs and accompanying guidance in a booklet, ''Divorce Orders & PBGC,'' that attorneys and other professionals who are preparing QDROs for plans trusteed by the PBGC may submit to the PBGC after receiving court approval. These models and the guidance are intended to assist parties by making it easier to comply with ERISA's QDRO requirements in plans trusteed by the PBGC.

The requirements for submitting a QDRO are established by statute. The model QDROs and accompanying guidance do not create any additional requirements and will result in a reduction of the statutory burden. The PBGC estimates that it will receive 333 QDROs each year from prospective alternate payees; that the average burden of preparing a QDRO with the assistance of the guidance and model QDROs in PBGC's booklet will be ¼ hour of the alternate payee's time and $400 in professional fees if the alternate payee hires an attorney or other professional to prepare the QDRO, or 10 hours of the alternate payee's time if the alternate payee prepares the QDRO without hiring an attorney or other professional; and that the total annual burden will be 113 hours and $132,000.

Issued at Washington, DC., this 14th day of February 1997.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 97–4306 Filed 2–20–97; 8:45 am]

BILLING CODE 4163–19–P

POSTAL RATE COMMISSION

Sunshine Act Meeting; Notice of Commission Visits

February 19, 1997.

Notice is hereby given that members of the Postal Rate Commission and certain advisory staff members will visit the facilities of the following businesses to observe their operations:

R.R. Donnelley & Sons Co. Levittown Distribution Facility, Levittown, Pennsylvania on March 5, 1997.

R.R. Donnelley & Sons Co. Lancaster East Division (printing plant) and R.R. Donnelley & Sons Co. Lancaster Fulfillment Services, Lancaster, Pennsylvania on March 6, 1997.

Reports of these visits will be placed on file in the Commission's Docket Room. For further information contact Margaret P. Crenshaw, Secretary of the Commission at 202–789–6840.

Margaret P. Crenshaw,

Secretary.

[FR Doc. 97–4533 Filed 2–19–97; 3:57 pm]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 22510; 811–4784]

Counsellors Tandem Securities Fund, Inc.; Notice of Application

February 13, 1997.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the ''Act'').

APPLICANT: Counsellors Tandem Securities Fund, Inc. (formerly Counselors Dual Purpose Utility Fund, Inc.).

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant requests an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on January 28, 1997.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 10, 1997, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicant, 466 Lexington Avenue, New York, New York 10017–3147.

FOR FURTHER INFORMATION CONTACT: Diane L. Titus, Paralegal Specialist, at (202) 942–0584, or Mary Kay Frech, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is a closed-end, diversified management investment company organized as a Maryland corporation.[1] On July 31, 1986 applicant registered as an investment company under the Act. On that same date, applicant filed a registration statement on Form N–2 under section 8(b) of the Act and the Securities Act of 1933. The registration statement became effective on October 23, 1986 and the initial public offering began thereafter.

2. On July 22, 1996, without taking formal action, applicant's Board of Directors discussed various options effectuating the terms of applicant's Articles of Incorporation, which required that on or prior to December 31, 1996, applicant must either (1) liquidate, or (2) call a special meeting of shareholders to consider converting to open-end status. Applicant's adviser,

[1] The Articles of Incorporation of applicant authorize applicant to issue 36,000,000 shares of capital stock divided into 6,000,000 Preferred Shares (par value $0.01 per share) (''Preferred Shares'') and 30,000,000 Common Shares (par value $.01 per share) (''Common Shares'') with varying rights attached thereto. The Articles of Incorporation of applicant also provide that all issued and outstanding Preferred Shares of applicant must be redeemed 10 years after the date of the initial issuance of such shares, which date was October 30, 1986.

Warburg, Pincus Counsellors, Inc. advised that, in its view open-ending applicant, either by having it remain a stand-alone fund or by merger would not be economically viable and accordingly not in the best interest of shareholders.

3. At a duly constituted Board meeting held on November 4, 1996, the Board resolved to liquidate all of applicant's assets and distribute on November 22, 1996 all of the proceeds of such liquidation, in the form of cash, less an amount provided for debts and liabilities of applicant, to shareholders of record as of November 21, 1996. In approving such action, the Board considered a number of factors, including possible tax consequences to shareholders, the relatively small size of applicant's assets, the likelihood of redemption requests following conversion of applicant to an open-end fund, the resulting high expense ratio of the Fund, and the improbability that sales of applicant's shares could be increased to raise applicant's assets to a more economically viable level.

4. On October 30, 1996, all issued and unredeemed Preferred Shares of applicant were redeemed in full in accordance with the Articles of Incorporation. As of November 21, 1996, there were 2,729,862.351 Common Shares of applicant outstanding, having an aggregate net asset value of $53,632,507 and a per share net asset value of $19.65. Applicant had no other classes of securities outstanding. On November 22, 1996 applicant's assets were liquidated and distributed to its Common shareholders.

5. In connection with its liquidation, applicant incurred expenses of approximately $23,000, consisting of auditing and legal expenses. These expenses were borne by applicant.

6. As of the date of the filing of the application, applicant has no shareholders, liabilities, or assets. Applicant is not a party to any litigation or administrative proceeding.

7. Applicant is not now engaged, nor does it propose to engage, in any business activities other than those necessary for the winding-up of its affairs.

8. Applicant intends to terminate its existence under the laws of the State of Maryland.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4240 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[Investment Company Act Release No. 22509]

Kansas Farm Bureau Life Variable Account; Notice of Application

February 13, 1997.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the ''Act'').

APPLICANT: Kansas Farm Bureau Life Variable Account.

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant requests an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on February 3, 1997.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 10, 1997, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicant, 2627 KFB Plaza, Manhattan, Kansas 66503.

FOR FURTHER INFORMATION CONTACT: Diane L. Titus, Paralegal Specialist, at (202) 942–0584, or H. R. Hallock, Jr., Special Counsel, at (202) 942–0564 (Division or Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicants Representations

1. Applicant is a registered unit investment trust under the Act. On March 1, 1988, applicant filed a notification of registration on Form N–8A pursuant to section 8(a) of the Act, and a registration statement on Form N–8B–2 pursuant to section 8(b) of the Act. On the same date, applicant filed a registration statement on Form S–6 under the Securities Act of 1933. Applicant's registration statement was never declared effective and no public offering ever commenced.

2. Applicant has no security holders, debts, liabilities or assets. Applicant is not a party to any litigation or administrative proceeding. Applicant is not now engaged, nor does it propose to engage, in any business activities other than those necessary for the winding-up of its affairs.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4241 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 35–26668]

Filings Under the Public Utility Holding Company Act of 1935, as Amended (''Act'')

February 14, 1997.

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 thereunder. 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 amendments thereto is/are available for public inspection through the Commission's Office 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 March 10, 1997, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, 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 case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact 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 said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

Northeast Utilities, et a1. (70–8507)

Northeast Utilities (''NU''), 174 Brush Hill Avenue, West Springfield, Massachusetts 01089, a registered holding company, and its wholly owned subsidiaries, Charter Oak Energy, Inc.

(''Charter Oak'') and COE Development Corporation (''COE Development''), both located at 107 Seldon Street, Berlin, Connecticut 06037, (collectively, the ''Applicants'') have filed a post-effective amendment to their application-declaration under section 12(c) of the Act and rule 46 thereunder, regarding the payment to dividends out of capital or unearned surplus.

By order dated December 12, 1996 (HCAR No. 2613) (''Order''), the Commission authorized the Applicants to engage in certain power development activities. Specifically, the Order authorized Charter Oak and COE Development to, among other things, invest in, and finance the acquisition of, exempt wholesale generators within the meaning of section 32 of the Act (''EWGs'') and foreign utility companies within the meaning of section 33 of the Act (''FUCOs,'' and together with EWGs, ''Exempt Projects''), subject to certain limitations. In addition, the Applicants may acquire interests in, finance the acquisition, and hold the securities, of one or more companies (''Intermediate Companies'') engaged directly or indirectly and exclusively in the business of holding the securities of one or more Exempt Projects and in project development activities relating to the acquisition of such interests and securities in the underlying projects, without filing specific project applications with the Commission, and to issue guarantees and assume liabilities subsequent to operation with regard to those projects.

Nu's authorized investment in Charter Oak, Charter Oak's authorized investment in COE Development and Charter Oak's and COE Development's authorized expenditures are $200 million for the period from January 1, 1997 to December 31, 1997.

The Applicants now propose to expand their authorization to allow Intermediate Companies and/or Exempt Projects to pay dividends to their parent companies, from time to time out of capital or unearned surplus, and for Charter Oak to use such funds to pay dividends to NU, to the extent permitted by applicable corporate law and to be accounted for in a manner consistent with rule 46 promulgated under the Act.

Central and South West Corporation et al. (70–8979)

Central and South West Corporation (''CSW''), 1616 Woodall Rodgers Freeway, Dallas, Texas 75202, a registered holding company, and its wholly-owned public utility subsidiaries, Central Power and Light Company (''CP&L''), 539 North Carancahua Street, Corpus Christi, Texas 78401–2802, Public Service Company of Oklahoma (''PSO''), 212 East Sixth Street, Tulsa, Oklahoma 74119–1212, Southwestern Electric Power Company, 428 Travis Street, Shreveport, Louisiana 71156–0001 (''SWEPCO'') and West Texas Utilities Company (''WTU''), 301 Cypress Street, Abilene, Texas 79601–5820, have filed an application-declaration under sections 6(a), 7, 9(a), 10 and 12(a)—(e) of the Act and rules 43, 44, 51, 54, 62 and 65 thereunder.[1]

Proxy Solicitation

All of the outstanding common stock of the Subsidiaries is held by CSW (individually and collectively, ''Common Stock''). As of September 30, 1996, CP&L, PSO, SWEPCO and WTU had issued seven,[2] two,[3] four[4] and one[5] series, respectively, of preferred stock, $100 par value per share (individually and collectively, ''Preferred Stock''), none of which are listed on a securities exchange. The Common Stock and Preferred Stock of each series are each entitled to one vote per share. None of the Subsidiaries has any other authorized class of equity securities.

CP&L's and WTU's respective Restated Articles of Incorporation and PSO's and SWEPCO's respective Restated Certificates of Incorporation (collectively, ''Articles'') currently provide that, without the consent of the holders of at least a majority of the total number of such Subsidiary's shares of Preferred Stock of all series voting as one class, it may not issue or assume any unsecured notes, debentures or other securities representing unsecured indebtedness (''Unsecured Obligations''), for any purpose other than (a) refunding or renewing outstanding Unsecured Obligations resulting in later maturities, or (b) funding existing unsecured indebtedness (not represented by Unsecured Obligations), if immediately after such issue or assumption (1) the principal amount of all Unsecured Obligations issued or assumed by the Subsidiary and then outstanding would exceed 20% of the aggregate of (i) the principal amount of all bonds or other securities representing secured indebtedness issued or assumed by the Subsidiary and then outstanding and (ii) the total capital stock and surplus of the Subsidiary as then recorded on its books (the ''20% Provision''), or (2) the principal amount of all Unsecured Obligations maturing in less than ten years,[6] issued or assumed by the Subsidiary and then outstanding would exceed 10% of such aggregate amount (the ''10% Provision'').

The Subsidiaries propose to solicit proxies or consents from the holders of their outstanding shares of Common Stock and Preferred Stock (''Proxy Solicitation'')[7] to approve a proposed amendment to each Subsidiary's Articles that would eliminate in their entirety the 10% Provision and 20% Provision (individually, ''Proposed Amendment'' and collectively, ''Proposed Amendments'') from each of their Articles. Approval and adoption of the applicable Proposed Amendment by each Subsidiary's shareholders requires the affirmative vote of the holders of not less than two-thirds of the outstanding shares of the Subsidiary's (1) Preferred Stock of all series, voting together as one class, and (2) Common Stock. CSW has advised the Subsidiaries that it will vote its shares of Common Stock of each Subsidiary in favor of the Proposed Amendments. If proxies are solicited, they would be voted at special meetings of the Subsidiaries' respective stockholders to be held as soon as possible (''Special Meetings'') for the purpose of voting on the Proposed Amendments. Each Subsidiary may elect to make a special cash payment out of its general funds (each, a ''Cash Payment'') to each holder of its Preferred Stock who voted in favor of

[1] CP&L, PSO, SWEPCO & WTU are sometimes referred to herein individually as a ''Subsidiary'' or collectively as ''Subsidiaries.''

[2] The seven series of CP&L Preferred Stock consist of a Money Market Preferred series, of which 750,000 shares are outstanding (''MMP Series''); an Auction Rate Preferred Series A series, of which 425,000 shares are outstanding (''ARP Series A''), an Auction Rate Preferred Series B series, of which 425,000 shares are outstanding (''ARP Series B''); a 8.72% series, of which 500,000 shares are outstanding; a 7.12% series, of which 260,000 shares are outstanding; a 4.20% series, of which 75,000 shares are outstanding; and a 4.00% series, of which 100,000 shares are outstanding.

[3] The two series of PSO Preferred Stock consist of a 4.24% series, of which 100,000 shares are outstanding; and a 4.00% series, of which 97,900 shares are outstanding.

[4] The four series of SWEPCO Preferred Stock consist of a 6.95% series, of which 340,000 shares are outstanding; a 5.00% series, of which 75,000 shares are outstanding; a 4.65% series, of which 25,000 shares are outstanding; and a 4.28% series, of which 60,000 shares are outstanding.

[5] The series of WTU Preferred Stock is a 4.40% series, of which 60,000 shares are outstanding.

[6] The principal amount of any Unsecured Obligations which had an original single maturity of more than ten years from the date thereof, and the principal amount of the final maturity of any serially-maturing Unsecured Obligations which had one or more original maturities of more than ten years from the date thereof, may not be regarded as Unsecured Obligations maturing in less than ten years until such principal amount is due or required to be paid within three years.

[7] In connection with the Proxy Solicitation, the Subsidiaries will engage an information agent and will pay such information agent a fee and reimburse reasonable out-of-pocket expenses in an amount expected not to exceed approximately $75,000.

the applicable Proposed Amendment (except that no Cash Payment will be made with respect to any share of Preferred Stock validly tendered pursuant to the concurrent tender offer described below). The Cash Payment also may be conditioned on approval and adoption of the Proposed Amendments.

Tender Offer

Concurrently with or shortly before the commencement of the Proxy Solicitation, and subject to the terms and conditions to be stated in an Offer to Purchase and Proxy Statement and accompanying Letter of Transmittal and Proxy (together, ''Offer Documents''), CSW may make a cash tender offer (''Tender Offer'') to acquire from the holders of the preferred stock of one or more series (each a ''Series'') any and all shares (''Shares'') of such Series at cash purchase prices (which CSW anticipates will reflect a premium over the current market price at the commencement of the Tender Offer) to be determined based on market conditions (each a ''Purchase Price'').[8] Additionally, the Subsidiaries may call shares of any or all series of outstanding Preferred Stock at the applicable call price. The Tender Offer consists of separate offers by CSW to acquire some or all Series of preferred stock of each Subsidiary, except for CP&L's MMP Series, ARP Series A and ARP Series B, for which no Tender Offer will be made, with the Tender Offer for any one Series being independent of the Tender Offer for any other Series. The applicable Purchase Price and the other terms and conditions of the Tender Offer apply equally to all preferred stockholders of a respective Series.

CSW anticipates that the Tender Offer for each Series of preferred stock will expire on the date of the applicable Special Meeting or expiration of the consent solicitation (''Expiration Date'') but the Expiration Date may be extended or the Tender Offer terminated early under certain circumstances. The Tender Offer would not be conditioned upon any minimum number of Shares of the applicable Series being tendered, but may be conditioned, among other things, on the Proposed Amendments being adopted and/or all tendering preferred stockholders voting in favor of the applicable Proposed Amendment.

Tenders of Shares made pursuant to the Tender Offer may be withdrawn at any time prior to the Expiration Date. Thereafter, such tenders will be irrevocable, subject to certain conditions identified in the Offer Documents. CSW states that its obligation to proceed with the Tender Offer and to accept for payment and to pay for any Shares tendered is subject to various conditions that will be enumerated in the Offer Documents, which include the Commission issuing an order under the Act authorizing the proposed transactions, and which may include, among other conditions, that the Proposed Amendments be adopted and/or that all tendering preferred stockholders vote in favor of the applicable Proposed Amendment.

Shares validly tendered to the depositary for the Tender Offer (''Depositary'') pursuant to the Tender Offer and not withdrawn in accordance with procedures in the Offer Documents will be held by CSW until the Expiration Date (or returned in the event the Tender Offer is terminated). Subject to the terms and conditions of the Tender Offer, as promptly as practicable after the Expiration Date, CSW will accept for payment and pay for any and all Shares validly tendered and not withdrawn. CSW plans to use its general funds and/or funds borrowed through its commercial paper program[9] on an interim basis to pay the Purchase Price for all tendered Shares. CSW expects to select one or more dealer managers in connection with the Tender Offer.[10] In addition, CSW will pay soliciting brokers and dealers a separate fee for Shares tendered that are accepted and paid for pursuant to the Tender Offer.[11]

If the Proposed Amendments are adopted, promptly after consummation of the Tender Offer the Subsidiaries propose to purchase the Shares sold to CSW pursuant to the Tender Offer at the relevant Purchase Price, and the Subsidiaries will retire and cancel such Shares.

If the Tender Offer is conditioned upon the Proposed Amendments being adopted at the Special Meetings and the Proposed Amendments are not adopted, CSW may elect to waive such condition. In that case or if the Tender Offer is not conditioned upon the Proposed Amendments being adopted, as promptly as practicable after CSW's purchase of any Shares validly tendered pursuant to the Tender Offer, each Subsidiary may call another special meeting or commence another consent solicitation of its common and preferred stockholders and solicit proxies or consents (to secure the requisite two-thirds affirmative vote of stockholders to amend the Articles) to eliminate the 10% Provision and the 20% Provision. At each such meeting, CSW would vote any Shares acquired by it pursuant to the Tender Offer or otherwise (as well as all of its shares of Common Stock of the Subsidiaries) in favor of the Proposed Amendments. if the Proposed Amendments are adopted at that meeting and in any event within one year from the Expiration Date (including any potential extension thereto pursuant to the Tender Offer), the Subsidiaries will acquire all shares from CSW at the Purchase Price after such meetings or at the expiration of such one-year period, as applicable, and the Subsidiaries will retire and cancel such Shares.

Proposed Financing

CSW and/or the Subsidiaries propose to issue junior subordinated debentures (''Debentures'') and tax deductible preferred securities (''Preferred Securities'') indirectly through a special purpose financing subsidiary to the public from time to time in one or more series, through December 31, 2001, not to exceed the following aggregate principal amounts (each, an ''Offering Limit''): CSW–$500 million, CP&L–$350 million, PSO–$100 million, SWEPCO–$150 million and WTU–$80 million. Each series of Debentures and Preferred Securities will mature in not more than 49 years.

Debentures issued and sold to the public are expected to be sold through negotiation with underwriters, agents or other entities, at an initial public offering price resulting in a yield to maturity that is not expected to exceed by more than 3% the yield to maturity on United States Treasury bonds of similar maturity. The commission payable to agents or underwriters would not exceed 3.5% of the principal amount of the Debentures sold.

CSW and the Subsidiaries may have the right to defer payment of interest on the Debentures for up to five years. In the event interest payments are so deferred on the Debentures, CSW and the Subsidiaries may not declare and pay dividends (except in common stock) on outstanding stock. The payment of principal, premium and interest on the Debentures would be subordinated in right of payment to the prior payment in

[8] The Purchase Price would be based on a number of factors, including the dividend payable on the preferred stock, the redemption price on the date of acquisition and the then current market rates for similar securities.

[9] *See* Holding Co. Act Release No. 26254 (March 21, 1995) (authorizing CSW to issue and sell commercial paper and notes to banks up to $1.2 billion to finance the capital expenditures of the Subsidiaries through March 31, 1997).

[10] The applicants state that dealer manager fees will be determined following negotiation and investigation of fees in similar transactions and will include reasonable out-of-pocket expenses, including attorneys' fees.

[11] The applicants state that fees to soliciting brokers and dealers will be determined following negotiation and investigation of fees in similar transactions. In addition, CSW proposes to pay the Depositary a fee estimated at approximately $30,000.

full of senior indebtedness. The Debentures may be subject to redemption and, in addition, their maturities may be extended up to 49 years if the original maturity is less than 49 years, provided other conditions are met. The Debentures will be issued under indentures between the issuing applicant and a trustee.

CSW and the Subsidiaries anticipate that the issuance and sale of Preferred Securities would occur through a special purpose entity (''SPE''), organized as a limited liability company (''LLC''), a limited partnership (''LP'') or a statutory business trust (''Trust'').[12] Depending on the form of the SPE, the Preferred Securities would constitute preferred membership interests in an LLC, limited partnership interests in an LP or preferred interests (or senior trust certificates) in a Trust. With respect to a SPE that is a LLC, CSW or the respective Subsidiary may also form a wholly-owned subsidiary (''Investment Sub'') to acquire and hold an interest in the SPE so that any applicable two-member LLC requirement would be satisfied. Similarly, with respect to a SPE that is a LP, CSW or the respective Subsidiary may form an Investment Sub to act, or may itself act, as the general partner of such SPE and may acquire, either directly or indirectly through such Investment Sub a limited partnership interest in such SPE so that any applicable two-partner LP requirement would be satisfied. The Preferred Securities will have aggregate par or stated value or liquidation preference of up to $1,000 per security.

CSW and the Subsidiaries and/or their respective Investment Subs will acquire an aggregate ownership interest, including general partnership interests or common membership interests, as the case may be, or will become the grantors and holders of the junior trust certificates, of their respective SPE in an amount not to exceed 10% of the total equity capitalization or deposits from time to time of such SPE (''Equity Contribution''). At any time or from time to time in one or more series, CSW and the Subsidiaries may issue and sell Debentures to their respective SPE and the SPE would purchase such Debentures, applying both the Equity Contribution made to it and the proceeds from the sale of Preferred Securities. CSW and each Subsidiary may sell Debentures and utilize their respective SPE to issue Preferred Securities. The payment rate, terms, redemption and other provisions of the Preferred Securities would correspond to those of the Debentures purchased from CSW or the Subsidiaries, as the case may be.

In order for the SPE to sell Preferred Securities up to the maximum Offering Limit, CSW or the Subsidiaries would be required to issue Debentures to such SPE in an amount equal to the maximum Offering Limit plus the total Equity Contribution. CSW or the Subsidiaries selling such Debentures to an SPE may or may not be the owner of the general partnership interests, common member interests or the grantor or holder of the junior trust certificates of such SPE, as the case may be.

CSW or the Subsidiaries may redeem the Debentures held by an SPE which is required to redeem the related series of Preferred Securities at a price equal to their par or stated value or liquidation preference, as the case may be, plus any accrued and unpaid dividends or distributions, under certain circumstances, including if an SPE may become subject to federal income tax on the interest it received on Debentures issued to the SPE, a determination that the interest payment by CSW or a Subsidiary on its Debentures are not deductible for income tax purposes, or the SPE becomes subject to regulation as an ''investment company'' under the Investment Company Act of 1940, as amended. The Preferred Securities also may be subject to mandatory redemption under certain circumstances. In certain instances, CSW and the Subsidiaries also may have the right to exchange the Preferred Securities of their respective SPE for the related Debentures.

In connection with the Preferred Securities, CSW and the Subsidiaries request authorization to guarantee the payment of dividends or distributions on the Preferred Securities of their respective SPE, payments to the holder of Preferred Securities of amounts due upon liquidation of such SPE or redemption of the Preferred Securities, payments of certain additional amounts that may be payable in respect of such Preferred Securities and/or certain other matters.

It is expected that each applicant's interest payments on the Debentures it issues will be deductible for federal income tax purposes and that any respective SPE will be treated as a grantor trust if organized as a Trust or a partnership if organized as a LP or LLC, as the case may be, for federal income tax purposes. Consequently, holders of the Preferred Securities, the applicants and any respective Investment Sub, will be deemed to have received either payments in respect of the Debentures or partnership distributions from their respective SPE and will not be entitled to any ''dividends received deduction'' under the Internal Revenue Code.

In the event that any SPE is required to withhold or deduct certain amounts in connection with dividends, distributions or other payments, the SPE may have the obligation to ''gross up'' such payments so that the holders or the Preferred Securities issued by such SPE will receive the same payment after withholding or deduction as they would have received if no withholding or deduction were required. CSW or the related Subsidiary would be required to make corresponding payments under the Debentures that would provide the SPE with sufficient funds to make the additional payment.

If any SPE is required to pay taxes with respect to income derived from interest payments on the Debentures issued to it, CSW or the related Subsidiary may be required to pay such additional interest on the Debentures as shall be necessary in order that net amounts received and retained by such SPE after the payment of such taxes, shall result in the SPE having such funds as it would have had in the absence of such payment of taxes.

In the event of any liquidation, dissolution or winding up of any SPE, the holders of the Preferred Securities of such SPE will be entitled to receive before any distribution of assets to the common membership interest holders, general partner, grantor or junior trust certificate holder of such SPE, an amount equal to the par or stated value or liquidation preference of such Preferred Securities plus any accrued and unpaid dividends or distributions.

The applicants represent that the constituent documents governing each SPE will contain provisions, among others, limiting the SPE's activities to (i) the issuance and sale of Preferred Securities and (ii) the loan of proceeds from the sale of Preferred Securities and the Equity Contribution by the SPE to CSW, Subsidiaries and Investment Subs. The applicants propose that the constituent documents of any SPE contain no interest or dividend coverage or capitalization ratio restrictions in respect of issuance and sale of Preferred Securities. Moreover, the applicants state that CSW and the Subsidiaries' ownership interests in any SPE will be subject to transfer restrictions, the business of the SPE will be managed and controlled by CSW, the respective Subsidiary and/or their respective Investment Sub, and CSW and each

[12] The applicants state that a LLC, LP or Trust would be organized under the Delaware Limited Liability Company Act, Delaware Revised Uniform Limited Partnership Act or Delaware Business Trust Act, respectively, or other similar statutes.

Subsidiary will pay all expenses of its SPE.

CSW and Subsidiaries request authorization to enter into negotiations with underwriters to establish the interest rate, right of redemption and other terms and conditions applicable to the Debentures and Preferred Securities, subject to the receipt, or terms of an order under the Act.

CSW and the Subsidiaries intend to use the net proceeds of the Debentures to retire or replace, through redemption, repurchase or otherwise, outstanding first mortgage bonds or preferred stock (or any combination thereof), to pay outstanding short-term borrowings and for other general corporate purposes. CSW intends to use the net proceeds of the Debentures to loan or make equity contributions to the Subsidiaries to be evidenced by a Subsidiary's issuance of notes, preferred securities and/or common stock to CSW. Such notes and preferred securities would have substantially the same terms as the Debentures issued by CSW.

In connection with the issuance of Debentures and Preferred Securities, the applicants seek authorization to manage interest rate risk, through the use of interest rate management instruments, including interest rate swaps, caps, floors, collars and other similar instruments. The applicants represent that in no event would the aggregate notional amount of the interest rate swaps, at any one time, exceed the respective Offering Limit for CSW and the Subsidiaries, and that none of the interest rate swaps would be ''leveraged''.

The applicants also request authorization to deviate from the preferred stock provisions of the *Statement of Policy Regarding Preferred Stock Subject to the Public Utility Holding Company Act of 1935*, HCAR No. 13106 (Feb. 16, 1956), as amended in HCAR No. 16758 (June 22, 1970) to the extent applicable with respect to the Proposed Amendments.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4243 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–10–M

[Rel. No. IC–22512; 812–10132]

Sierra Prime Income Fund, et al.; Notice of Application

February 14, 1997.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of application for exemption under the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: Sierra Prime Income Fund (the ''Trust''), Sierra Investment Advisors Corporation (the ''Adviser''), and Sierra Investment Services Corporation (the ''Distributor'').

RELEVANT ACT SECTIONS: Order requested under section 6(c) of the Act for an exemption from sections 18(c) and 18(i) of the Act, and under section 17(d) of the Act and rule 17d–1 thereunder permitting certain joint transactions.

SUMMARY OF APPLICATION: Applicants request an order that would permit certain closed-end investment companies to issue multiple classes of shares in the same portfolio of securities and impose distribution fees on one or more classes of shares.

FILING DATES: The application was filed on May 7, 1996 and amended on August 14, 1996, and on November 26, 1996. Applicants have agreed to file an amendment during the notice period, the substance of which is incorporated herein.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 11, 1997 and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street, N.W., Washington, D.C. 20549. Applicants, 9301 Corbin Avenue, Suite 333, Northridge, California 91324.

FOR FURTHER INFORMATION CONTACT: Sarah A. Buescher, Staff Attorney, at (202) 942–0573, or Elizabeth G. Osterman, Assistant Director, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicants' Representations

1. The Trust is a registered closed-end management investment company organized as a Massachusetts business trust. The Trust has entered into an investment advisory agreement with the Adviser, a wholly-owned subsidiary of Sierra Capital Management Corporation. The Adviser has delegated the management of the Trust's investment portfolio to Van Kampen American Capital Management Inc. The Trust has entered into a distribution agreement with the Distribution pursuant to which the Distributor acts as principal underwriter or distributor for the Trust. Applicants request that relief extend to all future series of the Trust and all other registered closed-end investment companies with substantially the same investment policies and manner of operation as the Trust for which the Adviser, the Distributor, or any entity controlling, controlled by, or under common control with the Adviser or Distributor acts as adviser or distributor now or in the future.

2. The Trust's investment objective is to provide as high a level of income as is consistent with the preservation of capital primarily through investment in senior collateralized corporate loans (''Senior Loans'') in the form of participation interests in Senior Loans made by banks or other financial institutions. The Trust and funds with similar investment policies and manners of operation are commonly known as ''prime rate'' funds. While the Trust's investment policies require it to be organized as a closed-end investment company, the Trust has characteristics largely associated with an open-end investment company. Similar to open-end funds, shares of the Trust are not listed on an exchange and are not traded over-the-counter on the National Association of Securities Dealers, Inc.'s (''NASD's'') Automated Quotation National Market System. Also similar to open-end funds, the Trust engages in a continuous offering of its shares, and updates its registration statement annually. The Trust currently offers one class of shares to investors with a front-end sales load, as described below.

3. Because the Trust does not currently anticipate that a secondary market will develop for its shares, the Trust considers the shares to be illiquid. Therefore, consistent with section 23(c)(2) of the Act, the Trust intends to consider making tender offers each quarter to purchase its shares from shareholders at the then current net asset value (''NAV'') per share. Section 23(c)(2) provides that a registered closed-end investment company may

purchase securities of which it is the issuer pursuant to tenders, after reasonable opportunity to submit tenders given to all holders of securities of the class to be purchased.[1]

4. Applicants propose to continue to operate as a ''prime rate'' fund, with the addition of a multiclass pricing system (the ''System''). On April 24, 1996, the board of trustees of the Trust approved the establishment of the System, subject to the receipt of the order requested in the application. Under the System, the Trust could provide investors with the option of purchasing shares: (a) Subject to a conventional front-end sales load and, under certain circumstances, an Early Withdrawal Charge (''EWC'') (''Class A Shares''); (b) subject to an EWC, an asset-based distribution fee (''Distribution Fee''), and a service fee (''Service Fee'') (''Class B Shares''); and (c) subject to an EWC, a Distribution Fee, and a Service Fee offered in connection with the Sierra Asset Management Program (''SAM Program'') (''Class S Shares''). All fees charged by applicants under the System will comply with Rule 2830 of the NASD Conduct Rules, although such rule does not technically apply to the Trust. If applicants receive the relief requested, sales loads, Distribution Fees, EWCs, and exchange procedures for the Trust will be structurally similar to those in open-end investment companies. In addition, the only differences between the Trust's current and future operations would be the offering of multiple classes of shares, and the imposition of Distribution Fees and Service Fees, as described below.

5. Currently, Class A Shares of the Trust are offered to investors at NAV plus a front-end sales load (''Class A Sales Load''). The Class A Sales Load is graduated from 4.5% of the offering price per share for purchases of less than $50,000 to 0% for purchases of $1,000,000 or more. Applicants will waive the Class A Sales Load for certain purchases described in the application. The Trust may impose an EWC on certain Class A Shares redeemed within one or two years of purchase. The Class A Shares subject to an EWC include those purchased at NAV without a sales charge, acquired through certain exchanges of shares, and purchased through certain employee benefit plans. The EWC for Class A Shares is waived for certain repurchases or tenders outlined in the application. The EWC for Class A Shares is calculated based on the lower of the shares' cost or current NAV. In determining whether the EWC is payable, the Trust will first redeem shares not subject to an EWC. Class A Shares are not subject to a Distribution Fee.

6. Applicants propose to offer Class B Shares of the Trust at NAV without the imposition of a sales load at the time of purchase. Applicants would impose a Distribution Fee on Class B Shares of up to .75% of the value of Class B's average daily net assets. The Distribution Fee, similar to a fee charged under a rule 12b–1 plan for open-end investment companies, would compensate the Distributor for its services and expenses in distributing Class B Shares, including payments made to broker-dealers and certain financial institutions as commissions. Class B Shares also may be subject to a Service Fee (as defined in NASD Conduct Rule 2830) of up to .25% of Class B's average daily net assets. The Service Fee would compensate certain broker-dealers, financial institutions, and others that provide personal services or maintain shareholder accounts.

7. An investor's proceeds from a redemption of Class B Shares made within a certain period after the purchase of the shares may be subject to an EWC that is paid to the Distributor. The amount of the EWC would be calculated by multiplying the applicable percentage charge by the lesser of: (a) The NAV of the shares at the time of purchase; or (b) the NAV of the shares at the time of redemption. Applicants currently expect that the EWC would be graduated from 4% to 0% over five years.

8. Class S Shares would be sold in connection with the SAM Program.[2] Class S Shares have the same characteristics as Class B Shares except for the SAM requirement and a modification to the EWC. The EWC for Class S Shares graduates from 5% to 0% over seven years. Shares purchased through the reinvestment of dividends and other distributions paid in Class S Shares will be Class S Shares, but will not be subject to an EWC. A shareholder's termination of participation in the SAM Program will not affect the shareholder's continued ability to hold Class S Shares, but the shareholder would be precluded from purchasing additional Class S Shares.

9. All expenses incurred by the Trust will be allocated to each class of shares based upon the net assets of the Trust attributable to each class. Distribution Fees, Service Fees, and other incremental expenses that may be attributable to a particular class of shares will be charged directly to the net assets of the particular class. Incremental expenses include transfer agent fees, printing and postage expenses, state and federal registration fees, and other incremental expenses that should be allocated to a particular class of shares. Because of the higher fees or expenses paid by the holders of certain classes, the net income attributable to and the dividends payable on shares of one class may differ from the net income attributable to and the dividends payable on shares of other classes in the Trust. As a result, the NAV per share of the classes will differ at times. Expenses of the Trust allocated to a particular class of shares will be borne on a *pro rata* basis by each outstanding share of that class.

10. The Trust may create additional classes of shares or series that may differ from Class A, Class B, or Class S Shares in the following respects: (a) The amount of Distribution Fees; (b) voting rights with respect to each class' expenses; (c) the designation of each class; (d) the impact of any class expenses directly attributable to a particular class of shares; (e) the dividends and NAV resulting from differences in fees under a plan of distribution or class expenses; (f) the EWC structure; (g) the sales load structure; and (h) exchange privileges or conversion features.

Currently, Class A Shares of the Trust may be exchanged during a tender offer period for Class A shares of equal value of any portfolio of any open-end investment company advised by Sierra Advisors (''Sierra Funds''). In addition, Class A shares of Sierra Funds may be exchanged for Class A Shares of the Trust. Under the proposal, the Trust will permit shareholders at the time of a tender offer to exchange Trust shares for the same class of shares of the Sierra Funds (except for The Sierra Variable Trust) equal in value to the tendered Trust shares in lieu of cash. All exchanges of Trust shares will comply with rule 13e–4 under the Exchange

[1] Each tender offer will be made in accordance with section 13(e) of the Securities Exchange Act of 1934 (the ''Exchange Act'') and rule 13e–4 thereunder. Applicants received an exemption from rule 10b–6 under the Exchange Act from the SEC's Division of Market Regulation to permit the Trust to make tender offers for its shares while simultaneously engaging in a continuous offering of its shares. Applicants also received an exemption from rule 13e–4(f)(8)(ii) under the Exchange Act to permit the Trust to allow shareholders to exchange shares of the Trust for either cash or the cash-equivalent amount of the same class of shares of certain open-end investment companies advised by the Adviser. *See* Sierra Prime Income Fund (pub. avail. June 5, 1996).

[2] The SAM Program is an asset allocation program that provides two levels of professional management and diversification to clients. The Distributor determines an asset allocation strategy and investment policy for each SAM Program strategy.

Act.[3] In addition, shareholders of any portfolio of Sierra Funds could exchange their shares for shares of the Trust of equal value in lieu of cash. The exchanges of shares from the Sierra Funds into shares of the Trust will comply with rule 11a–3 under the Act, except to the extent that the Trust operates as a closed-end fund. Although applicants currently do not intend to do so, the Trust may in the future offer a class of shares that will convert into shares of another class of the Trust. Except to the extent that the Trust operates as a closed-end fund, it would comply with rule 18f–3 under the Act with respect to such conversions.

Applicant's Legal Analysis

1. Applicants request an exemption under section 6(c) of the Act from sections 18(c) and 18(i) of the Act to the extent that the proposed issuance and sale of multiple classes of shares might be deemed to result in the issuance of a ''senior security'' within the meaning of section 18(g) of the Act and thus be prohibited by section 18(c), and violate the equal voting provisions of section 18(i) of the Act.

2. Section 18(c) provides, in relevant part, that a closed-end investment company may not issue or sell any senior security that is stock if, immediately thereafter, the company has more than one class of senior security that is a stock. An exception to this prohibition is that any such class of stock may be issued in one or more series provided no series has a preference or priority over any other series upon the distribution of the company's assets or in respect of payment of interest or dividends. The creation of multiple classes of shares may result in shares of a class having priority over another class as to the payment of dividends because shareholders of different classes would pay different Distribution Fees, Service Fees, and other incremental expenses that should be allocated to a particular class of shares.

3. Section 18(i) provides that each share of stock issued by a registered management company shall be a voting stock and have equal voting rights with every other outstanding voting stock. The System may violate section 18(i) because each class would be entitled to exclusive voting rights with respect to matters solely related to such class.

4. Section 6(c) of the Act provides that the SEC may exempt persons or transactions from any provision of the Act if the exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

5. Applicants believe that the proposed allocation of expenses and voting rights in the manner described above is equitable and would not discriminate against any group of shareholders. According to applicants, the proposed arrangements would permit the Trust to facilitate the distribution of its securities and provide investors with a broader choice of shareholder services without the Trust assuming excessive costs or unnecessary investment risks.

6. Applicants represent that if the Trust was required to organize separate investment portfolios for each class of shares, it could face liquidity and diversification problems that could prevent the Trust from producing a favorable return. Under the proposal, investors would be able to benefit, according to applicants, by investing in an established, sizable fund. In addition, shareholders may be relieved of a portion of the fixed costs of the Trust because such costs, potentially, would be spread over a greater number of shares than they would be otherwise.

7. Applicants believe that their proposal does not raise the concerns that section 18 was designed to ameliorate to any greater degree than open-end investment companies' multiple class systems. Under rule 18f–3, open-end investment companies may offer multiple classes of shares without seeking individual exemptive orders from the SEC. Applicants further believe that their arrangement does not involve borrowings and it would not adversely affect the assets of the Trust.

8. Section 17(d) and rule 17d–1 prohibit an affiliated person of an investment company, acting as principal, from participating in or effecting any transaction in connection with any joint enterprise or joint arrangement in which the investment company participates. Applicants request an order pursuant to section 17(d) and rule 17d–1 to permit the Trust to impose Distribution Fees in a manner similar to rule 12b–1 fees imposed by open-end investment companies. While rule 12b–1 does not apply to closed-end investment companies, there is some question as to whether section 17(d) and rule 17d–1 apply to such fees.

9. In passing upon applications submitted pursuant to section 17(d) and rule 17d–1, the SEC considers whether the participation of such registered or controlled company in such joint enterprise, joint arrangement, or profit-sharing plan on the basis proposed is consistent with the provisions, policies, and purposes of the Act, and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

10. Applicants have agreed to comply with rule 12b–1 as if the Trust is an open-end investment company. Applicants believe that any section 17(d) concerns in connection with the Trust financing the distribution of its shares should be resolved by this undertaking. By complying with rule 12b–1, applicants believe that the Trust would participate in substantially the same way and under substantially the same conditions as would be the case with an open-end investment company imposing distribution fees under rule 12b–1.

Applicants' Condition

Applicants expressly consent, in connection with this request for exemptive relief, to be subject to conditions applicable to open-end investment companies as set forth in rules 18f–3, 6c–10, and 12b–1 under the Investment Company Act, as amended from time to time, as if the rules applied to them.

For the SEC, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4244 Filed 2–20–97; 8:45 am]

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[3] *See, supra,* note 1.

[Release No. 34–38285; File Nos. SR–AMEX–97–07, SR–BSE–96–11, SR–CHX–96–34, SR–CSE–97–03, SR–NASD–97–09, SR–NYSE–97–03, SR–PSE–97–05]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Changes by the American Stock Exchange, Inc., Boston Stock Exchange, Inc., Chicago Stock Exchange, Inc., Cincinnati Stock Exchange, Inc., National Association of Securities Dealers, Inc., New York Stock Exchange, Inc., and Pacific Stock Exchange, Inc., To Amend Each Exchange's Rules Concerning the Pre-Opening Application of the Intermarket Trading System

February 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 10, 1996, December 19, 1996, January 29, 1997, January 31, 1997, February 10, 1997, February 10, 1997, and February 11, 1997, respectively, the Boston Stock Exchange Incorporated (''BSE''), the Chicago Stock Exchange, Incorporated

(''CHX''), the Cincinnati Stock Exchange, Incorporated (''CSE''), the New York Stock Exchange, Incorporated (''NYSE''), the American Stock Exchange, Incorporated (''AMEX''), the Pacific Stock Exchange, Incorporated (''PSE''), and the National Association of Securities Dealers, Incorporated (''NASD'') (each individually referred to herein as a ''Participant'' and two or more collectively referred to as ''Participants'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule changes as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization.[1] The Commission is publishing this notice to solicit comments on the proposed rule changes from interested persons.

I. Self-Regulatory Organizations' Statement of the Terms of Substance of the Proposed Rule Changes

The proposed amendments are to enhance the operation of the Pre-Opening Application [2] by effectively including circuit breakers as a trading halt situation that will trigger the Pre-Opening Application.[3]

II. Self-Regulatory Organizations' Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Changes

In their filings with the Commission, the self-regulatory organizations included statements concerning the purpose of and basis for the proposed rule changes and discussed any comments they received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organizations have prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organizations' Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Changes

1. Purpose

The purpose of the proposed rule change is to enhance the operation of the ITS Pre-Opening Application. The Participants' ITS Pre-Opening Application rules contain basic definitions pertaining to ITS, prescribe the types of transactions that may be effected through ITS and the pricing of commitments to trade, and specify the procedures pertaining to the Pre-Opening Application, whereby an Exchange specialist (''specialist'') or a ITS/CAES market maker (''market maker'') in any ITS participant market who wishes to open his or her market in an ITS security may obtain any pre-opening interest in that security by other market makers registered in that security in other Participant markets.

The current Pre-Opening Application prescribes that, if a specialist or a market maker anticipates that its opening transaction in the security the specialist or market maker trades through ITS will be at a price that represents a change from the security's previous day's consolidated closing price of more than the ''applicable price change,'' the specialist or market maker shall notify other Participant markets by sending a pre-opening notification through the ITS. The ''applicable price changes'' are:

Consolidated closing price [4]	Applicable price change (more than)
Network A: [5]	
Under $15	⅛ point.
$15 or over	¼ point.
Network B:	
Under $5	⅛ point.
$5 or over	¼ point.

[4] If the previous day's consolidated closing price of the security exceeded $100 and the security does not underlie an individual stock option contract listed and currently trading on an exchange, the ''applicable price change'' is one point.

[5] Network A is comprised of NYSE securities; Network B is comprised of AMEX securities.

Thereafter, the specialist or market maker shall not open the market in the security until not less than three minutes after the transmission of the pre-opening notification. Once a specialist or market maker has issued a pre-opening notification, other Participant markets may transmit ''pre-opening responses'' to the specialist or market maker through the ITS that contain ''obligations to trade.'' The specialist or market maker is then obligated to combine these obligations with orders it already holds in the security, and, on the basis of this aggregated information, decide upon the opening transaction in the security.

The Pre-Opening Application also applies whenever an ''indication of interest'' is sent to the Consolidated Tape Association (''CTA'') Plan Processor prior to the opening of trading in the relevant security or prior to the reopening of trading in the relevant security following the declaration of a trading halt for certain defined reasons, even if the anticipated opening or re-opening price is not greater than the ''applicable price change.'' The current Pre-Opening Application provides that the Pre-Opening Application applies when an indication of interest is disseminated following five defined trading halt situations; reopenings following order imbalance, order influx, equipment changeover, news pending and news dissemination, and for a delayed opening.

The purpose of the proposed amendments to the Participants' respective rules, to which all the Participants have agreed, is to amend the Pre-Opening Application to provide that the Pre-Opening Application would be triggered whenever an ''indication of interest'' (i.e., an anticipated opening price range) is sent to the Consolidated Tape system prior to the opening or reopening of trading in the relevant security. Under the proposed change, the Pre-Opening Application would also be triggered when indications of interest are disseminated in situations other than those five defined trading halts, including the resumption of trading following the activation of market-wide circuit breakers. In particular, the proposed amendment would delete the definition of ''Trading Halt,'' which is limited to the five defined trading halt situations mentioned above, and replace all references to ''Trading Halt'' with ''halt or suspension in trading.'' As a result, one standard procedure would then govern all trading halt situations and would include suspensions of trading pursuant to circuit breakers.[6]

[1] The Commission is noticing these rule filings in one notice and will notice the proposed rule changes from the remaining self-regulatory organizations as they are filed.

[2] The Participants filed substantially similar proposed rule changes to amend their respective ITS Rules regarding the ITS Pre-Opening Application. The Commission notes that some of the proposed rule changes by the ITS Participants contain additional technical changes. In addition, the NASD is proposing to incorporate language into NASD Rule 5240 from the model Pre-Opening Application Rule contained as Exhibit A to the ITS Plan that was previously inadvertently omitted. Also, the PSE and CHX proposed amendments to their respective Pre-Opening Application rules to add a footnote from the model Pre-Opening Application Rule regarding the definition of when a market in a security is considered opened or re-opened, for purposes of pre-opening responses. The language of each proposed rule changes is on file at the Commission and at the principal offices of the various Participants. The file numbers for the rule filings are as follows: SR–AMEX–97–07; SR–BSE–96–11; SR–CHX–96–34; SR–CSE–97–03; SR–NASD–97–09; SR–NYSE–97–03; and SR–PSE–97–05.

[3] The respective Pre-Opening Application Rules that the Participants are proposing to amend are: AMEX, Rule 232; BSE, Chapter XXXI; CHX, Article XX, Rule 39; CSE, Chapter 14, Rules 14.1 and 14.3; NASD, Rule 5210, 5240 and 5250; NYSE, Rule 15; and PSE, Rule 5.20.

[6] In its proposed rule change, the NYSE notes that indications are also required pursuant to NYSE rules in other situations, including circuit breaker halts, when a stock's price will change the lesser of 10% or three points from the last sale, or five points for stocks over $100, unless the price change

2. Statutory Basis

These proposed amendments are consistent with sections 6(b)(5) and 15A(b)(6) of the Act[7] in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and to 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 amendment is also consistent with section 11A(a)(1)(D) of the Act[8] which provides that the linking of all markets for qualified securities through communications and date processing facilities will foster efficiency, enhance competition, increase the information available to brokers, dealers, and investors, facilitate the offsetting of investors' orders, and contribute to the best execution of such orders. In particular, by enhancing the linkage among all ITS Participant Markets and promoting coordinated openings and reopenings in ITS Securities, the Participants believe the proposed rule changes are consistent with the Act.

B. Self-Regulatory Organizations' Statement on Burden on Competition

The Participants do not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organizations' Statement on Comments on the Proposed Rule Changes Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Changes and Timing for Commission Action

Within 35 days of the 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 self-regulatory organization consents, the Commission will:

(A) by order approve the 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. 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 at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Participants. All submissions should refer to File Nos. SR–AMEX–97–07, SR–BSE–96–11, SR–CHX–96–34, SR–CSE–97–03, SR–NASD–97–09, SR–NYSE–97–03, and SR–PSE–97–05 and should be submitted by March 14, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

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is less than one point. The NYSE notes that NYSE rules would continue to govern when NYSE specialists would be required to issue indications of interest. *See* NYSE filing SR–NYSE–97–03. Similarly, AMEX notes that in connection with a reopening following a ''circuit breaker'' halt, AMEX's rules require dissemination of an indication in the same circumstances as the NYSE. AMEX notes that its proposed amendments are intended to conform to the amendment to the ITS Plan agreed to by the Participants. *See* AMEX filing SR–AMEX–97–07.

[7] 15 U.S.C. 78f(b)(6); 15 U.S.C. 78*o*–3(b)(6).

[8] 15 U.S.C. 78k–1(a)(1)(D).

[Release No. 34–38272; File No. SR–DTC–96–24]

Self-Regulatory Organizations; The Depository Trust Company; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to Revision of Fees

February 11, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on December 31, 1996, The Depository Trust Company (''DTC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by DTC. 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 proposed rule change amends DTC's schedule of fees to establish a 3.5 percent surcharge on all service fees DTC charges to participants, pledge banks, limited participants, and other DTC users (''participants and users'').

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, DTC 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. DTC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule change is to establish a surcharge of 3.5 percent on all service fees DTC charges to its participants and users beginning on January 1, 1997. According to DTC, the surcharge is necessary to recover the costs of upgrading its systems to recognize data fields containing dates incorporating the year 2000 and the years thereafter (''Year 2000 Project''). DTC estimates that the total cost of its compliance initiatives will range from $25 million to $35 million over the duration of the Year 2000 Projects. These costs reflect new staff to be hired for year 2000 conversion efforts, the cost associated with diverting present DTC staff from service-related development, other staff related costs, and the cost of consulting assistance. The cost of the Year 2000 Project for 1996 has been charged against DTC's excess revenues for the year.

DTC will list the surcharge as a separate line item on its monthly bill to its participants and users and will continue the surcharge indefinitely until all compliance costs have been

[1] 15 U.S.C. 78s(b)(1).

[2] The Commission has modified the text of the summaries prepared by DTC.

recovered. Pass-through charges to participants, such as the cost of Participant Terminal System terminals and lines and transfer agent fees, will be excluded from the surcharge. DTC anticipates that the surcharge will raise $11 million in 1997. DTC will evaluate the surcharge at least annually and will modify the rate if necessary.

DTC believes that the proposed rule change is consistent with Section 17A(b)(3)(D) of the Act[3] and the rules and regulations thereunder because it provides for the equitable allocation of reasonable dues, fees, and other charges among DTC's participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

DTC does not believe that the proposed rule change will impose any burden on competition 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

No written comments have been solicited or received. DTC will notify the Commission of any written comments received by DTC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act[4] and pursuant to Rule 19b–4(e)(2)[5] promulgated thereunder because the proposal changes a due, fee, or other charge imposed by DTC. At any time within sixty days of the filing of such rule change, 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respected 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, N.W., Washington, D.C. 20549. Copies of such filing also will be available for inspection and copying at the principal office of DTC. All submissions should refer to File No. SR–DTC–96–24 and should be submitted by March 14, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

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[3] 15 U.S.C. 78q–1(b)(3)(D).

[4] 15 U.S.C. 78s(b)(3)(A)(ii).

[5] 17 CFR 240.19b–4(e)(2).

[6] 17 CFR 200.30–3(a)(12).

[Release No. 34–38287; File No. SR–GSCC–96–12]

Self-Regulatory Organizations; Government Securities Clearing Corporation; Notice of Filing of a Proposed Rule Change Relating to Interdealer Broker Repurchase Agreement Transactions

February 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on November 21, 1996, the Government Securities Clearing Corporation (''GSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–GSCC–96–12) as described in Items I, II, and III below, which items have been prepared primarily by GSCC. On December 3, 1996, GSCC filed with the Commission an amendment to the proposed rule change.[2] 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 rule change is to amend GSCC rules to authorize GSCC to assess the clearing fund margin and mark-to-market consequences of a brokered repurchase agreement transaction (''repro'') that is uncompared on one side as if it were fully compared.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, GSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments that it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. GSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.[3]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Occasionally, an interdealer broker (''IDB'') and one of its non-IDB counterparties to a repo transaction submit to GSCC on a timely basis the relevant data for a transaction, but the other non-IDB counterparty fails to submit in a timely or accurate fashion data related to the transaction. When this occurs, the IDB's trade with the non-submitting counterparty will not compare and will not enter GSCC's netting system. The corresponding side between the IDB and the submitting counterparty will compare and will enter the net assuming all comparison requirements have been met. As a result, the IDB will not have offsetting compared and netted trades with its two counterparties and will carry a net settlement position. Thus, the IDB may incur clearing fund and mark-to-market (particularly forward margin) assessments. Given the intermediary role of IDBs in the marketplace and their more limited financial resources, GSCC believes that its risk management process works best and most safely if IDBs are netted out of their positions as intermediaries in brokered repo transactions.

To promote the overall risk management process, GSCC believes that the clearing fund and the funds-only settlement consequences of any trade that does not compare because of a non-IDB's failure to submit data should fall on that non-IDB counterparty and not on the IDB. Thus, GSCC proposes to amend Rule 19, which sets forth special provisions for brokered repo transactions, by adding Section 3 to: (1) reaffirm the obligation

[1] 15 U.S.C. 78s(b)(1).

[2] Letter from Karen Walraven, Vice President and Associate Counsel, GSCC (November 26, 1996).

[3] The Commission has modified the text of the summaries submitted by GSCC.

of a non-IDB netting member to submit in a timely and accurate manner to GSCC or to another registered or exempted clearing agency data on all of its brokered repo transactions[4] and (2) provide that if a non-IDB member fails without good cause to submit data on a brokered repo transaction in a timely or accurate basis, GSCC may treat the transaction as compared based on the data submission received from the counterparty IDB for purposes of assessing all clearing fund. Prior to GSCC's assessing clearing fund and funds-only settlement consequences to a non-IDB netting member that has failed to submit such trade data in a timely and accurate basis, GSCC would attempt to contact (*e.g.*, by telephone) as promptly as possible such non-IDB netting member in order to confirm the accuracy of the data submitted by its IDB netting member counterparty. If the lack of comparison arose because of operational or other problems on the part of the IDB party and the non-IDB netting member therefore does not know the trade, GSCC would not assess margin consequences against the non-IDB netting member.

GSCC believes the proposed rule change is consistent with the requirements of Section 17A of the Act and the rules and regulations thereunder because the rule proposal will promote the prompt and accurate clearance and settlement of securities transactions and will assure the safeguarding of securities and funds in the custody or control of GSCC or for which GSCC is responsible.

(B) Self-Regulatory Organization's Statement on Burden on Competition

GSCC does not believe that the proposed rule change will impact or impose a 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 have been solicited or received. GSCC will notify the Commission of any written comments received by GSCC.

[4] GSCC rules currently require that repo netting members submit either to GSCC or to another registered clearing agency or a clearing agency that has been exempted from registration as a clearing agency by the Commission in a timely manner data on all eligible repo transactions. Currently, only one other registered clearing agency clears and settles repo transactions in government securities. Typically, dealers enter into a brokered transaction with the understanding that such trade will be cleared and settled through a specified clearing agency. Therefore if the counterparties to a repo transaction have selected GSCC as the clearing agency to be used, failure to submit the relevant data may be a violation of GSCC's rules.

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 GSCC 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. 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, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of GSCC. All submissions should refer to the file number SR–GSCC–96–12 and should be submitted by March 14, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[5]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4232 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[5] 17 CFR 200.30–3(a)(12).

[Release No. 34–38283; File No. SR–NSCC–96–19]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Granting Approval of a Proposed Rule Change To Discontinue the Operation of the Securities Clearing Group's Data Base

February 13, 1997.

On October 3, 1996, the National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–NSCC–96–19) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'').[1] Notice of the proposal was published in the Federal Register on November 6, 1996.[2] No comment letters were received. For the reasons discussed below, the Commission is granting approval of the proposed rule change.

I. Description

The proposed rule change amends the Securities Clearing Group Agreement of the Securities Clearing Group (''SCG'')[3] to discontinue the operation of the SCG data base. The SCG data base contains information on common participants of the SCG members relating to settlement payment obligations, clearing fund and margin requirements and deposits, and other related information. The members of the SCG created the SCG data base as a means to coordinate and share information on common participants and increase cooperation among the SCG members.

Termination of the SCG data base is desirable for several reasons. First, NSCC has established and agreed to make available to the SCG members access to its Collateral Management Service (''CMS'').[4] The CMS will not only make available to the SCG members information similar to that

[1] 15 U.S.C. 78s(b)(1).

[2] Securities Exchange Act Release No. 37904 (October 31, 1996), 61 FR 57506.

[3] The SCG was established in 1989 as a result of developments surrounding the October market break and subsequent studies on the causes of the market break. The stated purpose of the SCG is to increase cooperation and coordination among securities clearing entities and to facilitate the sharing of certain clearance and settlement information regarding surveillance and member risk monitoring. For a further description of the SCG, refer to Securities Exchange Act Release No. 27044 (July 25, 1989), 54 FR 30963 [File Nos. SR–DTC–88–20, SR–MCC–88–10, SR–MSTC–88–07, SR–NSCC–88–09, SR–OCC–89–02, SR–Philadep–89–01, and SR–SCCP–89–01] (order approving the establishment of the SCG).

[4] For a description of the Collateral Management Service, refer to Securities Exchange Act Release No. 36091 (August 10, 1995), 60 FR 42931 [File No. SR–NSCC–95–06] (order approving a proposed rule change establishing the CMS).

contained in the SCG data base but will also provide members with enhanced features and capabilities. For example, the SCG data base contains aggregate information on clearing fund and margin deposits including excess and deficit amounts whereas the CMS contains both aggregate information on clearing fund and margin deposits including excess and deficit amounts as well as detailed information on the underlying collateral comprising clearing fund and margin deposits (*i.e.*, cash, securities, and letters of credit). The SCG members recognize that termination of the SCG data base is desirable at this point to avoid redundancies with the CMS.

Second, termination of the SCG data base will eliminate the occurrence of a significant increase in costs that would be required to maintain the SCG data base because the data base on which it is built is no longer supported by the original vendor. As a result, SCG members would be required to enter into a new and more costly contract with a new vendor. Third, because the CMS contains more detailed information and more features than the SCG data base, use of the CMS in place of the SCG data base should enable the SCG members to better coordinate and share information and to monitor clearing fund and margin deposits with respect to common participants.

Accordingly, the SCG members have executed Amendment No. 6 to the SCG Agreement.[5] The Amendment: (i) authorizes the termination of the SCG data base, (ii) authorizes NSCC to use all data information, computer coding, and programs contained in the SCG data base in establishing and maintaining the operation of CMS, and (iii) grants to each SCG Member a nonexclusive and nontransferable license to use NSCC's CMS.

II. Discussion

Section 17A(b)(3)(F) provides that the rules of a clearing agency must be designed to assure the safeguarding of securities and funds in the custody or control of the clearing agency or for which it is responsible and to foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.[6] The Commission believes that the proposed rule change is consistent with the Act because the amendment to the SCG Agreement provides for each SCG member to have access to the CMS, and the Commission believes the CMS and the data contained in it should assist SCG members in assuring the safeguarding of securities and funds in their custody or control. The Commission also believes the termination of the SCG data base in conjunction with NSCC's grant to each SCG member of a nonexclusive and nontransferable license to use the CMS, should foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–NSCC–96–19) be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4235 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[5] A copy of the Amendment is attached to NSCC's filing. A copy of the filing is available for copying and inspection in the Commission's Public Reference Room or through NSCC.

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] 17 CFR 200.30–3(a)(12).

[Release No. 34–38284; File No. SR–OCC–96–15)

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of a Proposed Rule Change Relating to Revisions to the Standards for Letters of Credit Deposited as Margin

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on November 4, 1996, The Options Clearing Corporation (''OCC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–OCC–96–15) as described in Items I, II, and III below, which items have been prepared primarily by OCC. 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 rule change is to request the Commission's permanent approval for OCC's modifications to its standards for letters of credit deposited with OCC as a form of margin.[2]

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.[3]

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Purposed Rule Change

In previous filings, OCC has proposed and the Commission has approved on a temporary basis OCC's modifications to its rules governing letters of credit deposited with OCC as a form of margin.[4] This filing proposes to make permanent the Commission's temporary approval of OCC's modifications to its Rule 604, which sets forth the standards for letters of credit deposited with OCC as a form of margin.

The modifications for which OCC has temporary approval are as follows. First, in order to conform to the Uniform Commercial Code and to avoid any

[1] 15 U.S.C. 78s(b)(1).

[2] For a complete description of these modifications to the standards for letters of credit, refer to Securities Exchange Act Release No. 29641 (August 30, 1991), 56 FR 46027 [File No. SR–OCC–91–13] (order temporarily approving proposed rule change through February 28, 1992).

[3] The Commission has modified the text of the summaries prepared by OCC.

[4] Securities Exchange Act Release Nos. 29641 (August 30, 1991), 56 FR 46027 [File No. SR–OCC–91–13] (order temporarily approving proposed rule change through February 28, 1992); 30424 (February 28, 1992), 57 FR 8106 [File No. SR–OCC–92–06] (order temporarily approving proposed rule change through May 31, 1992); 30763 (June 1, 1992), 57 FR 24284 [File No. SR–OCC–92–11] (order temporarily approving proposed rule change through August 31, 1992); 31126 (September 1, 1992), 57 FR 40925 [File No. SR–OCC–92–19] (order temporarily approving proposed rule change through December 31, 1992); 31614 (December 17, 1992), 57 FR 61142 [File No. SR–OCC–92–37] (order temporarily approving proposed rule change through June 30, 1993); 32532 (June 28, 1993), 58 FR 36232 [File No. SR–OCC–93–14] (order temporarily approving proposed rule change through June 30, 1994); 34206 (June 13, 1994), 59 FR 31661 [File No. SR–OCC–94–06] (order temporarily approving proposed rule change through June 30, 1995); 36138 (August 23, 1995), 60 FR 44926 [File No. SR–OCC–95–9] (order temporarily approving proposed rule change through June 28, 1996); and 37618 (August 29, 1996), 61 FR 46889 [File No. SR–OCC–96–07] (order temporarily approving proposed rule change through June 30, 1997).

ambiguity as to the latest time for honoring demands upon letters of credit, letters of credit must state expressly that payment must be made prior to the close of business on the third banking day following demand. Second, letters of credit must be irrevocable. Third, letters of credit must expire on a quarterly basis. Fourth, OCC included language in its Rule 604 to make explicit OCC's authority to draw upon letters of credit at any time, whether or not the clearing member that deposited the letter of credit has been suspended or is in default, if OCC determines that such draws are advisable to protect OCC, other clearing members, or the general public.

According to OCC, since its original filing, OCC has received no adverse comments or complaints from any of its clearing members, the banks, or other interested parties with respect to the modifications to Rule 604 or the implementation of the revised letter of credit standards. As a result, OCC now requests that the Commission permanently approve its revisions.

OCC believes that the proposed rule change is consistent with the requirements of Section 17A of the Act[5] because the proposed rule change promotes the protection of investors by enhancing OCC's ability to safeguard the securities and funds in its possession or subject to its control.

B. Self-Regulatory Organization's Statement on Burden on Competition

OCC does not believe that the proposed rule change would impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Comments were not and are not intended to be solicited by OCC with respect to the proposed rule change, and none were received.

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 OCC 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of OCC. All submissions should refer to the file number SR–OCC–96–15 and should be submitted by March 14, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4234 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[5] 15 U.S.C. 78q–1.

[6] 17 CFR 200.30–3(1)(12).

[Release No. 34–38279; File No. SR–PSE–96–48]

Self-Regulatory Organizations; Pacific Stock Exchange, Inc.; Order Granting Approval to Proposed Rule Change Relating to A.M.-Settlement

February 12, 1997.

On December 18, 1996, the Pacific Stock Exchange, Inc. (''PSE'' 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 thereunder,[2] a proposed rule change to codify certain existing procedures relating to a.m.-settled index options.

Notice of the proposed rule change was published for comment in the Federal Register on January 14, 1997.[3] No comments were received on the proposal. This order approves the proposal.

I. Description

The Exchange proposes to adopt new Rule 7.8(e), entitled ''A.M.-Settled Index Options.'' This rule provides that the last day of trading for A.M.-settled index option shall be the business day preceding the last day of trading in the underlying securities prior to expiration. It states that the current index value at the expiration of an A.M.-settled option shall be determined on the last day of trading in the underlying securities prior to expiration. It further provides that the current index value shall be determined by reference to the reported level of such index is derived from first reported sale (opening) prices of the underlying securities on such day. In addition, in any case where the security does not open for trading on that day, the last reported sale price of such security shall be used unless the exercise settlement amount is fixed in accordance with the Rules and By-Laws of The Options Clearing Corporation.

Subsection (1)(B) of the proposed rule further states that in any case where an exercise settlement amount is fixed for any series of index options pursuant to the Rules and By-Laws of The Options Clearing Corporation, the amount so fixed shall be the amount required to be paid upon exercise of options of that series notwithstanding any difference between the current index value used by The Options Clearing Corporation in fixing that amount and the index value determined pursuant to Exchange Rules or practices.

The rule change further states that the following A.M.-settled index options are approved for trading on the Exchange: the PSE Technology Index; the Wilshire Small Cap Index, and the Dow Jones & Co. Taiwan Index.

II. Discussion

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b).[4] Specifically, the proposal clarifies procedures for determining the current index value of A.M.-settled index options by conforming PSE's rules and practices regarding these products to the current rules and practices of The

[1] 15 U.S.C. § 78s(b).

[2] 17 CFR 240.19b–4.

[3] Securities Exchange Act Release No. 34–38127 (January 14, 1997).

[4] 15 U.S.C. § 78(b).

Options Clearing Corporation and the other exchanges. Thus, the Commission believes that the proposal is consistent with the Section 6(b)(5)[5] requirements that the rules of an exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, and, in general, to protect investors and the public, in that it will foster cooperation and coordination with persons engaged in regulating, clearing, selling and processing information with respect to transactions in securities.[6]

III. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[7] that the proposed rule change (SR–PSE–96–48) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4233 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[5] 15 U.S.C. § 78(b)(5).

[6] In approving these rules, the Commission has considered the proposed rules' impact on efficiency, competition, and capital formation. 15 U.S.C. § 78c(f).

[7] 15 U.S.C. § 78s(b)(2).

[8] 17 CFR 200.30–3(a)(12).

[Release No. 34–38280; FIle No. SR–PTC–96–09]

Self-Regulatory Organizations, Participants Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Declaring a Dividend

February 12, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on December 23, 1996, the Participants Trust Company (''PTC'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–PTC–96–09) as described in Items I, II, and III below, which Items have been prepared primarily by PTC. 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 proposed rule change declares a dividend payable on January 21, 1997, to PTC's stockholders of record as of December 31, 1996.

[1] 15 U.S.C. 78s(b)(1).

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, PTC 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. PTC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

As a condition to approving PTC's application for stock in the Federal Reserve Bank of New York, the Board of Governors of the Federal Reserve System (''Board of Governors'') prohibited PTC from paying dividends to its stockholders.[3] The Board of Governors subsequently relieved PTC of the restriction on payment of dividends with the understanding that dividends, if declared, would be declared periodically by PTC's Board of Directors and would be paid at a rate not to exceed the 90-day United States Treasury bill rate in effect at the time the dividend is declared.[4]

The Commission approved PTC's practice of paying dividends out of net profits subject to the limitations imposed by the Board of Governors and subject to the limitations imposed by the Board of Governors and subject to the further requirements that (i) prior to using excess income from invested principal and interest (''P&I'') to pay a dividend, PTC's Board of Directors be advised of any amount related to the investment of P&I which has not been rebated and is part of the net profits used to declare the dividend and affirmatively approve the application of such excess P&I income for the dividend and (ii) PTC file a proposed rule change pursuant to Section 19(b)(3)(A) of the Act each time it declares a dividend.[5]

PTC has paid dividends on January 18, 1993, in the amount of $.52 per share to stockholders of record as of the close of business on December 31, 1992,[6] on January 20, 1994, in the amount of $.525 per share to stockholders of record as of the close of business on December 31, 1993,[7] on January 20, 1995, in the amount of $1.00 per share to stockholders of record as of the close of business on December 31, 1994,[8] and on December 29, 1995, in the amount of $.98 per share to stockholders of record as of the close of business on December 21, 1995.[9] At its meeting on December 19, 1996, PTC's Board of Directors declared a dividend payable on January 21, 1997, in the amount of $.98 per share to stockholders of record as of the close of business on December 31, 1996. This dividend rate does not exceed the 90-day United States Treasury bill rate in effect on December 19, 1996.[10] The dividend does not include any excess income attributable to investments of P&I as all such P&I related income with respect to fiscal year ended December 31, 1996, will be rebated to participants on a *pro rata* basis based on the amount of P&I disbursements to each participant.

PTC believes that the proposed rule change is consistent with Section 17A(b)(3)(D) of the Act[11] and the rules and regulations thereunder in that it provides for the equitable allocation of reasonable fees and other charges among participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

PTC does not believe that the proposed rule change will impose any burden on competition 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

PTC has not solicited comments with respect to the proposed rule change, and none have been received.

[2] The Commission has modified the text of the summaries prepared by PTC.

[3] Letter from William A. Wiles, Secretary of the Board, Board of Governors, to Thomas A. Williams, Milbank, Tweed, Hadley & McCloy (March 27, 1989).

[4] Letter from Jennifer J. Johnson, Associate Secretary, to the Board, Board of Governors, to Leopold S. Rassnick, Vice President and General Counsel, PTC (June 9, 1992)

[5] Securities Exchange Act Release No. 31746 (January 15, 1993), 58 FR 6319 [File No. SR–PTC–92–15].

[6] *Id.*

[7] Securities Exchange Act Release No. 33487 (January 18, 1994), 59 FR 3900 [File No. SR–PTC–93–07].

[8] Securities Exchange Act Release No. 35205 (January 9, 1995), 59 FR 3444 [File No. SR–PTC–94–08].

[9] Securities Exchange Act Release No. 36790 (January 30, 1996), 61 FR 4507 [File No. SR–PTC–95–09].

[10] The 90-day United States Treasury bill rate, as published in *The Wall Street Journal* on December 19, 1996, was 5.00%.

[11] 15 U.S.C. 78q–1(b)(3)(D).

III. Date for Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(A)(i) of the Act[12] and subparagraph (e)(1) of Rule 19b–4[13] thereunder because the proposed rule change constitutes a stated policy, practice, or interpretation with respect to the meaning, administration, or enforcement of an existing rule of the self-regulatory organization. At any time within sixty days of the filing of such rule change, 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of PTC. All submissions should refer to File No. SR–PTC–96–09 and should be submitted by March 14, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[14]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4237 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[12] 15 U.S.C. 78s(b)(3)(A)(i).

[13] 17 CFR 240.19b–4(e)(1).

[14] 17 CFR 200.30–3(a)(12).

[Release No. 34–38281; File No. SR–Philadep–96–15]

Self-Regulatory Organizations; Philadelphia Depository Trust Company; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change To Amend and Clarify Certain Same-Day Funds Settlement Procedures

February 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on August 6, 1996, the Philadelphia Depository Trust Company (''Philadep'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–Philadep–96–15) as described in Items I and II below, which items have been prepared primarily by Philadep. On November 12, 1996, Philadep filed an amendment to the proposed rule change to clarify the minimum net debit cap procedures.[2] The Commission is publishing this notice and order to solicit comments from interested persons and to grant accelerated approval of the proposed rule change.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of the proposed rule change is to amend and to clarify certain same-day funds settlement (''SDFS'') procedures relating to Philadep's risk management controls.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Philadep 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. Philadep has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.[3]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On February 22, 1996, the Commission granted partial permanent approval and partial temporary approval of proposed rule changes filed by Philadep and the Stock Clearing Corporation of Philadelphia's (''SCCP'') to establish an SDFS system.[4] The purpose of the proposed rule change is to amend and to clarify certain SDFS procedures relating to the risk management controls (*i.e.*, collateral monitor and net debit cap).

Pursuant to the SDFS Approval Orders, Philadep provides each participant with a settlement amount which is an aggregate of a participant's end-of-day net debits and net credits in their SCCP and Philadep accounts.[5] Because of this common net settlement feature, Philadep's SDFS Approval Order sets forth that Philadep's SDFS system risk management controls would be applied in a limited manner to SCCP's Continuous Net Settlement (''CNS'') activity. However, SCCP and Philadep will not suspend the processing of a participant's CNS activity when the participant's collateral monitor is negative or its net debit cap is exceeded because CNS activity is exempt from the risk management controls.

Philadep's proposed amendments to its SDFS system risk management procedures clarify that the collateral of a joint SCCP/Philadep participant that is contained in the participant's collateral monitor may be fully utilized by Philadep to address any settlement default of such joint participant. In this regard, Philadep recognizes several sources of collateral that may be derived to support a joint participant's Philadep activities as well as its SCCP CNS activities. Collateral derived from a SCCP CNS participant generally includes the participant's SCCP participants fund contribution and CNS securities received. Collateral derived from a Philadep participant generally includes the participant's Philadep participants fund contribution, miscellaneous delivery order interest, interest, dividend and reorganization credits, free receives, and proprietary positions that the participant designated as collateral.

Philadep's procedures make clear that in the event of a joint participant insolvency or a joint participant's failure to pay its end-of-day settlement

[1] 15 U.S.C. 78s(b)(1).

[2] Letter from Kieth Kessel, Compliance Officer, Philadep (November 12, 1996).

[3] The Commission has modified the text of the summaries submitted by Philadep.

[4] Securities Exchange Act Release Nos. 36875 (February 22, 1996), 61 FR 7846 [File No. SR–SCCP–95–06] and 36876 (February 22, 1996), 61 FR 7841 [SR–Philadep–95–08] (orders granting partial temporary approval and partial permanent approval of proposed rule changes to convert to same-day funds settlement systems) (''SDFS Approval Orders'').

[5] Philadep's collateral monitor and net debit cap analysis are structured to incorporate this netting of SCCP and Philadep settlements.

obligation, Philadep can use any and all such collateral contained in the participant's collateral monitor to address the default pursuant to Philadep's existing default procedures.

Philadep also proposes to clarify and to amend its SDFS procedures relating to minimum net debit caps. Currently, the minimum net debit cap applied to participants' accounts is an amount equal to 50% of the combined Philadep and SCCP participants funds (a Philadep-only participant's minimum net debit cap is the amount equal to 50% of the Philadep participants fund). Philadep proposes to establish a minimum net debit cap formula which is the lesser of: (1) An amount equal to 50% of the combined Philadep and SCCP participants funds (a Philadep-only participant's minimum net debit cap is an amount equal to 50% of the Philadep participants fund); or (2) an amount equal to twice the participant's aggregate end-of-day settlement amounts calculated over the past three months. The minimum net debit cap will be recalculated and adjusted on a monthly basis. Furthermore, Philadep reserves the right to set an individual participant's minimum net debit cap at a level less than that computed by the above formulas if Philadep believes that for risk management purposes the minimum net debit cap should be adjusted downward.

Philadep believes the proposed rule change is consistent with Section 17A of the Act and the rules and regulations thereunder because the proposal will assure the safeguarding of securities and funds which are in the custody or control of Philadep or for which it is responsible.

(B) Self-Regulatory Organization's Statement on Burden on Competition

Philadep 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 relating to the proposed rule change have been solicited or received. Philadep will notify the Commission of any written comments received by Philadep.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Section 17A(b)(3)(F) of the Act [6] requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible. The Commission believes that Philadep's proposed rule change clarifying certain SDFS procedures is consistent with Philadep's obligations because the proposal should provide participants with some certainty with respect to Philadep's application of SDFS risk management controls to CNS activity and failure to settle procedures. Additionally, the proposed rule change is consistent with Philadep's obligations because the proposal establishes a second minimum net debit cap formula which produces a more conservative minimum net debit cap for certain participants.

Philadep has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing. The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing because the proposed rule change, which should clarify certain SDFS procedures that are currently being applied to participants, should become effective as soon as possible.[7]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of Philadep. All submissions should refer to the file number SR–Philadep–96–15 and should be submitted by March 14, 1997.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–Philadep–96–15) be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4239 Filed 2–26–97; 8:45 am]

BILLING CODE 8010–01–M

[6] 15 U.S.C. 78q–1(b)(3)(F).

[7] The staff of the Board of Governors of the Federal Reserve System has concurred with the Commission's granting of accelerated approval. Telephone conversation between John Rudolph, Board of Governors of the Federal Reserve System, and Chris Concannon, Staff Attorney, Division of Market Regulation, Commission (February 13, 1997).

[8] 17 CFR 200.30–3(a)(12).

[Release No. 34–38282; File No. SR–SCCP–96–06]

Self-Regulatory Organizations; Stock Clearing Corporation of Philadelphia; Notice of Filing and Order Granting Accelerated Approval of a Proposed Rule Change To Amend and Clarify Same-Day Funds Settlement Procedures

February 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on August 6, 1996, the Stock Clearing Corporation of Philadelphia (''SCCP'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change (File No. SR–SCCP–96–06) as described in Items I and II below, which items have been prepared primarily by SCCP. The Commission is publishing this notice and order to solicit comments from interested persons and to grant accelerated approval of the proposed rule change.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of the proposed rule change is to amend and clarify SCCP's same-day funds settlement (''SDFS'') procedures.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

In its filing with the Commission, SCCP included statements concerning the purpose of and basis for the proposed rule change and discussed any comments they received on the proposed rule changes. The text of these statements may be examined at the places specified in Item IV below. SCCP has prepared summaries, set forth in

[1] 15 U.S.C. 78s(b)(1).

sections (A), (B), and (C) below, of the most significant aspects of such statements.[2]

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

On February 22, 1996, the Commission granted partial permanent approval and partial temporary approval of proposed rule changes filed by SCCP and the Philadelphia Depository Trust Company (''Philadep'') to establish an SDFS system.[3] The purpose of the proposed rule change is to amend and clarify certain SDFS procedures relating to the risk management controls (*i.e.*, collateral monitor and net debit cap).

Pursuant to SCCP's SDFS Approval Order, SCCP provides each participant with a settlement amount which is an aggregate of the participant's end-of-the-day net debits and net credits in its SCCP and Philadep accounts.[4] Because of this common net settlement feature, Philadep's SDFS Approval Order sets forth that Philadep's SDFS system risk management controls would be applied in a limited manner to SCCP's Continuous Net Settlement (''CNS'') activity. Specifically, SCCP will not suspend the processing of a participant's CNS activity when the participant's collateral monitor is negative on its net debit cap is exceeded.

Pursuant to Philadep's SDFS Approval Order, a participant's activities at SCCP, such as CNS securities delivered to a SCCP participant, are included in the participant's Philadep collateral monitor. Additionally, a participant's net debit cap is determined by a participant's combined net debit history at Philadep and SCCP, and for purpose of calculating a participant's net debit settlement, Philadep includes net CNS settlements.

The purpose of the proposed rule change is to formally restate and clarify in SCCP's procedures the limited applicability of Philadep SDFS risk management controls on SCCP participants' activity. The proposed rule change also provides that all collateral derived from any SCCP CNS participant contained in Philadep's collateral monitor may be used by Philadep to address any settlement default by such joint participant. Collateral derived from a SCCP CNS participant generally includes the participant's SCCP participants fund contribution and CNS securities received.

Furthermore, SCCP authorizes Philadep to utilize any collateral derived from a defaulting SCCP/Philadep participant to address a default in accordance with Philadep Rule 4(a) and any subsequent amendments thereto.

SCCP believes the proposed rule change is consistent with Section 17A of the Act and the rules and regulations thereunder because the proposal should promote the prompt and accurate clearance and settlement of securities transactions.

(B) Self-Regulatory Organization's Statement on Burden on Competition

SCCP believes that the proposed rule change will not impose any burden on competition not permitted by the Act.

(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 with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Section 17A(b)(3)(F) of the Act[5] requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible. The Commission believes hat SCCP's proposed rule change clarifying certain SDFS procedures are consistent with such obligations because the proposal should provide participants with some certainty with respect to SCCP's application of SDFS risk management controls to CNS activity.

SCCP has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing. The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing because the proposal, which should clarify certain SDFS procedures that are currently being applied to participants, should become effective as soon as possible.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of SCCP. All submissions should refer to the file number SR–SCCP–96–06 and should be submitted by March 14, 1997.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–SCPP–96–06) be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97–4238 Filed 2–20–97; 8:45 am]

BILLING CODE 8010–01–M

[2] The Commission has modified the text of the summaries submitted by SCCP.

[3] Securities Exchange Act Release Nos. 36875 (February 22, 1996), 61 FR 7846 File No. SR–SCCP–95–06] and 36876 (February 22, 1996), 61 FR 7841 [SR–Philadep–95–08] (orders granting partial temporary approval and partial permanent approval of proposed rule changes to convert to same-day funds settlement systems) (''SDFS Approval Orders'').

[4] Philadep's collateral monitor and net debit cap analysis were structured to incorporate this netting of SCCP and Philadep settlements.

[5] 15 U.S.C. 78q–1(b)(3)(F).

[6] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Advisory Committee on Veterans Business Affairs; Reestablishment

The U.S. Small Business Administration, The Office of Veterans Affairs, Washington D.C., Central Office, wishes to submit a statement in the Federal Register regarding reestablishment of the Advisory Committee on Veterans Business Affairs at the Small Business Administration, 409 3rd St. SW, Washington, DC 20416.

For further information, write or call Joan McNair, Office of Veterans Affairs, at SBA, 409 3rd St. SW., Washington, DC 20416, telephone 205–6775.

Dated: February 3, 1997.

Michael P. Novelli,

Director, Office of Advisory Councils.

[FR Doc. 97–4267 Filed 2–20–97; 8:45 am]

BILLING CODE 8025–01–P

National Small Business Development Center Advisory Board; Public Meeting

The U.S. Small Business Administration, National Small Business Development Center Advisory Board located in the geographical area of Washington, DC, will hold a public meeting on Monday and Tuesday, March 3–4, 1997, from 8:15 AM to 5 PM, at the U.S. Small Business Administration, 409 3rd St. SW, Washington, DC, 4th Floor Conference Room, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Mary Ann Holl, SBA, 409 3rd St. SW, 4th Floor, Washington, D.C. 20416, telephone 202/205–7302.

Dated: February 3, 1997.

Michael P. Novelli,

Director, Office of Advisory Councils.

[FR Doc. 97–4270 Filed 2–20–97; 8:45 am]

BILLING CODE 8025–01–P

Region I Advisory Council; Public Meeting

The U.S. Small Business Administration Region I Advisory Council located in the geographical area of Providence, Rhode Island, will hold a public meeting on Friday, March 7, 1997 at 8:00 a.m., at the Providence Marriott, Charles at Orms Street, Providence, Rhode Island to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call the office of the District Director, Providence District Office, U.S. Small Business Administration, 380 Westminster Street, Providence, Rhode Island 02903. (401) 528–4561.

Dated: February 3, 1997.

Michael P. Novelli,

Director, Office of Advisory Councils.

[FR Doc. 97–4269 Filed 2–20–97; 8:45 am]

BILLING CODE 8025–01–P

Washington, D.C. District Advisory Council; Public Meeting

The U.S. Small Business Administration Region III District Advisory Council located in the geographical area of Washington, D.C., will hold a public meeting from 9:00 a.m.–11:00 a.m., on Wednesday, February 19, 1997, at 733 15th Street, N.W., Suite 300, Washington, D.C., to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Anita L. Irving, Public Information Officer, U.S. Small Business Administration, 1110 Vermont Avenue, N.W., Suite 900, (P.O. Box 34500), Washington, D.C. 20045; telephone 202/606–4000, ext. 275.

Dated: February 3, 1997.

Michael P. Novelli,

Director, Office of Advisory Councils.

[FR Doc. 97–4266 Filed 2–18–97; 11:37 am]

BILLING CODE 8025–01–P

Region V Advisory Council Public Meeting

The U.S. Small Business Administration Region V Advisory Council located in the geographical area of Milwaukee, Wisconsin, will hold a public meeting from 12:00 p.m. to 1:30 p.m., on Tuesday, February 18, 1997, at the Milwaukee Area Chamber (MMAC) Association of Commerce Building (Milwaukee & Mason) Fourth Floor—The Milwaukee Room, 756 North Milwaukee Street, Milwaukee, Wisconsin, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Gloria Holter at (414) 287–4100.

Dated: February 3, 1997.

Michael P. Novelli,

Director, Office of Advisory Councils.

[FR Doc. 97–4268 Filed 2–18–97; 11:37 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Pierce County, Washington

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Revised Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that the scope of a project in Pierce County, Washington for which a notice of intent had previously been issued has been changed and that additional scoping and public involvement meetings will be conducted.

FOR FURTHER INFORMATION CONTACT: Gene Fong, Division Administrator, Federal Highway Administration, 711 South Capitol Way, Suite 501, Olympia WA 98501, telephone (360) 753-9413; or Gary Demich, Region Administrator, Olympic Region, Washington State Department of Transportation, P.O. Box 7440, Olympia WA 98504, telephone (360) 357-2659.

SUPPLEMENTARY INFORMATION: The FHWA in cooperation with the Washington State Department of Transportation issued a Notice of Intent December 9, 1993, to prepare an environmental impact statement on a proposal to improve State Route 16 (SR 16) in Pierce County, Washington. Scoping comments to date have been in favor of operational improvements and/or capacity improvements with a strong preference for HOV treatments. A Major Investment Study currently being conducted in the SR 16 corridor has indicated the need to expand the scope of this EIS. The scope of the proposed action is being expanded to address congestion and improve safety and operational reliability in the SR 16 corridor from the Cedar Street overcrossing in Tacoma to the SR 302 interchange south of Purdy in Pierce County, a distance of 20.4 kilometers (12.7 miles). Reduced congestion in the SR 16 corridor would be provided by either added highway capacity, Transportation Demand Management, Transportation System Management, or other general approaches derived from the Major Investment Study.

The SR 16 corridor between Cedar Street in Tacoma and SR 302 near Purdy has experienced substantial increases in traffic volumes, congestion and accidents as a result of regional growth. Regional growth patterns have established this corridor as a major commute route. There are no alternate routes between Tacoma and Gig Harbor and those points north of Gig Harbor in Pierce and Kitsap Counties. Substantial delays in traffic caused by the high volumes are exacerbated by even minor accidents in the corridor. The proposed additional HOV lanes are consistent with, and a part of, WSDOT's overall Transportation System Plan for the SR 16 corridor.

Alternatives under consideration include (1) no action; (2) added capacity alternatives with either a parallel span or a retrofitted Tacoma Narrows Bridge; (3) Transportation Demand Management; and (4) Transportation System Management. Other alternatives will be considered, as appropriate, as a result of public scoping or the Major Investment Study. Incorporated into and

studied with the build alternatives will be the siting of a new interchange in the vicinity of 36th Street NW., the addition of HOV lanes within the existing Rights of Way whenever possible, and the addition of toll facilities in the 24th Street vicinity.

Announcements describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies. These announcements will also be set to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public scoping meetings will be held in Tacoma, Gig Harbor, and on the Kitsap Peninsula on March 11th, 12th, 13th, 18th, and 19th 1997. In addition, a public hearing on the Draft EIS will be held. Public notice will be given of the time and place of these meetings and of the hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

It is important that the full range of issues related to this proposed action be addressed and that all significant issues be identified. To ensure this, 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 at the address and phone number 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.)

Issued on February 14, 1997.

José M. Miranda,

Environmental Program Manager, Olympia, Washington.

[FR Doc. 97–4332 Filed 2–20–97; 8:45 am]

BILLING CODE 4910–22–M

Surface Transportation Board

[STB Ex Parte No. 546]

Surface Transportation Board—1997 Office Relocation Business Plan

AGENCY: Surface Transportation Board.

ACTION: Notice.

SUMMARY: The Surface Transportation Board (the Board) is scheduled to relocate over the weekend of March 15–16, 1997. The Board is giving notice of pre-location and post-location procedures. The Board's new address will be: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001.

EFFECTIVE DATE: February 13, 1997.

FOR FURTHER INFORMATION CONTACT: Anne Quinlan, (202) 927–5679 (after March 16, 1997, (202) 565–1650); or Beryl Gordon, (202) 927–5660 (after March 16, 1997, (202) 565–1600). (TDD for the hearing impaired: (202) 927–5721 (after March 16, 1997, (202) 565–1695).)

SUPPLEMENTARY INFORMATION: The Board is issuing this notice to advise the public of its new location, effective March 17, 1997. The Board is scheduled to relocate its offices over the weekend of March 15–16, 1997. Its new address will be: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001. In addition, the Board is also giving the public advance notice that normal service to the public, including normal case intake and processing will not occur during the immediate pre-relocation and post-relocation dates of March 13, 1997, through March 18, 1997, due to necessary equipment relocation and other disruptions anticipated during the relocation.

The Board is, therefore, by this notice, announcing that mail will not be received and decisions will not be served on Thursday, March 13, 1997; Friday, March 14, 1997; Monday, March 17, 1997; and Tuesday, March 18, 1997, with the exception noted below. In particular, the Board will not serve decisions on March 13, 14, 17 or 18, 1997; the Board will not receive mail from March 13, through March 18, inclusive (mail delivery will resume thereafter at the new location); the Board will not accept non-mail filings (other than tariff filings) from March 13, 1997, through March 18, 1997, inclusive; the Board will not accept new case filings between March 13, 1997, and March 18, 1997, inclusive; and the Board will, for the duration of the period between March 13 and March 18, toll the time period for calculating the effective date of all Board decisions and notices that would otherwise be scheduled to take effect between March 13, 1997, and March 18, 1997, inclusive. Because of the number of time-sensitive matters handled by the Board, the Board is providing advance notice that case filings that would begin a proceeding and trigger a deadline for processing or for effectiveness will not be accepted during this period and that effectiveness of previously issued decisions, or previously filed self-executing notices (notices of exemption, for example) that would otherwise be scheduled to take effect between March 13, 1997, and March 18, 1997, inclusive, will be delayed one day for every calendar day during the March 13–18 interval. Also, to avoid any potential unfairness to the public, the effectiveness of any notice of exemption filed on March 12, 1997, that would normally become effective in 7 days (on March 19, 1997), will be delayed one day for each of the 6 calendar days between March 13, 1997, and March 18, 1997, and thus will not be permitted to take effect until March 25, 1997. This should alleviate any problems that could otherwise be presented for those persons who wish to seek a stay of effectiveness or problems that might otherwise occur in connection with processing of offers of financial assistance to continue rail service following Board approval of a rail line abandonment or discontinuance.

The Board will continue to receive tariff filings during this interval (so as not to delay effectiveness of rate decreases for service in the noncontiguous domestic trade that may become effective on one day's notice).

DC News & Data, Inc., the official copy contractor for the Board, which is responsible for the duplication and distribution of Board decisions and orders to the public, will relocate its offices from 1201 Constitution Avenue, N.W., Room 2229, Washington, DC, to 1925 K Street, NW, Suite 210, Washington, DC 20006. Telephone: (202) 289–4357. DC News & Data, Inc., will close its office from March 13, 1997, through March 18, 1997, and reopen for business on March 19, 1997.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: February 13, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 97–4274 Filed 2–20–97; 8:45 am]

BILLING CODE 4915–00–P

[STB Docket No. AB–397 (Sub-No. 5X)]

Tulare Valley Railroad Company—Abandonment and Discontinuance Exemption—in Tulare and Kern Counties, CA

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10502, the Board exempts Tulare Valley Railroad Company (TVR) from the prior approval requirements of 49 U.S.C. 10903 to permit TVR to abandon an 18.5-mile

line of railroad extending from milepost 47.2 near Lindsay to milepost 66.0 near Ultra, in Tulare County, CA, and to discontinue trackage rights over 25.7 miles of railroad owned by San Joaquin Valley Railroad Co. from SP milepost 287.1 near Ducor to SP milepost 308.7 near Famoso, including the branch line from SP milepost 295.0 near Richgrove to SP milepost 299.1 near Jovista, in Tulare and Kern Counties, CA, subject to standard employee protective conditions and environmental conditions.

DATES: Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption is effective on March 23, 1997. Formal expressions of intent to file an OFA [1] under 49 CFR 1152.27(c)(2) must be filed by March 3, 1997; petitions to stay must be filed by March 10, 1997; requests for a public use condition must be filed by March 13, 1997; and petitions to reopen must be filed by March 18, 1997.

ADDRESSES: Send pleadings referring to STB Docket No. AB–397 (Sub-No. 5X) to: (1) Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Ave., NW., Washington, DC 20423; and (2) Petitioner's representative: Paul C. Oakley, 1350 New York Ave., NW, Suite 800, Washington, DC 20005–4797.

FOR FURTHER INFORMATION CONTACT: Beryl Gordon, (202) 927–5660. (TDD for the hearing impaired: (202) 927–5721.)

SUPPLEMENTARY INFORMATION: Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC News & Data, Inc., Room 2229, 1201 Constitution Ave., NW., Washington, DC 20423. Telephone: (202) 289–4357/4359. (Assistance for the hearing impaired is available through TDD services (202) 927–5721.)

Decided: February 13, 1997.

By the Board, Chairman Morgan and Vice Chairman Owen.

Vernon A. Williams,

Secretary.

[FR Doc. 97–4273 Filed 2–20–97; 8:45 am]

BILLING CODE 4915–00–P

[1] *See Exempt. of Rail Abandonment-Offers of Finan. Assist.,* 4 I.C.C.2d 164 (1987).

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

Federal Reserve System

Federal Deposit Insurance Corporation

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

AGENCIES: Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of information collection to be submitted to OMB for review and approval under the Paperwork Reduction Act of 1995.

SUMMARY: On September 16, 1996, the OCC, the Board, and the FDIC (the agencies) requested public comment for 60 days on proposed revisions to the Consolidated Reports of Condition and Income (Call Report), which are currently approved collections of information. After considering the comments the agencies received, the Federal Financial Institutions Examination Council (FFIEC), of which the agencies are members, adopted several modifications to the revised reporting requirements initially proposed.

In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the agencies may not conduct or sponsor, and the respondent is not required to respond to, an information collection that has been extended, revised, or implemented on or after October 1, 1995, unless it displays a currently valid Office of Management and Budget (OMB) control number. Comments are invited on: a. whether the proposed revisions to the following collections of information are necessary for the proper performance of the agencies' functions, including whether the information has practical utility; b. the accuracy of the agencies' estimates of the burden of the information collections as they are proposed to be revised, including the validity of the methodology and assumptions used; c. ways to enhance the quality, utility, and clarity of the information to be collected; d. ways to minimize the burden of information collection on respondents, including through the use of automated collection techniques or other forms of information technology; and e. estimates of capital or startup costs and costs of operational, maintenance, and purchase of services to provide information.

DATES: Comments must be submitted on or before March 24, 1997.

ADDRESSES: Interested parties are invited to submit written comments to any or all of the agencies. All comments, which should refer to the OMB control number(s), will be shared among the agencies.

OCC: Written comments should be submitted to the Communications Division, Office of the Comptroller of the Currency, 250 E Street, S.W., Washington, D.C. 20219; Attention: Paperwork Docket No. 1557–0081 [FAX number (202) 874–5274; Internet address: Regs.comments@occ.treas.gov]. Comments will be available for inspection and photocopying at that address.

Board: Written comments should be addressed to Mr. William W. Wiles, Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets, N.W., Washington, D.C. 20551, or delivered to the Board's mail room between 8:45 a.m. and 5:15 p.m., and to the security control room outside of those hours. Both the mail room and the security control room are accessible from the courtyard entrance on 20th Street between Constitution Avenue and C Street, N.W. Comments received may be inspected in room M–P–500 between 9:00 a.m. and 5:00 p.m., except as provided in § 261.8 of the Board's Rules Regarding Availability of Information, 12 CFR 261.8(a).

FDIC: Written comments should be addressed to the Office of the Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street, N.W., Washington, D.C. 20429. Comments may be hand-delivered to Room F–402, 1776 F Street, N.W., Washington, D.C. 20429, on business days between 8:30 a.m. and 5:00 p.m. Comments may be sent through facsimile to: (202) 898–3838 or by the Internet to: comments@fdic.gov. Comments will be available for inspection at the FDIC Public Information Center, Room 100, 801 17th Street, N.W., Washington, D.C., between 9:00 a.m. and 4:30 p.m. on business days.

A copy of the comments may also be submitted to the OMB desk officer for the agencies: Alexander Hunt, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: A copy of the revised collection of information may be requested from any of the agency clearance officers whose names appear below.

OCC: Jessie Gates, OCC Clearance Officer, (202) 874–5090, Office of the

Comptroller of the Currency, 250 E Street, S.W., Washington, D.C. 20219.

Board: Mary M. McLaughlin, Board Clearance Officer, (202) 452–3829, Division of Research and Statistics, Board of Governors of the Federal Reserve System, 20th and C Streets, N.W., Washington, D.C. 20551. Telecommunications Device for the Deaf (TDD) users only, Dorothea Thompson, (202) 452–3544, Board of Governors of the Federal Reserve System, 20th and C Streets, N.W., Washington, D.C. 20551.

FDIC: Steven F. Hanft, FDIC Clearance Officer, (202) 898–3907, Office of the Executive Secretary, Federal Deposit Insurance Corporation, 550 17th Street N.W., Washington, D.C. 20429.

SUPPLEMENTARY INFORMATION: Request for OMB approval to extend, with revision, the following currently approved collections of information:

Report Title: Consolidated Reports of Condition and Income

Form Number: FFIEC 031, 032, 033, 034.[1]

Frequency of Response: Quarterly.

For OCC:

OMB Number: 1557–0081.

Affected Public: National Banks.

Estimated Number of Respondents: 2,800 national banks.

Estimated Time per Response: 39.92 burden hours.

Estimated Total Annual Burden: 447,132 burden hours.

For Board:

OMB Number: 7100–0036.

Affected Public: State Member Banks.

Estimated Number of Respondents: 1,002 state member banks.

Estimated Time per Response: 45.80 burden hours.

Estimated Total Annual Burden: 183,566 burden hours.

For FDIC:

OMB Number: 3064–0052.

Affected Public: Insured State Nonmember Commercial and Savings Banks.

Estimated Number of Respondents: 6,374 insured state nonmember banks.

Estimated Time per Response: 29.67 burden hours.

Estimated Total Annual Burden: 756,511 burden hours.

The estimated time per response is an average which varies by agency because of differences in the composition of the banks under each agency's supervision (e.g., size distribution of banks, types of activities in which they are engaged, and number of banks with foreign offices). The time per response for a bank is estimated to range from 15 to 400 hours, depending on individual circumstances.

General Description of Report: This information collection is mandatory: 12 U.S.C. 161 (for national banks), 12 U.S.C. 324 (for state member banks), and 12 U.S.C. 1817 (for insured state nonmember commercial and savings banks). Except for select sensitive items, this information collection is not given confidential treatment. Small businesses (i.e., small banks) are affected.

Abstract: Call Reports are filed quarterly with the agencies for their use in monitoring the condition and performance of reporting banks and the industry as a whole. The call reports also are used to calculate banks' deposit insurance assessments and for monetary policy and other public policy purposes.

Current Actions: Revisions initially proposed for the Call Report consisted of: the deletion or combining of a number of existing items; the revision of the Call Report instructions to eliminate instructions that differ from generally accepted accounting principles (GAAP) and the addition of a small number of new items to meet supervisory or insurance assessment calculation data needs resulting from this move to GAAP; the addition of new items and modification of existing items to enhance the agencies' ability to monitor interest rate risk, identify bank usage of credit derivatives, and support the FDIC's calculation of deposit insurance assessments for Oakar institutions; and changes to several other instructions. After considering the comments, the FFIEC approved several modifications to the initial set of proposed revisions. The comments on the initial proposal and the changes made in response to the comments are discussed below.

Type of Review: Revision.

On September 16, 1996, the agencies jointly published a notice soliciting comments for 60 days on proposed revisions to their currently approved Call Report information collections (61 FR 48687). The notice described the specific changes that the agencies, with the approval of the FFIEC, were proposing to implement as of March 31, 1997.

In response to this notice, the agencies collectively received 38 comment letters: 16 from community banks, 12 from large banks, 5 from bankers' associations, 2 from accounting organizations, 1 from another specialized trade association, 1 from a state banking authority, and 1 from a law firm. In general, most large banks and bankers' associations commented on several, but not necessarily all, of the areas in which the agencies proposed to change the Call Report requirements. Each of the remaining commenters typically addressed only one or two aspects of the proposal. The agencies and the FFIEC have considered all of the comments received on the proposal.

With respect to the proposed deletions and reductions in detail, commenters agreed with these changes, but several of them stated that the agencies had not gone far enough in their efforts to eliminate items and reduce reporting burden. Furthermore, as discussed further below, virtually all of the commenters expressing opinions on the Call Report revisions designed to enhance the agencies' ability to monitor interest rate risk opposed these proposed changes. They found them to be unnecessary and contrary to the statutory mandate to the agencies set forth in section 307 of the Riegle Community Development and Regulatory Improvement Act of 1994. In this regard, the agencies and the Office of Thrift Supervision, through the FFIEC's Task Force on Reports, are working to develop a common core report and supplemental schedules that will satisfy the requirements of section 307. The proposed Call Report changes for 1997 were not intended to fulfill those requirements in their entirety, but the deletions and reductions in detail as well as the adoption of GAAP represent important initial steps in that direction.

More specific information on the comments received is presented below.

Comments on Proposed Deletions and Reductions in Detail—The agencies had proposed to eliminate the separate Schedule RC–L items for ''Gross commitments to purchase'' and ''Gross commitments to sell'' when-issued securities (items 10.a and 10.b) and, instead, to have these commitments reported as forward contracts in the off-balance sheet derivative contract portion of that schedule. This change was proposed because of the relatively small number of banks reporting when-issued securities commitments and because these commitments are treated as derivative contracts under the agencies' risk-based capital standards. However, one commenter observed that the Financial Accounting Standards Board (FASB) defined the term ''derivative financial instrument'' in its June 1996 exposure draft of the proposed accounting standard ''Accounting for Derivative and Similar Financial Instruments and for Hedging Activities'' as a financial instrument

[1] The FFIEC 031 report form is filed by banks with domestic and foreign offices. The FFIEC 032 report form is filed by banks with domestic offices only and total assets of $300 million or more. The FFIEC 033 report form is filed by banks with domestic offices only and total assets of $100 million or more but less than $300 million. The FFIEC 034 report form is filed by banks with domestic offices only and total assets of less than $100 million.

that generally does not require the holder or writer of the instrument to own or deliver the underlying. This commenter felt it would be confusing to report when-issued securities as derivatives in Schedule RC–L if they are not reported as such for other financial reporting purposes. The FFIEC agreed and decided that institutions that do not include when-issued securities commitments as part of their disclosures about derivatives for other financial reporting purposes would be permitted to report commitments to sell when-issued securities as ''other off-balance sheet assets'' and commitments to purchase when-issued securities as ''other off-balance sheet liabilities'' in Schedule RC–L. There would be no change in the risk-based capital treatment of these contracts regardless of the Schedule RC–L item in which they are reported.

The agencies had proposed to combine items 1.d, ''Securities underwriting,'' and 1.e. ''Other unused commitments,'' on Schedule RC–L—Off-Balance Sheet Items, because only a small number of banks report that they have securities underwriting commitments. However, because of regulatory and possible statutory changes, the extent of bank involvement in securities underwriting may increase in the near future. Therefore, upon further consideration by the agencies, item 1.d is being retained.

Comments on the Elimination of Call Report Instructions That Differ From GAAP, Related New Items, and Other Affected Call Report Items and Instructions—Commenters addressing the adoption of GAAP as the reporting basis for the balance sheet, income statement, and related schedules in the Call Report expressed broad support for this concept. However, many of these commenters had opinions on certain issues relating to the implementation of GAAP-based reporting in the Call Report.

First, the proposal stated that the Call Report ''instructions will continue to contain and the FFIEC and the agencies will continue when necessary to issue specific reporting guidance that falls within the range of acceptable practice under GAAP.''[2] The proposal further noted that ''[e]ach agency also will retain existing authority to require an institution to report a transaction in the Call Report in accordance with that agency's interpretation of GAAP.'' Commenters considered these practices contrary to the proposal's objective of moving to GAAP and expressed concern that the exercise of this authority would cause the Call Report to fall back into a reporting mode similar to the current situation in which the instructions contain departures from GAAP. Moreover, permitting individual agencies the discretion to interpret GAAP for Call Report purposes may affect consistency and comparability among the reported information. Several commenters recommended that any plans to require a specific reporting practice within the range of acceptable GAAP or to interpret GAAP in a way that departs from industry practice should first be issued as a proposal for public comment by all of the agencies.

The agencies and the FFIEC have in the past limited the number of circumstances in which they have adopted specific Call Report guidance that falls within GAAP to those few situations where safety and soundness objectives argue for a single reporting rule for all institutions or where the GAAP alternatives for reporting a transaction produce accounting results with a significant lack of comparability. When the agencies have previously considered implementing specific GAAP guidance, the FFIEC's Task Force on Reports has normally consulted with the staffs of the FASB and the Securities Exchange Commission (SEC). If reporting guidance of a supervisory nature is being pursued, the agencies and the FFIEC also decide whether public comment should be solicited. These practices are expected to continue and the adoption of specific Call Report instructions that fall within the range of GAAP should remain infrequent in the future.

In addition, the Call Report instructions have for many years stated that when a bank and its primary federal regulator have differing interpretations of how GAAP should be applied to a specific transaction, the agency may require the bank to report the transaction in the Call Report in accordance with the agency's interpretation and, if appropriate, to amend previously submitted reports. The agencies do not believe they have excessively or improperly invoked this authority in the past and would not expect this to change. In practice, when issues of GAAP interpretation are raised with an agency's Washington Office, the staff normally consults with the other agencies and with the FASB and SEC staffs and considers the views of the bank and its accountant before reaching a decision. This authority is essentially the same as the authority the SEC exercises over the public financial statements filed with it. The SEC can and does challenge registrants over their application of GAAP to specific events or transactions reflected in their financial statements. The SEC also can require restatement when it concludes that a registrant has not properly applied GAAP given the facts and circumstances surrounding an event or transaction. Therefore, the agencies believe it is appropriate to retain this authority.

Second, the proposal reminded banks that their regulatory capital ratios will continue to be calculated in accordance with the agencies' capital standards rather than in accordance with GAAP. At least five commenters responded to this statement. As long as the capital standards differ from GAAP, some felt that true relief from the burden of regulatory reporting requirements will not be achieved. Three suggested that the agencies should adopt GAAP for purposes of measuring regulatory capital. On the other hand, one commenter strongly supported the agencies' ability to decide whether to adopt new accounting standards for regulatory capital purposes. Revisions to the agencies' capital standards fall outside the scope of the Call Report proposal for 1997 and would need to be addressed by each agency, in consultation with the other agencies, as part of a rulemaking. Appropriate agency staff have been advised of this request.

Along a similar vein, two commenters observed that there are other laws and regulations that are based on income or capital levels that are reported in Call Reports such as legal lending limits, dividend limitations, loans to insiders, and permissible investment activities. One of these two commenters, which had recommended that the agencies adopt GAAP for regulatory capital purposes, also urged the agencies to adopt GAAP for purposes of these other laws and regulations as well as for all supervisory purposes. The other commenter requested that the agencies provide guidance to institutions and examiners on how these other laws and regulations would be applied under the GAAP basis of reporting in the Call Report. Appropriate agency staff have been advised of this request.

Third, several commenters questioned how the agencies would define ''materiality'' when they interpret GAAP for Call Report purposes. It was stated that the agencies cannot truly ''adopt'' GAAP without adopting the

[2] Call Report instructions providing such specific reporting guidance include the nonaccrual rules, the treatment of impaired collateral dependent loans, the Glossary entry for the ''Allowance for Loan and Lease Losses'' which references the 1993 Interagency Policy Statement on this subject, the separate entity method of accounting for income taxes of bank subsidiaries of holding companies, push down accounting, and property dividends.

consideration of materiality in the application of accounting standards. Materiality is a qualitative characteristic of accounting information which is defined in FASB's Statement of Financial Accounting Concepts No. 2. At the end of each Statement of Financial Accounting Standards, the FASB states that the Statement's provisions ''need not be applied to immaterial items.'' Commenters indicated that the agencies' failure to recognize the concept of materiality for regulatory reporting purposes would add to the cost and regulatory burden of the Call Report. One commenter complained that regulators consider all items material, regardless of size.

The General Instructions section of the Call Report instructions discusses the applicability of GAAP to regulatory reporting requirements. While not specifically referring to materiality, banks generally are directed to follow GAAP when reporting events and transactions in the Call Report except where the instructions do not follow GAAP. When discussing the need for banks to amend previous reports, the General Instructions to the Call Report state that the agencies may require amendments if reports contain *significant* errors. The Glossary entry for ''Accounting Changes'' in the Call Report instructions states that a bank *may* be directed to file amended reports for periods that were *significantly* affected by a *material* error. Consistent with this language, the members of the FFIEC's Task Force on Reports and their agencies' accounting policy staffs, as a matter of practice, routinely consider materiality when responding to inquiries about how banks should account for specific events and transactions for Call Report purposes. Therefore, when dealing with the recognition and measurement of events and transactions in the Call Report, the General Instructions' reference to ''significant'' errors should be interpreted to mean errors that are ''material'' for the reporting bank.

In addition to situations involving recognition and measurement, the issue of materiality also arises in connection with how items must be classified or categorized in the Call Report, i.e., on what line of the Call Report must an item be reported. The Call Reports are standardized forms with preprinted captions for specific types of information. The agencies use the data reported on specific lines of the Call Report for purposes such as the FDIC's measurement of banks' assessable deposits in order to calculate deposit insurance premiums. The Board's research divisions use Call Report data for a variety of purposes, including for constructing and benchmarking various measures of the domestic (U.S.) banking system and for construction of the Flow-of-Funds accounts, all of which are provided to the Board of Governors and the Federal Open Market Committee, and for providing the Board of Governors with policy analyses of fundamental banking issues. Because of uses such as these for Call Report data, the need for banks to report items on the proper line of the standardized form may not be fully compatible with the concept of materiality. The agencies will need to give further study to the issue of materiality in relation to the classification of items in the Call Report.

Fourth, a number of commenters requested that they be given the opportunity to review and comment on the Call Report instructions as they would be revised to bring them into conformity with GAAP before they are finalized prior to the March 31, 1997, report date. One other commenter specifically suggested that the agencies provide a comment period after March 31 in order to permit banks to comment on any Call Report instructions they feel do not conform to GAAP. These commenters indicated that this process would help to ensure that the instructions do not inadvertently contain wording that is inconsistent with GAAP or otherwise presents problems to banks. Accordingly, the FFIEC's Task Force on Reports will provide draft instructions to each commenter who requested this opportunity and to the members of the Inter-Association Committee on Bank Accounting as they become available. In addition, once the new or revised instructions for 1997 are issued, the Task Force on Reports will set a specific time period, which will likely begin in the second quarter of 1997, during which banks can submit further comments about instructions that appear inconsistent with GAAP.

Fifth, the agencies proposed to add certain new items and to modify a number of existing Call Report items because of the effect that the adoption of GAAP will have on the manner in which several types of transactions or activities are reported in 1997. In the proposal, the caption to Schedule RC–F—Other Assets, item 3, ''Excess [first lien 1-to-4 family] residential mortgage servicing fees receivable,'' was to be revised to refer to interest-only strips receivable in response to the provisions of (FASB) Statement No. 125, ''Accounting for Transfers and Servicing of Financial Assets and Extinguishments of Liabilities'' (FAS 125), which take effect in 1997. The agencies also proposed to add a new item to this schedule for interest-only strips receivable on other financial assets. One commenter recommended adding two more new items for interest-only strips receivable: one for mortgage-related assets other than first lien 1-to-4 family residential mortgages and another for credit card-related assets. After considering this commenter's suggestion, the FFIEC decided that only two items on interest-only strips receivable should be collected, but that the coverage of the proposed item for interest-only strips receivable on first lien 1-to-4 family residential mortgage loans be expanded to include all mortgage loans. The second proposed item would continue to refer to all other financial assets, but would no longer include any amounts related to mortgage loans.

Sixth, the proposal further noted that while the treatment of assets sold with recourse would be brought into conformity with GAAP for purposes of the Call Report balance sheet and income statement, the agencies' risk-based capital standards refer to the existing Call Report instructions as the source for the definition of asset sales with recourse. Thus, the Call Report Glossary entry for ''Sales of Assets'' would be recaptioned ''Sales of Assets for Risk-Based Capital Purposes.'' The Glossary entry's existing general rule would remain applicable for identifying those asset sales that would be treated as recourse transactions for risk-based capital purposes and be reportable as such in Call Report Schedule RC–R—Regulatory Capital.

The proposal also explained that, in connection with the implementation of FAS 125 in 1997, banks may be able to reflect as an asset certain previously nonrecognized (for Call Report purposes) contractual cash flows (e.g., excess servicing fees that are placed in so-called ''spread accounts'') that act as credit enhancements for assets (typically credit card receivables) that have been transferred and securitized. However, asset transfers that qualify for sale treatment under GAAP, but which use such cash flows as credit enhancements and carry them as on-balance sheet assets at a discounted amount, would be treated as sales with recourse under the ''Sales of Assets for Risk-Based Capital Purposes'' general rule because the bank has retained risk of loss with respect to these asset amounts. This means that a bank would have to hold risk-based capital against the full amount of assets transferred with recourse, but such transfers may qualify for low-level recourse capital treatment which would limit the

required amount of capital to the carrying amount of these contractual cash flows net of any noncapital GAAP recourse liability account associated with the asset transfer.

The proposed post-1996 reporting treatment for asset transfers in which certain contractual cash flows act as credit enhancements was intended to produce the same regulatory capital outcome as the current (non-GAAP) nonrecognition of these cash flows. Several commenters concurred with the agencies' desire for the move to GAAP in this area to produce no significant change in the risk-based capital ratios calculated for a bank using the data reported in the Call Report's risk-based capital schedule. However, they observed that this would not be the case because a bank's reported assets would increase based on the carrying amount of these ''spread accounts,'' but the amount by which its reported undivided profits and Tier 1 capital would increase would be reduced by the related tax effect. The agencies and the FFIEC did not intend for the adoption of GAAP to significantly penalize institutions from a risk-based capital perspective. Accordingly, until any new regulatory capital rules for recourse arrangements and direct credit substitutes take effect, the Call Report instructions relating to the completion of the regulatory capital schedule will permit banks to apply the low-level recourse capital rule on a net of tax basis to ''spread accounts'' that act as credit enhancements for asset transfers.

Finally, several commenters addressed specific Call Report instructions or reporting practices which the proposal had not indicated would be revised to conform with GAAP. Some of these commenters offered specific suggestions about changing how the current instructions tell banks to report various types of income statement and balance sheet items so that banks are permitted to report this information in accordance with either the current instructions or prevalent banking industry practice. These commenters stated that these instructional changes would help to reduce reporting burden. Accordingly, as mentioned in the Introduction, a number of instructions will be revised to accommodate bankers' suggestions. Some commenters also pointed out certain Call Report instructions with ambiguous wording that could be interpreted as inconsistent with GAAP. The agencies plan to clarify these instructions to avoid possible misinterpretation in a GAAP reporting environment.

At least three commenters addressed the regulatory reporting practice that calls for transfers of assets (other than cash) between a bank and an affiliate or other related party to be reported at fair value rather than book value. While the agencies acknowledge that GAAP permits such transfers to be recorded at book value, the agencies believe that the use of fair value falls within the range of acceptable practice under GAAP when an entity that is consolidated in the GAAP financial statements of its parent prepares separate financial statements like the Call Report. In addition, the provision of section 23A of the Federal Reserve Act requiring both covered and exempt transactions between a bank and an affiliate to ''be on terms and conditions that are consistent with safe and sound banking practices'' has been interpreted to mean that transfers must be reported at fair value.

One commenter disagreed with the agencies' proposed approach for reporting the effect of the retroactive application of GAAP to transactions previously reported in accordance with Call Report instructions that differ from GAAP. The agencies proposed that banks should report the effect of this ''catch-up'' adjustment on a bank's undivided profits as of January 1, 1997, as a direct adjustment to equity capital. This commenter believes that the adoption of GAAP for Call Report purposes represents a change in accounting principle, the effect of which should be reflected in the income statement rather than as an equity capital adjustment. The agencies considered this comment and concluded that they should retain the proposed method of reporting the effect of the retroactive application of GAAP for Call Report purposes. Because the agencies are permitting banks to decide for themselves whether to retroactively apply GAAP to previous transactions or to continue to report them in accordance with the existing instructions that differ from GAAP, the agencies believe it is more appropriate for the retroactive effect to be reported outside of the Call Report income statement.

Comments on the Subchapter S Election for Federal Income Tax Purposes—The unanticipated change to Subchapter S of the Internal Revenue Code enabling banks, savings associations, and their parent holding companies to elect Subchapter S corporation status for federal income tax purposes in 1997 occurred when the FFIEC was being asked to approve by notation vote the publication of the proposed Call Report changes for 1997 for a 60-day comment period as required by the Paperwork Reduction Act of 1995. One commenter recommended that the agencies add a Call Report item for a bank's tax status, indicating that this would provide federal and state regulatory agencies (and other users of the Call Report) with one central data source for identifying those institutions that have elected Subchapter S status. The agencies and the FFIEC agreed with this recommendation and added a simple ''yes/no'' question to the Call Report asking whether the reporting bank has a Subchapter S election in effect for the current tax year. Such an item should produce a nominal amount of reporting burden.

Comments on the Reporting of Adjusted Attributable Deposit Amounts by Oakar Institutions—The FDIC's final rule amending certain provisions of its assessment regulations that pertain to Oakar institutions, which was published on December 10, 1996, calls for the FDIC to take over from Oakar institutions the responsibility for calculating the Adjusted Attributable Deposit Amount (AADA) resulting from previous assumptions of secondary-fund deposits. To support this calculation, the agencies proposed to revise the Call Report for 1997 to replace the existing item for AADAs in Schedule RC–O—Other Data for Deposit Insurance Assessments with two items that Oakar institutions currently report on a separate FDIC report form that would be eliminated and with one new item. The proposal indicated that Oakar institutions should experience a net reduction in reporting burden from these proposed reporting changes. However, several commenters that addressed this reporting change disagreed with this statement because Oakar institutions have not previously reported the third item that would be added to Schedule RC–O and because these institutions will now need to verify the accuracy of the FDIC's calculation of their AADAs each quarter. Therefore, the burden estimate for the Call Report was modified.

Comments on Credit Derivatives—The proposal discussed the effect of credit derivatives on the amounts reported in Call Report Schedule RC–R—Regulatory Capital and several comment letters addressed this matter. The agencies and the FFIEC agreed with these commenters that the instructions for Schedule RC–R should for the time being refer institutions to the guidance on credit derivatives issued by their primary federal supervisory agency rather than providing detailed instructional language in this evolving area.

Comments on Other Instructional Changes—The agencies proposed to revise the Call Report instructions in six other areas, two of which were addressed by commenters.

The first area involves the reporting of full-time equivalent employees and their compensation expense. Two commenters expressed concern that the proposal would cause banks to break out the compensation component of intercompany cost allocations and the related pro rata full-time equivalent employees. However, this was not the intent of the proposed change. Instructions will so indicate.

The second area involves the proposed elimination of conflicting instructions concerning the reporting of loans and leases held for sale. One commenter did not disagree with this proposed clarification, but suggested that the agencies also clarify that loans and leases held for short-term trading purposes and marked-to-market through the income statement may continue to be reported as trading assets. The agencies had not intended to change this existing reporting practice which is consistent with GAAP and will make this additional suggested instructional clarification.

Comments on Enhanced Interest Rate Risk Information—The industry comments on the proposed additions to the Call Report for interest rate risk monitoring purposes were generally unfavorable. Nearly three-fourths of the commenters, including almost all of the community banks, addressed the revisions related to interest rate risk. Most considered these revisions unnecessary, many stated that the expanded data will increase the cost and burden of the Call Report. Others suggested that the marginal benefit of these data to the agencies (in terms of earlier identification of some banks with interest rate risk problems than at present) would exceed the cost to implement the proposed changes. Some commenters reported that they or their data processing servicers would not have sufficient time to make the necessary systems changes by the proposed March 1997 implementation date and urged the agencies to move this date until June or September 1997 if they decide to proceed with their proposal. Some commenters also noted that the agencies just made some changes to the Call Report's maturity and repricing data in March 1996, are proposing further revisions for 1997, and may make additional changes as they design the common core report for banks, savings associations, and bank holding companies which at present is targeted for implementation not earlier than in 1998. In contrast, one commenting bankers' association agreed that, in general, ''the proposed changes are appropriate to analyze interest rate risk,'' but went on to state that it had some objections, including the cost.

After considering the comments, the agencies still believe that a revision of the Call Report that is substantially the same as proposed is necessary in order to obtain information that is better suited for off-site identification of institutions that have either minimal or potentially high interest rate risk. Revisions allowing a better identification of basic repricing/maturity mismatches and the presence of potential option risk are particularly important. A few commenters recognized that the proposed revisions accomplish this objective but commented negatively on the increased burden and the costs incurred in making programming changes to current systems.

Some commenters questioned the agencies' commitment to developing a risk assessment approach to determining the capital adequacy of an institution for interest rate risk. These commenters questioned the need for any revision to the Call Report given the increased focus on on-site examination of qualitative and quantitative risk management factors. Moreover, they viewed these modifications as auguring a shift in the policy stance taken by the agencies in the June 26, 1996, Joint Agency Policy Statement on Interest Rate Risk (1996 Policy Statement). Indeed, some industry commenters questioned whether these revisions represented a way to eventually implement a standardized model approach to assessing capital adequacy for interest rate risk.

The agencies remain committed to a risk assessment approach to determining capital adequacy for interest rate risk. However, the 1996 Policy Statement explicitly noted the Agencies' intent to ''use various quantitative screens and filters to identify banks that may have high exposures or complex risk profiles, to allocate examiner resources, and to set examination priorities. These tools rely on Call Report data and various economic indicators and data.'' The agencies do not intend, with or without these Call Report changes, to construct a standardized supervisory measure of interest rate risk. The recent adoption of the market risk capital charge clearly signals and establishes precedent that the agencies will rely increasingly on the internal risk measures of institutions. The agencies intend to use the data from the Call Report as it would be revised to develop screens that will permit the allocation of examiner resources toward the potentially riskier institutions and away from potentially less risky institutions.

Without the increased identification power provided by the additional data, the agencies may tend to conduct more in-depth on-site examinations than might otherwise be conducted. With the revisions to the Call Report, the agencies will be better equipped to identify both high and low interest rate risk institutions, off-site, and will be able to better focus examiner resources to address interest rate risk in a more efficient and burden sensitive manner.

The agencies recognize that the cost associated with changing the Call Report is not inconsequential. However, the proposed modifications will cause institutions to incur a significant one-time reprogramming cost with a smaller increase in periodic reporting cost. Moreover, these revisions are a small fraction of the proposed data collection requirements contained in the Supervisory Policy Statement Concerning a Supervisory Framework for Measuring and Assessing Banks' Interest Rate Risk Exposure which the agencies proposed in August 1995. The agencies have chosen only those modifications that afford the greatest potential benefit to off-site risk identification and resource allocation. The increased transparency provided by the changes will enhance the agencies' ability to distinguish institutions with potentially higher interest rate sensitivity. Additionally, it extends the agencies' ability to monitor structural changes in portfolio composition over time, enhancing the agencies' ability to redirect resources in a timely fashion as potential risks at individual institutions change.

In response to the burden concerns raised by commenters, the agencies and the FFIEC reviewed the specific interest rate risk-related changes that had been proposed and have made some modifications to the original proposal. First, the FFIEC deferred the effective date for the interest rate risk revisions to the Call Report from March until June 1997. This will increase the lead time that banks and their servicers will have to make necessary systems changes. Commercial banks will report the existing Call Report items that provide maturity and repricing data in March 1997. FDIC-supervised savings banks will continue to complete their supplemental interest rate risk schedule (Schedule RC–J) in March 1997, except for the weighted average cost and yield factors and the principal payments

received memorandum items which will be eliminated.

Second, the FFIEC dropped three of the new items that had been proposed because of their relatively lower importance for interest rate risk screening purposes. These three items are ''Long positions in interest rate futures and forwards,'' ''Short positions in interest rate options,'' and ''Outstanding principal balance of 1-to-4 family residential mortgage loans held in portfolio that are serviced by others.'' The first two items would have been added to the off-balance sheet schedule (Schedule RC–L) and the third would have appeared on the memoranda schedule (Schedule RC–M).

Third, another proposed memoranda schedule item on servicing, ''Outstanding principal balance of loans other than 1-to-4 family residential mortgage loans that are serviced for others,'' will not be completed by all banks. Instead, this item will be applicable only to those banks filing the FFIEC 031, 032, and 033 report forms that service more than $10 million of such loans and whose servicing volume exceeds 10 percent of the reporting bank's assets. This item will not be applicable to banks with less than $100 million in assets that file the FFIEC 034 report form.

Fourth, the coverage of one of the proposed off-balance sheet items on interest rate swaps held for purposes other than trading has been revised to provide the agencies with a better indication of the volume of such swaps used for hedging purposes. The proposed item for ''Interest rate swaps where the bank has undertaken a floating rate obligation'' has been changed to cover those swaps ''where the bank has agreed to pay a fixed rate.''

Dated: February 14, 1997.

Karen Solomon,

Director, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency.

Board of Governors of the Federal Reserve System, February 7, 1997.

William W. Wiles,

Secretary of the Board.

[THIS SIGNATURE PAGE PERTAINS TO THE JOINT NOTICE AND REQUEST FOR COMMENT, ''SUBMISSION FOR OMB REVIEW; COMMENT REQUEST'']

Dated at Washington, D.C., this 7th day of February, 1997.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 97–4363 Filed 2–20–97; 8:45 am]

BILLING CODE OCC: 4810–33–P ⅓, Board: 6210–01–P ⅓, FDIC: 6714–01–P ⅓

Corrections

Federal Register
Vol. 62, No. 35
Friday, February 21, 1997

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Project No. 11499–000 Tennessee]

Armstrong Energy Resources; Notice of Public Scoping Meetings

Correction

In notice document 97–3037 beginning on page 5812, in the issue of Friday, February 7, 1997 make the following correction:

On page 5813, in the first column, in the second paragraph, in the first line, ''not'' should read ''now''.

BILLING CODE 1505-01-D

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. OA96-11-001, et al.]

Long Sault, Inc., et al.; Notice of Filings Made Pursuant to Order Nos. 888 and 889 Not Covered by Other Notices

Correction

In notice document 97–2542, beginning on page 4994, in the issue of Monday, February 3, 1997, make the following corrections:

1. On Page 4995, in the Attachment to the notice, in the first column, in the third line, docket number ''OA96–018–000'' should read ''OA96–018–001''.

2. On the same page, in the Attachment to the notice, in the first column, in the 30th line, docket number ''OA97–015–002'' should read ''OA96–015–002''.

3. On the same page, in the Attachment to the notice, in the first column, in the eighth line from the bottom, docket number ''OA97–064–000'' should read ''OA96–064–001''.

4. On page 4997, in the Attachment to the notice, in the first column, in the 20th line, docket number ''OA97–037–000'' should read ''OA96–037–002''.

5. On the same page, in the Attachment to the notice, in the first column,in the 29th line, docket number ''OA97–011–001'' should read ''OA96–011–001''.

6. On the same page, in the Attachment to the notice, in the first column, in the 33rd line, docket number ''OA97–122–001'' should read ''OA96–122–001''.

7. On page 4998, in the Attachment to the notice, in the first column, in the sixth line from the bottom, docket number ''OA96–424–000'' should read ''OA97–424–000''.

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

[Secretary's Order 5-96]

Delegation of Authorities and Assignment of Responsibilities to the Assistant Secretary for Employment Standards and Other Officials in the Employment Standards Administration

Correction

In notice document 96–33365 beginning on page 107 in the issue of Thursday, January 2, 1997 make the following corrections:

1. On page 110, second column, paragraph (a), line ten, ''Wage-Hour'' should read ''Wage and Hour''.

2. On page 111, second column, paragraph h., line 14, ''and'' should read ''are''.

3. On the same page, in the same column, paragraph 5.a. (at the bottom of the page), line four, ''Administrative'' should be removed and replaced with the words ''administration of the statutory provisions and Executive''.

4. On the same page, third column, paragraph 7.b., line three, ''paragraph 4,'' should read ''paragraph 4.''.

BILLING CODE 1505-01-D

DEPARTMENT OF LABOR

[Secretary's Order 6-96]

Delegation of Authority and Assignment of Responsibility to the Assistant Secretary for Occupational Safety and Health

Correction

In notice document 96–33366 beginning on page 111 in the issue of Thursday, January 2, 1997 make the following corrections:

1. On the same page, third column, the subject heading above has been corrected.

2. On the same page, third column, line six from the bottom, ''whiteblower'' should read ''whistleblower''.

3. On page 112, first column, first paragraph, line seven, ''whitleblower'' should read ''whistleblower''.

4. On the same page, first column, first paragraph, line nineteen, ''act'' should read ''Act''.

5. On the same page, second column, second line in paragraph (l), ''300J'' should read ''300j''.

BILLING CODE 1505-01-D

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96–AGL–15]

Modification of Class E Airspace; Toledo, OH

Correction

In rule document 97–1925, beginning on page 3787, in the issue of Monday, January 27, 1997, make the following correction:

§ 71.1 [Corrected]

On Page 3788, in the second column, in § 71.1, under AGL OH E5 Toledo, OH [Revised], in the first full paragraph, the sixth line should read, ''41°34′00″N., long. 83°19′00″W.; to lat.''.

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8707]

RIN 1545–AT19

Distribution of Marketable Securities by a Partnership

Correction

In rule document 97–32854, beginning on page 67936, in the issue of Thursday, December 26, 1996, make the following correction:

§ 1.731–2 [Corrected]

On page 67937, in the second column, in example 4, the table should read as follows:

	Value	Basis	Gain (Loss)
Security *X*	1,000	500	500
Security *Y*	1,000	800	200
Security *Z*	1,000	1,100	(100)

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–209817–96]

RIN 1545–AU19

Treatment of Obligation-Shifting Transactions

Correction

In proposed rule document 96–32670, beginning on page 68175, in the issue of Friday, December 27, 1996, make the following correction:

§ 1.7701 (l)–2 [Corrected]

On page 68179, in the third column, in footnote 2 to § 1.7701 (l)–2, the last line should read ''27834, 27844).''.

BILLING CODE 1505-01-D

federal register

Friday
February 21, 1997

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–4124–N–26]

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: Mark Johnston, room 7256, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–1226; TDD 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 Mark Johnston 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 addresses: *Air Force:* Ms. Barbara Jenkins, Air Force Real Estate Agency, (Area–MI), Bolling Air Force Base, 112 Luke Avenue, Suite 104, Building 5683, Washington, DC 20332–8020, (202) 767–4184; *GSA:* Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW, Washington, DC 20405, (202) 501–2059; *Transportation:* Mr. Rugene Spruill, Department of Transportation, Acting Director, Space Management, SVC–140, Transportation Administrative Service Center, 400 7th Street, SW, Room 2310, Washington, DC 20590, (202) 366–4246; (these are not toll-free numbers).

Dated: February 13, 1997.

Jacquie M. Lawing,

Deputy Assistant Secretary for Economic Development.

TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM; FEDERAL REGISTER REPORT FOR FEBRUARY 21, 1997

Suitable/Available Properties

Buildings (by State)

Alaska

10 Office Buildings
Anchorage Native Medical Center
255 Gambell St.
Anchorage Co: Anchorage AK 99501–
Landholding Agency: GSA
Property Number: 549710002
Status: Surplus
Comment: high maintenance costs, does not meet Fed. seismic standards, presence of asbestos, PCB's, lead paint
GSA Number: 9–F–AK–750

3 Storage Buildings
Anchorage Native Medical Center
255 Gambell St.
Anchorage Co: Anchorage AK 99501–
Landholding Agency: GSA
Property Number: 549710003
Status: Surplus
Comment: high maintenance costs, does not meet Fed. seismic standards, presence of asbestos, PCB's, lead paint
GSA Number: 9–F–AK–750

1 Hospital
Anchorage Native Medical Center
255 Gambell St.
Anchorage Co: Anchorage AK 99501–
Landholding Agency: GSA
Property Number: 549710004
Status: Surplus
Comment: 173,336 sq. ft., high maintenance costs, does not meet Fed. seismic standards, presence of asbestos, PCB's, lead paint
GSA Number: 9–F–AK–750

Arizona

38 Family Housing
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Landholding Agency: Air Force
Property Number: 189510036
Status: Excess
Comment: 1170 sq. ft. ea., 1 story relocatable framed residences, good condition, secured area w/alternate access

26 Family Housing
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Landholding Agency: Air Force
Property Number: 189510037
Status: Excess
Comment: 1456 sq. ft. ea., 1 story slump block frame residences, off-site removal only, good condition

18 Detached Garages

Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Location: Inc. bldgs. 630, 640, 670, 680, 710, 720, 740, 760, 790, 800, 820, 840, 870, 880, 910, 920, 950, 960 on Milan Loop
Landholding Agency: Air Force
Property Number: 189510039
Status: Excess
Comment: 186 sq. ft. ea., wood frame, 1 story, good condition, off-site removal only, most recent use—storage

Facility # 1004
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Landholding Agency: Air Force
Property Number: 189510040
Status: Excess
Comment: 1734 sq. ft., slump blocks frame, 1 story, good condition, off-site removal only, most recent use—residence

Facility # 4250
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Landholding Agency: Air Force
Property Number: 189510043
Status: Excess
Comment: 7800 sq. ft., prefab steel frame, 2 story, good condition, off-site removal only, most recent use—dormitory

Facility # 4252
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ 86025–
Landholding Agency: Air Force
Property Number: 189510044
Status: Excess
Comment: 144 sq. ft., metal frame, 1 story, good condition, off-site removal only, most recent use—storage

California

Bldg. 604
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010237
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: 189010238
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: 189010239
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: 189010240
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: 189010241
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: 189010242
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: 189010243
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: 189010244
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: 189010245
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing; needs rehab.

Bldg. 618
Point Arena Air Force Station Co: Mendorino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010246
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing; needs rehab

Colorado

Bldg. 08000
Lamar Comm. Facility
La Mar Co: Prowers CO 81052–
Landholding Agency: GSA
Property Number: 189620034
Status: Excess
Comment: 2332 sq. ft. bldg. on approx. 3.67 acres, hook-ups disconnected, needs repair
GSA Number: 7–D–CO–6025

Weather Service Forecast Ofc.
Limon Co: Lincoln CO 80828–
Landholding Agency: GSA
Property Number: 549640019
Status: Excess
Comment: 2650 sq. ft., needs repair, most recent use—office, existing easements
GSA Number: 7–C–CO–640

Florida

Bldg. 244
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 189520001
Status: Excess
Comment: 6239 sq. ft., masonry frame, needs rehab, secured area w/alternate access, most recent use—commissary

Bldg. 242
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 189520002
Status: Excess
Comment: 8554 sq. ft., steel frame module, secured area w/alternate access, most recent use—exchange branch

Bldg. 427
MacDill Auxiliary Airfield No. 1
Avon Park Co: Polk FL 33825–
Landholding Agency: Air Force
Property Number: 189520003
Status: Excess
Comment: 5258 sq. ft., metal & masonry frame, secured area w/alternate access, most recent use—bowling center

Facility No. 0001
Cocoa Beach Comm. Annex No. 2
Cocoa Beach Co: Brevard FL 32931–
Landholding Agency: Air Force
Property Number: 189610010
Status: Unutilized
Comment: telephone switchgear bldg., 474 sq. ft., possible asbestos

Facility No. 00901
Cocoa Beach Comm. Annex No. 1
Cocoa Beach Co. Brevard FL 32931–
Landholding Agency: Air Force
Property Number: 189610011
Status: Unutilized
Comment: 1100 sq. ft., telephone switch bldg., possible asbestos

Idaho

Bldg. 121
Mountain Home Air Force Base
Main Avenue Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 18900007
Status: Excess
Comment: 3375 sq. ft.; 1 story wood frame; potential utilities; needs rehab; presence of asbestos; building is set on piers; most recent use—medical administration, veterinary services.

Bldg. 611
Mountain Home Air Force Base
Mountain Home AFB Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189440016
Status: Underutilized
Comment: 3200 sq. ft.; 1 story wood frame; needs repair, presence of lead base paint and asbestos, most recent use—base chapel.

Bldg. 2201
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189520005
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

Maine

Bldg. 1001–1005, 1131–1140
Charleston Family Housing
Randolph/Union/Maxwell
Bangor Co.: Penobscot ME 04401–
Landholding Agency: Air Force
Property Number: 189640023
Status: Unutilized

Comment: 15 duplex homes with 30 4-bedroom housing units, each unit=2605 sq. ft. w/one car garage

Bldg. 1126–1130
Charleston Family Housing
Randolph Drive
Bangor Co: Penobscot ME 04401–
Landholding Agency: Air Force
Property Number: 189640024
Status: Unutilized
Comment: 5 duplex homes with 10 4-bedroom housing units, each unit=1451 sq. ft. with one car garage

Bldg. 1141–1143
Charleston Family Housing
Maxwell Lane
Bangor Co: Penobscot ME 04401–
Landholding Agency: Air Force
Property Number: 189640025
Status: Unutilized
Comment: 3 4-bedroom housing units, each unit=2675 sq. ft. w/one car garage

Bldg. 1141–1147, 1159–1162
Charleston Family Housing
Randolph Drive
Bangor Co: Penobscot ME 04401–
Landholding Agency: Air Force
Property Number: 189640026
Status: Unutilized
Comment: 8 4-bedroom housing units, each unit=1537 sq. ft. w/one car garage

51 Housing Units w/garages
Charleston Family Housing Complex
Maxwell Lane 7 Randolph Drive
Bangor Co: Penobscot ME 04401–
Landholding Agency: GSA
Property Number: 549640012
Status: Excess
Comment: 1300 sq. ft. each, 1-story
GSA Number: 1–D–ME–526H

Michigan

Bldg. 30
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010779
Status: Excess
Comment: 2593 sq. ft.; 1 floor; concrete block; possible asbestos; potential utilities; most recent use—communications transmitter building.

Bldg. 46
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010786
Status: Excess
Comment: 5898 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—visiting personnel housing.

Bldg. 51
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010791
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 52
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010792
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 53
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010793
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 54
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010794
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 55
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010795
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 56
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010796
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 57
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010797
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 58
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010798
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 59
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010799
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 60
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010800
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 61
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010801
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 62
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010802
Status: Excess
Comment: 1134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 63
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010803
Status: Excess
Comment: 1306 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 64
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010804
Status: Excess
Comment: 1306 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 65
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010805
Status: Excess
Comment: 1306 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 66
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010806
Status: Excess
Comment: 1306 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 67
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010807
Status: Excess
Comment: 1306 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 68
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010808
Status: Excess
Comment: 1478 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 70
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010809
Status: Excess
Comment: 1394 sq. ft.; 1 story concrete block; possible asbestos; most recent use—youth center.

Bldg. 72
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010811
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 73
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010812
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 74
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010813
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 75
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010814
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 76
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010815
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 77
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010816
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 78
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010817
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 79
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010818
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 80
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010819
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 81
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010820
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 82
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010821
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 83
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010822
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 84
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010823
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; possible utilities; possible asbestos.

Bldg. 85
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010824
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 86
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010825
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 87
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010826
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 88
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010827
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 89
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010828
Status: Excess
Comment: 1168 sq. ft.; 1 story wood frame residence; potential utilities; possible asbestos.

Bldg. 97
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010829
Status: Excess
Comment: 171 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 98
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010830
Status: Excess
Comment: 114 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 10
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010836
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 216
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010847
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 217
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010848
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 218
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010849
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 219
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010850
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 220
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010851
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 221
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010852

Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 222
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010853
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 223
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010854
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 224
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010855
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 215
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010856
Status: Excess
Comment: 390 sq. ft.; 1 story wood frame housing garage.

Bldg. 212
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010859
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 214
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010861
Status: Excess
Comment: 780 sq. ft.; 1 story wood frame housing garage.

Bldg. 23
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010865
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame; prior use—storage of fire hoses.

Bldg. 24
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010866
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame; prior use—storage of fire hoses.

Bldg. 36
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010872
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 37
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010873
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 201
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010879
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Seul Choix Point Light
Gulliver Co: Schoolcraft MI 49840–
Landholding Agency: GSA
Property Number: 549640005
Status: Excess
Comment: 1000 sq. ft. lighthouse, lease with Gulliver Historical Society thru Dec. 2009
GSA Number: 1–U–MI–679A

Mississippi

Old Greenville Depot
Greenville Co: Washington MS 38701–
Landholding Agency: GSA
Property Number: 549640020
Status: Excess
Comment: 3365 sq. ft. bldg., 3.442 acres, most recent use—office, garage and mooring site for Coast Guard, periodic flooding, wetlands
GSA Number: 4–U–MS–551

Montana

Facility #1
Havre Training Site
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189530047
Status: Excess
Comment: 6843 sq. ft., 1 story brick frame, good condition, most recent use—technical training site

Bldg. 110
Forsyth Training Site
Co: Rosebud MT
Landholding Agency: Air Force
Property Number: 189610001
Status: Unutilized
Comment: 6843 sq. ft., needs repair, on top of bluff, most recent use—offices

Bldg. 112
Forsyth Training Site
Co: Rosebud MT
Landholding Agency: Air Force
Property Number: 189610002
Status: Unutilized
Comment: 586 sq. ft., most recent use—cold storage

Nebraska

Bldg. 20
Offutt Communications Annex 4
Silver Creek Co: Nance NE 68663–
Landholding Agency: Air Force
Property Number: 189610004
Status: Unutilized
Comment: 4714 sq. ft., most recent use—dormitory

New York

Fed. Office Building
35 Ryerson Street
Brooklyn Co: Kings NY
Landholding Agency: GSA
Property Number: 549630011
Status: Excess
Comment: nine floors and basement, possible asbestos, need rehab, most recent use—VA Clinic
GSA Number: 1–G–NY–637A

Ohio

Marblehead Light Tower
East Harbor State Park
Marblehead Co: Ottawa OH 43440–
Landholding Agency: GSA
Property Number: 549710005
Status: Excess
Comment: 67 foot tall light tower w/87-step spiral staircase, one room/60 sq. ft., covenants and restrictions must be complied with
GSA Number: 1–U–OH–655–C

Pennsylvania

DuBois Federal Bldg.
127 North Brady St.
DuBois Co: Clearfield PA 15801–
Landholding Agency: GSA
Property Number: 549710006
Status: Surplus
Comment: 9200 sq. ft. brick, 2-story, most recent use—office/post office
GSA Number: 4–G–PA–0774

South Dakota

West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage

Texas

Bldg. 110
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630006
Status: Unutilized
Comment: 500 sq. ft., most recent use—garage, historic properties

Bldg. 109
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630007
Status: Unutilized
Comment: 2880 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 428
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630009
Status: Unutilized
Comment: 2700 sq. ft., most recent use—warehouse/office, historic properties

Bldg. 433
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630010
Status: Unutilized

Comment: 1632 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 439
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630011
Status: Unutilized
Comment: 1632 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 440
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630012
Status: Unutilized
Comment: 1632 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 441
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630013
Status: Unutilized
Comment: 1632 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 442
Fort Crockett/53rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Number: DOT
Property Number: 879630014
Status: Unutilized
Comment: 1632 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 106
Fort Crockett/Seawall Blvd. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630015
Status: Unutilized
Comment: 2000 sq. ft., most recent use—garage, historic properties

Bldg. 105
Fort Crockett/Seawall Blvd. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630016
Status: Unutilized
Comment: 1634 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 104
Fort Crockett/Seawall Blvd. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630017
Status: Unutilized
Comment: 1634 sq. ft. per floor, most recent use—residential, historic properties

Bldg. 103
Fort Crockett/Seawall Blvd. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630018
Status: Unutilized
Comment: 1634 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Bldg. 102
Fort Crockett/Seawall Blvd. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630019
Status: Unutilized
Comment: 1634 sq. ft. per floor, 2-story, most recent use—residential, historic properties

Virginia

Housing
Rt. 637—Gwynnville Road
Gwynn Island Co: Mathews VA 23066–
Landholding Agency: DOT
Property Number: 879120082
Status: Unutilized
Comment: 929 sq. ft., one story residence

West Virginia

Guthrie Center Property
4860 Brenda Lane
Charleston Co: Kanauha WV
Landholding Agency: GSA
Property Number: 549640018
Status: Excess
Comment: 18 frame houses/one cinder block bldg., 1200 sq. ft. each, most recent use—residential, needs repair
GSA Number: 4–GR–WV–470

Wisconsin

Washburn Ranger's Dwelling
3 East 3rd St.
Washburn Co: Bayfield WI 54891–
Landholding Agency: GSA
Property Number: 549630010
Status: Excess
Comment: 619 sq. ft., wood frame residence w/garage, historic preservation covenant
GSA Number: 1–A–WI–590

Wind Point Light Station
Racine Co: Racine WI 53402–
Landholding Agency: GSA
Property Number: 549710007
Status: Excess
Comment: 4500 sq. ft. dwelling w/attached tower, garage, and 4 storage bldgs., covenants and restrictions must be complied with
GSA Number: I–U–WI–574

Land (by State)

California

60 ARG/DE
Travis ILS Outer Marker Annex
Rio-Dixon Road
Travis AFB Co: Solano CA 94535–5496
Location: State Highway 113
Landholding Agency: Air Force
Property Number: 189010189
Status: Excess
Comment: .13 acres; most recent use—location for instrument landing systems equipment

Kentucky

Land—5 acres
Cannelton Locks & Dams Project
Located on the banks of the Ohio River
Hawesville Co: Hancock KY
Landholding Agency: GSA
Property Number: 549710008
Status: Excess
Comment: 5 acres, most recent use—construction equipment storage
GSA Number: 4–D–KY–539C

Maine

Irish Ridge NEXRAD Site
Loring AFB
Fort Fairfield Co: Aroostook ME 04742–
Landholding Agency: Air Force
Property Number: 189640017
Status: Unutilized
Comment: 3.491 acres in fee simple

Patten Communications Site
Loring AFB
Stacyville Co: Herseytown ME 04742–
Landholding Agency: Air Force
Property Number: 189640018
Status Unutilized
Comment: 19.3 acres in fee simple plus access easements

Massachusetts

Estate of S. Newburg
Lois and Ellen Street
Haverhill Co: Essex MA 01830–
Landholding Agency: GSA
Property Number: 549630017
Status: Excess
Comment: land—36,425 sq. ft.—two noncontiguous parcels, heavily wooded
GSA Number: 1–G–MA–793

Michigan

Calumet Air Force Station
Section 1, T57N, R31W
Houghton Township
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010862
Status: Excess
Comment: 34 acres; potential utilities.

Calumet Air Force Station
Section 31, T58N, R30W
Houghton Township
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010863
Status: Excess
Comment: 3.78 acres; potential utilities.

Montana

6.43 acres
Forsyth Training Site
Co: Rosebud MT
Landholding Agency: Air Force
Property Number: 189610003
Status: Unutilized
Comment: 6.43 acres, most recent use—tech. oper. site for radar bombing range.

Oregon

Portion, Astoria Field Office
Via Hwy 30
Astoria Co: Clatsop OR 97103–
Landholding Agency: GSA
Property Number: 549640015
Status: Excess
Comment: 20.6 acres, includes wetlands & tidelands, parking lot under construction, portion located within floodplain
GSA Number: 9–D–OR–447F

Pennsylvania

Former Warehouse Site
1020 South Broad Street
Philadelphia PA 19146–
Landholding Agency: GSA
Property Number: 549640017
Status: Excess
Comment: 1.82 acres, most recent use—parking lot
GSA Number: 4–G–PA–0773

Suitable/Unavailable Properties

Buildings (by State)

Arkansas

Federal Building
129 North Main Street
Benton Co: Saline AR 72201–
Landholding Agency: GSA

Property Number: 549620005
Status: Excess
Comment: 1900 sq. ft., most recent use—office, limitations due to potential historic significance
GSA Number: 7–G–AR–550

Portion Fed. Bldg.
College and Center Streets
Marshall Co: Searcy AR 72650–
Landholding Agency: GSA
Property Number: 549630002
Status: Excess
Comment: portion of 3500 sq. ft., most recent use—office
GSA Number: 7–G–AR–552

California

Hawes Site (KHGM)
March AFB
Hinckley Co: San Bernardino CA 92402–
Landholding Agency: Air Force
Property Number: 189010084
Status: Unutilized
Comment: 9290 sq ft., 2 story concrete, most recent use—radio relay station, possible asbestos, land belongs to Bureau of Land Management, potential utilities.

Bldg. 1
Fruit & Vegetable Chemistry lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610015
Status: Excess
Comment: 16,500 sq. ft., most recent use—ofc/library/lab
GSA Number: 9–A–CA–1469

Bldg. 2
Fruit & Vegetable Chemistry Lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610016
Status: Excess
Comment: 828 sq. ft., most recent use—isolation operation bldg.
GSA Number 9–A–CA–1469

Bldg. 3
Fruit & Vegetable Chemistry Lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610017
Status: Excess
Comment: 624 sq. ft., most recent use—boiler rm/garage/pit house
GSA Number: 9–A–CA–1469

Bldg. 4
Fruit & Vegetable Chemistry Lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610018
Status: Excess
Comment: 146 sq. ft., most recent use—solvent storage
GSA Number: 9–A–CA–1469

Bldg. 5
Fruit & Vegetable Chemistry Lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610019
Status: Excess
Comment: 2212 sq. ft., most recent use—green house
GSA Number: 9–A–CA–1469

Bldg. 6
Fruit & Vegetable Chemistry Lab
263 South Chester Ave.
Pasadena Co: Los Angeles CA 91106–3108
Landholding Agency: GSA
Property Number: 549610020
Status: Excess
Comment: 200 sq. ft., most recent use—secure transformer bldg.
GSA Number: 9–A–CA–1469

Colorado

Former AF Finance Center
3800 York Street
Denver Co: Denver CO 80205–
Landholding Agency: GSA
Property Number: 549310011
Status: Excess
Comment: 293,932 sq. ft., 1-story timber frame with masonry exterior, fair condition, most recent use—storage, office, rehab
GSA Number: 7–GR–CO–468–D

Idaho

Bldg. 516
Mountain Home Air Force Base
Mountain Home Co: Elmore ID 86348–
Landholding Agency: Air Force
Property Number: 189520004
Status: Excess
Comment: 4928 sq. ft., 1 story wood frame, presence of lead paint and asbestos, most recent use—offices

Illinois

Parcel 2
Portion Former Lock & Dam 51
Golconda Co: Pope IL 62938–
Landholding Agency: GSA
Property Number: 549610011
Status: Excess
Comment: 1274 sq. ft., bldg. which housed the lock control structures 2160 sq. ft. warehouse and ofc. bldg., presence of lead base paint, periodic flooding, Fed. Reg. of Historic Places
GSA Number: 2–D–IL–703

Parcel 3
Portion Former Lock & Dam 51
Golconda Co: Pope IL 62938–
Landholding Agency: GSA
Property Number: 549610012
Status: Excess
Comment: 3244 sq. ft. metal bldg., 11852 sq. ft. marina dock and parking lot, 100 year floodplain
GSA Number: 2–IL–D–703

Iowa

Bldg. 00627
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310001
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: 189310002
Status: Unutilized
Comment: 1113 sq. ft., 1-story concrete block bldg., contamination clean-up in process

Kansas

Federal Office Building
400 Houston Street
Manhattan Co: Riley KS 66502–
Landholding Agency: GSA
Property Number: 549640014
Status: Surplus
Comment: portion of 11398 sq. ft. bldg., 1½ story w/basement, most recent use—office/storage
GSA Number: 7–G–KS–0519

Maine

Mount Desert Rock Light
U.S. Coast Guard
Southwest Harbor Co: Hancock ME 04679–
Landholding Agency: DOT
Property Number: 879240023
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: 879240026
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: 879240027
Status: Unutilized
Comment: 750 sq. ft., 2-story wood frame dwelling

Massachusetts

17 Single Family Residences
Navy Family Housing, Westover AFB
Chicopee Co: Hampden MA 01022–
Landholding Agency: GSA
Property Number: 549520002
Status: Excess
Comment: various sq. ft., good condition, utilities systems modification

99 Duplex Residences
Navy Family Housing, Westover AFB
Chicopee Co: Hampden MA 01022–
Landholding Agency: GSA
Property Number: 549520003
Status: Excess
Comment: various sq. ft., good condition, utilities systems modification

20 Fourplex Residences
Navy Family Housing, Westover AFB
Chicopee Co: Hampden MA 01022–
Landholding Agency: GSA
Property Number: 549520004
Status: Excess
Comment: various sq. ft., good condition, utilities systems modification

Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966–
Landholding Agency: DOT
Property Number: 879240024
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: 879240025
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame dwelling, large wave action with severe ocean storms

Michigan

Bldg. 20
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010775
Status: Excess
Comment: 13404 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—warehouse/supply facility.

Bldg. 21
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010776
Status: Excess
Comment: 2146 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—storage.

Bldg. 22
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010777
Status: Excess
Comment: 1546 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—administrative facility

Bldg. 28
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010778
Status: Excess
Comment: 1000 sq. ft.; 1 floor; possible asbestos; potential utilities; most recent use—maintenance facility.

Bldg. 40
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010780
Status: Excess
Comment: 2069 sq. ft.; 2 floors; concrete block; possible asbestos; potential utilities, most recent use—administrative facility.

Bldg. 41
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010781
Status: Excess
Comment: 2069 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—dormitory.

Bldg. 42
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010782
Status: Excess
Comment: 4017 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—dining hall.

Bldg. 43
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010783
Status: Excess
Comment: 3674 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—dormitory.

Bldg. 44
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010784
Status: Excess
Comment: 7216 sq. ft.; 2 story; concrete block; possible asbestos; potential utilities; most recent use—dormitory.

Bldg. 45
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010785
Status: Excess
Comment: 6070 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—administrative facility.

Bldg. 47
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010787
Status: Excess
Comment: 83 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 48
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010788
Status: Excess
Comment: 96 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 49
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010789
Status: Excess
Comment: 1944 sq. ft.; 1 story; concrete block; potential utilities; most recent use—dormitory.

Bldg. 50
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010790
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: 189010833
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: 189010834
Status: Excess
Comment: 3000 sq. ft.; 1 floor concrete block; most recent use—commissary facility.

Bldg. 9
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010835
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 11
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010837
Status: Excess
Comment: 1056 sq. ft.; 1 floor wood frame residence.

Bldg. 12
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010838
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 13
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010839
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 5
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010840
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 6
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010841
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 7
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010842
Status: Excess
Comment: 864 sq. ft.; 1 story wood frame residence; possible asbestos.

Bldg. 8
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010843
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 4
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010844
Status: Excess
Comment: 2340 sq. ft.; 1 floor concrete block; most recent use—heating facility.

Bldg. 3
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010845
Status: Excess
Comment: 5314 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—maintenance shop and office.

Bldg. 1
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010846
Status: Excess
Comment: 4528 sq. ft.; 1 floor concrete block; possible asbestors; most recent use—office.

Bldg. 158
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010857
Status: Excess
Comment: 3603 sq. ft.; 1 story concrete/steel; possible asbestos; most recent use—electrical power station.

Bldg. 15
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010864
Status: Excess
Comment: 538 sq. ft.; 1 floor; concrete/wood structure; potential utilities; most recent use—gymnasium facility.

Bldg. 31
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010867
Status: Excess
Comment: 36 sq. ft.; 1 story, prior use—metal frame; storage of fire hoses.

Bldg. 32
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010868
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 33
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010869
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 34
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010870
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 35
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010871
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 39
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010874
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 202
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010880
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 203
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010881
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 204
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010882
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 205
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010883
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 206
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010884
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 207
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010885
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 153
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010886
Status: Excess
Comment: 4314 sq. ft.; 2 story concrete block facility; (radar tower bldg.) potential use—storage.

Bldg. 154
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010887
Status: Excess
Comment: 8960 sq. ft.; 4 story concrete block facility; (radar tower bldg.) potential use—storage.

Bldg. 157
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010888
Status: Excess
Comment: 3744 sq. ft.; 1 story concrete/steel facility; (radar tower bldg.); potential use—storage.

Detroit Job Corps Center
10401 E. Jefferson & 1438 Garland;
1265 St. Clair
Detroit Co: Wayne MI 42128–
Landholding Agency: GSA
Property Number: 549510002
Status: Surplus
Comment: Main bldg. is 80,590 sq. ft., 5-story, adjacent parking lot, 2nd bldg. on St. Clair Ave. is 5140 sq. ft., presence of asbestos in main bldg., to be vacated 8/97
GSA Number: 2–L–MI–757

Little Rapids Lightkeeper Sta.
Little Rapids Channel
Sault St. Marie Co: Chippewa MI 49873–
Landholding Agency: GSA
Property Number: 549530002
Status: Excess
Comment: 1411 sq. ft. wood frame dwelling with 480 sq. ft. garage, and 121 sq. ft. storage bldg., poor condition, needs rehab, possible asbestos
GSA Number: 2–D–MI–722A

Minnesota

Coast Guard Family Housing
404 East Hamilton Avenue
Baudette Co: Lake of the Woo MN 56623–
Landholding Agency: GSA
Property Number: 549230007
Status: Surplus
Comment: 1333 sq. ft., 1-story frame residence
GSA Number: 2–U–MN–503–E

Coast Guard Family Housing
406 East Hamilton Avenue
Baudette Co: Lake of the Woo MN 56623–
Landholding Agency: GSA
Property Number: 549230008
Status: Surplus
Comment: 1633 sq. ft., 1-story wood frame residence
GSA Number: 2–U–MN–503–E

Coast Guard Family Housing
408 East Hamilton Avenue
Baudette Co: Lake of the Woo MN 56623–
Landholding Agency: GSA
Property Number: 549230009
Status: Surplus
Comment: 1633 sq. ft., 1-story wood frame residence
GSA Number: 2–U–MN–503–E

Coast Guard Family Housing
418 East Hamilton Avenue
Baudette Co: Lake of the Woo MN 56623–
Landholding Agency: GSA
Property Number: 549230010
Status: Surplus

Comment: 1633 sq. ft., 1-story wood frame residence
GSA Number: 2–U–MN–503–E

Missouri

District 2 Flag Quarters
16 Chaminade
Creve Coeur Co: St. Louis MO 63141–
Landholding Agency: GSA
Property Number: 549620003
Status: Excess
Comment: 2320 sq. ft. residence
GSA Number: 7–U–MO–0629

Montana

Bldg. 00007
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330066
Status: Unutilized
Comment: 992 sq. ft., 1-story metal, most recent use—auto/hobby shop

Bldg. 00008
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330067
Status: Unutilized
Comment: 2640 sq. ft., 1-story metal, most recent use—vehicle parking

Bldg. 00016
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330068
Status: Unutilized
Comment: 3604 sq. ft., 1-story cinder block, most recent use—storage

Bldg. 00023
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330069
Status: Unutilized
Comment: 3315 sq. ft., 1-story wood, most recent use—fire station

Bldg. 00024
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330070
Status: Unutilized
Comment: 5016 sq. ft., 1-story brick, most recent use—dormitory

Bldg. 00027
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330071
Status: Unutilized
Comment: 14280 sq. ft., 1-story cinder block, most recent use—recreation center and commissary store

Bldg. 00029
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330072
Status: Unutilized
Comment: 63 sq. ft., 1-story metal

Bldg. 00031
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330073
Status: Unutilized
Comment: 3130 sq. ft., 1-story cinder block, most recent use—maintenance shop and admin.

Bldg. 00032
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330074
Status: Unutilized
Comment: 64 sq. ft., metal, most recent use—storage

Bldg. 00035
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330075
Status: Unutilized
Comment: 2252 sq. ft., 4-story metal, most recent use—storage

Bldg. 00039
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330076
Status: Unutilized
Comment: 21824 sq. ft., 1-story masonry, most recent use—storage

Bldg. 00040
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330077
Status: Unutilized
Comment: 874 sq. ft., 1-story masonry, most recent use—storage.

Bldg. 00041
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330078
Status: Unutilized
Comment: 108 sq. ft., 1-story masonry.

Bldg. 00042
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330079
Status: Unutilized
Comment: 760 sq. ft., 1-story masonry, most recent use—warehouse.

Bldg. 00044
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330080
Status: Unutilized
Comment: 3298 sq. ft., 1-story metal, most recent use—wood hobby shop.

Bldgs. 51, 52, 56, 58
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330081
Status: Unutilized
Comment: 1352 sq. ft. each, 1-story wood, most recent use—residential.

Bldgs. 53–55, 57, 59, 61, 63, 65, 67, 69, 71
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330082
Status: Unutilized
Comment: 1152 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 60, 62, 64, 66, 68
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330083
Status: Unutilized
Comment: 1361 sq. ft., each 1-story wood, most recent use—residential.

Bldgs. 70, 72, 74, 78
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330084
Status: Unutilized
Comment: 1455 sq. ft., each, 1-story woods, most recent use—residential.

Bldgs. 76, 80
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330085
Status: Unutilized
Comment: 1343 sq. ft., each, 1-story wood, most recent use—residential.

Bldg. 82
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330086
Status: Unutilized
Comment: 1553 sq. ft., 1-story woods, most recent use—residential.

Bldgs. 150, 152, 154, 156, 158, 160, 162, 164, 168, 170, 172, 174, 176, 178, 180, 182, 184
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330087
Status: Unutilized
Comment: 1247 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 106–109, 112–113
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330088
Status: Unutilized
Comment: 36 sq. ft., each, most recent use—fire hose house.

Bldgs. 202, 204, 206, 212, 214, 216, 218
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330089
Status: Unutilized
Comment: 72 sq. ft., each, most recent use—storage units.

Bldgs. 208, 210
Havre Air Force Station
Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330090
Status: Unutilized
Comment: 36 sq. ft., each, most recent use—storage.

Bldg.—Conrad Training Site
15 miles east of the City of Conrad
Co: Pondera MT 59425–
Landholding Agency: GSA
Property Number: 189420025
Status: Excess
Comment: 700 sq. ft., 1-story brick, most recent use—technical training site.

Malstrom Communications Annex
(Transmitter), 39 78th St., N.
Malstrom AFB Co: Cascade MT 59405–
Landholding Agency: Air Force
Property Number: 189510023
Status: Excess
Comment: 1966 sq. ft., 1 story masonry block bldg. on 22 acres, limited utilities, roof needs replacement
GSA Number: 7–D–MT–4240

Malstrom Communications Annex
(Transmitter), 39 78th St., N.
Malstrom AFB Co: Cascade MT 59405–
Landholding Agency: GSA
Property Number: 189510023
Status: Excess
Comment: 1966 sq. ft., limited utilities, needs roof replacement
GSA Number: 7–D–MT–4240

USARC Bozeman Reserve Center
32 South Tracy Ave.
Bozeman Co: Gallatin MT
Landholding Agency: GSA
Property Number: 219420391
Status: Excess
Comment: 7600 sq. ft., 2-story, most recent use—office, sound condition, presence of asbestos, on list of historic buildings
GSA Number: 7–D–MT–0605

Nevada

5 Single Family Residences
Tonopah Housing Complex
Tonopah Co: Nye NV 89049–
Landholding Agency: GSA
Property Number: 549430004
Status: Excess
Comment: 1192 to 1378 sq. ft., 1 story wood residences, 3 bedrooms/1 bathroom
GSA Number 9–U–NV–467–C

13 Single Family Residences
Tonopah Housing Complex
Tonopah Co: Nye NV 89049–
Landholding Agency: GSA
Property Number: 549430005
Status: Excess
Comment: 1192–1898 sq. ft., 1 story wood residences, 4 bedrooms/2 bathrooms
GSA Number: 9–U–NV–467–C

New Hampshire

Bldg. 127
New Boston Air Force Staton
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320057
Status: Excess
Comment: 698 sq. ft., 1-story, concrete and metal frame, possible asbestos, access restrictions, most recent use—storage

North Carolina

Grove Arcade Fed. Bldg.
37 Battery Park Ave.
Asheville Co: Buncombe NC 28802–
Landholding Agency: GSA
Property Number: 549630018
Status: Excess
Comment: 169340 sq. ft., concrete, most recent use—office, historic preservation covenants
GSA Number: 4–G–NC–710

North Dakota

Dickinson Tech. Oper. Site
3 mi South of New England
Dickinson Co: Hettinger ND 58647–
Landholding Agency: GSA
Property Number: 549610009
Status: Excess
Comment: 6900 sq. ft. bldg. in good condition on 10 acres of land
GSA Number: 7–D–ND–0497

Ohio

Zanesville Federal Building
65 North Fifth Street
Zanesville Co: Muskingum OH
Landholding Agency: GSA
Property Number: 549520018
Status: Excess
Comment: 18750 sq. ft., most recent use—office, possible asbestos, eligible for listing on the Natl Register of Historic Places
GSA Number: 2–G–OH–781A

Natl. Weather Met. Observatory
Huber Heights Co: Montgomery OH
Landholding Agency: GSA
Property Number: 549540005
Status: Excess
Comment: 1100 sq. ft., 1 story, most recent use—office/admin.
GSA Number: 2–C–OH–796

Oklahoma

U.S. Federal Building
103 S. Hudson
Altus Co: Jackson OK 73521–
Landholding Agency: GSA
Property Number: 549620006
Status: Excess
Comment: 9860 gross sq. ft. with 25 outside parking spaces, most recent use—govt. offices, needs some repair
GSA Number: 7–G–OK–558

Texas

Bldg. 697
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110092
Status: Unutilized
Comment: 770 sq. ft.; possible asbestos; most recent use—supply store; needs rehab.

Bldg. 698
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110093
Status: Unutilized
Comment: 5815 sq. ft.; 1 story corrugated iron; possible asbestos; needs rehab; most recent use—recreation, workshop.

7 Office Buildings
Former SW Regional Headquarters
4400 Blue Mound Road TX 76106–
Landholding Agency: GSA
Property Number: 549630007
Status: Excess
Comment: 1–3 stories, potential restrictive covenants (historic)
GSA Number: 7–U–TX–1041

5 Storage Buildings
Former SW Regional Headquarters
4400 Blue Mound Road TX 76106–
Landholding Agency: GSA
Property Number: 549630008
Status: Excess
Comment: 1-story, potential restrictive covenants (historic)
GSA Number: 7–U–TX–1041

6 Misc. Buildings
Former SW Regional Headquarters
4400 Blue Mound Road TX 76106–
Landholding Agency: GSA
Property Number: 549630009
Status: Excess
Comment: including cafeteria, guard shacks, pumphouse, transformer eng. gen. bldg., potential restrictive covenants (historic)
GSA Number: 7–U–TX–1041

Former Weather Radar Site Co: Rusk TX 72652–
Landholding Agency: GSA
Property Number: 549630012
Status: Excess
Comment: 2542 sq. ft. office, needs rehab
GSA Number: 7–C–TX–1042

Brownsville Urban System (Grantee)
700 South Iowa Avenue
Brownsville Co: Cameron TX 78520–
Landholding Agency: DOT
Property Number: 879010003
Status: Unutilized
Comment: 3500 sq. ft., 1 story concrete block, (2nd floor of Admin. Bldg.) on 10750 sq. ft. land, contains underground diesel fuel tanks

Bldg. 115
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630001
Status: Unutilized
Comment: 500 sq. ft., most recent use—garage, historic properties

Bldg. 114
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630002
Status: Unutilized
Comment: 3150 sq. ft. per floor, 2-story, most recent use—residence, historic properties

Bldg. 113
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630003
Status: Unutilized
Comment: 200 sq. ft., most recent use—garage, historic properties

Bldg. 112
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630004
Status: Unutilized
Comment: 2880 sq. ft., per floor, 2-story, most recent use—residential, historic properties

Bldg. 111
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630005
Status: Unutilized
Comment: 2880 sq. ft., per floor, 2-story, most recent use—residential, historic properties

Utah

House
North Utah Highway 16
Randolph Co: Rich UT 84064–
Landholding Agency: GSA
Property Number: 549620001
Status: Excess

Comment: 1148 sq. ft. wooden frame, most recent use—office, septic system on private land
GSA Number: 7–A–UT–0498A

Vermont

Bennington Federal Building
118 South Street
Bennington VT 05201–
Landholding Agency: GSA
Property Number: 549620009
Status: Excess
Comment: 3326 sq. ft., most recent use—office/courts, listed on National Register of Historic Places/preservation restrictions
GSA Number: 1–G–VT–470

Virginia

Bristol U.S. Army Reserve Ctr.
100 Piedmont Avenue
Bristol Co: Washington VA 24201–
Landholding Agency: GSA
Property Number: 219440317
Status: Excess
Comment: 13,460 sq. ft., 2-story plus basement, brick structure, presence of asbestos, needs some rehab. (Property was published incorrectly on 10/13/95)
GSA Number: 4–D–VA–711

Washington

Coast Guard Housing
9551 Avondale Rd., NE
Redmond Co: King WA 98052–
Landholding Agency: GSA
Property Number: 549620008
Status: Excess
Comment: 3.6 existing units, major rehab, maybe economically infeasible to rehab due to present zoning
GSA Number: 9–U–WA–1109

West Virginia

R.T. Price House
U.S. Route 2
Williamson Co: Mingo WV 25661–
Landholding Agency: GSA
Property Number: 319520004
Status: Excess
Comment: 3116 sq. ft., brick, most recent use—office/conf., listed on Natl. Reg. of Historic Places, restriction against human habitation, recommend flood protection measures.
GSA Number: 4–D–WV–525
Ravenswood Public Access Site
No. 2, 4, 6 Washington Street South
Ravenswood Co: Jackson WV 26164–
Landholding Agency: GSA
Property Number: 549640013
Status: Excess
Comment: 3 bldgs., most recent use—senior citizens center, museum, residence, preservation restrictions, subject to lease
GSA Number: 4–D–WV–526

Land (by State)

California

Norton Com. Facility Annex
Norton AFB
Sixth and Central Streets
Highland Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010194
Status: Excess
Comment: 30.3 acres; most recent use—recreational area; portion subject to easements.

Receiver Site
Delano Relay Station
Route 1, Box 1350
Delano Co: Tulare Co: 93215–
Location: 5 miles west of Pixley, 17 miles north of Delano.
Landholding Agency: GSA
Property Number: 549010044
Status: Surplus
Comment: 81 acres, 1560 sq. ft. radio receiver bldg. on site, subject to grazing lease, potential utilities, environmental restrictions
GSA Number: 9–2–CA–1308
(P) Camp Elliott
Rosedale Tract
San Diego Co: San Diego CA
Landholding Agency: GSA
Property Number: 549310008
Status: Surplus
Comment: Parcel 1—0.15 acre, Parcel 2—0.17 acre, located in the narrow median strip between Murphy Canyon Rd. and State Highway 15, previously leased by homeless provider
GSA Number: 9–GR(6)–CA–694A
Excess Land at Eureka Housing
Eureka Co: Humboldt CA 95501–
Landholding Agency: DOT
Property Number: 879540001
Status: Unutilized
Comment: .5 acres, encroachment by adjoining land owners, easement

Colorado

Cotter Transfer Site
White Water Co: Mesa CO 81527–
Landholding Agency: GSA
Property Number: 549630006
Status: Excess
Comment: 109.63 acres, portion may be in floodplain, most recent use—train, truck transfer
GSA Number: 7–B–CO–626

Florida

Woodland Tract
Elgin AFB, AF Enlisted Widows' Home
Ft. Walton Beach Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540020
Status: Unutilized
Comment: 3.43 acres, easement

Georgia

Land—St. Simons Boathouse
St. Simons Island Co: Glynn GA 31522–0577
Landholding Agency: DOT
Property Number: 879540003
Status: Unutilized
Comment: .08 acres, most recent use—pier and dockage for Coast Guard boats

Guam

Unimproved Land
Rt. 2A
Agat GU
Landholding Agency: GSA
Property Number: 549630019
Status: Excess
Comment: 44.37 acres
GSA Number: 9–N–GU–420D

Indiana

Portion
Bureau of Prisons Vigo Farm
Linden Twp Co: Vigo IN
Landholding Agency: GSA
Property Number: 549620002
Status: Excess
Comment: 17.65 acres, most recent use—agriculture
GSA number: 2–J–IN–507C

Kentucky

West Point Access Site No. 12
Cannelton Locks & Dam
West Point Co: Hardin KY 40177–
Landholding Agency: GSA
Property Number: 549630005
Status: Excess
Comment: 20.55 acres w/comfort station, periodic flooding, most recent use—recreational area
GSA Number: 4–D–KY–0539B

Louisiana

New Iberia Training Area
Iberia Parish LA
Landholding Agency: GSA
Property Number: 549610004
Status: Excess
Comment: 203.5 acres, potential environmental condition—storm water runoff
GSA Number: 7–D–LA–0467E

Maine

Remote Center Air
Ground Communication Facility
Westfort Hill Road
Hodgdon Co: Aroostook ME 04730–
Landholding Agency: GSA
Property Number: 549610014
Status: Excess
Comment: 0.91 acre with 554 sq. ft. bldg and tower, most recent use—unmanned communications facility
GSA Number: 1–ME–624

Montana

U.S. Army Reserve Center
Marcella Avenue
Lewistown Co: Fergus MT
Landholding Agency: GSA
Property Number: 219420009
Status: Unutilized
Comment: 4.16 acres of bare land
GSA Number: 7–D–MT–0607

Ohio

Middleport Public Access Site
Robert C. Byrd Locks & Dam
Middleport Co: Meigs OH 45760–
Landholding Agency: GSA
Property Number: 319230001
Status: Excess
Comment: approximately 17.23 acres including parking lot, flowage easement, right-of-way for city street and utilities
GSA Number: 2–D–OH–793

Bethany Relay Station
8070 Tylersville Road
Union Township Co: Butler OH 45040–
Landholding Agency: GSA
Property Number: 549610008
Status: Excess
Comment: 625 acres, most recent use—radio relay station, bldg. and approx. 125 acres are unsuitable due to distance from flammable explosive material
GSA Number: 1–Z–OH–726B

Pennsylvania

Land—Tioga-Hammond Lakes

Mansfield Co: Tioga PA 16933—
Location: 2 miles northeast of Mansfield on State Route 58044
Landholding Agency: GSA
Property Number: 319120001
Status: Excess
Comment: approximately 10.82 acres, steep terrain, flowage easement
GSA Number: 4–D–PA–0699G

Puerto Rico

La Hueca–Naval Station
Roosevelt Roads
Vieques PR 00765—
Landholding Agency: GSA
Property Number: 549420006
Status: Excess
Comment: 323 acres, cultural site

Tennessee

Former Pumping Facility
Portion of Volunteer Army Ammunition Plant
Chickamauga Lake
Chattanooga Co: Hamilton TN 37402—
Landholding Agency: GSA
Property Number: 549630004
Status: Excess
Comment: 10.83 acres w/inactive pumping station, previously published as 219520031, 219013791, 219013880
GSA Number: 4–D–TN–594C

Texas

Fort Hood Training Area
Ft. Hood Co: Coryell TX
Landholding Agency: GSA
Property Number: 549640004
Status: Excess
Comment: 4.808 acres, most recent use—training area
GSA Number: 7–D–TX–496–CG

Virginia

4.619 (P) Atlantic Marine Ctr
561 Front Street
Norfolk VA 23510–
Landholding Agency: GSA
Property Number: 549620010
Status: Excess
Comment: 4.619 acres, most recent use—storage easement/lease restrictions, subject to Chesapeake Bay Preservation Act
GSA Number: 4–C–VA–712

Washington

Sandpoint Control Tower
Near 7600 Sandpoint Way, NE
Seattle Co: King WA 98115–
Landholding Agency: GSA
Property Number: 549440003
Status: Excess
Comment: 11.3 acres, w/deteriorated bldg, and parking lot
GSA Number: 9–C–WA–1069

Second Stadium Home Site
1701 Martin Luther King Blvd.
Seattle Co: King WA 98144–
Landholding Agency: GSA
Property Number: 549540008
Status: Excess
Comment: 1.5061 acres of unimproved land, most recent use—temporary storage for construction equipment
GSA Number: 9–GRI–WA–543

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: 879310001
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: 879420001
Status: Unutilized
Comment: 48 foot tower, cylindrical cast iron, most recent use—aid to navigation

Plymouth Light
Co: Plymouth MA
Landholding Agency: DOT
Property Number: 879420003
Status: Unutilized
Comment: 250 sq. ft. tower, and 2096 sq. ft. dwelling, wood frame, most recent use—aid to navigation/housing

Light Tower, Highland Light
Near Rt. 6, 9 miles south of Race Point
North Truro Co: Barnstable MA 02652–
Landholding Agency: DOT
Property Number: 879430005
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: 879430006
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: 879430007
Status: Excess
Comment: 2 living units, 930 sq. ft. each, 1-story each, located on eroding ocean bluff, scheduled to be vacated 9/94

Nahant Towers
Nahant Co: Essex MA
Landholding Agency: DOT
Property Number: 879530001
Status: Unutilized
Comment: 196 sq. ft., 8-story observation tower

Michigan

Former C.G. Lightkeeper Sta.
Little Rapids Channel Project
St. Marys River
Sault Ste. Marie Co: Chippewa MI 49783–
Location: 3 miles east of downtown Sault Ste. Marie.
Landholding Agency: GSA
Property Number: 319011573
Status: Excess
Comment: 1411 sq. ft.; 2 story; wood frame on .62 acres; needs rehab; secured area with alternate access.

New York

Bldg. 1
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 189530048
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: 189530049
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: 189530050
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: 189530051
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: 189530052
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: 189530053
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: 189530054
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: 189530055
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: 189530056
Status: Excess
Comment: 1627 sq. ft., 1 story concrete block, most recent use—storage

Oregon

Yaquina Head Lighthouse
860 Lighthouse Drive
Newport Co: Lincoln OR 97365–
Landholding Agency: DOT
Property Number: 879430003
Status: Underutilized
Comment: 300 sq. ft., tower and needs repair, 4.52 acres lighthouse area, historic property

Land (by State)

Michigan

U.S. Coast Guard—Air Station
Traverse City Co: Grand Traverse MI 49684–
Landholding Agency: DOT
Property Number: 879120099
Status: Underutilized
Comment: 21.7 acres, most recent use—helo landings

New York

14.90 Acres
Hancock Field
Syracuse Co: Onandaga NY 13211–
Landholding Agency: Air Force
Property Number: 189530057
Status: Excess
Comment: Fenced in compound, most recent use—Air Natl. Guard Communication & Electronics Group

Unsuitable Properties

Buildings (by State)

Alabama

Sand Island Light House
Gulf of Mexico
Mobile AL
Landholding Agency: GSA
Property Number: 549610001
Status: Excess
Reason: Other
Comment: Inaccessible
GSA Number: 4–U–AL–763

Dwelling A
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120001
Status: Excess
Reason: Floodway

Dwelling B
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120002
Status: Excess
Reason: Floodway

Oil House
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120003
Status: Excess
Reason: Floodway

Garage
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120004
Status: Excess
Reason: Floodway

Shop Building
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120005
Status: Excess
Reason: Floodway

Alaska

Bldg. 203
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010296
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 165
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010298
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 150
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010299
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010300
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010301
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 11–230
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010303
Status: Unutilized
Reason: Secured Area, Contamination.

Bldg. 21–116
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010304
Status: Unutilized
Reason: Secured Area, Contamination.

Bldg. 63–320
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010307
Status: Unutilized
Reason: Secured Area, Contamination.

Bldg. 63–325
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010308
Status: Unutilized
Reason: Secured Area, Contamination.

Bldg. 103
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010309
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 110
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010310
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 112
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010311
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road. Contamination.

Bldg. 113
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010312
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 114
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010313
Status: Unutilized

Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 115
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010314
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 118
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010315
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination.

Bldg. 1018
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010317
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1025
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010318
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010319
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 107
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010320
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 115
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010321
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 113
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010322
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 150
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010323
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 152
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010324
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 301
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010325
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1001
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010326
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1003
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010327
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1055
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010328
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010329
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 103
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010330
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 104
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010331
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 105
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010332
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 110
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010333
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 114
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010334
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010335
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010336
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 205

Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010337
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1001
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010338
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010339
Status: Unutilized
Reason: Secured Area, Isolated area, Not accessible by road, Contamination

Bldg. 50
Cold Bay Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010433
Status: Unutilized
Reason: Secured Area, Not accessible by road
Comment: Isolated and remote; Arctic environment

Bldg. 1548, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420001
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1568, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420002
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1570, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420003
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1700, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420004
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1832, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420005
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1842, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420006
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1844, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189420007
Status: Unutilized
Reason: Floodway, Secured Area, Extensive deterioration

Bldg. 1853, Galena Airport
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189440011
Status: Unutilized
Reason: Secured Area, Floodway

Bldg. 24–825
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189440012
Status: Unutilized
Reason: Secured Area, Within airport runway clear zone

Bldg. 24–820
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189440013
Status: Unutilized
Reason: Secured Area, Within airport runway clear zone

Bldg. 21–878
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189440014
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 10–480
Elmendorf Air Force Base
Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189440015
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 142
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 189520013
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 110
Tin City Long Range Radar Site
Wales Co: Nome AK
Landholding Agency: Air Force
Property Number: 189520014
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 646
King Salmon Airport
Naknek Co: Bristol Bay AK
Landholding Agency: Air Force
Property Number: 189520015
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2541
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 189520016
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1770
Galena Airport
Galena Co: Yukon AK
Landholding Agency: Air Force
Property Number: 189520017
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520024
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520025
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road

Bldg. 12
Lonely Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520026
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road

Bldg. 1
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520027
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520028
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road

Bldg. 3
Wainwright Dewline Site
Fairbanks Co: Fairbanks NS AK
Landholding Agency: Air Force
Property Number: 189520029
Status: Unutilized
Reason: Extensive deterioration, Not accessible by road

Bldg. 3024
Tatalina Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530001
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3045
Tatalina Long Range Radar Site

Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530002
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 18
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530003
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 23
Lonely Dewline Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1015
Kotzebue Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530005
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530006
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530007
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3
Flaxman Island DEW Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530008
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 4100
Cape Romanzof Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530009
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 200
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530010
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2166
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530011
Status: Unutilized
Reason: Extensive deterioration

Bldg. 5500
Cape Newenham Long Range Radar Site
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530012
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 8
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530013
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 75
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530014
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 86
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530015
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3060
Barter Island
Elmendorf AFB AK 99506–4420
Landholding Agency: Air Force
Property Number: 189530016
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 11–330
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530017
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 11–490
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530018
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 21–870
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530019
Status: Unutilized
Reason: Secured Area

Bldg. 22–010
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530020
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 24–811
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530021
Status: Unutilized
Reason: 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: 189530022
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 32–126
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530023
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 32–129
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530024
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 42–350
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530025
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 44–775
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530026
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Bldg. 73–402
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530027
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 73–403
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189530028
Status: Unutilized
Reason: 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: 189540001
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 23–990
Elmendorf AFB

Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189630034
Status: Unutilized
Reason: Within airport runway clear zone, Floodway, Secured Area, Extensive deterioration

Bldg. 25–001
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710005
Status: Unutilized
Reason: Secured Area

Bldg. 25–002
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710006
Status: Unutilized
Reason: Secured Area

Bldg. 25–003
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710007
Status: Unutilized
Reason: Secured Area

Bldg. 25–004
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710008
Status: Unutilized
Reason: Secured Area

Bldg. 25–005
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710009
Status: Unutilized
Reason: Secured Area

Bldg. 25–010
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710010
Status: Unutilized
Reason: Secured Area

Bldg. 25–011
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710011
Status: Unutilized
Reason: Secured Area

Bldg. 25–019
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710012
Status: Unutilized
Reason: Secured Area

Bldg 25–300
Elmendorf Air Force Base
Anchorage AK 99506–3240
Landholding Agency: Air Force
Property Number: 189710013
Status: Unutilized
Reason: Secured Area

Unalakleet Health Clinic
(Former)
Unalakleet AK 99684–
Landholding Agency: GSA
Property Number: 549620007
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material
GSA Number: 9–F–AK–748

USCG MSD Office (2 buildings)
2958 Tongass Avenue
Ketchikan Co: Ketchikan AK 99901–
Landholding Agency: GSA
Property Number: 879130004
Status: Excess
Reason: Extensive deterioration

Bldg. 28
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210126
Status: Excess
Reason: Within airport runway clear zone, Secured Area

Bldg. 24
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210127
Status: Excess
Reason: Within airport runway clear zone, Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 19
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210128
Status: Excess
Reason: Within airport runway clear zone, Secured Area, Other
Comment: Extensive deterioration

Bldg. 94
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210129
Status: Excess
Reason: Secured Area, Other
Comment: Extensive deterioration

Bldg. 18
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210132
Status: Excess
Reason: Secured Area, Within airport runway clear zone
GSA Number: U–ALAS–655A

Bldg. A512
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210133
Status: Excess
Reason: Secured Area, Within airport runway clear zone, Within 2000 ft. of flammable or explosive material

Bldg. R1, Holiday Beach
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310014
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: 879310015
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: 879310016
Status: Unutilized
Reason: Secured Area

Bldg. 82
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310017
Status: Unutilized
Reason: Secured Area

Bldg. 86
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310018
Status: Unutilized
Reason: Secured Area

Bldg. 98
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310019
Status: Unutilized
Reason: Secured Area

Bldg. 524A
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310020
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 624
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310021
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Housing Ketchikan (Naushon UPH)
3615 Baranof Avenue
Ketchikan Co: Ketchikan AK 99801–
Landholding Agency: DOT
Property Number: 879320005
Status: Unutilized
Reason: Extensive deterioration

Old Petersburg Moorings
Cannery Wharf
Petersburg AK 99833–
Landholding Agency: DOT
Property Number: 879330002
Status: Unutilized
Reason: Extensive deterioraiton

Building. 408–B
USCG Support Center Kodiak
Kodiak Co: Kodiak Island AK 99619–
Landholding Agency: DOT
Property Number: 879640001
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: 189340049
Status: Unutilized
Reason: Within airport runway clear zone

Facility #41
Gila Bend AF Auxiliary Field
Gila Bend Co: Maricopa AZ
Landholding Agency: Air Force
Property Number: 189710002
Status: Unutilized
Reason: Secured Area

Clifton Administrative Site
Clifton Co: Greenlee AZ 85533–
Landholding Agency: GSA
Property Number: 549640006
Status: Excess
Reason: Floodway
GSA Number: 9–A–AZ–0797

Arkansas

Fort Smith USAR Center
1218 South A Street
Fort Smith Co: Sebastian AR 72901–
Landholding Agency: GSA
Property Number: 219014928
Status: Excess
Reason: Extensive deterioration
GSA Number: 7–D–AR–551

California

Bldg. 4052
March AFB
Ice House in West March
Riverside Co: Riverside CA 92518–
Landholding Agency: Air Force
Property Number: 189010082
Status: Unutilized
Reason: Within airport runway clear zone

Bldg. 1182 60 ABG/DE
Travis Air Force Base
Perimeter Road
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010188
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 152 60 ABG/DE
Travis Air Force Base
Broadway Street
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010190
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 159 60 ABG/DE
Travis Air Force Base
Broadway Street
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010191
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 384 60 ABG/DE
Travis Air Force Base
Broadway Street
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010192
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 707 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010193
Status: Excess
Reason: 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: 189010195
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: 189010196
Status: Excess
Reason: 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: 189010197
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material, Secured Area.

Bldg. 100
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010233
Status: Unutilized
Reason: Secured Area.

Bldg. 101
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010234
Status: Unutilized
Reason: Secured Area.

Bldg. 116
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010235
Status: Unutilized
Reason: Secured Area.

Bldg. 202
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010236
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: 189010546
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: 189010547
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: 189010548
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: 189010549
Status: Unutilized
Reason: Secured Area

Bldg. 1823
Vandenberg Air Force Base
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: 189130360
Status: Excess
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 10312
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210026
Status: Unutilized
Reason: Secured Area

Bldg. 10503
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210028
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: 189230020
Status: Underutilized
Reason: Secured Area

Bldg. 5428, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310015
Status: Unutilized
Reason: Secured Area

Bldg. 5430, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310016

Status: Unutilized
Reason: Secured Area

Bldg. 6407, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310024
Status: Unutilized
Reason: Secured Area

Bldg. 6425, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310027
Status: Unutilized
Reason: Secured Area

Bldg. 6444, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310028
Status: Unutilized
Reason: Secured Area

Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency : Air Force
Property Number: 189310030
Status: Unutilized
Reason: Secured Area

Bldg. 13010, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310036
Status: Unutilized
Reason: Secured Area

Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330016
Status: Unutilized
Reason: Secured Area

Bldg. 8220
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330019
Status: Unutilized
Reason: Secured Area

Bldg. 9001
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330028
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Bldg. 13025
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330032
Status: Unutilized
Reason: Secured Area

Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340003
Status: Unutilized
Reason: Other Secured Area
Comment: Electrical Power Generator Bldg.

Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340006
Status: Unutilized
Reason: Secured Area

Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340007
Status: Unutilized
Reason: Secured Area

Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340008
Status: Unutilized
Reason: Secured Area

Bldg. 5007
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340009
Status: Unutilized
Reason: Secured Area

Bldg. 6008
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340014
Status: Unutilized
Reason: Secured Area

Bldg. 6418
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340015
Status: Unutilized
Reason: Secured Area

Bldg. 6442
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340019
Status: Unutilized
Reason: Secured Area

Bldg. 6443
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340020
Status: Unutilized
Reason: Secured Area

Bldg. 7301
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340021
Status: Unutilized
Reason: Secured Area

Bldg. 7306
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340022
Status: Unutilized
Reason: Secured Area

Bldg. 11190
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340025
Status: Unutilized
Reason: Secured Area

Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340028
Status: Unutilized
Reason: Secured Area

Bldg. 6521
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189410004
Status: Unutilized
Reason: Secured Area

Bldg. 501
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189420008
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1203
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189440001
Status: Unutilized
Reason: Secured Area

Bldg. 11183
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189440005
Status: Unutilized
Reason: Secured Area

Bldg. 11219
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189440006
Status: Unutilized
Reason: Secured Area

Bldg. 11238
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189440007
Status: Unutilized
Reason: Secured Area

Bldg. 6348
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–

Landholding Agency: Air Force
Property Number: 189510020
Status: Unutilized
Reason: Secured Area

Bldg. 908
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189520018
Status: Excess
Reason: Other
Comment: Detached Latrine

Bldg. 13002
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189520021
Status: Excess
Reason: Secured Area, Extensive deterioration

Bldg. 13004
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189520022
Status: Excess
Reason: Secured Area, Extensive deterioration

Bldg. 422
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530029
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: 189530030
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: 189530031
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 480
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530032
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 508
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530033
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 951
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530034
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 6011
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530035
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 6520
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530036
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 6606
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530037
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 7200
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530038
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 7307
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530039
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 10717
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530041
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 10722
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530043
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 13213
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530044
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 13215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189530045
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 893
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620028
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 3193
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620029
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 9350
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620030
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 13003
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620031
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1322
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620032
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 16197
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189620033
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 611
Vandenberg AFB

Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630039
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 815
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630040
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1850
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630041
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1853
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630042
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1856
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630043
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1865
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630044
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1874
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630045
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1875
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630046
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1877
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630047
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1879
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630048
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1885
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630049
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 1898
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630050
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 06440
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630051
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 06445
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630052
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 06830
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630053
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 13016
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630054
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 21160
Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630055
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 00350
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189630058
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Cape Mendocino Lighthouse
Capetown Co: Humboldt CA
Landholding Agency: GSA
Property Number: 549540004
Status: Excess
Reason: Other, Secured Area
Comment: Structural deficiencies
GSA Number: 9–U–CA–622–B

National Weather Service Ofc.
Kern County Airport
Bakersfield Co: Kern CA
Landholding Agency: GSA
Property Number: 549640011
Status: Excess
Reason: Within airport runway clear zone
GSA Number: 9–C–CA–1481

10 Bldg.
USCG Station Humboldt Bay
Samoa Co: Humboldt CA 95564–9999
Landholding Agency: DOT
Property Number: 879440027
Status: Excess
Reason: Extensive deterioration
Comment: Land to be relinquished to BLM (Public Domain Land)

Colorado

Bldg. 00910
''Blue Barn''—Falcon Air Force Base
Falcon Co: El Paso CO 80912–
Landholding Agency: Air Force
Property Number: 189530046
Status: Underutilized
Reason: Secured Area

Alemeda Facility
350 S. Santa Fe Drive
Denver Co: Denver CO 80223–
Landholding Agency: DOT
Property Number: 879010014
Status: Unutilized
Reason: Other environmental
Comment: contamination

Connecticut

Bldg. 10053
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 189640001
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material—Extensive deterioration

Bldg. 13
Bradley International Airport
East Granby Co: Hartford CT 06026–9309
Landholding Agency: Air Force
Property Number: 189640002
Status: Unutilized
Reason: 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: 189640003
Status: Unutilized
Reason: 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: 189640004
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: 189640005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Falkner Island Light
U.S. Coast Guard
Guilford Co: New Haven CT 06512–
Landholding Agency: DOT
Property Number: 879240031
Status: Unutilized
Reason: Floodway

Delaware

Bldg. 1304 (436 CSG)
Dover Air Force Base
Dover Co: Kent DE 19902–5065
Landholding Agency: Air Force
Property Number: 189140018
Status: Unutilized
Reason: Secured Area, Within airport runway clear zone

Delaware Breakwater Light
Lewes Co: Sussex DE 19958–
Landholding Agency: GSA
Property Number: 549640007
Status: Excess
Reason: Other
Comment: Inaccessible
GSA Number: 4–U–DE–460

Florida

Bldg. 1179
Patrick Air Force Base
1179 School Avenue
Co: Brevard FL 32935–
Landholding Agency: Air Force
Property Number: 189240030
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration

Bldg. 575
Patrick Air Force Base
Co: Brevard FL 32935–
Landholding Agency: Air Force
Property Number: 189320004
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Other
Comment: Extensive Deterioration

Bldg. 184, MacDill AFB
MacDill AFB Co: Hillsbourgh FL 33608–
Landholding Agency: Air Force
Property Number: 189320100
Status: Unutilized
Reason: Extensive deterioration

Facility 90523
Cape Canaveral AFS
Cape Canaveral AFS Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189330001
Status: Underutilized
Reason: Secured Area

Bldg. 921
Patrick Air Force Base
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189430002
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 01676V
Cape Canaveral AFS
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189430003
Status: Unutilized
Reason: Secured Area

Bldg. 2613
Tyndall Air Force Base
Panama City Co: Bay FL 32403–
Landholding Agency: Air Force
Property Number: 189430004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 2625
Tyndall Air Force Base
Panama City Co: Bay FL 32403–
Landholding Agency: Air Force
Property Number: 189430005
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Bldg. 2639
Tyndall Air Force Base
Panama City Co: Bay FL 32403–
Landholding Agency: Air Force
Property Number: 189430006
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Bldg. 2642
Tyndall Air Force Base
Panama City Co: Bay FL 32403–
Landholding Agency: Air Force
Property Number: 189430007
Status: Unutilized
Reason: Secured Area, Extensive deterioration

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: 189520006
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: 189520007
Status: Excess
Reason: Extensive deterioration

Bldg. 243
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540002
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 510
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540003
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 521
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540004
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 872
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540005
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 30004
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540006
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 12513
Eglin Air Force Base
Eglin AFB Co: Okaloosa FL 32542–5000
Landholding Agency: Air Force
Property Number: 189540007
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 538, Patrick AFB
Cocoa Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189630056
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 1487, Patrick AFB
Cocoa Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189630057
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 36901
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189640006
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Facility 8816
Cape Canaveral Air Station
Cape Canaveral Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189640007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 02
Melbourne Beach Tracking Annex
Melbourne Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189640008
Status: Unutilized
Reason: Secured Area

Facility 03
Melbourne Beach Tracking Annex
Melbourne Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189640009
Status: Unutilized
Reason: Secured Area

Bldg. 231, Patrick AFB
Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189640010
Status: Unutilized
Reason: Secured Area

Bldg. 12734, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 189640011
Status: Unutilized
Reason: Secured Area

Bldg. 12708, Eglin AFB
Eglin AFB Co: Okaloosa FL 32542–5133
Landholding Agency: Air Force
Property Number: 189640012
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. #3, Recreation Cottage
USCG Station
Marathon Co: Monroe FL 33050–
Landholding Agency: DOT
Property Number: 879210008
Status: Unutilized
Reason: Secured Area, Floodway

Bldg. 103, Trumbo Point
Key West Co: Monroe FL 33040–
Landholding Agency: DOT
Property Number: 879230001
Status: Unutilized
Reason: Floodway, Secured Area

Exchange Building
St. Petersburg Co: Pinellas FL 33701–
Landholding Agency: DOT
Property Number: 879410004
Status: Unutilized
Reason: Floodway

9988 Keepers Quarters A
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440009
Status: Underutilized
Reason: Secured Area, Floodway

9989 Keepers Quarters B
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440010
Status: Underutilized
Reason: Secured Area, Floodway

9990 Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440011
Status: Underutilized
Reason: Secured Area, Floodway

9991 Plant Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440012
Status: Underutilized
Reason: Secured Area, Floodway

9992 Shop Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440013
Status: Underutilized
Reason: Secured Area, Floodway

9993 Admin. Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440014
Status: Underutilized
Reason: Secured Area, Floodway

9994 Water Pump Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440015
Status: Underutilized
Reason: Secured Area, Floodway

Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440016
Status: Underutilized
Reason: Secured Area, Floodway

9999 Water Storage Bldg.
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440017
Status: Underutilized
Reason: Secured Area, Floodway

3 Bldgs. and Land
Peanut Island Station
Riveria Beach Co: Palm Beach FL 33419–0909
Landholding Agency: DOT
Property Number: 879510009
Status: Unutilized
Reason: Secured Area, Floodway

Cape St. George Lighthouse
Co: Franklin FL 32328–
Landholding Agency: DOT
Property Number: 879640002
Status: Unutilized
Reason: Extensive deterioration

Georgia

Coast Guard Station
St. Simons Island
Co: Glynn GA 31522–0577
Landholding Agency: DOT
Property Number: 879540002
Status: Unutilized
Reason: Extensive deterioration

Idaho

Bldg. 1012
Mountain Home Air Force Base
7th Avenue
(See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189030004
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: 189030005
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: 189030006
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: 189040857
Status: Unutilized
Reason: 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 83648–
Landholding Agency: Air Force
Property Number: 189520008
Status: Unutilized
Reason: Extensive deterioration

Illinois

Bldg. 3191
Scott Air Force Base
East Drive 375/ABG/DE
Scott AFB Co: St. Clair IL 62225–5001
Landholding Agency: Air Force
Property Number: 189010247
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 3670
Scott Air Force Base
East Drive 375 ABG/DE
Scott AFB Co: St. Clair IL 62225–5001
Landholding Agency: Air Force
Property Number: 189010248
Status: Unutilized
Reason: Secured Area

Bldg. 503
Scott Air Force Base
Scott AFB Co: St. Clair IL 62225–
Landholding Agency: Air Force
Property Number: 189010725
Status: Unutilized
Reason: Secured Area

Bldg. 869
Scott Air Force Base
375 CSG/DEER
Scott AFB Co: St. Clair IL 62225–5045
Landholding Agency: Air Force
Property Number: 189110087
Status: Unutilized
Reason: Secured Area

Bldg. 865
Scott Air Force Base
Belleville Co: St. Clair IL 62225–
Landholding Agency: Air Force
Property Number: 189130347
Status: Unutilized

Reason: Secured Area

Parcel 1
Portion Former Lock & Dam 51
Golconda Co: Pope IL 62938–
Landholding Agency: GSA
Property Number: 549610010
Status: Excess
Reason: Extensive deterioration
GSA Number: 2–D–IL–703

Calumet Harbor Station
U.S. Coast Guard
Chicago Co: Cook IL
Landholding Agency: DOT
Property Number: 879310005
Status: Excess
Reason: Secured Area

Indiana

Coast Guard Housing
5 Houses
Dana Co: Vermillion IN 47847–
Landholding Agency: GSA
Property Number: 549620011
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material
GSA Number: 1–U–IN–505D

Iowa

Bldg. 00671
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310009
Status: Unutilized
Reason: Other
Comment: Fuel pump station

Bldg. 00736
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310010
Status: Unutilized
Reason: Other
Comment: Pump station

Kansas

Bldg. 1407
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340029
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 186
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340030
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Bldg. 187
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340031
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Louisiana

Bldg. 3477
Barksdale Air Force Base
Davis Avenue
Barksdale AFB Co: Bossier LA 71110–5000
Landholding Agency: Air Force
Property Number: 189140015
Status: Unutilized
Reason: Secured Area

Maine

Supply Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240005
Status: Unutilized
Reason: Floodway

Base Exchange, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240006
Status: Unutilized
Reason: Floodway

Engineering Shop, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240007
Status: Unutilized
Reason: Floodway

Storage Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240008
Status: Unutilized
Reason: Floodway

Squirrel Point Light
U.S. Coast Guard
Phippsburg Co: Sayadahoc ME 04530–
Landholding Agency: DOT
Property Number: 879240032
Status: Unutilized
Reason: Floodway

Keepers Dwelling
Heron Neck Light, U.S. Coast Guard
Vinalhaven Co: Knox ME 04841–
Landholding Agency: DOT
Property Number: 879240035
Status: Unutilized
Reason: Extensive deterioration

Fort Popham Light
Phippsburg Co: Sagadahoc ME 04562–
Landholding Agency: DOT
Property Number: 879320024
Status: Unutilized
Reason: Extensive deterioration

Nash Island Light
U.S. Coast Guard
Addison Co: Washington ME 04606–
Landholding Agency: DOT
Property Number: 879420005
Status: Unutilized
Reason: Other
Comment: Inaccessible

Bldg.—South Portland Base
U.S. Coast Guard
S. Portland Co: Cumberland ME 04106–
Landholding Agency: DOT
Property Number: 879420006
Status: Unutilized
Reason: Secured Area

Garage—Boothbay Harbor Stat.
Boothbay Harbor Co: Lincoln ME 04538–
Landholding Agency: DOT
Property Number: 879430001
Status: Unutilized
Reason: Secured Area

Maryland

Upper Waldorf Field Site
Rt. 228—Bensville Rd.
Waldorf Co: Charles MD 20601–
Landholding Agency: GSA
Property Number: 549630013
Status: Excess
Reason: Extensive deterioration
GSA Number: 4–N–MD–0587

Fishing Battery Lighthouse
Havre De Grace Co: Harford MD 21078–
Landholding Agency: GSA
Property Number: 549640008
Status: Excess
Reason: Extensive deterioration
GSA Number: 4–U–MD–589

Bldgs. 38–39, 41, 43–46, 56
U.S. Coast Guard Yard
Baltimore MD 21226–
Landholding Agency: DOT
Property Number: 879540005
Status: Unutilized
Reason: 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: 879540006
Status: Unutilized
Reason: 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: 879620001
Status: Excess
Reason: 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: 879620002
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Massachusetts

Bldg. 1900
Westover Air Force Base
Chicopee Co: Hampden MA 01022–
Landholding Agency: Air Force
Property Number: 189010438
Status: Unutilized
Reason: Secured Area

Bldg. 1833
Westover Air Force Base
Chicopee Co: Hampden MA 01022–5000
Landholding Agency: Air Force
Property Number: 189040002
Status: Unutilized
Reason: Secured Area

Bldg. 4, USCG Support Center

Commercial Street
Boston Co: Suffolk MA 02203–
Landholding Agency: DOT
Property Number: 879240001
Status: Underutilized
Reason: Secured Area

Eastern Point Light
U.S. Coast Guard
Gloucester Co: Essex MA 01930–
Landholding Agency: DOT
Property Number: 879240029
Status: Unutilized
Reason: Floodway, Secured Area

Storage Shed
Highland Light
N. Truro Co: Barnstable MA 02652–
DeSoto Johnson KS66018–
Landholding Agency: DOT
Property Number: 879430004
Status: Unutilized
Reason: Extensive deterioration

Michigan

Bldg. 1005
Selfridge Air National Guard Base
1005 C. Street
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010526
Status: Unutilized
Reason: Secured Area

Bldg. 1012
Selfridge Air National Guard Base
1012 A. Street
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010527
Status: Unutilized
Reason: Secured Area

Bldg. 1041
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010528
Status: Unutilized
Reason: Secured Area

Bldg. 1412
Selfridge Air National Guard Base
1412 Castle Avenue
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010529
Status: Unutilized
Reason: Secured Area

Bldg. 1434
Selfridge Air National Guard Base
1434 Castle Avenue
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010530
Status: Unutilized
Reason: Secured Area

Bldg. 1688
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: Near South Perimeter Road, near Building 1694.
Landholding Agency: Air Force
Property Number: 189010531
Status: Unutilized
Reason: Secured Area

Bldg. 1689
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: Near South Perimeter Road, near Building 1694.
Landholding Agency: Air Force
Property Number: 189010532
Status: Unutilized
Reason: Secured Area

Bldg. 5670
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010533
Status: Unutilized
Reason: Secured Area

Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010810
Status: Excess
Reason: Other
Comment: sewage treatment and disposal facility.

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010831
Status: Excess
Reason: Other
Comment: water well

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010832
Status: Excess
Reason: Other
Comment: water well

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010875
Status: Excess
Reason: Other
Comment: Gasoline Station

Bldg. 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010876
Status: Excess
Reason: Other
Comment: Gasoline Station

Bldg. 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010877
Status: Excess
Reason: Other
Comment: Pump lift station.

Bldg. 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010878
Status: Excess
Reason: Other
Comment: Gasoline station.

Bldg. 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010889
Status: Excess
Reason: Other
Comment: Sewer pump facility.

Bldg. 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010890
Status: Excess
Reason: Other
Comment: Water pump station

Facility 102
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620001
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 135
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620002
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 136
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620003
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 163
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholdng Agency: Air Force
Property Number: 189620004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 169
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 173
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 318
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 502
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number 189620008
Status: Unutilized

Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 704
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620009
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 706
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620010
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 707
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620011
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 802
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620012
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 816
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620013
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 817
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620014
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 819
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620015
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 821
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620016
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 829
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620017
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 831
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620018
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 834
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620019
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 838
Selfridge Air National Guard Base
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189620020
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Facility 20
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630001
Status: Unutilized
Reason: 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: 189630002
Status: Unutilized
Reason: 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: 189630003
Status: Unutilized
Reason: 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: 189630004
Status: Unutilized
Reason: 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: 189630005
Status: Unutilized
Reason: 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: 189630006
Status: Unutilized
Reason: 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: 189630007
Status: Unutilized
Reason: 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: 189630008
Status: Unutilized
Reason: 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: 189630009
Status: Unutilized
Reason: 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: 189630010
Status: Unutilized
Reason: 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: 189630011
Status: Unutilized
Reason: 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: 189630012
Status: Unutilized
Reason: 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: 189630013
Status: Unutilized
Reason: Secured Area

Facility 801
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630014
Status: Unutilized
Reason: 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: 189630015
Status: Unutilized
Reason: 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: 189630016

Status: Unutilized
Reason: 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: 189630017
Status: Unutilized
Reason: 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: 189630018
Status: Unutilized
Reason: Secured Area

Facility 1012
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630019
Status: Unutilized
Reason: Secured Area

Facility 1017
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630020
Status: Unutilized
Reason: Secured Area

Facility 1025
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630021
Status: Unutilized
Reason: Secured Area

Facility 1031
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630022
Status: Unutilized
Reason: Secured Area

Facility 1041
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630023
Status: Unutilized
Reason: 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: 189630024
Status: Unutilized
Reason: 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: 189630025
Status: Unutilized
Reason: Secured Area

Facility 1575
Selfridge AFB
Mt. Clemens Co: Macomb MI 48045–5295
Landholding Agency: Air Force
Property Number: 189630026
Status: Unutilized
Reason: 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: 189630027
Status: Unutilized
Reason: 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: 189630028
Status: Unutilized
Reason: 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: 189630029
Status: Unutilized
Reason: 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: 189630030
Status: Unutilized
Reason: 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: 189630031
Status: Unutilized
Reason: 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: 189630032
Status: Unutilized
Reason: 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: 189630033
Status: Unutilized
Reason: Secured Area

15 Offshore Lighthouses
Great Lakes MI
Landholding Agency: GSA
Property Number: 549630014
Status: Excess
Reason: Extensive deterioration

Fog Signal Building
St. Martins Island Co: Delta MI 49829–
Landholding Agency: GSA
Property Number: 549640001
Status: Unutilized
Reason: Other
Comment: Inaccessible
GSA Number: 1–U–MI–760

Crisp Point Light Station
McMillan Township Co: Luce MI
Landholding Agency: GSA
Property Number: 549640002
Status: Unutilized
Reason: Extensive deterioration
GSA Number: 1–U–MI–541A

Paint Locker
St. Martins Island/Lake Michigan Co: Delta MI 49829–
Landholding Agency: GSA
Property Number: 549640009
Status: Excess
Reason: Other
Comment: Inaccessible
GSA Number: 1–U–MI–760

Dwelling/Light Tower
St. Martins Island/Lake Michigan Co: Delta MI 49829–
Landholding Agency: GSA
Property Number: 549640010
Status: Excess
Reason: Other
Comment: Inaccessible
GSA Number: 1–U–MI–760

Bldg. 402, U.S. Air Station
Traverse City Co: Grand Traverse MI 49684–3586
Landholding Agency: DOT
Property Number: 879220001
Status: Unutilized
Reason: Extensive deterioration

Minnesota

Bldg. 644
Minnesota Air National Guard
Minneapolis Co: Hennepin MN 55111–4137
Landholding Agency: Air Force
Property Number: 189630035
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 684
Minnesota Air National Guard
Minneapolis Co: Hennepin MN 55111–4137
Landholding Agency: Air Force
Property Number: 189630036
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Mississippi

Natchez Moorings
82 L.E. Berry Road
Natchez Co: Adams MS 39121–
Landholding Agency: DOT
Property Number: 879340002
Status: Unutilized
Reason: Extensive deterioration

Montana

Bldg. 280
Malmstrom AFB
Flightline & Avenue G
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010077
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone, Secured Area, Other environmental

Bldg. 440
Malmstrom Air Force Base
Great Falls Co: Cascade MT 59402–7525
Landholding Agency: Air Force
Property Number: 189430008
Status: Unutilized

Reason: Extensive deterioration, Secured Area

Bldg. 444
Malmstrom Air Force Base
Great Falls Co: Cascade MT 59402–7525
Landholding Agency: Air Force
Property Number: 189430009
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 529
Malmstrom Air Force Base
Malmstrom AFB Co: Cascade MT 59405–
Landholding Agency: Air Force
Property Number: 189510011
Status: Underutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 557, Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189540010
Status: Underutilized
Reason: Secured Area

Bldg. 666, Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189540011
Status: Underutilized
Reason: Secured Area

Bldg. 1189, Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189540013
Status: Underutilized
Reason: Secured Area

Bldg. 1308, Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189540014
Status: Underutilized
Reason: Secured Area

Bldg. 1309, Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189540015
Status: Underutilized
Reason: Secured Area

Bldg. 547
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189620025
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1709
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189620026
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1897
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189620027
Status: Unutilized
Reason: Secured Area

Bldg. 1810
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189630037
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1194
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189640013
Status: Unutilized
Reason: Secured Area

Bldg. 1198
Malmstrom AFB
Malmstrom AFB Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189640014
Status: Unutilized
Reason: Secured Area

Nebraska

Offutt Communications Annex—#3

Offutt Air Force Base
Scribner Co: Dodge NE 68031–
Landholding Agency: Air Force
Property Number: 189210006
Status: Unutilized
Reason: Other
Comment: former sewage lagoon

Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 189230021
Status: Unutilized
Reason: Extensive deterioration

Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 189230022
Status: Unutilized
Reason: Extensive deterioration

Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240007
Status: Unutilized
Reason: Secured Area

Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240008
Status: Unutilized
Reason: Secured Area

Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240009
Status: Unutilized
Reason: Secured Area

Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240010
Status: Unutilized
Reason: Secured Area

Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240011
Status: Unutilized
Reason: Secured Area

Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240012
Status: Unutilized
Reason: Secured Area

Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Admas NE 68901–
Landholding Agency: Air Force
Property Number: 189320058
Status: Excess
Reason: Other
Comment: Generator

Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320059
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320060
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320061
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320062
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 506
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320063
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 507
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–

Landholding Agency: Air Force
Property Number: 189320064
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 509
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320065
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 511
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320066
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 512
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320067
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 515
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320068
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 517
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320069
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 519
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320070
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 521
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320071
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 523
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320072
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 525
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320073
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 526
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320074
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 529
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320075
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 531
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320076
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 533
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320077
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 534
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320078
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 536
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320079
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 538
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320080
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 541
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320081
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 542
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320082
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 544
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320083
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 546
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320084
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 549
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320085
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 550
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320086
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 552
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320087
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320088
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 555

Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320089
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320090
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320091
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320092
Status: Excess
Reason: Other
Comment: Contamination

27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320093
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320094
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320095
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320096
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320097
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320098
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320099
Status: Excess
Reason: Other
Comment: Contamination

Bldg. 686
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189510021
Status: Unutilized
Reason: Secured Area

Bldg. 439
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189510022
Status: Unutilized
Reason: Secured Area

New Hampshire

Bldg. 101
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 102
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 104
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Bldg. 116
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189540016
Status: Unutilized
Reason: Extensive deterioration

New Jersey

Piers and Wharf
Station Sandy Hook
Highlands Co: Monmouth NJ 07732–5000
Landholding Agency: DOT
Property Number: 879240009
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Chapel Hill Front Range, Light Tower
Middletown Co: Monmouth NJ 07748–
Landholding Agency: DOT
Property Number: 879440002
Status: Unutilized
Reason: Other
Comment: Skeletal tower

Bldg. 103
U.S. Coast Guard Station Sandy Hook
Middleton Co: Monmouth NJ 07737–
Landholding Agency: DOT
Property Number: 879610002
Status: Unutilized
Reason: Secured Area

New Mexico

Bldg. 831
833 CSG/DEER
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189130333
Status: Unutilized
Reason: Secured Area

Bldg. 21
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240032
Status: Unutilized
Reason: Secured Area

Bldg. 80
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240033
Status: Unutilized
Reason: Secured Area

Bldg. 98
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240034
Status: Unutilized
Reason: Secured Area

Bldg. 324
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240035
Status: Unutilized
Reason: Secured Area

Bldg. 598
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240036
Status: Unutilized
Reason: Secured Area

Bldg. 801
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240037
Status: Unutilized
Reason: Secured Area

Bldg. 802
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240038
Status: Unutilized
Reason: Secured Area

Bldg. 1095
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240039
Status: Unutilized
Reason: Secured Area

Bldg. 1096
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240040
Status: Unutilized
Reason: Secured Area

Facility 321
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240041
Status: Unutilized
Reason: Secured Area

Facility 75115
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240042
Status: Unutilized
Reason: Secured Area

Bldg. 874
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189320041
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration

Bldg. 1258
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189320042
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive Deterioration

Bldg. 134
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430014
Status: Unutilized
Reason: Secured Area

Bldg. 640
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430015
Status: Unutilized
Reason: Secured Area

Bldg. 703
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430016
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: 189430017
Status: Unutilized
Reason: Secured Area

Bldg. 821
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430018
Status: Unutilized
Reason: Secured Area

Bldg. 829
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430019
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 867
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430020
Status: Unutilized
Reason: Secured Area

Bldg. 884
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430021
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 886
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430022
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area

Bldg. 908
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189430023
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189510001
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189510002
Status: Unutilized
Reason: Secured Area

Bldg. 599
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189510001
Status: Unutilized
Reason: Secured Area

Bldg. 600
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189610008
Status: Unutilized
Reason: Secured Area

Bldg. 995
Holloman AFB
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189610009
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: 189010075
Status: Unutilized
Reason: 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: 189140022
Status: Excess
Reason: Secured Area

Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189140023
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: 189230001
Status: Excess
Reason: Within airport runway clear zone, Secured Area

Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189230002
Status: Excess
Reason: Within airport runway clear zone, Secured Area

Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189230003
Status: Excess
Reason: 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: 189240020
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: 189240021
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: 189240022
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: 189240023
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: 189240024
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: 189240025
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: 189240026
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: 189240027
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: 189240028
Status: Unutilized
Reason: Secured Area

Bldg. 759, Hancock Field
6001 East Molloy Road
Syracuse Co: Onondaga NY 13211–7099
Landholding Agency: Air Force
Property Number: 189310007
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189330097
Status: Unutilized
Reason: Secured Area

Bldg. 852
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14304–5000
Landholding Agency: Air Force
Property Number: 189420013
Status: Unutilized
Reason: Secured Area

Naval Indus. Rsv. Ordance Pl.
121 Lincoln Avenue
Rochester Co: Monroe NY 14611–
Landholding Agency: GSA
Property Number: 549430011
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material
GSA Number: TENT–2–N–NY–592

Fed. Bldg.
Multi Bldg. Complex, 252 7th Avenue
New York NY 10001–
Landholding Agency: GSA
Property Number: 549630001
Status: Excess
Reason: Extensive deterioration
GSA Number: NY–0783A

2 Offshore Lighthouses
Great Lakes NY
Landholding Agency: GSA
Property Number: 549630015
Status: Excess
Reason: Extensive deterioration

Bldgs. 501, 502
Scotia Storage Depot
Scotia NY 12302–
Landholding Agency: GSA
Property Number: 549640021
Status: Excess
Reason: Extensive deterioration
GSA Number: 1–G–NY–554E

2 Buildings
Ant Saugerties
Saugerties Co: Ulster NY 12477–
Landholding Agency: DOT
Property Number: 879230005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 606, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240020
Status: Unutilized
Reason: Secured Area

Bldg. 607, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240021
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive deterioration

Bldg. 605, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240022
Status: Unutilized
Reason: Secured Area, Other
Comment: Extensive deterioration

Eatons Neck Station
U.S. Coast Guard
Huntington Co: Suffolk NY 11743–
Landholding Agency: DOT
Property Number: 879310003
Status: Unutilized
Reason: Extensive deterioration, Secured Area

Bldg. 517, USCG Support Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 8793200025
Status: Unutilized
Reason: Secured Area

Bldg. 138
U.S. Coast Guard Support Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 879410003
Status: Unutilized
Reason: Secured Area

Point AuRoche Light
Beekmantown Co: Clinton NY 12901–
Landholding Agency: GSA
Property Number: 879420002
Status: Excess
Reason: Floodway, Extensive deterioration
GSA Number: 2–4–NY–817

Bldg. 830
U.S. Coast Guard
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 879420004
Status: Unutilized
Reason: Secured Area

Rochester Harbor Light
Greece Township Co: Monroe NY
Landholding Agency: DOT
Property Number: 879430008
Status: Excess
Reason: Secured Area, Extensive deterioration

Bldg. 8
Rosebank—Coast Guard Housing
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 879530009
Status: Unutilized
Reason: Secured Area

Bldg. 7
Rosebank—Coast Guard Housing
Staten Island Co: Richmond Ny 10301–
Landholding Agency: DOT
Property Number: 879530010
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Station Bldg.
USCG, AUXOP Station
Sodus Point Co: Wayne NY 14555–
Landholding Agency: DOT
Property Number: 879610001
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 222
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT
Property Number: 879620003
Status: Unutilized
Reason: Secured Area

Bldg. 223
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT

Property Number: 879620004
Status: Unutilized
Reason: Secured Area

Bldg. 205
Fort Wadsworth
Staten Island Co: Richmond NY 10305–
Landholding Agency: DOT
Property Number: 879620005
Status: Unutilized
Reason: Secured Area

Bldg. 9
U.S. Coast Guard—Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 879630027
Status: Excess
Reason: Secured Area

Bldg. 10
U.S. Coast Guard—Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 879630028
Status: Excess
Reason: Secured Area

Bldg. 206, Rosebank
Staten Island Co: Richmond NY 10301–
Landholding Agency: DOT
Property Number: 879530029
Status: Unutilized
Reason: Secured Area

North Carolina

Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531–5005
Landholding Agency: Air Force
Property Number: 189120233
Status: Underutilized
Reason: Secured Area

Bldg. 607, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330041
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 255, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420019
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 370, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420020
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 904, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420021
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 910, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420022
Status: Unutilized
Reason: Secured Area, Extensive deterioration

Bldg. 912, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420023
Status: Unutilized
Reason: Secured Area Extensive deterioration

Bldg. 914, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2003
Landholding Agency: Air Force
Property Number: 189420024
Status: Unutilized
Reason: Secured Area Extensive deterioration

Bldg. 633, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–
Landholding Agency: Air Force
Property Number: 189540019
Status: Unutilized
Reason: Secured Area Extensive deterioration

Bldg. 517, Pope Air Force Base
Fayetteville Co: Cumberland NC
Landholding Agency: Air Force
Property Number: 189710001
Status: Unutilized
Reason: Secured Area Extensive deterioration

Dwelling 1
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923—
Landholding Agency: GSA
Property Number: 189120083
Status: Excess
Reason: Extensive deterioration
GSA Number: 4–U–NC–722

Dwelling 2
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923—
Landholding Agency: GSA
Property Number: 189120084
Status: Excess
Reason: Extensive deterioration
GSA Number: 4–U–NC–722

Dwelling 3
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923—
Landholding Agency: GSA
Property Number: 189120085
Status: Excess
Reason: Extensive deterioration
GSA Number: 4–U–NC–722

Group Cape Hatteras
Boiler Plant
Buxton Co: Dare NC 27902—0604
Landholding Agency: DOT
Property Number: 879240018
Status: Unutilized
Reason: Secured Area

Group Cape Hatteras
Bowling Alley
Buxton Co: Dare NC 27902—0604
Landholding Agency: DOT
Property Number: 879240019
Status: Unutilized
Reason: Secured Area

Bldg. 21, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320010
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 22, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320011
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 25, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320012
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 27, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320013
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 32, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320014
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 67, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320016
Status: Unutilized
Reason: Floodway, Secured Area

Bldg. 69, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320017
Status: Unutilized
Reason: Secured Area

Bldg. 71, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320018
Status: Unutilized
Reason: Secured Area

Bldg. 73, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320019
Status: Unutilized
Reason: Secured Area

Bldg. 54
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879340004
Status: Unutilized
Reason: Secured Area

Bldg. 83
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879340005
Status: Unutilized
Reason: Secured Area

Water Tanks
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT

Property Number: 879340006
Status: Unutilized
Reason: Secured Area

USCG Gentian (WLB 290)
Fort Macon State Park
Atlantic Beach Co: Carteret NC 27601–
Landholding Agency: DOT
Property Number: 879420007
Status: Excess
Reason: Secured Area

Unit #71
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530011
Status: Unutilized
Reason: Floodway

Unit #72
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530012
Status: Unutilized
Reason: Floodway

Unit #73
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530013
Status: Unutilized
Reason: Floodway

Unit #74
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530014
Status: Unutilized
Reason: Floodway

Unit #75
Buxton Annex, Cape Kendrick Circle
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530015
Status: Unutilized
Reason: Floodway

Unit #63
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530016
Status: Unutilized
Reason: Floodway

Unit #64
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530017
Status: Unutilized
Reason: Floodway

Unit #76
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530018
Status: Unutilized
Reason: Floodway

Unit #68
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530019
Status: Unutilized
Reason: Floodway

Unit #69
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530020
Status: Unutilized
Reason: Floodway

Unit #70
Buxton Annex, Anna May Court
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530021
Status: Unutilized
Reason: Floodway

Unit #77
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530022
Status: Unutilized
Reason: Floodway

Unit #78
Buxton Annex, Old Lighthouse Road
Buxton Co: Dare NC 27920–
Landholding Agency: DOT
Property Number: 879530023
Status: Unutilized
Reason: Floodway

Bldg. 45
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630020
Status: Unutilized
Reason: Secured Area

Bldg. 47
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630021
Status: Unutilized
Reason: Secured Area

Bldg. 53
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630022
Status: Unutilized
Reason: Secured Area

Bldg. 57
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630023
Status: Unutilized
Reason: Secured Area

Bldg. 59
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630024
Status: Unutilized
Reason: Secured Area

Bldg. 92
Coast Guard Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879630025
Status: Unutilized
Reason: Secured Area

Bldg. 94, Coast Guard
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879640004
Status: Unutilized
Reason: Secured Area

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 189010724
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: 189310107
Status: Excess
Reason: Other
Comment: garbage incinerator

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320034
Status: Unutilized
Reason: Secured Area

Bldg. 191
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320035
Status: Unutilized
Reason: Secured Area

Bldg. 490
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320036
Status: Unutilized
Reason: Secured Area

Bldg. 509
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320037
Status: Unutilized
Reason: Secured Area

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320038
Status: Unutilized
Reason: Secured Area

Bldg. 895
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320039
Status: Unutilized
Reason: Secured Area

Bldg. 1019
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320040
Status: Unutilized
Reason: Secured Area

Ohio

Bldg. 404, Hydrant Fuel
910 Airlift Group
Kings-Graves Road
Vienna Co: Trumbull OH 44473–5000
Landholding Agency: Air Force
Property Number: 189220015
Status: Unutilized
Reason: Secured Area

Bldg. 405, Test Cell
910 Airlift Group
Kings-Graves Road
Vienna Co: Trumbull OH 44473–5000
Landholding Agency: Air Force
Property Number: 189220016
Status: Unutilized
Reason: Secured Area

Oregon

Mooring/Boathouse
Station Chetco River
Brookings Co: Curry OR 97415–
Landholding Agency: DOT
Property Number: 879630026
Status: Excess
Reason: Floodway

Puerto Rico

Bldg. 10
Punta Salinas Radar Site
Toa Baja Co: Toa Baja PR 00759–
Landholding Agency: Air Force
Property Number: 189010544
Status: Underutilized
Reason: Secured Area

NAFA Warehouse
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 879310011
Status: Unutilized
Reason: Secured Area

Storage Equipment Bldg.
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 879330001
Status: Unutilized
Reason: Secured Area

Bldg. 115
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510001
Status: Unutilized
Reason: Secured Area

Bldg. 117
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510002
Status: Unutilized
Reason: Secured Area

Bldg. 118
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510003
Status: Unutilized
Reason: Secured Area

Bldg. 119
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510004
Status: Unutilized
Reason: Secured Area

Bldg. 120
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510005
Status: Unutilized
Reason: Secured Area

Bldg. 122
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510006
Status: Unutilized
Reason: Secured Area

Bldg. 128
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510007
Status: Unutilized
Reason: Secured Area

Bldg. 129
U.S. Coast Guard Base
San Juan PR 00902–2029
Landholding Agency: DOT
Property Number: 879510008
Status: Unutilized
Reason: Secured Area

Rhode Island

Station Point Judith Pier
Narranganset Co: Washington RI 02882–
Landholding Agency: DOT
Property Number: 879310002
Status: Unutilized
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: 189320048
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: 189320049
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: 189320050
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: 189320051
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: 189320052
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: 189320053
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00605
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320054
Status: Underutilized
Reason: Secured Area

Bldg. 88470
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340033
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 9011
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340035
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Other, Secured Area
Comment: Extensive deterioration

Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340037
Status: Unutilized
Reason: Secured Area

Bldg. 6908
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340038
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Other, Secured Area
Comment: Extensive deterioration

Bldg. 6904
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340039
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Other, Secured Area
Comment: Extensive deterioration

Bldg. 6905, Ellsworth AFB
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189440010
Status: Underutilized
Reason: Secured Area

Bldg. 1111, Ellsworth AFB
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189610005
Status: Unutilized
Reason: Secured Area

Texas

Bldg. 40
Laughlin Air Force Base
Co: Val Verde TX 78843–5000
Landholding Agency: Air Force
Property Number: 189420014
Status: Unutilized

Reason: Extensive deterioration

Bldg. 119
Laughlin Air Force Base
Co: Val Verde TX 78843–5000
Landholding Agency: Air Force
Property Number: 189420016
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00153
Reese Air Force Base
Lubbock Co: Lubbock TX 79489–5000
Landholding Agency: Air Force
Property Number: 189540017
Status: Unutilized
Reason: Secured Area

Bldg. 03130
Reese Air Force Base
Lubbock Co: Lubbock TX 79489–5000
Landholding Agency: Air Force
Property Number: 189540018
Status: Unutilized
Reason: Secured Area

Bldg. 122, Laughlin AFB
Co: Val Verde TX
Landholding Agency: Air Force
Property Number: 189640015
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material

Old Exchange Bldg.
U.S. Coast Guard
Galveston Co: Galveston TX 77553–3001
Landholding Agency: DOT
Property Number: 879310012
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: 879530002
Status: Unutilized
Reason: Floodway

Aton Shops Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530003
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

WPB Storage Shed
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530004
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material.

Flammable Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530005
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Battery Storage Building
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530006
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Boat House
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530007
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Small Boat Pier
USCG Station Sabine
Sabine Co: Jefferson TX 77655–
Landholding Agency: DOT
Property Number: 879530008
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 108
Fort Crockett/43rd St. Housing
Galveston Co: Galveston TX 77553–
Landholding Agency: DOT
Property Number: 879630008
Status: Unutilized
Reason: Extensive deterioration

Utah

Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056–
Landholding Agency: Air Force
Property Number: 189040859
Status: Unutilized
Reason: Within support runway clear zone, Secured Area

Vermont

Depot Street
Downtown at the Waterfront
Burlington Co: Chittenden VT 05401–5226
Landholding Agency: DOT
Property Number: 879220003
Status: Excess
Reason: Floodway

Virginia

Bldg. 417
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 189710003
Status: Unutilized
Reason: Extensive deterioration

Bldg. 418
Camp Pendleton
Virginia Beach VA 23451–
Landholding Agency: Air Force
Property Number: 189710004
Status: Unutilized
Reason: Extensive deterioration

Bldg. 052 & Tennis Court
USCG Reserve Training Center
Yorktown Co: York VA 23690–
Landholding Agency: DOT
Property Number: 879230004
Status: Excess
Reason: Secured Area

Damage Control Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240013
Status: Unutilized
Reason: Secured Area

Admin. Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240014
Status: Unutilized
Reason: Secured Area

Storage Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240015
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: 879310004
Status: Unutilized
Reason: Secured Area

Washington

Bldg. 640
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010139
Status: Unutilized
Reason: Secured Area

Bldg. 641
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010140
Status: Unutilized
Reason: Secured Area

Bldg. 642
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010141
Status: Unutilized
Reason: Secured Area

Bldg. 643
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010142
Status: Unutilized
Reason: Secured Area

Bldg. 645
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010143
Status: Unutilized
Reason: Secured Area

Bldg. 646
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010144
Status: Unutilized
Reason: Secured Area

Bldg. 647
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010145
Status: Unutilized
Reason: Secured Area

Bldg. 1415
Fairchild AFB
Fairchild Co: Spokane WA 99011–

Landholding Agency: Air Force
Property Number: 189010146
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1429
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010147
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1464
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010148
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1465
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010149
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1466
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010150
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 3503
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010151
Status: Unutilized
Reason: Secured Area

Bldg. 3504
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010152
Status: Unutilized
Reason: Secured Area

Bldg. 3505
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010153
Status: Unutilized
Reason: Secured Area

Bldg. 3506
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010154
Status: Unutilized
Reason: Secured Area

Bldg. 3507
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010155
Status: Unutilized
Reason: Secured Area

Bldg. 3510
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010156
Status: Unutilized
Reason: Secured Area

Bldg. 3514
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010157
Status: Unutilized
Reason: Secured Area

Bldg. 3518
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010158
Status: Unutilized
Reason: Secured Area

Bldg. 3521
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010159
Status: Unutilized
Reason: Secured Area

Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204–
Landholding Agency: Air Force
Property Number: 189210004
Status: Unutilized
Reason: Extensive deterioration

Bldg. 261
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310053
Status: Unutilized
Reason: Secured Area

Bldg. 284
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310054
Status: Unutilized
Reason: Secured Area

Facility 923
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310055
Status: Unutilized
Reason: Secured Area

Bldg. 1330
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310056
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 1336
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310057
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310058
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 2143
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310059
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 2385
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310060
Status: Unutilized
Reason: Secured Area

Bldg. 3509
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310061
Status: Unutilized
Reason: Secured Area

Bldg. 1405
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310062
Status: Underutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Facility 1468
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310063
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Facility 1469
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310064
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310065
Status: Unutilized
Reason: Secured Area, Within 2000 ft. of flammable or explosive material

Bldg. 1, Waste Annex
West of Craig Road
Co: Spokane WA 99022–
Landholding Agency: Air Force
Property Number: 189320043
Status: Unutilized
Reason: Secured Area

Bldg. 1220
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330091
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 1224

Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330092
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2004
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330093
Status: Unutilized
Reason: Secured Area

Bldg. 2018
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330094
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2150
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330095
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 2164
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Numbers: 189330096
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material, Secured Area

Portion—Former Sage Complex
Moses Laiek Co: Grant WA 98837–
Landholding Agency: GSA
Property Number: 549530007
Status: Underutilized
Reason: Secured Area
GSA Number: 9–G–WA–513M

Pistol Range Bldg.
USCG Port Angeles
Port Angeles
Port Angeles Co: Clallam WA 98362–0159
Landholding Agency: DOT
Property Number: 879630030
Status: Unutilized
Reason: Within airport runway clear zone, Secured Area, Extensive deterioration

Wisconsin

Bldg. 306, 440 Airlift Wing
Gen. Mitchell IAP
Milwaukee Co: Milwaukee WI 53207–6299
Landholding Agency: Air Force
Property Number: 189320033
Status: Unutilized
Reason: Secured Area

2 Offshore Lighthouses
Great Lakes WI
Landholding Agency: GSA
Property Number: 549630016
Status: Excess
Reason: Extensive deterioration

Rawley Point Light
Two Rivers Co: Manitowoc WI
Landholding Agency: DOT
Property Number: 879540004
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: 189010198
Status: Unutilized
Reason: Secured Area

Bldg. 34
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010199
Status: Underutilized
Reason: Secured Area

Bldg. 37
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010200
Status: Unutilized
Reason: Secured Area

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010201
Status: Unutilized
Reason: Secured Area

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010202
Status: Unutilized
Reason: Secured Area

Bldg. 2780
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240005
Status: Unutilized
Reason: Secured Area

Bldg. 2781
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240006
Status: Unutilized
Reason: Secured Area

Bldg. 386
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189620021
Status: Unutilized
Reason: Secured Area

Bldg. 831
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189620022
Status: Unutilized
Reason: Secured Area

Bldg. 832
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189620023
Status: Unutilized
Reason: Secured Area

Bldg. 833
F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189620024
Status: Unutilized
Reason: Secured Area

Bldg. 920, F.E. Warren AFB
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189640016
Status: Unutilized
Reason: Secured Area

Land (by State)

Alaska

Campion Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010430
Status: Unutilized
Reason: Other, Isolated area, Not accessible by road
Comment: Isolated and remote area; Arctic environment

Lake Louise Recreation
21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010431
Status: Unutilized
Reason: Other, Isolated area, Not accessible by road
Comment: 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: 189010432
Status: Unutilized
Reason: Other, Isolated area, Not accessible by road
Comment: Isolated and remote area; Arctic coast.

Russian Creek Aggregate Site
USCG Support Center Kodiak
Kodiak Co: Kodiak AK 99619–
Landholding Agency: DOT
Property Number: 879440025
Status: Excess
Reason: Floodway

Sargent Creek Aggregate Site
USCG Support Center Kodiak
Kodiak Co: Kodiak AK 99619–
Landholding Agency: DOT
Property Number: 879440026
Status: Excess
Reason: Floodway

Land—Sanak Island
106+acres
Sanak Island Co: Sanak Harbor AK
Landholding Agency: DOT
Property Number: 879640003
Status: Unutilized
Reason: Other
Comment: Inaccessible

California

Parcel B
Santa Rosa Co: Sonoma CA
Landholding Agency: GSA

Property Number: 549310016
Status: Excess
Reason: Other
Comment: Sewage Treatment Plant
GSA Number: 9–G–CA–580C

Florida

Land
MacDill Air Force Base
6601 S. Manhattan Avenue
Landholding Agency: DOT
Tampa Co: Hillsborough FL 33608–
Landholding Agency: Air Force
Property Number: 189030003
Status: Excess
Reason: Floodway

Land—approx 220 acres
Cape San Blas
Port St. Joe Co: Gulf FL
Landholding Agency: DOT
Property Number: 879440018
Status: Underutilized
Reason: Secured Area, Floodway

Guam

Submerged Lands
Ritidian Point GU
Landholding Agency: GSA
Property Number: 549640003
Status: Excess
Reason: Other
Comment: Inaccessible
GSA Number: 9–N–GU–437

Kentucky

9 Tracts
Daniel Boone National Forest
Co: Owsley KY 37902–
Landholding Agency: GSA
Property Number: 549620012
Status: Excess
Reason: Floodway
GSA Number: 4–G–KY–607

Louisiana

Site No. 17
Lazarre Point
West Monroe Co: Ouachita Parish LA 71291–
Landholding Agency: GSA
Property Number: 549630021
Status: Excess
Reason: Floodway
GSA Number: 7–D–LA–0550

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: 189010263
Status: Unutilized
Reason: Secured Area

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: 879120006
Status: Unutilized
Reason: Within airport runway clear zone

New Mexico

Facility 75100
Holloman Air Force Base
Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240043
Status: Unutilized
Reason: Secured Area

Ohio

Lewis Research Center
Cedar Point Road
Cleveland Co: Cuyahoga OH 44135–
Landholding Agency: GSA
Property Number: 549610007
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material, Within airport runway clear zone
GSA Number: 2–Z–OH–598–I

South Carolina

Land—2.66 acres
Port Royal Co: Beaufort SC 29902–6148
Landholding Agency: GSA
Property Number: 549240009
Status: Excess
Reason: Floodway
GSA Number: 4–N–SC–0489A

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: 189210003
Status: Unutilized
Reason: Secured Area

Utah

4.3 acres—Portion
Wendover Airport
Wendover Co: Tooele UT 83354–
Landholding Agency: GSA
Property Number: 549630003
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material
GSA Number: 7–G–UT–401–L

Washington

Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010137
Status: Unutilized
Reason: Secured Area

Fairchild AFB
Fairchild AFB Co: Spokane WA 99011–
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 189010138
Status: Unutilized
Reason: Secured Area

Wyoming

Land—Seminoe Boat Club
Co: Carbon WY 82301–
Landholding Agency: GSA
Property Number: 549640016
Status: Excess
Reason: Other
Comment: no legal public access
GSA Number: 7–1–WY–0537

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federal register

Friday
February 21, 1997

Part III

Department of Education

National Institute on Disability and Rehabilitation Research; Final Funding Priorities for Fiscal Year 1997–1998; and Applications for New Awards Under Certain Programs for Fiscal Year 1997; Notices

DEPARTMENT OF EDUCATION

National Institute on Disability and Rehabilitation Research

AGENCY: Department of Education.

ACTION: Notice of Final Funding Priorities for Fiscal Years 1997–1998 for a Research and Demonstration Project and Rehabilitation Research and Training Centers.

SUMMARY: The Secretary announces final funding priorities for the Research and Demonstration Project (R&D) Program and the Rehabilitation Research and Training Center (RRTC) Program under the National Institute on Disability and Rehabilitation Research (NIDRR) for fiscal years 1997–1998. The Secretary takes this action to focus research attention on areas of national need consistent with NIDRR's long-range planning process, to improve rehabilitation services and outcomes for individuals with disabilities, and to assist in the solutions to problems encountered by individuals with disabilities in their daily activities.

EFFECTIVE DATE: These priorities take effect on March 24, 1997.

FOR FURTHER INFORMATION CONTACT: David Esquith. Telephone: (202) 205–8801. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–8133. Internet: David__Esquith@ed.gov.

SUPPLEMENTARY INFORMATION: This notice contains final priorities to establish one R&D project for research on improving employment practices covered by Title I of the Americans with Disabilities Act (ADA), and two RRTCs for research related to personal assistance services (PAS) and employment for persons with long-term mental illness (LTMI).

NIDRR is in the process of developing a revised long-range plan. The final priorities in this notice are consistent with the long-range planning process. These final priorities support the National Education Goal that calls for all Americans to possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

Note: This notice of final priorities does *not* solicit applications. A notice inviting applications under these competitions is published in a separate notice in this issue of the Federal Register.

Analysis of Comments and Changes

On October 31, 1996, the Secretary published a notice of proposed priorities in the Federal Register (61 FR 56374–56379). The Department of Education received 9 letters commenting on the notice of proposed priorities by the deadline date. Two additional comments were received after the deadline date and were not considered in this response. Technical and other minor changes—and suggested changes the Secretary is not legally authorized to make under statutory authority—are not addressed.

Research and Demonstration Projects Program

Priority: Improving Employment Practices Covered by Title I of the Americans With Disabilities Act

Comment: One commenter recommended that the grantee should research the practices and procedures businesses have used to create a diverse work force and the attitudinal factors that affect hiring and employment decisions regarding persons with disabilities.

Discussion: The Secretary believes that research on the practices and procedures business have used to create a diverse work is an important, but overly broad, topic that addresses issues unrelated to those involving persons with disabilities. As indicated in the background to the priority, the Secretary believes that a sufficent body of attitudinal research exists, including attitudinal research on the factors that affect hiring and employment decisions regarding persons with disabilities. The Secretary does not believe that any further attitudinal research is necessary at this time.

Changes: None.

Comment: One commenter recommended that the research team include people with an established credibility with the corporate community.

Discussion: The Secretary believes that the grantee's ability to gain the confidence and cooperation of private sector entities with responsibilities under Title I of the ADA is essential to the success of the project. The composition of the research team and the qualifications of key personnel are evaluated in the peer review process using the applicable selection criteria. The Secretary does not believe any further personnel requirements are necessary.

Changes: None.

Comment: One commenter recommended that NIDRR suggest collaborations that would enhance the effectiveness of the interventions that the project will develop to address challenging employment practices.

Discussion: The Secretary believes that applicants should have complete discretion to select the participants in any collaborative effort that is proposed. The Secretary does not believe that NIDRR should influence this decision by making suggestions.

Changes: None.

Rehabilitation Research and Training Centers (RRTCs)

Priority 1: Personal Assistance Services

Comment: One commenter applauded the reference to studying PAS in the community (outside the home), but noted that the definition of PAS used in the priority referred to home-based services.

Discussion: NIDRR used the definition of PAS that is included in the Rehabilitation Act. The definition specifically refers to services provided on the job. The commenter focused on the initial descriptive phrase ''forms of home-based assistance,'' which was intended to imply only that the services are provided outside of an institution. The definition of PAS in the priority encompasses community-based services, and this descriptive phrase in the background statement does not affect the required scope of work.

Changes: None.

Comment: Two commenters noted that the priority appeared to either be stating a preference for the ''independent living'' model of PAS, or to be suggesting a comparative evaluation of that model and the ''medical model.'' The commenters believed that there was too much emphasis on the differences between the two models.

Discussion: The discussion of the two models of PAS was intended only to illustrate some of the ways in which PAS is organized and delivered in the community. The Secretary realizes that these are two points on a continuum, and that in fact most programs contain elements of each of the ''pure'' models. The important issue is to determine what components of a PAS delivery system are most appropriate for individuals with disabilities of varying ages, types of disabilities, cultural backgrounds, lifestyles, and life goals. The Secretary points out that all of the references to models of PAS are included in the background section and do not have direct relevance to the activities to be performed by the Center.

Changes: None.

Comment: One commenter recommended that the compilation of a database on extant PAS programs should be considered a service, rather than a research activity, and should not compete for the limited resources available for this Center.

Discussion: NIDRR has identified the need for such a database for research purposes, not as a referral service. The types of data to be collected could be regularly updated to track trends in availability, funding sources, eligibility requirements, demand and usage, and costs and resources. Such a database is seen as a key to determining who has access to PAS, and whether the PAS that can be accessed varies according to characteristics of the individual consumer.

Changes: None.

Comment: One commenter stated that there should be more emphasis on training and services or technical assistance in the priority.

Discussion: The Secretary believes that there are many research issues that must be addressed in the area of PAS and that there is a tendency to respond to the demands for training and technical assistance before the research base is secure. For that reason, the priority focuses on research. Applicants are free to propose training and technical assistance that they believe complements the research scope, but the Secretary will not impose additional requirements.

Changes: None.

Comment: The priority currently calls for one conference for consumers and one conference for policymakers to share findings and obtain input on outstanding issues in the final year of the project. One commenter stated that the priority should include a requirement for three conferences to assist in the design of the Center, evaluate progress at the mid-point, and extend the availability of effective PAS.

Discussion: The Secretary requires conferences targeted to these two audiences as a dissemination mechanism. The commenter's suggestions would amount to dictating the process that the grantee would use in designing and evaluating its activities, and the Secretary declines to limit grantees in proposing their own approaches to planning and managing the project.

Changes: None.

Comment: Two commenters noted that there were many required activities in the priority and suggested that various of these specific activities could be deleted, while one suggested adding a requirement to examine the ways in which technology can be used to replace or supplement personal assistance, particularly in the workplace.

Discussion: The Secretary points out that the Center focuses on four objectives: analyzing the availability of PAS; analyzing State policies and practices; evaluating the impact of various types of PAS; and developing strategies to increase the supply of qualified PAS. In addressing these objectives, the Center is required to conduct six activities. The Secretary believes that all the required activities are important in addressing the objectives of the Center, and declines to eliminate any of the basic requirements in the priority. The requirement to investigate the use of PAS at the workplace reflects the importance of identifying effective approaches that have the potential to expand employment opportunities and enhance employment outcomes for individuals with significant disabilities. In fulfilling this requirement, the applicant may address the use of technology to promote independent functioning at the workplace. The Secretary emphasizes that applicants are free to determine their approach to each of the objectives of the RRTC within the constraints of available resources.

Changes: None.

Priority 2: Vocational Rehabilitation Services for Persons With Long-Term Mental Illness

Comment: Two commenters recommended studying the impact of behavioral managed care on the delivery of vocational rehabilitation services for persons with LTMI.

Discussion: Based on the first purpose of the priority, the Secretary believes that an application could propose to study the impact of behavioral managed care on the delivery of vocational rehabilitation services for persons with LTMI. However, the Secretary prefers to provide applicants with the discretion to propose specific topics for investigation.

Changes: None.

Comment: One commenter recommended studying the cost-effectiveness of vocational rehabilitation for persons with LTMI, and a second commenter recommended studying the costs and benefits of providing vocational rehabilitation to persons with LTMI.

Discussion: The Secretary believes that an applicant could propose to conduct either study if the study furthered the purpose of the RRTC to conduct research on the achievement of high quality employment outcomes for persons with LTMI. However, the Secretary prefers to provide applicants with the discretion to propose specific topics for investigation.

Changes: None.

Comment: One commenter recommended including individuals with head injury in the definition of individuals with LTMI.

Discussion: The Secretary believes that individuals who have experienced a head injury and exhibit behaviors of individuals with a long-term mental illness could be included within the target population of this RRTC. The Secretary points out that for Fiscal Year 1996, NIDRR is funding ten projects related to brain injury, including two RRTCs. The Secretary does not believe that NIDRR should support any additional research on head injury at this time.

Changes: None.

Comment: One commenter recommended addressing the needs of persons with dual diagnosis, youth, women, and persons from minority backgrounds.

Discussion: The Secretary points out that all applicants must meet the statutory requirement to demonstrate how the application will address the needs of individuals with disabilities from minority backgrounds. In regard to persons with dual diagnosis, youth, and women, the Secretary believes that an applicant could propose to address the needs of these individuals. However, the Secretary prefers to provide applicants with the discretion to propose specific target populations for investigation.

Changes: None.

Comment: The same commenter recommended requiring training and dissemination activities to provide consumers and families members with useful information to assist them in personal and systems advocacy. In addition, the commenter recommended assuring that any research and training activities be undertaken within an evaluative context.

Discussion: The Secretary agrees that the RRTC should provide consumers and family members with useful information, and expects the RRTC's evaluation plan to address all research and training activities. Dissemination activities and the evaluation plan are evaluated in the peer review process using the applicable selection criteria. The Secretary does not believe any further personnel requirements are necessary.

Changes: None.

Comment: One commenter suggested identifying high demand occupational opportunities that may match the work skills and workplace requirements of persons with LTMI. The commenter also suggested identifying individualized strategies that lead to economic self-sufficiency.

Discussion: The Secretary believes that within the activity to analyze the relationships between employment experiences and the characteristics of

impairment, an applicant could propose to identify occupational opportunities that may match the work skills and workplace requirements of workers with LTMI, and identify individualized strategies that lead to economic self-sufficiency. However, the Secretary prefers to provide applicants with the discretion to propose specific topics for investigation.

Changes: None.

Comment: The same commenter suggested applying short-term outcome measures, such as occupational growth, improved workplace behavioral and coping strategies, and effective use of helping behavior in the workplace, to determine whether high quality employment outcomes are being achieved. The commenter also recommended considering economic self-sufficiency as a long-term outcome.

Discussion: The Secretary believes applicants should have the discretion to propose the types of employment outcomes and outcome measures that will be used in the RRTC's research activities. The proposed outcomes and outcome measures will be evaluated in the peer review process using the applicable selection criteria. The Secretary does not believe any further requirements are necessary.

Changes: None.

Comment: The same commenter recommended identifying necessary supports and successful methods to secure and sustain family and therapeutic supports for the attainment of employment outcomes.

Discussion: The Secretary believes that within the activity to identify models of long-term vocational and community support for persons who have achieved an employment outcome after the receipt of VR services, an applicant could propose to identify necessary supports and successful methods to secure and sustain family and therapeutic supports. However, the Secretary prefers to provide applicants with the discretion to propose specific topics for investigation.

Changes: None.

General

Comment: One commenter recommended that the Centers publish their research findings in refereed journals.

Discussion: The quality of an applicant's proposed dissemination activities are evaluated in the peer review process using applicable selection criteria. The Secretary does not believe any further dissemination requirements are necessary.

Changes: None.

Comment: One commenter recommended that the Secretary establish an RRTC focusing on individuals with a combination of significant physical and speech disabilities with an emphasis on those who use alternative and augmentative communication devices.

Discussion: The Secretary believes that individuals with a combination of physical and speech disabilities face significant barriers. The Secretary points out that NIDRR is currently supporting a Rehabilitation Engineering Research Center in Augmentative Communication. In response to the commenter's suggestion, NIDRR will consider conducting a planning meeting to explore research needs in this area and issuing an invitational priority in the FY 1998 Field-Initiated Research competition to address the needs of individuals with a combination of significant physical and speech disabilities.

Changes: None.

Research and Demonstration Projects

Authority for the R&D program of NIDRR is contained in section 204(a) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 760–762). Under this program the Secretary makes awards to public agencies and private agencies and organizations, including institutions of higher education, Indian tribes, and tribal organizations. This program is designed to assist in the development of solutions to the problems encountered by individuals with disabilities in their daily activities, especially problems related to employment (see 34 CFR 351.1). Under the regulations for this program (see 34 CFR 351.32), the Secretary may establish research priorities by reserving funds to support the research activities listed in 34 CFR 351.10.

Priority

Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to applications that meet the following priority. The Secretary will fund under this program only applications that meet this absolute priority:

Priority: Improving Employment Practices Covered by Title I of the Americans With Disabilities Act

Background

The intent of Title I of the Americans with Disabilities Act (ADA) is to include and empower people with disabilities in the work force (P. Blanck, The Americans with Disabilities Act: Putting the Employment Provisions to Work, Annenberg Washington Program, page 9, 1993). Title I provides that employers, employment agencies, labor organizations, or joint labor-management committees may not discriminate against a qualified individual with a disability in regard to job application procedures, the hiring, advancement, or discharge of employees, employee compensation, job training and other terms, conditions, and privileges of employment. Discrimination under Title I includes not making reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless such covered entity can demonstrate that the accommodation would impose an undue hardship on the operation of the business.

The employment status of persons with disabilities is a matter of critical importance, both in terms of public expenditures and in the right of persons with disabilities to participate fully in the labor market (J. McNeil, Americans with Disabilities: 1991–1992, Household Economic Studies, pp. 70–33, December, 1993). One of the assumptions underlying the ADA is that discriminatory employment practices are contributing significantly to the depressed employment status of persons with disabilities. For 1994, of the 29.41 million persons 21 to 64 years old who had a disability, 14.03 million or 47.7 percent were unemployed. For the same year, the mean monthly earnings of workers with disabilities was $1,713 compared to $2,160 for workers without disabilities (J. McNeil, U.S. Bureau of the Census, Survey of Income and Program Participation, 1994).

The Equal Employment Opportunity Commission (EEOC), which has enforcement responsibility for Title I of the ADA, estimates that Title I covers approximately 666,000 businesses employing approximately 86 million workers (EEOC Press Release, July 19, 1994). Title I became effective for employers with 25 or more employees on July 26, 1992, and on July 26, 1994 for employers with 15 or more employees. Partially as a result of the recency of these effective dates, little is known about the actual impact of Title I on the employment practices of covered entities. The research that has been conducted on the impact of Title I on employment practices relies primarily on attitudinal surveys of employers toward the ADA, and the anticipated impact that Title I might have on their employment practices (see Baseline Study to Determine Business' Attitudes, Awareness, and Reaction to the Americans with Disabilities Act, Gallup Survey Report, 1992).

While little is known about the actual impact of Title I on employment practices, data collected by the EEOC provide information about alleged Title I ADA violations involving employment practices. Since July 26, 1992 the EEOC has maintained a database regarding the number of ADA violations that have been cited in charges and the impairments cited in those charges. For the cumulative reporting period between July 26, 1992 and June 30, 1996, the EEOC reports that a total of 68,203 ADA charges were filed. Of the 68,203 charges, 52,448 or 76.9 percent have been resolved. The majority of resolutions are either ''Administrative Closures'' (40.2 percent) or ''No Reasonable Cause'' (45.2 percent). While it is impossible to determine what percentage of the ''Administrative Closures'' involve charges that are meritorious, the remaining 14.6 percent of the charges resulted in ''Merit Resolutions'' (settlements—4.9 percent, withdrawals with benefits—7.2 percent, reasonable cause 2.5 percent) (EEOC Office of Program Operations from EEOC's Charge Data National Data Base).

The complaints filed with the EEOC that result in ''Merit Resolutions'' may be indications of not only discriminatory employment practices, but also the difficulties that employers are having understanding or implementing Title I's requirements. In a 1992 survey of 618 employers in Georgia, 84 percent of the companies indicated that they would like to receive more information concerning ADA requirements, 65 percent wanted more information about financial incentives, and 62 percent wanted disability awareness training for employees and having access to trained, motivated employees with disabilities (J. Newman and R. Dinwoodie, Impact of the Americans with Disabilities Act on Private Sector Employers, Journal of Rehabilitation Administration, Vol. 20, No. 1, February, 1996).

Persons with disabilities may be exposed to substantial emotional and financial hardship as a result of discrimination or an employer's lack of understanding of the employment practice requirements of the ADA. Attempting to resolve Title I disputes through the complaint process or litigation, can be costly and time-consuming for persons with disabilities, employers, and the EEOC. Preventing employment discrimination and disputes through the provision of information and technical assistance enables employers and persons with disabilities to share in the benefits of productive and financially rewarding employment.

Priority

The Secretary will establish a research and demonstration project on improving employment practices covered by Title I of the ADA that will:

(1) Investigate the impact of the ADA on the employment practices of private sector small, medium, and large businesses;

(2) Identify the ADA employment practice requirements (with a special emphasis on hiring) that have been most challenging for employers to implement successfully;

(3) Identify interventions that can be used by private sector employers and persons with disabilities to address the challenging employment practice requirements identified in (2) above;

(4) Demonstrate the effectiveness of the interventions involving small, medium-sized, and large businesses; and

(5) Widely disseminate information on effective interventions to employers and persons with disabilities.

In carrying out the purposes of the priority, the R&D project shall:

- Consult with the EEOC in order to determine how EEOC public-use data demonstrate the findings of compliance problems in covered areas, especially in hiring, and how those and future data may be available for the purposes of the project;
- Complement the General Accounting Office qualitative evaluation of the employment provisions of the ADA; and
- Use a variety of information dissemination strategies to reach as wide an audience as possible, including using the ten regional Disability and Business Technical Assistance Centers.

Rehabilitation Research and Training Centers (RRTCs)

Authority for the RRTC program of NIDRR is contained in section 204(b)(2) of the Rehabilitation Act of 1973, as amended (29 U.S.C. 760–762). Under this program the Secretary makes awards to public and private organizations, including institutions of higher education and Indian tribes or tribal organizations for coordinated research and training activities. These entities must be of sufficient size, scope, and quality to effectively carry out the activities of the Center in an efficient manner consistent with appropriate State and Federal laws. They must demonstrate the ability to carry out the training activities either directly or through another entity that can provide such training.

The Secretary may make awards for up to 60 months through grants or cooperative agreements. The purpose of the awards is for planning and conducting research, training, demonstrations, and related activities leading to the development of methods, procedures, and devices that will benefit individuals with disabilities, especially those with the most severe disabilities.

Under the regulations for this program (see 34 CFR 352.32) the Secretary may establish research priorities by reserving funds to support particular research activities.

Description of the Rehabilitation Research and Training Center Program

RRTCs are operated in collaboration with institutions of higher education or providers of rehabilitation services or other appropriate services. RRTCs serve as centers of national excellence and national or regional resources for providers and individuals with disabilities and the parents, family members, guardians, advocates or authorized representatives of the individuals.

RRTCs conduct coordinated and advanced programs of research in rehabilitation targeted toward the production of new knowledge to improve rehabilitation methodology and service delivery systems, alleviate or stabilize disabling conditions, and promote maximum social and economic independence of individuals with disabilities.

RRTCs provide training, including graduate, pre-service, and in-service training, to assist individuals to more effectively provide rehabilitation services. They also provide training including graduate, pre-service, and in-service training, for rehabilitation research personnel and other rehabilitation personnel.

RRTCs serve as informational and technical assistance resources to providers, individuals with disabilities, and the parents, family members, guardians, advocates, or authorized representatives of these individuals through conferences, workshops, public education programs, in-service training programs and similar activities.

NIDRR encourages all Centers to involve individuals with disabilities and minorities as recipients in research training, as well as clinical training.

Applicants have considerable latitude in proposing the specific research and related projects they will undertake to achieve the designated outcomes; however, the regulatory selection criteria for the program (34 CFR 352.31) state that the Secretary reviews the

extent to which applicants justify their choice of research projects in terms of the relevance to the priority and to the needs of individuals with disabilities. The Secretary also reviews the extent to which applicants present a scientific methodology that includes reasonable hypotheses, methods of data collection and analysis, and a means to evaluate the extent to which project objectives have been achieved.

The Department is particularly interested in ensuring that the expenditure of public funds is justified by the execution of intended activities and the advancement of knowledge and, thus, has built this accountability into the selection criteria. Not later than three years after the establishment of any RRTC, NIDRR will conduct one or more reviews of the activities and achievements of the Center. In accordance with the provisions of 34 CFR 75.253(a), continued funding depends at all times on satisfactory performance and accomplishment.

General

The following requirements apply to these RRTCs pursuant to the priorities unless noted otherwise:

Each RRTC must conduct an integrated program of research to develop solutions to problems confronted by individuals with disabilities.

Each RRTC must conduct a coordinated and advanced program of training in rehabilitation research, including training in research methodology and applied research experience, that will contribute to the number of qualified researchers working in the area of rehabilitation research.

Each Center must disseminate and encourage the use of new rehabilitation knowledge. They must publish all materials for dissemination or training in alternate formats to make them accessible to individuals with a range of disabling conditions.

Each RRTC must involve individuals with disabilities and, if appropriate, their family members, as well as rehabilitation service providers in planning and implementing the research and training programs, in interpreting and disseminating the research findings, and in evaluating the Center.

Priorities

Under 34 CFR 75.105(c)(3), the Secretary gives an absolute preference to applications that meet one of the following priorities. The Secretary will fund under these competitions only applications that meet one of these absolute priorities:

Priority 1: Personal Assistance Services

Background

Over the past 20 years, various forms of home-based assistance have emerged as alternatives to institutional or congregate care for individuals who are unable to perform activities of daily living (ADLs, such as eating, speaking, toileting), or instrumental activities of daily living (IADLs, such as housekeeping, shopping, or food preparation). This assistance often comes in the form of chore services or home health aides provided for older persons through community agencies or corporations and financed through public or private health insurance. However, individuals with disabilities, particularly through the independent living movement, have developed and promoted an alternative model of personal assistance featuring consumer direction. In this priority, personal assistance services (PAS) is used to refer to the full range of service delivery models for providing home-based support services, including chore services, home health care, and consumer-directed personal assistants (PAs).

Programs to fund and provide personal assistance services for individuals with severe disabilities have developed in response to the increased numbers of persons with disabilities living independently in their homes (Kennedy, J., Policy and Program Issues in Providing Personal Assistance Services, Journal of Rehabilitation, July/August/September, 1993). The term ''personal assistance services'' was added to the Rehabilitation Act of 1973, with the 1992 amendments, and defined as ''a range of services, provided by one or more persons, designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform if the individual did not have a disability'' (section 7(11)). The provision of on-the-job or related PAS is specifically authorized under the Vocational Rehabilitation Services Program while an individual is receiving services under the program (section 103(a)(15)). In addition, PAS is considered to be an element in the definition of ''independent living services'' in section 7(30)(B)(vi) of the Act.

PAS is also supported by health care agencies, public welfare agencies, educational institutions, private insurance providers, nonprofit organizations, client self-funding, and a host of less common sources. Indeed, researchers have identified more than 300 State level PAS programs, and suggest that they may be categorized by: (1) target population, such as persons who are aged, persons with developmental disabilities, persons with mental illness; (2) type of service, such as chore services and medical services; and (3) method of funding, such as public Medicaid assistance or private individual or insurer purchase of care from home health care providers (Medlantic Research Foundation, The Feasibility of Establishing a Regional Personal Assistance Program in the Metropolitan Washington D.C. Area, 1991).

Information from the 1990 Survey of Income and Program Participation (SIPP) and the 1990 Decennial Census indicates that about 4.1 million nonelderly adults, and 5.8 million elderly persons living in community settings have acute or chronic health conditions that may make them candidates for individual personal assistance in their homes (Adler, Population Estimates of Disability and Long-Term Care, ASPE Research Notes, l995). The population potentially in need of PAS is very diverse in terms of geographic location, disability or medical condition, personal health care needs, and psychosocial characteristics.

Two major contrasting models of personal assistance may be identified as the independent living (IL) model, and the medical model. The range of personal services programs may be arrayed on a continuum between the two pure archetypes, with many variations falling at various points on the continuum. The original, or medical model, is characterized by professionalism; agency control and supervision of service providers; and strictly specified tasks that generally must be provided in the home. An agency hires, trains (usually under a medical, nursing, or health services approach), pays, assigns, supervises, and terminates the workers, commonly referred to as health aides, and the user has a limited role in planning, directing, and assessing this delimited range of services. In the IL model, individuals with disabilities have a substantial role in determining the terms and conditions of PAS, and they hire, train, and supervise their PAs (A Comparison of Some of the Characteristics of Two Models of Personal Assistance Services, World Institute on Disability, 1995). Although research has shown that PAS are effective, cost efficient, and popular with those assisted under the IL model, the medical model predominates throughout the United States (Kennedy, 1991; Kennedy and Litvak, S. Case Studies of Six State Personal Assistance Service Programs funded by the

Medicaid Personal Care Option, 1991). The reasons for the prevalence of the medical model are not entirely clear, but there are several possible explanations. The medical model emerged earlier, in response to the needs of elderly persons, who were then being cared for in a medical or quasi-medical environment. It was a logical extension to duplicate the medical model in home-based services, including elements of medical prescriptiveness, health services training and qualifications, and focus on such things as security and accountability. It is also possible that older clients are less comfortable with learning new roles in determining their own needs and supervising their care, and that some may lack the physical or cognitive capacities to assume these roles. On the other hand, it may be that younger disabled individuals place much higher value on autonomy, social integration, self-determination and independence than do many of the frail elderly.

Although researchers have described these two models of PAS, there is insufficient information on the characteristics of the PAS that is available to various subgroups of individuals with disabilities, including not only information on the service delivery models, but also factors such as eligibility criteria, quantity and nature of services provided, sources of financing, and costs (per client, per unit of services, and total). Researchers, service providers, policymakers, and advocates would benefit from greater knowledge about the kinds of PAS services available to disabled individuals with various characteristics, including age, type of disability, geographic location, work history, and residential and family status. A comprehensive database of available PAS, on a State-by-State basis, is fundamental to conducting the analyses that will accomplish the purposes of this priority.

Beyond improving understanding of what exists, it is important to both assess the contributions of these services to individuals with disabilities and to society, and to anticipate new developments in service provision and planning. The objectives of the IL model of PAS are somewhat different from those of the medical model. To some extent, these are the individual goals and objectives of the disabled persons who use PAS. However, there are some overall objectives or expectations that society has in their establishment and funding of these programs. It is important to define both sets of objectives and develop standards and measures that will permit an assessment of the effectiveness of PAS in achieving societal objectives as well as in satisfying the expectations of the users of PAS. The objectives of these two groups are expected to be similar, although not necessarily identical and not prioritized in the same order. Societal objectives may include the avoidance of costly future interventions through health maintenance, prevention of further disablement, safety, and return to work, and these may be reasonably objective and quantifiable outcomes. Consumer objectives may focus on more subjective measures such as autonomy, social integration, and quality of life. Consumers and policymakers will be best served by a comprehensive assessment of PAS outcomes. This priority focuses on the access to, use and outcomes of, and satisfaction with, various configurations of PAS by individuals of working age.

Increasingly, individuals using PAS, and often the PAs as well, are entering the worksite as a result of innovations in telecommuting, flexiplace, home businesses, and individual accommodations for workers in traditional work sites. There is need for studies that will examine alternative approaches to providing PAS to individuals with disabilities in employment settings, including on-site versus off-site assistance, configurations of services necessary to support employment, and that examine relations between PAs and job coaches, rehabilitation counselors, interpreters, and other service personnel. The relationship between the types of services available through PAS and the likelihood of maintaining employment is an area for investigation.

The introduction of managed care approaches to health care delivery and financing and the influence of Federal court decisions are likely to result in extensive changes to State-administered Medicaid programs providing PAS. In addition, the Robert Wood Johnson Foundation is providing $3 million in grants to stimulate States, nonprofit organizations, and communities to demonstrate the effectiveness of the choice concept in PAS. There is also an anticipated decentralization of responsibility for service delivery and devolution of regulatory control over funds and services to the States or local government levels. It is unclear what effect these new patterns will have on availability, eligibility, and service configurations. There is a need to analyze the impact of these anticipated new public program and policy directions on the administration of PAS, and to improve public information, increase interagency collaboration on effective program features, and develop strategies to address shortages of trained personnel for providing PAS.

Priority 1: The Secretary will establish an RRTC that will contribute to the understanding of personal assistance services that informs policymaking and practice throughout the nation by:

(1) Analyzing the patterns of access to PAS in terms of the characteristics of the consumers with disabilities, the components of the PAS programs, and the administrative requirements;

(2) Assessing the impact of devolution/decentralization on PAS through the analysis of trends in the availability of PAS and the correlation of these trends with new developments in State policies;

(3) Evaluating the impact of various types and amounts of PAS on desired consumer outcomes, including health maintenance and secondary prevention, appropriate versus inappropriate health care utilization, productivity and employment, community participation, emotional well-being, and life satisfaction; and

(4) Developing strategies to increase the availability of effective PAS and qualified PAs.

In addition to activities proposed by the applicant to carry out these objectives, the RRTC must conduct the following activities:

- Develop and maintain a comprehensive database on types of PAS available on a State-by-State basis, including relevant descriptors of the PAS and the clients served;
- Investigate existing practices of integrating PAS into the workplace, and disseminate models of effective practices;
- Assess the availability of qualified PAs and develop strategies to increase the pool, skill levels, work performance, job satisfaction, and sustained involvement of qualified PAs in the field;
- Identify new models at the State level, including service configurations, financing methods, or delivery practices that have the potential to make more effective PAS available to individuals with disabilities who need PAS;
- Conduct at least one conference for consumers and one conference for policy makers in the final year of operations to share findings with these target audiences and to obtain feedback on outstanding issues; and
- Coordinate with ongoing research activities in the Robert Wood Johnson Independence initiative and the Department of Health and Human Services Cash and Counseling demonstration, as well as with other

relevant NIDRR research centers and projects.

Priority 2: Vocational Rehabilitation Services for Persons With Long-term Mental Illness

Background

The National Institute of Mental Health estimates that there are over 3 million adults ages 18–69 who have a serious mental illness (Manderscheid, R.W. & Sonnenschein, M.A. (Eds.), Mental Health, United States 1992 U.S. Department of Health and Human Services, Rockville, MD; DHHS Publication No.(SMA) 92–1942). Estimates of unemployment among this group remains in the 80–90 percent range (Baron, R., NIDRR Public Hearing on Disability Research, November 28, 1995).

The Social Security Administration (SSA) operates the nation's two largest Federal programs providing cash benefits to people with disabilities—the Supplemental Security Income (SSI) and the Social Security Disability Insurance (SSDI) programs. The number of SSI/SSDI beneficiaries with severe mental illness, and the nation's expenditures for them, have continued to grow over the last ten years and SSA expects the number will continue to grow (SSA, Developing a World-Class Employment Strategy for People with Disabilities, September, 1994). A recent study by the U.S. General Accounting Office (GAO) found that by 1994, mental impairments, which are associated with the longest entitlement periods, accounted for 57 percent of the SSI beneficiary population aged 18 to 64 and 31 percent of the SSDI beneficiary population (GAO Report, SSA DISABILITY, Program Redesign Necessary to Encourage Return to Work, April, 1996).

There are significant complexities in designing effective return-to-work strategies to assist individuals in the SSA caseload. Assisting those individuals who can return to work will require varying approaches and levels of support. Individuals who have completed the process of establishing themselves as disabled for SSA purposes may find it difficult to later view themselves as having remaining work potential. The transfer payments and other benefits contingent on SSI/SSDI eligibility (especially medical insurance benefits) may increase the opportunity costs involved in return to work beyond the level acceptable to the individual. The benefit structure may provide a particular barrier for low-wage workers, those who are unskilled, or had marginal attachments to the labor market in the past. Beneficiaries face the loss of Medicare or Medicaid benefits if they return to work and marginal jobs may not offer adequate, or any, medical coverage, especially for pre-existing conditions. Relinquishing these benefits is particularly risky for individuals with LTMI, since recurring episodes of their illness may result in repeated job loss and the need for quick access to benefits.

SSA has implemented several work incentive programs to help people with disabilities enter or re-enter the workforce by protecting their cash and medical benefits until they can support themselves (Red Book on Work Incentives—A Summary Guide to Social Security and Supplemental Security Income Work Incentives for People with Disabilities, SSA Pub. No. 64–030, U.S. Government Printing Office, June, 1992). For individuals with a LTMI, the Social Security Work Incentives (SSWI) have the potential to be a valuable component of the overall rehabilitation process. However, there has been neither a comprehensive assessment of the effectiveness of the SSWI programs nor an identification of the possible improvements to the program. There is some evidence, especially anecdotal evidence, that rather than using SSA work incentives, individuals may decide to work for earnings at a level that does not threaten continued eligibility for benefits (Rehabilitation Services Administration (RSA), Program Administrative Review—The Provision of Vocational Rehabilitation Services to Individuals Who Have Severe Mental Illness, 1995).

The State Vocational Rehabilitation (VR) Program provides services to nearly 1,000,000 individuals with disabilities each year. In fiscal year 1992, individuals with the primary disabling condition of a mental illness made up about 19 percent of those who received services from the State VR Program, the second largest disability group. However, RSA has reported that the success rate for this population generally falls below the average success rate for the VR program. In 1993, RSA conducted a Program Administrative Review (PAR) in order to improve the provision of vocational rehabilitation services to individuals who have severe mental illness. Specifically the study examined the use of identified best practices including their use and relationship to successful outcomes and made recommendations for actions to be taken by VR State agencies to improve employment outcomes. In their review of a sample of case records of individuals with severe mental illness, documentation of the use of SSWIs was found in a relatively small percentage of the records of those individuals eligible for such incentives. RSA also found that individuals who achieved employment outcomes were more likely to have used work incentives.

There are numerous other barriers facing individuals with severe mental illness seeking vocational rehabilitation including the often chronic and episodic nature of the illness, the iatrogenic effects of pharmacological and psychological treatment interventions, difficulties in assessing clients' work readiness, and stigma toward persons with mental illness. There is still much to be learned about the interaction of diagnosis, symptoms, skills and job environment. Because the severity of symptoms does not necessarily correspond with an individual's functional limitations, it is important to develop a better understanding of how psychiatric symptoms and diagnosis affect vocational outcomes (Cook, J.A. & Picket, S.A., Recent Trends in Vocational Rehabilitation for Persons with Psychiatric Disabilities, American Rehabilitation, 20(4), pages 2–12, 1995).

There have been a variety of types or models of vocational rehabilitation programs and techniques that have been developed to increase the employment of individuals with mental illness, including models which have demonstrated effectiveness in returning persons with LTMI to competitive employment. What we do not know is which types of vocational rehabilitation model are most beneficial for which types of consumers and at which stages of their recovery process (McGurrin, M.C., An Overview of the Effectiveness of Traditional Vocational Rehabilitation Services in the Treatment of Long Term Mental Illness, Psychosocial Rehabilitation Journal, 17(3), pp. 37–54, 1994).

In addition, there is a need for more information on duration and quality of employment, including issues of disclosure and consumer choice. Individuals with mental illness bring to the work place a range of unique needs. Because the episodic nature of the disability may cause intermittent instability, ongoing support is often needed for both the employee with mental illness and the employer in order to maintain employment. One study of outcomes among this population found that the occurrence of uninterrupted vocational support was a major predictor of employment status, even controlling for prior work history, client demographics, and level of functioning (Cook, J.A. et al., Cultivation and Maintenance of

Relationships with Employers of People with Psychiatric Disabilities, Psychosocial Rehabilitation Journal, 17(3), pp. 103–115, 1994).

RSA in its examination of the use of best practices in VR State agencies found that the use of ongoing vocational support services and community-based support services were not frequently planned for at the time individuals' service plans were being developed nor routinely planned for at the time individuals were leaving the VR program. However, individuals who achieved employment outcomes were more likely to have had post-employment needs assessed during the development of their individualized rehabilitation program

There is a need for studies that examine long-term employment issues including the experiences of employers and employees with LTMI in long term employment relationships and that assess the vocational and community supports needed to maintain employment.

Priority 2: The Secretary will establish an RRTC for the purpose of conducting a comprehensive program of research on the achievement of high quality employment outcomes for persons with LTMI. The RRTC shall:

(1) Examine how public policies and benefit programs affect the employment of individuals with LTMI;

(2) Identify the characteristics of consumers (including their stage in the recovery process) that benefit from various types of vocational rehabilitation models;

(3) Examine factors that promote long term job retention such as workplace strategies that assist in the maintenance of employee—employer relationships and the availability of long-term supports; and

(4) Develop and deliver training and technical assistance to rehabilitation service providers and consumers of mental health services on new and effective rehabilitation techniques and accommodations and evaluate the efficacy of the training.

In addition to the activities proposed by the applicant to fulfill these objectives, the RRTC shall:

- Identify effective strategies to broaden the understanding and use of the SSA's Work Incentives Program for individuals with LTMI;
- Conduct studies on long-term relationships between employers and persons with LTMI including in-depth assessment of disclosure issues, career patterns, accommodations and conflict resolution in the workplace;
- Analyze the relationships between employment experiences and the characteristics of impairment (e.g., diagnosis, periodicity, medication, symptoms), and between employment experiences and the characteristics of the work environment; and
- Identify successful models of long-term vocational and community support for persons who have attained employment after the receipt of VR services.

In carrying out the purposes of the priority, the RRTC shall:

- Involve individuals with psychiatric disabilities in all phases of the planning, implementation, evaluation and dissemination of project activities; and
- Coordinate with the Social Security Administration and with other relevant research and demonstration activities sponsored by the Center for Mental Health Services, Rehabilitation Services Administration and the NIDRR.

Applicable Program Regulations: 34 CFR Parts 350, 351, and 352.

Program Authority: 29 U.S.C. 760–762.

(Catalog of Federal Domestic Assistance Numbers: 84.133A, Research and Demonstration Projects, 84.133B, Rehabilitation Research and Training Center Program)

Dated: February 18, 1997.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

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DEPARTMENT OF EDUCATION

[CFDA Nos.: 84.133A and 84.133B]

Office of Special Education and Rehabilitative Services; National Institute on Disability and Rehabilitation Research; Notice Inviting Applications for New Awards Under Certain Programs for Fiscal Year 1997

Note to Applicants: This notice is a complete application package. Together with the statute authorizing the programs and applicable regulations governing the programs, including the Education Department General Administrative Regulations (EDGAR), this notice contains information, application forms, and instructions needed to apply for a grant under these competitions.

These programs support the National Education Goal that calls for all Americans to possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

The estimated funding levels in this notice do not bind the Department of Education to make awards in any of these categories, or to any specific number of awards or funding levels, unless otherwise specified in statute.

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 80, 81, 82, 85, and 86; and the following program regulations:

(a) *Research and Demonstration Projects (R&D)*—34 CFR Parts 350 and 351;

(b) *Rehabilitation Research and Training Centers (RRTCs)*—34 CFR Parts 350 and 352; and

(c) The Notice of Final Funding Priorities published elsewhere in this issue of the Federal Register.

Program Title: Research and Demonstration Projects.

CFDA Number: 84.133A.

Purpose of Program: The Research and Demonstration Projects program is designed to support discrete research, demonstration, training, and related projects to develop methods, procedures, and technology that maximize the full inclusion and integration into society, independent living, employment, family support, and economic and social self-sufficiency of individuals with disabilities, especially those with the most severe disabilities. In addition, the R&D program supports discrete research, demonstration, and training projects that specifically address the implementation of Titles I, III, VI, VII, and VIII of the Rehabilitation Act, with emphasis on projects to improve the effectiveness of these programs and to meet the needs described in State Plans submitted to the Rehabilitation Services Administration by State vocational rehabilitation agencies.

Selection Criteria: The Secretary uses the following selection criteria to evaluate applications under this program.

(a) *Potential Impact of Outcomes: Importance of Program* (Weight 3.0). The Secretary reviews each application to determine to what degree—

(1) The proposed activity relates to the announced priority;

(2) The research is likely to produce new and useful information (research activities only);

(3) The need and target population are adequately defined;

(4) The outcomes are likely to benefit the defined target population;

(5) The training needs are clearly defined (training activities only);

(6) The training methods and developed subject matter are likely to meet the defined need (training activities only); and

(7) The need for information exists (utilization activities only).

(b) *Potential Impact of Outcomes: Dissemination/Utilization* (Weight 3.0). The Secretary reviews each application to determine to what degree—

(1) The research results are likely to become available to others working in the field (research activities only);

(2) The means to disseminate and promote utilization by others are defined;

(3) The training methods and content are to be packaged for dissemination and use by others (training activities only);

(4) The utilization approach is likely to address the defined need (utilization activities only); and

(5) There is likely to be widespread dissemination of the results, in a usable and effective manner, to all appropriate target populations, including individuals with disabilities and their family members.

(c) *Probability of Achieving Proposed Outcomes; Program/Project Design* (Weight 5.0). The Secretary reviews each application to determine to what degree—

(1) The objectives of the project(s) are clearly stated;

(2) The hypothesis is sound and based on evidence (research activities only);

(3) The project design/methodology is likely to achieve the objectives;

(4) The measurement methodology and analysis is sound (research and development/demonstration activities only);

(5) The conceptual model (if used) is sound (development/demonstration activities only);

(6) The sample populations are correct and significant (research and development/demonstration activities only);

(7) The human subjects are sufficiently protected (research and development/demonstration activities only);

(8) The device(s) or model system is to be developed in an appropriate environment;

(9) The training content is comprehensive and at an appropriate level (training activities only);

(10) The training methods are likely to be effective (training activities only);

(11) The new materials (if developed) are likely to be of high quality and uniqueness (training activities only);

(12) The target populations are linked to the project (utilization activities only);

(13) The format of the dissemination medium is the best to achieve the desired result (utilization activities only); and

(14) The materials to be used in the project and the materials to be disseminated are likely to be in formats that are accessible to the appropriate populations.

(d) *Probability of Achieving Proposed Outcomes: Key Personnel* (Weight 4.0). The Secretary reviews each application to determine to what degree—

(1) The principal investigator and other key staff have adequate training and/or experience and demonstrate appropriate potential to conduct the proposed research, demonstration, training, development, or dissemination activity;

(2) The principal investigator and other key staff are familiar with pertinent literature and/or methods;

(3) All required disciplines are effectively covered;

(4) Commitments of staff time are adequate for the project; and

(5) The applicant is likely, as part of its non-discriminatory employment practices, to encourage applications for employment from persons who are members of groups that traditionally have been underrepresented, such as—

(i) Members of racial or ethnic minority groups;

(ii) Women;

(iii) Handicapped persons; and

(iv) The elderly.

(e) *Probability of Achieving Proposed Outcomes: Evaluation Plan* (Weight 1.0). The Secretary reviews each application to determine to what degree—

(1) There is a mechanism to evaluate plans, progress and results;

(2) The evaluation methods and objectives are likely to produce data that are quantifiable; and

(3) The evaluation results, where relevant, are likely to be assessed in a service setting.

(f) *Program/Project Management: Plan of Operation* (Weight 2.0). The Secretary reviews each application to determine to what degree—

(1) There is an effective plan of operation that insures proper and efficient administration of the project(s);

(2) The applicant's planned use of its resources and personnel is likely to achieve each objective;

(3) Collaboration between institutions, if proposed, is likely to be effective; and

(4) There is a clear description of how the applicant will include eligible project participants who have been traditionally underrepresented, such as—

(i) Members of racial or ethnic minority groups;

(ii) Women;

(iii) Handicapped persons; and

(iv) The elderly.

(g) *Program/Project Management: Adequacy of Resources* (Weight 1.0). The Secretary reviews each application to determine to what degree—

(1) The facilities planned for use are adequate;

(2) The equipment and supplies planned for use are adequate; and

(3) The commitment of the applicant to provide administrative support and adequate facilities is evident.

(h) *Program/Project Management: (Budget and Cost Effectiveness* (Weight 1.0). The Secretary reviews each application to determine to what degree—

(1) The budget for the project(s) is adequate to support the activities;

(2) The costs are reasonable in relation to the objectives of the projects(s); and

(3) The budget for subcontracts (if required) is detailed and appropriate.

Eligible Applicants: Parties eligible to apply for grants under this program are public and private nonprofit and for-profit agencies and organizations, including institutions of higher education and Indian tribes and tribal organizations.

Program Authority: 29 U.S.C. 761a and 762.

APPLICATION NOTICE FOR FISCAL YEAR 1997 RESEARCH AND DEMONSTRATION PROJECTS 84.133A

Funding priority	Deadline for transmittal of applications	Estimated number of awards	Maximum award amount (per year) *	Project period (months)
Improving Employment Practices Covered by Title I of the ADA	April 8, 1997	1	$250,000	48

Note: The Secretary will reject without consideration or evaluation any application that proposes a project funding level that exceeds the stated maximum award amount (See 34 CFR 75.104(b)).

Program Title: Rehabilitation Research and Training Centers.

CFDA Number: 84.133B.

Purpose of Program: RRTCs conduct coordinated and advanced programs of research on disability and rehabilitation that will produce new knowledge that will improve rehabilitation methods and service delivery systems, alleviate or stabilize disabling conditions, and promote maximum social and economic independence for individuals with disabilities. RRTCs provide training to service providers at the pre-service, in-service training, undergraduate, and graduate levels, to improve the quality and effectiveness of rehabilitation services. They also provide advanced research training to individuals with disabilities and those from minority backgrounds, engaged in research on disability and rehabilitation. RRTCs serve as national and regional technical assistance resources, and provide training for service providers, individuals with disabilities and families and representatives, and rehabilitation researchers.

Selection Criteria: The Secretary uses the following selection criteria to evaluate applications under this program.

(a) *Relevance and importance of the research program* (20 points). The Secretary reviews each application to determine to what degree—

(l) The proposed activities are responsive to a priority established by the Secretary and address a significant need of a disabled target population and rehabilitation service providers;

(2) The overall research program of the Center includes appropriate interdisciplinary and collaborative research activities, is likely to lead to new and useful knowledge in the priority area, and is likely to become a nationally recognized source of scientific knowledge; and

(3) The applicant demonstrates that all component activities of the Center are related to the overall objective of the Center, and will build upon and complement each other to enhance the likelihood of solving significant rehabilitation problems.

(b) *Quality of the research design* (35 points). The Secretary reviews each application to determine to what degree—

(1) The applicant proposes a comprehensive research program for the entire project period, including at least three interrelated research projects;

(2) The research design and methodology of each proposed activity are meritorious in that—

(i) The literature review is appropriate and indicates familiarity with current research in the field;

(ii) The research hypotheses are important and scientifically relevant;

(iii) The sample populations are appropriate and significant;

(iv) The data collection and measurement techniques are appropriate and likely to be effective;

(v) The data analysis methods are appropriate; and

(vi) The applicant assures that human subjects, animals, and the environment are adequately protected; and

(3) The application discusses the anticipated research results and demonstrates how those results would satisfy the original hypotheses and could be used for planning future research, including generation of new hypotheses where applicable.

(c) *Quality of the training and dissemination program* (25 points). The Secretary reviews each application to determine the degree to which—

(1) The proposed plan for training and dissemination provides evidence that research results will be effectively disseminated and utilized based on the identification of appropriate and accessible target groups; the proposed training materials and methods are appropriate; the proposed activities are relevant to the regional and national needs of the rehabilitation field; and the training materials and dissemination packages will be developed in alternate media that are usable by people with various types of disabilities.

(2) The proposed plan for training and dissemination provides for—

(i) Advanced training in rehabilitation research;

(ii) Training rehabilitation service personnel and other appropriate individuals to improve practitioner skills based on new knowledge derived from research;

(iii) Training packages that make research results available to service providers, researchers, educators, individuals with disabilities, parents, and others;

(iv) Technical assistance or consultation that is responsive to the concerns of service providers and consumers;

(v) Dissemination of research findings through publication in professional journals, textbooks, and consumer and other publications, and through other appropriate media such as audiovisual materials and telecommunications.

(vi) Widespread dissemination of findings and other appropriate materials to providers of rehabilitation and other relevant services to individuals with disabilities, family members of individuals with disabilities, and other authorized representatives, advocates, and organizations that provide information and support to individuals with disabilities and their families; and

(vii) Dissemination of research findings and other materials in appropriate formats and accessible media for use by individuals with various disabilities.

(d) *Quality of the organization and management* (20 points). The Secretary reviews each application to determine the degree to which—

(1) The staffing plan for the Center provides evidence that the project director, research director, training director, principal investigators, and other personnel have appropriate training and experience in disciplines required to conduct the proposed activities; the commitment of staff time is adequate to conduct all proposed activities; and the Center, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or handicapping conditions;

(2) The budgets for the Center and for each component project are reasonable, adequate, and cost-effective for the proposed activities;

(3) The facilities, equipment, and other resources are adequate and are appropriately accessible to persons with disabilities;

(4) The plan of operations is adequate to accomplish the Center's objectives and to ensure proper and efficient management of the Center;

(5) The proposed relationships with Federal, State, and local rehabilitation service providers and consumer organizations are likely to ensure that the Center program is relevant and applicable to the needs of consumers and service providers;

(6) The past performance and accomplishments of the applicant indicate an ability to complete successfully the proposed scope of work;

(7) The application demonstrates appropriate commitment and support by the host institution and opportunities for interdisciplinary activities and collaboration with other institutions and organizations; and

(8) The plan for evaluation of the Center provides for an annual assessment of the outcomes of the research, the impact of the training and dissemination activities on the target populations, and the extent to which the overall objectives have been accomplished.

Eligible Applicants: Institutions of higher education and public or private agencies and organizations collaborating with institutions of higher education, including Indian tribes and tribal organizations, are eligible to apply for awards under this program.

Program Authority: 29 U.S.C. 762.

APPLICATION NOTICE FOR FISCAL YEAR 1997 REHABILITATION RESEARCH AND TRAINING CENTERS CFDA NO. 84.133B

Funding priority	Deadline for transmittal of applications	Estimated number of awards	Maximum award amount (per year)*	Project period (months)
Personal Assistance Services	April 8, 1997	1	$500,000	60
Vocational Rehabilitation Services for Persons with Long-term Mental Illness	April 8, 1997	1	500,000	60

Note: The Secretary will reject without consideration or evaluation any application that proposes a project funding level that exceeds the stated maximum award amount (See 34 CFR 75.104(b)).

Instructions for Transmittal of Applications

(a) If an applicant wants to apply for a grant, the applicant shall—

(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 # [Applicant must insert number and letter]), Washington, D.C. 20202–4725, or

(2) Hand deliver the original and two copies of the application by 4:30 p.m. [Washington, D.C. time] on or before the deadline date to: U.S. Department of Education, Application Control Center, Attention: (CFDA # [Applicant must insert number and letter]), Room #3633, Regional Office Building #3, 7th and D Streets, S.W., Washington, D.C.

(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.

Notes: (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) An applicant wishing to know that its application has been received by the Department must include with the application a stamped self-addressed postcard containing the CFDA number and title of this program.

(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 letter, if any—of the competition under which the application is being submitted.

Application Forms and Instructions

The appendix to this application is divided into four parts. These parts are organized in the same manner that the submitted application should be organized. These parts are as follows:

PART I: Application for Federal Assistance (Standard Form 424 (Rev. 4–88)) and instructions.

PART II: Budget Form—Non-Construction Programs (Standard Form 524A) and instructions.

PART III: Application Narrative.

Additional Materials

Estimated Public Reporting Burden.

Assurances—Non-Construction Programs (Standard Form 424B).

Certification Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters: and Drug-Free Work-Place Requirements (ED Form 80–0013).

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion: Lower Tier Covered Transactions (ED Form 80–0014) and instructions.

Note: ED Form GCS–014 is intended for the use of primary participants and should not be transmitted to the Department.

Disclosure of Lobbying Activities (Standard Form LLL (if applicable) and instructions; and Disclosure Lobbying Activities Continuation Sheet (Standard Form LLL–A).

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.* No grant may be awarded unless a completed application form has been received.

FOR APPLICATIONS CONTACT: In request an application package, write the Grants and Contracts Service Team, U.S. Department of Education, 600 Independence Avenue S.W., Switzer Building, 3317, Washington, D.C. 20202, or call (202) 260–9182. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–8133.

Information about the Department's funding opportunities, including copies of application notices for discretionary grant competitions, can be viewed on the Department's electronic bulletin board (ED Board), telephone (202) 260–9950; on the Internet Gopher Server (at gopher://gcs.ed.gov); or on the World Wide Web (at http://gcs.ed.gov). However, the official application notice for a discretionary grant competition is the notice published in the Federal Register.

Program Authority: 29 U.S.C. 760–762.

Dated: February 18, 1997.

Judith E. Heumann,

Assistant Secretary for Special Education and Rehabilitative Services.

Appendix

Application Forms and Instructions

Applicants are advised to reproduce and complete the application forms in this Section. Applicants are required to submit an original and two copies of each application as provided in this Section.

Frequent Questions

1. Can I Get an Extension of the Due Date?

No! On rare occasions the Department of Education may extend a closing date for all applicants. If that occurs, a notice of the revised due date is published in the Federal Register. However, there are no extensions or exceptions to the due date made for individual applicants.

2. What Should Be Included in the Application?

The application should include a project narrative, vitae of key personnel, and a budget, as well as the Assurances forms included in this package. Vitae of staff or consultants should include the individual's title and role in the

proposed project, and other information that is specifically pertinent to this proposed project. The budgets for both the first year and all subsequent project years should be included.

If collaboration with another organization is involved in the proposed activity, the application should include assurances of participation by the other parties, including written agreements or assurances of cooperation. It is *not* useful to include general letters of support or endorsement in the application.

If the applicant proposes to use unique tests or other measurement instruments that are not widely known in the field, it would be helpful to include the instrument in the application.

Many applications contain voluminous appendices that are not helpful and in many cases cannot even be mailed to the reviewers. It is generally not helpful to include such things as brochures, general capability statements of collaborating organizations, maps, copies of publications, or descriptions of other projects completed by the applicant.

3. What Format Should Be Used for the Application?

NIDRR generally advises applicants that they may organize the application to follow the selection criteria that will be used. The specific review criteria vary according to the specific program, and are contained in this Consolidated Application Package.

4. May I Submit Applications to More Than One NIDRR Program Competition or More Than One Application to a Program?

Yes, you may submit applications to any program for which they are responsive to the program requirements. You may submit the same application to as many competitions as you believe appropriate. You may also submit more than one application in any given competition.

5. What Is the Allowable Indirect Cost Rate?

The limits on indirect costs vary according to the program and the type of application.

An applicant for a project in the R&D grant program is limited to the organization's approved indirect cost rate. If the organization does not have an approved indirect cost rate, the application should include an estimated actual rate.

An applicant for a project in the RRTC program is limited to an indirect cost rate of 15 percent.

6. Can Profitmaking Businesses Apply for Grants?

Yes. However, for-profit organizations will not be able to collect a fee or profit on the grant, and in some programs will be required to share in the costs of the project.

7. Can Individuals Apply for Grants?

No. Only organizations are eligible to apply for *grants* under NIDRR programs. However, individuals are the only entities eligible to apply for fellowships.

8. Can NIDRR Staff Advise me Whether My Project Is of Interest to NIDRR or Likely To Be Funded?

No. NIDRR staff can advise you of the requirements of the program in which you propose to submit your application. However, staff cannot advise you of whether your subject area or proposed approach is likely to receive approval.

9. How Do I Assure That My Application Will Be Referred to the Most Appropriate Panel for Review?

Applicants should be sure that their applications are referred to the correct competition by clearly including the competition title and CFDA number, including alphabetical code, on the Standard Form 424, and including a project title that describes the project.

10. How Soon After Submitting My Application Can I Find Out if it Will Be Funded?

The time from closing date to grant award date varies from program to program. Generally speaking, NIDRR endeavors to have awards made within five to six months of the closing date. Unsuccessful applicants generally will be notified within that time frame as well. For the purpose of estimating a project start date, the applicant should estimate approximately six months from the closing date, but no later than the following September 30.

11. Can I Call NIDRR To Find Out if My Application Is Being Funded?

No. When NIDRR is able to release information on the status of grant applications, it will notify applicants by letter. The results of the peer review cannot be released except through this formal notification.

12. If My Application is Successful, Can I Assume I will Get the Requested Budget Amount in Subsequent Years?

No. Funding in subsequent years is subject to availability of funds and project performance.

13. Will All Approved Applications Be Funded?

No. It often happens that the peer review panels approve for funding more applications than NIDRR can fund within available resources. Applicants who are approved but not funded are encouraged to consider submitting similar applications in future competitions.

BILLING CODE 4000–01–P

OMB Approval No. 0348-0043

APPLICATION FOR FEDERAL ASSISTANCE

1. TYPE OF SUBMISSION: *Application* ☐ Construction ☐ Non-Construction; *Preapplication* ☐ Construction ☐ Non-Construction	2. DATE SUBMITTED	Applicant Identifier
	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
Address *(give city, county, state, and zip code)*:	Name and telephone number of the person to be contacted on matters involving this application *(give area code)*

6. EMPLOYER IDENTIFICATION NUMBER (EIN):

☐☐ – ☐☐☐☐☐☐☐

7. TYPE OF APPLICANT: *(enter appropriate letter in box)* ☐

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify): _____

8. TYPE OF APPLICATION:

☐ New ☐ Continuation ☐ Revision

If Revision, enter appropriate letter(s) in box(es): ☐ ☐

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Other *(specify)*:

_____

9. NAME OF FEDERAL AGENCY:

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: ☐☐ . ☐☐☐

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:

12. AREAS AFFECTED BY PROJECT *(cities, counties, states, etc.)*:

13. PROPOSED PROJECT:

Start Date	Ending Date

14. CONGRESSIONAL DISTRICTS OF:

a. Applicant	b. Project

15. ESTIMATED FUNDING:

a. Federal	$ .00
b. Applicant	$ .00
c. State	$ .00
d. Local	$ .00
e. Other	$ .00
f. Program Income	$ .00
g. TOTAL	$ .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE_____

b NO. ☐ PROGRAM IS NOT COVERED BY E.O. 12372

☐ OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

☐ Yes If "Yes," attach an explanation. ☐ No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION 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. Telephone number
d. Signature of Authorized Representative		e. Date Signed

Previous Editions Not Usable

Standard Form 424 (REV 4-88)
Prescribed by OMB Circular A-102

Authorized for Local Reproduction

INSTRUCTIONS FOR THE SF 424

This is a standard form used by applicants as a required facesheet for preapplications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item: Entry:

1. Self-explanatory.
2. Date application submitted to Federal agency (or State if applicable) & applicant's control number (if applicable).
3. State use only (if applicable).
4. If this application is to continue or revise an existing award, enter present Federal identifier number. If for a new project, leave blank.
5. Legal name of applicant, name of primary organizational unit which will undertake the assistance activity, complete address of the applicant, and name and telephone number of the person to contact on matters related to this application.
6. Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.
7. Enter the appropriate letter in the space provided.
8. Check appropriate box and enter appropriate letter(s) in the space(s) provided:
   - "New" means a new assistance award.
   - "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date.
   - "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation.
9. Name of Federal agency from which assistance is being requested with this application.
10. Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.
11. 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.

Item: Entry:

12. List only the largest political entities affected (e.g., State, counties, cities).
13. Self-explanatory.
14. List the applicant's Congressional District and any District(s) affected by the program or project.
15. 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 15.
16. 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.
17. This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
18. 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. (Certain Federal agencies may require that this authorization be submitted as part of the application.)

U.S. DEPARTMENT OF EDUCATION

BUDGET INFORMATION

NON-CONSTRUCTION PROGRAMS

OMB Control No. 1875-0102

Expiration Date: 9/30/98

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, including 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 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, D.C. 20503.

INSTRUCTIONS FOR ED FORM NO. 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.

Public reporting burden for these collections of information is estimated to average 30 hours per response, including 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 these collections 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 to the Office of Management and Budget, Paperwork Reduction Project 1820-0027, Washington, D.C. 20503.

Research and Demonstration Projects (CFDA No. 84.133A) 34 CFR Parts 350 and 351.

Rehabilitation Research and Training Center (CFDA No. 84.133B) 34 CFR Parts 350 and 352.

OMB Approval No. 0348-0040

ASSURANCES — NON-CONSTRUCTION PROGRAMS

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 costs) 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 nineteen 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 with the 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.

Standard Form 424B (4-88)
Prescribed by OMB Circular A-102

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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 andto 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. §§ 1271 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 of 1984.

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

SF 424B (4-88) 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 judgment 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 transactions (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 and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office

Building No. 3), Washington, DC 20202-4571. 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 and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 3124, GSA Regional Office Building No. 3), Washington, DC 20202-4571. 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 "Certification 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)

DISCLOSURE OF LOBBYING ACTIVITIES

Approved by OMB
0348-0046

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 ~~Entity~~ 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. Amount of Payment *(check all that apply):*~~ ~~$ _____ ☐ actual ☐ planned~~ ~~12. Form of Payment *(check all that apply):*~~ ~~☐ a. cash~~ ~~☐ b. in-kind; specify: nature _____ value _____~~	~~13. Type of Payment *(Check all that apply):*~~ ~~☐ a. retainer~~ ~~☐ b. one-time fee~~ ~~☐ c. commission~~ ~~☐ d. contingent fee~~ ~~☐ e. deferred~~ ~~☐ f. other; specify: _____~~	
~~14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:~~ ~~*(attach Continuation Sheet(s) SF-LLL-A, if necessary)*~~		
~~15. Continuation Sheet(s) SF-LLL attached: ☐ Yes ☐ No~~		
16. 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**	

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, 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. ~~Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate.~~ 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 follow up 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 conract 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; Invitation for Bid (IFB) number, grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include 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 entity~~ 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. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this a material change report, enter the cumulative amount of payment made or planned to be made.~~

~~12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of in-kind payment.~~

~~13. Check the appropriate box(es). Check all boxes that apply. If other specify nature.~~

~~14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.~~

~~15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.~~

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 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, D.C. 20503.

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McDonnell Douglas; comments due by 2-24-97; published 1-27-97

Sundstrand Aerospace; comments due by 2-25-97; published 12-27-96

Class D airspace; comments due by 2-27-97; published 2-12-97

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TRANSPORTATION DEPARTMENT

National Highway Traffic Safety Administration

Motor vehicle safety standards:

Golf carts and other small light-weight vehicles; classification as low-speed vehicles; comments due by 2-24-97; published 1-8-97

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Research and Special Programs Administration

Hazardous materials:

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