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9:00 a.m.–Noon

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Conference Room, Suite 700
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Washington, DC 20002

RESERVATIONS: (202) 741–6008

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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

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

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 630

RIN 3206–AK80

Absence and Leave; Creditable Service

AGENCY: Office of Personnel Management.

ACTION: Interim rule with request for comments.

SUMMARY: The Office of Personnel Management is issuing interim regulations to implement a provision of the Federal Workforce Flexibility Act of 2004 which provides an agency with the authority to grant a newly appointed or reappointed employee credit for prior work experience that otherwise would not be creditable for the purpose of determining the employee's annual leave accrual rate.

DATES: *Effective Date:* The interim regulations become effective on April 28, 2005.

Comment Date: Comments must be received on or before June 28, 2005.

ADDRESSES: Send or deliver written comments to Donald J. Winstead, Deputy Associate Director for Pay and Performance Policy, Rm. 7H31, 1900 E Street, NW., Washington, DC 20415, by fax at (202) 606–0824, or by e-mail to *pay-performance-policy@opm.gov.*

FOR FURTHER INFORMATION CONTACT: Sharon Dobson by telephone at (202) 606–2858, by fax at (202) 606–0824, or by e-mail at *pay-performance-policy@opm.gov.*

SUPPLEMENTARY INFORMATION: The Office of Personnel Management (OPM) is issuing interim regulations to implement Section 202(a) of the Federal Workforce Flexibility Act of 2004 (Public Law 108–411, October 30, 2004). Section 202(a) amends 5 U.S.C. 6303 to provide OPM with the authority to prescribe regulations under which a newly appointed or reappointed employee who is covered by the Federal annual and sick leave program established under chapter 63 of title 5, United States Code, may be given service credit for prior experience that otherwise would not be creditable for the purpose of determining the employee's annual leave accrual rate. An employee may receive credit if the experience was obtained in a position having duties that directly relate to the duties of the position to which he or she is being appointed and if it is determined by the head of the agency that the use of this authority is necessary in order to achieve an important agency mission or performance goal.

Section 202(a) provides that not later than 180 days after enactment of the Act (April 28, 2005), OPM must prescribe regulations to allow the credit of non-Federal service for the purpose of determining an employee's annual leave accrual rate. OPM has added regulations at 5 CFR 630.205 to provide agencies with the authority to grant a newly appointed or reappointed employee with service credit for annual leave accrual rate purposes based on prior non-Federal work experience or a period of active duty in a uniformed service.

The interim regulations at 5 CFR 630.205(a) allow the head of an agency or designee to provide service credit for work experience that otherwise would not be creditable for the purpose of determining the annual leave accrual rate of a newly appointed employee or an employee who is reappointed following a break in service of at least 90 calendar days after his or her last period of civilian Federal employment. Prior to granting such credit, the agency head or his or her designee must determine that the employee meets both of the following conditions:

(1) The skills and experience the employee possesses are essential to the new position and were acquired through performance in a non-Federal position having duties that directly relate to the position to which he or she is being appointed; and

(2) The use of this authority is necessary to achieve an important agency mission or performance goal.

Previously, an employee who is a retired member of a uniformed service under 5 U.S.C. 3501 could be granted credit only for periods of active duty served during a campaign or expedition for which a campaign badge was issued. The new regulations at 5 CFR 630.205(b) provide that an employee who is a retired member of a uniformed service may be granted credit for any period of active military service during which he or she performed duties directly related to the position to which he or she is being appointed. As in the case of granting credit for non-Federal service, when hiring a retired member of the uniformed service, the head of the agency must determine that the use of this authority is necessary to achieve an important agency mission or performance goal.

When an agency head or designee makes a determination to provide service credit for experience that otherwise would not be creditable, the agency must provide credit only for non-Federal work experience or experience in a uniformed service during which the employee performed duties that directly relate to the duties of the position to which he or she is appointed. An employee must provide written documentation, acceptable to the agency, of his or her qualifying service. The interim regulations at 5 CFR 630.205(e) require an agency to establish guidelines for documenting the use of this authority, as well as recordkeeping procedures to allow for the reconstruction of each action.

Credit for non-Federal work experience or experience in a uniformed service is granted to an employee on the date of his or her initial appointment or reappointment following a break in service of 90 calendar days from the date of his or her last period of civilian Federal employment. Service credit granted to an employee will remain creditable for annual leave accrual purposes unless the employee fails to complete 1 full year of continuous service with the appointing agency.

If an employee separates from Federal service or transfers to another agency prior to completing 1 full year of continuous service with the appointing agency, he or she is not entitled to retain service credit for non-Federal or active duty work experience. Prior to the transfer or separation of the employee, the agency must establish a new service computation date for leave under 5 U.S.C. 6303(a), subtracting the credit that was provided for non-Federal or

military work experience. However, all unused annual leave accrued and accumulated by an employee as a result of receiving credit for non-Federal or uniformed service remains to the credit of the employee and must be transferred to the new agency under 5 CFR 630.501 or liquidated by a lump-sum payment under 5 CFR 550.1205, as appropriate.

E.O. 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with E.O. 12866.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities because they will apply only to Federal agencies and employees.

List of Subjects in 5 CFR 630

Government employees.

Dan G. Blair,

Office of Personnel Management, Acting Director.

■ Accordingly, OPM is amending 5 CFR part 630 to read as follows:

PART 630—ABSENCE AND LEAVE

■ 1. The authority citation for part 630 is revised to read as follows:

Authority: 5 U.S.C. 6311; 630.205 also issued under Pub. L. 108–411, 118 Stat 2312; 630.301 also issued under Pub. L. 103–356, 108 Stat. 3410 and Pub. L. 108–411, 118 Stat 2312; 630.303 also issued under 5 U.S.C. 6133(a); 630.306 and 630.308 also issued under 5 U.S.C. 6304(d)(3), Pub. L. 102–484, 106 Stat. 2722, and Pub. L. 103–337, 108 Stat. 2663; subpart D also issued under Pub. L. 103–329, 108 Stat. 2423; 630.501 and subpart F also issued under E.O. 11228, 30 FR 7739, 3 CFR, 1974 Comp., p. 163; subpart G also issued under 5 U.S.C. 6305; subpart H also issued under 5 U.S.C. 6326; subpart I also issued under 5 U.S.C. 6332, Pub. L. 100–566, 102 Stat. 2834, and Pub. L. 103–103, 107 Stat. 1022; subpart J also issued under 5 U.S.C. 6362, Pub. L. 100–566, and Pub. L. 103–103; subpart K also issued under Pub. L. 105–18, 111 Stat. 158; subpart L also issued under 5 U.S.C. 6387 and Pub. L. 103–3, 107 Stat. 23; and subpart M also issued under 5 U.S.C. 6391 and Pub. L. 102–25, 105 Stat. 92.

Subpart B—Definitions and General Provisions for Annual and Sick Leave

■ 2. Section 630.205 is added to read as follows:

§ 630.205 Credit for non-Federal and uniformed service for determining annual leave accrual rate.

(a) The head of an agency or his or her designee may, at his or her sole discretion, provide credit for service that otherwise would not be creditable under 5 U.S.C. 6303(a) for the purpose of determining the annual leave accrual rate of a newly appointed employee or an employee who is reappointed following a break in service of at least 90 calendar days after his or her last period of civilian Federal employment. The head of the agency or his or her designee must determine that the skills and experience the employee possesses are—

(1) Essential to the new position and were acquired through performance in a non-Federal position having duties that directly relate to the duties of the position to which he or she is being appointed; and

(2) Necessary to achieve an important agency mission or performance goal.

(b) Notwithstanding 5 U.S.C. 6303(a), the head of an agency or his or her designee may, at his or her sole discretion, provide credit for active duty uniformed service that otherwise would not be creditable under 5 U.S.C. 6303(a) for the purpose of determining the annual leave accrual rate of an employee who is a retired member of a uniformed service as defined by 38 U.S.C. 4303. The head of the agency or his or her designee must determine that the skills and experience the employee possesses are—

(1) Essential to the new position and were acquired through performance in a position in the uniformed services having duties that directly relate to the duties of the position to which he or she is being appointed; and

(2) Necessary to achieve an important agency mission or performance goal.

(c) When the head of an agency or his or her designee makes a determination to provide credit for non-Federal service or active duty in the uniform services under paragraph (a) or (b) of this section, he or she must determine the amount of service that will be credited. The amount of service credited may not exceed the actual amount of service during which the employee performed duties directly related to the position to which the employee is being appointed.

(d) An employee must provide written documentation, acceptable to the agency, of his or her non-Federal or uniformed service.

(e) The agency must establish documentation and recordkeeping procedures sufficient to allow reconstruction of each action.

(f) Credit for prior non-Federal or uniformed service work experience under paragraph (a) or (b) of this section is granted to the employee upon the effective date of his or her initial appointment to the agency or reappointment after a 90-day break in service and remains creditable for annual leave accrual purposes thereafter unless the employee fails to complete 1 full year of continuous service with the appointing agency.

(g) If an employee separates from Federal service or transfers to another agency before completing 1 full year of continuous service with the appointing agency—

(1) Any credit under paragraph (a) or (b) of this section must be subtracted from the employee's total creditable service before the employee transfers or separates, and the agency must establish a new service computation date for leave accrual purposes under 5 U.S.C. 6303(a);

(2) Any annual leave accrued or accumulated by an employee as a result of receiving credit for service under paragraph (a) or (b) of this section remains to the credit of the employee; and

(3) The agency must—

(i) Transfer the annual leave balance to the new employing agency under 5 CFR 630.501 if the employee is transferring to a position to which annual leave may be transferred; or

(ii) Make a lump-sum payment under 5 CFR 550.1205 for any unused annual leave if the employee is separating from Federal service or moving to a position to which annual leave cannot be transferred.

[FR Doc. 05–8681 Filed 4–27–05; 2:37 pm]

BILLING CODE 6325–39–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Docket No. FAA–2003–19053; Airspace Docket No. 04–ANM–10]

RIN 2120–AA66

Revision of VOR Federal Airway 208

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action modifies Federal Airway 208 (V–208) by changing the originating point of the airway from the Santa Catalina, CA, Very High Frequency Omnidirectional Range/Tactical Air Navigation (VORTAC) to the Ventura, CA, VORTAC. This modification extends V–208 by incorporating a route segment that air traffic control (ATC) frequently assigns to aircraft arriving in the Los Angeles, CA, terminal area. This action will enhance air safety, simplify routings,

and reduce controller workload in the Southern California area.

EFFECTIVE DATES: 0901 UTC, July 7, 2005.

FOR FURTHER INFORMATION CONTACT: Ken McElroy, Airspace and Rules, Office of System Operations and Safety, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

SUPPLEMENTARY INFORMATION:

History

On October 28, 2004, the FAA published in the **Federal Register** a notice proposing to revise V–208 between the Ventura, CA, VORTAC and the Santa Catalina, CA, VORTAC (69 FR 62832). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal. One comment was received in support of the proposal as long as the airway is charted prior to use as an airway. We agree with the comment. The airway will be effective concurrent with charting. With the exception of editorial changes, this amendment is the same as that proposed in the notice.

The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 (part 71) to modify V–208 by changing the originating point of the airway from the Santa Catalina, CA, VORTAC to the Ventura, CA, VORTAC. The revision incorporates a routing that is currently issued by ATC when managing aircraft in the Los Angeles, CA, terminal area. Extending V–208 as described above will significantly reduce pilot-controller communications, alleviate radio frequency congestion, reduce the potential for pilot readback errors, and enhance the management of aircraft operations in the Southern California area.

Domestic VOR Federal airways are published in paragraph 6010(a) of FAA Order 7400.9M dated August 30, 2004, and effective September 16, 2004, which is incorporated by reference in 14 CFR 71.1. The domestic VOR Federal airway listed in this document will be published subsequently in the order.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9M, Airspace Designations and Reporting Points, dated August 30, 2004, and effective September 16, 2004, is amended as follows:

Paragraph 6010(a) Domestic VOR Federal Airways

* * * * *

V–208 [Revised]

From Ventura, CA; INT Ventura, 175° and Santa Catalina 310° radials; Santa Catalina, CA; Oceanside, CA; Julian, CA; Thermal, CA; Twentynine Palms, CA; 20 miles, 24 miles 73 MSL, Needles, CA; Peach Springs, AZ; Grand Canyon, AZ; INT Grand Canyon 095° and Tuba City, AZ, 246° radials; Tuba City; Page, AZ; Hanksville, UT; Carbon, UT; Myton, UT; 79 MSL, Vernal, UT, 25 miles, 105 MSL, Cherokee, WY. The airspace within R–2503 and the airspace below 2,000 feet MSL outside the United States is excluded. The portion outside the United States has no upper limit.

* * * * *

Issued in Washington, DC, April 21, 2005.

Edith V. Parish,

Acting Manager, Airspace and Rules.

[FR Doc. 05–8536 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

15 CFR Parts 740, 742, 748, 762, and 764

[Docket No. 050408099–5099–01]

RIN [0694–AD48]

Revised Contact Information, Nomenclature Change and Correction of Citation Error

AGENCY: Bureau of Industry and Security, Commerce.

ACTION: Final rule.

SUMMARY: This rule revises delivery addresses, telephone and facsimile numbers; makes a nomenclature change, and corrects a citation error. This rule revises the delivery address for the ENC Encryption Request Coordinator and the office within BIS that receives encryption review requests and reports. The rule also revises the facsimile number for the Office of Exporter Services, corrects the name of the Outreach and Educational Services Division, revises the office to which a voluntary self-disclosure may be sent, revises the title and address of the official to whom a voluntary self-disclosure may be sent, and corrects a citation error. These actions are being taken to reflect the reorganization or movement of certain offices or functions, and to correct an error in the regulations. This action is not intended to have a substantive effect on the rights or obligations of the public.

DATES: This rule is effective April 29, 2005.

ADDRESSES: Send comments concerning this rule to *rpd2@bis.doc.gov,* fax (202) 482–3355, or to Regulatory Policy Division, Bureau of Industry and Security, Room H2705, U.S. Department of Commerce, Washington DC, 20230. Please refer to regulatory identification number (RIN) 0694–AD48 in all comments, and in the subject line of e-mail comments.

FOR FURTHER INFORMATION CONTACT: William Arvin, Office of Exporter Services, Bureau of Industry and Security, Telephone: (202) 482–2440, Email: *warvin@bis.doc.gov.*

SUPPLEMENTARY INFORMATION: This rule makes administrative changes and corrections to the Export Administration Regulations (EAR) as described below.

The EAR require that certain encryption review requests and reports be submitted to the ENC Encryption Request Coordinator located in Fort Meade, Maryland and to BIS. This rule

revises two delivery addresses and one name for such deliveries. Those addresses and name are:

• The suite number in the address of the ENC Encryption Request Coordinator is changed from 6131 to 6940 in § 740.8(b)(2)—(classification requests related to key escrow and key recovery products pursuant to License Exception Key Management Infrastructure (KMI)), § 740.17(e)(5)(ii)—(submission of semi-annual reports required pursuant to License Exception ENC), and Supp. No. 6 to Part 742 (Guidelines for submitting review requests for encryption items) to reflect a recent move by that organization;

• The name KMI Encryption Request Coordinator in § 740.8(b)(2) is changed to ENC Encryption Request Coordinator to reflect the current name of that organization; and

• The room number for deliveries to BIS's Information Technology Controls Division is changed from 2625 to 2093 in Supplement No. 6 to Part 742.

This rule revises the facsimile number that appears n § 748.4(h) (requests for emergency processing of export and reexport license applications) and in § 748.2(a) (requests for BIS forms from the Washington, DC facility of the Office of Exporter Services) to read ''(202) 482–2927''. This rule also corrects the name of the Outreach and Educational Services Division in § 730.8 and § 748.2.

This rule removes the Office of Export Enforcement (OEE) field offices from the list of locations at which to make voluntary disclosures in § 764.5(c)(7). All such disclosures will have to be made to OEE headquarters. The rule also revises title of the headquarters official as well as the headquarters address, telephone number, and facsimile number to use when making such disclosures.

This rule corrects a citation error in § 762.1(a)(4) by revising the reference to § 734.2(b)(7) to read § 736.2(b)(7) because the latter rather than the former mentions the actions related to proliferation activities to which § 762.1(a)(4) refers.

Although the Export Administration Act expired on August 20, 2001, Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp., p. 783 (2002)), as extended by the Notice of August 6, 2004, 69 FR 48763 (August 10, 2004) continues the Regulations in effect under the International Emergency Economic Powers Act.

Rulemaking Requirements

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

2. Notwithstanding any other provision of 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 Paperwork Reduction Act, unless that collection of information displays a currently valid Office of Management and Budget Control Number. This rule involves collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et. seq.*). These collections have been approved by Office of Management and Budget under control number 0694–0088, ''Multi-Purpose Application,'' which carries a burden hour estimate of 58 minutes for a manual or electronic submission, control number 0694–0104 ''Encryption Items Under the Jurisdiction of the Department of Commerce, Forms BIS 742R and 742S'' which carries a total estimated annual burden of 2,830 hours among an estimated 680 respondents, and 0694–0058 ''Procedure for Voluntary Self-Disclosure of Violations'' which carries a total estimated annual burden estimate of 670 hours. BIS believes that this rule will not materially affect the burden imposed by any of these collections. Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing the burden, to David Rostker, Office of Management and Budget (OMB), by e-mail to *David_Rostker@omb.eop.gov,* or by fax to (202) 395–7285; and to the Office of Administration, Bureau of Industry and Security, Department of Commerce, 14th and Pennsylvania Avenue, NW., Room 6883, Washington, DC 20230.

3. This rule does not contain policies with Federalism implications as that term is defined under E.O. 13132.

4. The Department finds that there is good cause under 5 U.S.C. 553(b)(B) to waive the provisions of the Administrative Procedure Act requiring prior notice and the opportunity for public comment because it is unnecessary. The changes made by this rule are not substantive changes. This regulation revises delivery addresses and telephone and facsimile numbers, corrects citation errors, and removes a redundant notification requirement. The revisions made by this rule are administrative in nature and does not affect the rights or obligations of the public. Because these revisions are not substantive changes to the EAR, it is unnecessary to provide notice and opportunity for public comment. In addition, the 30-day delay in effectiveness required by 5 U.S.C. 553(d) is not applicable because this rule is not a substantive rule. This rule only revises two delivery addresses for certain review requests and reports, changes the facsimile number for an office, corrects the name of a division, revises the location for filing a voluntary self-disclosure, and corrects a citation error. It is purely administrative in nature and does not affect the rights of the public. No other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

Because notice of proposed rulemaking and opportunity for public comment are not required to be given for this rule under the Administrative Procedure Act or by any other law, the analytical requirements of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) are not applicable.

List of Subjects

15 CFR Part 730

Administrative practice and procedure, Advisory committees, Exports, Reporting and recordkeeping requirements, Strategic and critical materials.

15 CFR Parts 740 and 748

Administrative practice and procedure, Exports, Reporting and recordkeeping requirements.

15 CFR Part 742

Exports, terrorism.

15 CFR Part 762

Administrative practice and procedure, Business and Industry, Confidential business information, Exports, Reporting and recordkeeping requirements.

15 CFR Part 764

Administrative practice and procedure, Exports, Law enforcement, Penalties.

■ Accordingly, parts 730, 740, 742, 748, 762, and 764 of the Export Administration Regulations (15 CFR Parts 730–799) are amended as follows:

PART 730—[AMENDED]

■ 1. The authority citation for part 730 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 10 U.S.C. 7420; 10 U.S.C. 7430(e); 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 287c; 22 U.S.C. 2151 note, Pub. L. 108–175; 22 U.S.C. 3201 *et seq.*; 22 U.S.C. 6004; 30 U.S.C. 185(s), 185(u); 42 U.S.C. 2139a; 42 U.S.C. 6212; 43 U.S.C. 1354; 46 U.S.C. app. 466c; 50 U.S.C. app. 5; Sec. 901–911, Pub. L. 106–387; Sec. 221, Pub. L. 107–56; E.O. 11912, 41 FR 15825, 3 CFR, 1976 Comp., p. 114; E.O. 12002, 42 FR 35623, 3 CFR, 1977 Comp., p.133; E.O. 12058, 43 FR 20947, 3

CFR, 1978 Comp., p. 179; E.O. 12214, 45 FR 29783, 3 CFR, 1980 Comp., p. 256; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12854, 58 FR 36587, 3 CFR, 1993 Comp., p. 179; E.O. 12918, 59 FR 28205, 3 CFR, 1994 Comp., p. 899; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 12947, 60 FR 5079, 3 CFR, 1995 Comp., p. 356; E.O. 12981, 60 FR 62981, 3 CFR, 1995 Comp., p. 419; E.O. 13020, 61 FR 54079, 3 CFR, 1996 Comp. p. 219; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13099, 63 FR 45167, 3 CFR, 1998 Comp., p.208; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; E.O. 13224, 66 FR 49079, 3 CFR, 2001 Comp., p. 786; E.O. 13338, 69 FR 26751, May 13, 2004; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004); Notice of November 4, 2004, 69 FR 64637 (November 8, 2004).

■ 2. In § 730.8, revise paragraph (c) to read as follows:

§ 730.8 How to proceed and where to get help.

* * * * *

(c) *Where to get help.* Throughout the EAR you will find information on offices you can contact for various purposes and types of information. General information including assistance in understanding the EAR, information on how to obtain forms, electronic services, publications, and information on training programs offered by BIS, is available from the Office of Exporter Services at the following locations:

Outreach and Educational Services Division, U.S. Department of Commerce, 14th and Pennsylvania Avenue, NW., Room H1099D, Washington, DC 20230, Tel: (202) 482–4811, Fax: (202) 482–2927, and

Western Regional Office, U.S. Department of Commerce, 3300 Irvine Avenue, Suite 345, Newport Beach, California 92660, Tel: (949) 660–0144, Fax: (949) 660–9347, and

U.S. Export Assistance Center, Bureau of Industry and Security, 152 N. Third Street, Suite 550, San Jose, California 95112–5591, Tel: (408) 998–7402, Fax: (408) 998–7470.

PART 740—[AMENDED]

■ 3. The authority citation for part 740 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et. seq.*; 50 U.S.C. 1701 *et. seq.*; Sec. 901–911, Pub. L. 106–387; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

■ 4. In § 740.8, revise the second sentence of paragraph (b)(2) to read as follows:

§ 740.8 Key management infrastructure (KMI)

* * * * *

(b) * * *

(2) * * * Submit the original request to BIS in accordance with § 748.3 of the EAR and send a copy of the request to:

Attn: ENC Encryption Request Coordinator, 9800 Savage Road, Suite 6940, Fort Meade, MD 20755–6000.

* * * * *

■ 5. In § 740.17, revise paragraph (e)(5)(ii) to read as follows:

§ 740.17 Encryption commodities and software (ENC).

* * * * *

(e) * * *

(5) * * *

(ii) Attn: ENC Encryption Request Coordinator, 9800 Savage Road, Suite 6940, Ft. Meade, MD 20755–6000.

* * * * *

PART 742—[AMENDED]

■ 6. The authority citation for part 742 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; 18 U.S.C. 2510 *et seq.*; 22 U.S.C. 3201 *et seq.*; 42 U.S.C. 2139a; Sec. 901–911, Pub. L. 106–387; Sec. 221, Pub. L. 107–56; Sec 1503, Pub.L. 108–11,117 Stat. 559; E.O. 12058, 43 FR 20947, 3 CFR, 1978 Comp., p. 179; E.O. 12851, 58 FR 33181, 3 CFR, 1993 Comp., p. 608; E.O. 12938, 59 FR 59099, 3 CFR, 1994 Comp., p. 950; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Presidential Determination 2003–23 of May 7, 2003, 68 FR 26459, May 16, 2003; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004); Notice of November 4, 2004, 69 FR 64637 (November 8, 2004).

■ 7. In Supplement No. 6 to Part 742, revise the fifth and sixth sentences of the introductory paragraph to read as follows:

Supplement No. 6 to Part 742—Guidelines for Submitting Review Requests for Encryption Items

* * * For electronic submissions via SNAP, you may fax a copy of the support documents to BIS at (202) 219–9179 or –9182 or you may send the documents to: Bureau of Industry and Security, Information Technology Controls Division, Room 2093, 14th Street and Pennsylvania Ave., NW., Washington, DC 20230. In addition, you must send a copy of your review request and all support documents to: Attn: ENC Encryption Request Coordinator, 9800 Savage Road, Suite 6940, Fort Meade, MD 20755–6000. * * *

* * * * *

PART 748—[AMENDED]

■ 8. The authority citation for part 748 continues to read as follows:

Authority: 50 U.S.C. app. 2401 et. seq.; 50 U.S.C. 1701 et. seq.; E.O. 13026, 61 FR 58767, 3 CFR, 1996 Comp., p. 228; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

■ 9. In § 748.2 revise paragraph (a) to read as follows:

§ 748.2 Obtaining forms; mailing addresses.

(a) You may obtain the forms required by the EAR from any U.S. Department of Commerce District Office; or in person or by telephone or facsimile from the following BIS offices:

Outreach and Educational Services Division, U.S. Department of Commerce, 14th Street and Pennsylvania Ave., NW., Room H1099D, Washington, DC 20230, Tel: (202) 482–4811, Fax: (202) 482–2927, or

Western Regional Office, U.S. Department of Commerce, 3300 Irvine Avenue, Suite 345, Newport Beach, CA 92660, Tel: (949) 660–0144, Fax: (949) 660–9347, or

U.S. Export Assistance Center, Bureau of Industry and Security, 152 N. Third Street, Suite 550, San Jose, CA 95112–5591, Tel: (408) 998–7402, Fax: (408) 998–7470.

* * * * *

■ 10. In § 748.4, revise the first sentence of paragraph (h) to read as follows:

§ 748.4 Basic guidance related to applying for a license.

* * * * *

(h) *Emergency processing.* Applicants may request emergency processing of license applications by contacting the Outreach and Educational Services Division of the Office of Exporter Services by telephone on (202) 482–4811 or by facsimile on (202) 482–2927. * * *

PART 762—[AMENDED]

■ 11. The authority citation for part 762 continues to read as follows:

Authority: 50 U.S.C. app. 2401 *et seq.*; 50 U.S.C. 1701 *et seq.*; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

■ 12. In § 762.1, revise the first sentence of paragraph (a)(4) to read as follows:

§ 762.1 Scope.

* * * * *

(a) * * *

(4) Any other transactions subject to the EAR, including, but not limited to, the prohibitions against servicing, forwarding and other actions for or on behalf of end-users of proliferation concern contained in §§ 736.2(b)(7) and 744.6 of the EAR. * * *

* * * * *

PART 764—[AMENDED]

■ 13 . The authority citation for part 764 is revised to read as follows:

Authority: 50 U.S.C. app. 2401 et. seq.; 50 U.S.C. 1701 et. seq.; E.O. 13222, 66 FR 44025, 3 CFR, 2001 Comp., p. 783; Notice of August 6, 2004, 69 FR 48763 (August 10, 2004).

■ 14. In § 764.5 revise paragraph (c)(7) to read as follows:

§ 764.5 Voluntary self-disclosure.

* * * * *

(c) * * *

(7) *Where to make voluntary self-disclosures.* The information constituting a voluntary self-disclosure or any other correspondence pertaining to a voluntary self-disclosure may be submitted to: Director, Office of Export Enforcement, 1401 Constitution Ave., Room H4514, Washington, DC 20230, Tel: (202) 482–5036, Facsimile: (202) 482–5889.

* * * * *

Dated: April 21, 2005.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 05–8535 Filed 4–28–05; 8:45 am]

BILLING CODE 3510–33–U

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 203

RIN 1010–AD01

Technical Amendment to Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)—Relief or Reduction in Royalty Rates—Deep Gas Provisions

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Final rule.

SUMMARY: This rule amends regulations to correct an unintended potential gap and administrative oversight in the original deep gas royalty rule by making leases located partly in water deeper than 200 meters and issued during lease sales held in 2001 and later years expressly eligible for royalty relief for drilling deep gas wells on leases not subject to deep water royalty relief.

DATES: *Effective date:* This rule is effective on April 29, 2005.

FOR FURTHER INFORMATION CONTACT: Marshall Rose, Chief, Economics Division, Minerals Management Service, at (703) 787–1536. E-mail: *Marshall.Rose@mms.gov.* Address: Minerals Management Service, MS 4050, 381 Elden Street, Herndon, Virginia 20170.

SUPPLEMENTARY INFORMATION: Title 30 CFR part 203 regulates the reduction of oil and gas royalty under 43 U.S.C. 1337(a)(3). Under section 1337(a)(3)(B), MMS may reduce, modify, or eliminate royalties on certain producing or non-producing leases or categories of leases to promote development or increased production or to encourage production of marginal resources, in the Gulf of Mexico (GOM) west of 87 degrees, 30 minutes West longitude. A final rule published January 26, 2004 (69 FR 3492), and amended April 30, 2004 (69 FR 24052), offered an incentive for certain lessees to explore for and develop deep well gas reserves more rapidly. The objective of the gas incentive is to increase the volume of natural gas production from the OCS by encouraging deep drilling on leases in the shallow water areas of the GOM, *i.e.*, water less than 200 meters deep.

One important subset of these leases was inadvertently not expressly included in this incentive: Those leases straddling the deep water/shallow water depth line issued between January 1, 2001, and April 1, 2004, that did not contain deep well drilling relief terms that the lessee would have to renounce under § 203.48 of the January 26, 2004, final rule. Those leases were intended to be included and were explicitly included and addressed in the preamble to the final rule published January 26, 2004. Briefly, § 203.40 provides deep gas royalty relief to leases meeting various combinations of vintage, location, and production conditions. One of the changes between the proposed and final rule addressed comments on the proposed rule by adding eligibility for certain leases straddling the 200 meter water depth line. MMS intended to allow the incentive for all the leases that straddle this depth line that existed on the date of the final rule and to future such leases that straddle this depth line issued while the temporary incentive period is in effect as long as they were not ''double dipping'' in incentive programs. The preamble to the final rule explains that change as follows:

> For leases lying partly in deep water, MMS prefers to avoid a situation in which any such lease can obtain non-discretionary relief from more than one categorical royalty relief program, *e.g.*, deep water and deep depth drilling. The framework and parameters of each program were designed assuming no further categorical royalty relief would be provided. As of the summer of 2003, there were 132 leases issued before 2001, and lying partly in water depths greater than 200 meters eligible for case-by-case or categorical royalty relief under Sections 302 and 304 of the Deep Water Royalty Relief Act (DWRRA). Eighty-two of these leases were issued from 1996'2000, and are covered under the categorical royalty relief program under section 304 of the DWRRA [43 U.S.C. 1337 note]. They are not eligible for the deep gas program. Fifty of the leases were issued before 1996, and are covered only by the discretionary royalty relief provisions of section 302 of the DWRRA, 43 U.S.C. 1337(a)(3)(c). MMS's final rule extends eligibility for deep gas drilling relief to these 50 leases, as well as to any lease issued from sales held in 2001, or thereafter, without DWRRA royalty relief eligibility and lying at least partly in less than 200 meters of water depth.

The last sentence in the above paragraph explains and confirms that MMS intended to offer deep gas royalty relief to leases straddling the 200 meter water depth line that did not have DWRRA section 304 non-discretionary royalty relief. Because non-discretionary deep water royalty relief has not been provided to leases in less than 400 meters of water since 2000, two kinds of leases meet those criteria—pre-DWRRA leases and leases issued in sales held in 2001–2004. As the preamble mentions, there were 50 leases in the former category, from lease sales held before enactment of the DWRRA that are still active. The latter category numbers 81 leases issued in lease sales held in 2001–2004. Additional such leases may be issued in lease sales held in the next several years. Modifications in the final rule explicitly made the 50 pre-DWRRA leases that meet those criteria eligible for royalty relief for drilling deep gas wells on leases not subject to deep water royalty relief (§ 203.40(a)(1) and (b)(2)).

Unfortunately, contrary to MMS's intent as expressed in the preamble to the final rule, the language in § 203.40(a)(2) does not make expressly eligible for deep gas royalty relief leases located partly in water less than 200 meters deep that were issued between January 1, 2001, and April 1, 2004. This is the case because such leases did not have any royalty incentives for deep well gas drilling included as part of their lease terms. Likewise, also contrary to MMS's intent as expressed in the preamble, language in § 203.40(a)(3) does not make similarly located leases issued on and after April 1, 2004, expressly eligible for deep gas relief. Under § 203.40(a)(2) and (a)(3), leases issued after 2001 need to exercise the option under § 203.48 to replace incentive terms in their original lease document with those in the regulation. However, leases have this option under § 203.48 only if they were issued with royalty relief provisions for deep well drilling. Leases located partly in water less than 200 meters deep were not issued with any royalty relief provisions for deep well drilling, and hence do not have any option to exercise. In fact, they do not need to have an option to

exercise since they are in the same situation as the lessee of a lease that has exercised its option, and our intent was to allow such leases to participate in the deep well program. This amendment makes that clear and adds that future leases in the same situation may be eligible for the incentive under the rule.

This amendment to the final rule issued on January 26, 2004, makes the rule language consistent with MMS's express intent as explained in the preamble by expressly authorizing royalty relief for drilling deep gas wells on all leases located partly in water less than 200 meters deep that are not subject to deep water royalty relief, regardless of when they were issued and regardless of whether the lease terms included royalty relief provisions. Lessees who read the preamble to the final rule and understood it to mean a lease straddling the boundary without a DWRRA incentive could participate in the deep gas incentive expected and may have relied on this explanation in the preamble. Without this amendment, leases similarly situated would not necessarily be treated the same.

Procedural Matters

Public Comment Procedures

Section 553 of the Administrative Procedures Act (5 U.S.C. 553) generally requires agencies to provide notice and an opportunity for public comment on substantive rules. The requirement does not apply, however, if the agency determines that notice and opportunity for public comment is ''impracticable, unnecessary, or contrary to public interest.'' DOI finds that good cause exists for dispensing with notice and opportunity for public comment in issuing this amended rule because those procedures are unnecessary where, as here, the agency has already provided notice and comment in the previous rulemaking on this exact issue and addressed it explicitly in the earlier preamble. This final rule simply conforms the Code of Federal Regulations to correct an inadvertent error in the regulatory text and may express what the earlier rule implied and its Preamble explained. DOI finds good cause to make this rule immediately effective under 5 U.S.C. 553 (d)(3). Because it also relieves a restriction possibly imposed by the earlier rule, it also qualifies for an exception to the 30-day effective date under 5 U.S.C. 553(d)(1).

Regulatory Planning and Review (Executive Order 12866)

According to the criteria in Executive Order 12866, this rule is not a significant regulatory action for which a Regulatory Analysis has been prepared. The Office of Management and Budget (OMB) has made that determination under Executive Order 12866.

(1) This amended final rule will not have an economic effect of $100 million or more. Though we estimated that the original deep gas rule would have such an effect, this technical correction involves only 2 percent (81 of 3,500) of leases covered by the deep gas incentive. Further, the effect of the incentive on this small subset of leases was already included in the economic analysis of the original regulatory action.

The full economic analysis is available at *http://www.mms.gov/econ.* The deep gas incentive rule reduces royalties for lessees that drill and produce natural gas from deep wells in shallow water areas of the GOM. The royalty suspension volume (RSV) offered should increase deep drilling activity on existing leases over the period of the program and make additional resources economic. The deep gas royalty suspensions are likely to reduce net Federal royalty collections. MMS's best estimate of this reduction is from $150 to $220 million in net present value over a 16-year period, depending on gas price volatility.

(2) This amended rule will not create any inconsistencies with actions by other agencies because royalty relief is confined to leasing in Federal offshore waters that lie outside the coastal jurisdiction of State and other local agencies. Careful review of the lease sale notices, along with stringent leasing policies now in force, ensures that the Federal OCS leasing program, of which royalty relief is only a component, does not conflict with the work of other Federal agencies.

(3) This amended rule has no effect on entitlements, grants, user fees, loan programs, or their recipients.

(4) This rule raises no novel legal or policy issue. It only corrects an oversight that omitted a small subset of the leases from eligibility for the deep gas incentive.

Regulatory Flexibility Act (RFA)

A detailed analysis of the small business impacts and alternatives considered can be found in the economic analysis of the original version of this regulation available at *http://www.mms.gov/econ.* This amended rule does not alter the findings of that analysis because the original analysis already covered the special subset of leases that are the subject of this amendment. This amendment only corrects an inconsistency between the original regulatory language and the intent expressed in the original rulemaking. No other changes are being made.

Small Business Regulatory Enforcement Fairness Act (SBREFA)

This amended rule is not a major rule under 5 U.S.C. 804(2), the SBREFA. This rule:

(1) Only clarifies and corrects an inadvertent omission of express language to include some 81 leases and any others similarly situated without any current lease term royalty relief incentives within the rule promulgated on January 26, 2004. These leases represent only a small fraction of the leases covered by the earlier rule and their effect was included in the estimated effect of the earlier rule.

(2) Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. The overall deep gas incentive should materially moderate expected gas prices by adding to the overall supply, and this amended rule will contribute only a very small part to that effect.

(3) Does not have significant adverse effects on competition, employment, investment, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises. Companies eligible for the deep gas royalty relief should produce more natural gas and earn more income while encountering no negative effects.

Paperwork Reduction Act (PRA) of 1995

The revision to 30 CFR part 203 regulations, refers to, but does not change, information collection (IC) requirements in current regulations. The rule proposes no new reporting or recordkeeping requirements, and an OMB form 83–I submission to OMB under the PRA is not required. This rule corrects an unintended potential gap and administrative oversight to the rule and the IC requirements remain unchanged. The PRA provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information and assigns a control number, you are not required to respond. OMB approved the referenced information collection requirements under OMB control number 1010–0153, expiration 4/30/2006.

Federalism (Executive Order (E.O.) 13132)

According to E.O. 13132, this rule does not have meaningful federalism implications. As noted above, it would have at most only a small effect relative to the original rule, which itself may have only a small consequence ($1 to $2 million a year) on Gulf Coast States in the form of reduced payments under section 8(g) of the OCSLA.

Takings Implication Assessment (Executive Order 12630)

According to E.O. 12630, the rule does not have significant takings implications; therefore a Takings Implication Assessment is not required.

Energy Supply, Distribution, or Use (Executive Order 13211)

This amended rule is not a significant rule and is not subject to review by OMB under E.O. 12866. This amended rule does not have a significant adverse effect on energy supply, distribution, or use. This amended rule may slightly increase and accelerate the production of gas from deep wells in shallow waters of the GOM by providing for a RSV volume for successful deep production and a royalty suspension supplement for unsuccessful deep drilling efforts to a few more leases, so it has a positive effect on energy supply based on our regulatory analysis.

Unfunded Mandates Reform Act (UMRA) of 1995

This amended rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than $100 million per year. The amended rule does not have any Federal mandates. Nor does the rule have a significant or unique effect on State, local, or tribal governments or the private sector. A statement containing the information required by the UMRA (2 U.S.C. 1531 *et seq.*) is not required.

Civil Justice Reform (Executive Order 12988)

According to E.O. 12988, the Office of the Solicitor has determined that the rule does not unduly burden the judicial system and meets the requirements of Sections 3(a) and 3(b)(2) of the E.O.

National Environmental Policy Act (NEPA) of 1969

This rule does not constitute a major Federal action significantly affecting the quality of the human environment. A detailed statement under the NEPA is not required.

Consultation and Coordination With Indian Tribal Governments (Executive Order 13175)

In accordance with E.O. 13175, this rule does not have tribal implications that impose substantial direct compliance costs on Indian tribal governments.

List of Subjects in 30 CFR Part 203

Continental shelf, Government contracts, Indian lands, Minerals royalties, Oil and gas exploration, Public lands-mineral resources, Reporting and recordkeeping requirements, Sulphur.

Dated: April 11, 2005.

Chad Calvert,

Acting Assistant Secretary—Land and Minerals Management.

■ For the reasons stated in the preamble, the Minerals Management Service (MMS) amends 30 CFR part 203 as follows:

PART 203—RELIEF OR REDUCTION IN ROYALTY RATES

■ 1. The authority citation for part 203 continues to read as follows:

Authority: 25 U.S.C. 396 *et seq.*; 25 U.S.C. 396a *et seq.*; 25 U.S.C. 2101 *et seq.*; 30 U.S.C. 181 *et seq.*; 30 U.S.C. 351 *et seq.*; 30 U.S.C. 1001 *et seq.*; 30 U.S.C. 1701 *et seq.*; 31 U.S.C. 9701 *et seq.*; 43 U.S.C. 1301 *et seq.*; 43 U.S.C. 1331 *et seq.*; and 43 U.S.C. 1801 *et seq.*

■ 2. Section 203.40 introductory text and paragraph (a) are revised to read as follows:

§ 203.40 Which leases are eligible for royalty relief as a result of drilling deep wells?

Your lease may receive a royalty suspension volume under §§ 203.41 through 203.43, and may receive a royalty suspension supplement under §§ 203.44 through 203.46, if it:

(a) Was:

(1) In existence on January 1, 2001;

(2) Issued in a lease sale held after January 1, 2001, and before April 1, 2004, and either the lessee has exercised the option provided for in § 203.48 or the lease is located partly in water less than 200 meters deep and no deep water royalty relief provisions in statutes or lease terms apply to the lease; or

(3) Issued in a lease sale held on or after April 1, 2004, and either the lease terms provide for royalty relief under §§ 203.41 through 203.47 of this part or the lease is located partly in water less than 200 meters deep and no deep water royalty relief provisions in statutes or lease terms apply to the lease;

* * * * *

[FR Doc. 05–8557 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD05–05–031]

RIN 1625–AA–09

Drawbridge Operation Regulations; Elizabeth River, Eastern Branch, Virginia

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Norfolk Southern (NS) #5 Railroad Bridge across the Elizabeth River, Eastern Branch, at mile 1.1, in Norfolk, VA in May 2005. To facilitate extensive maintenance that is required at the bridge, the deviation allows the drawbridge to remain in the closed-to-navigation position for three daytime closure periods during May, each closure period lasting 2 to 4 days.

DATES: The deviation is effective from 8 a.m. on May 3 to 4:30 p.m. on May 19, 2005.

FOR FURTHER INFORMATION CONTACT: Bill Brazier, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398–6422.

SUPPLEMENTARY INFORMATION: The Norfolk Southern Corporation, who owns and operates the NS #5 Railroad Bridge, has requested temporary deviations in May 2005 from the operating regulation to change out two sets of lift joints from the lift span of the bridge and to replace 504 bridge ties on the east bound main track.

To facilitate this extensive maintenance of the bridge, the lift-span will be locked in the closed-to-navigation position during the following closure periods: each day from 8 a.m. to 4 p.m., on May 3 and 4, 2005; each day from 8:30 a.m. to 12 p.m. and from 1 p.m. to 4:30 p.m. on May 9 to 12 and on May 16 to 19, 2005. During these stages, the work requires completely immobilizing the operation of the lift span in the closed-to-navigation position. At all other times, the bridge

will operate in accordance with the general operating regulations set out in 33 CFR 117.5 that require the bridge to open promptly and fully for the passage of vessels when a request to open is given.

The Coast Guard has informed the known users of the waterway of the closure periods for the bridge so that these vessels can arrange their transits to minimize any impact caused by the temporary deviations.

The District Commander has granted a temporary deviation from the operating requirements listed in 33 CFR 117.35 for the purpose of repair completion of the drawbridge. The temporary deviation allows the NS #5 Railroad Bridge across the Eastern Branch of the Elizabeth River, at mile 1.1, in Norfolk VA, to remain in the closed-to-navigation position during the following closure periods: each day from 8 a.m. to 4 p.m., on May 3 and 4, 2005; each day from 8:30 a.m. to 12 p.m. and from 1 p.m. to 4:30 p.m. on May 9 to 12 and on May 16 to 19, 2005.

Dated: April 12, 2005.

Waverly W. Gregory, Jr.,

Chief, Bridge Administration Branch, Fifth Coast Guard District.

[FR Doc. 05–8568 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD05–04–209]

RIN 1625–AA09

Drawbridge Operation Regulations; Elizabeth River-Eastern Branch, Norfolk, VA

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations that govern the operation of the Norfolk Southern (NS) Railroad Bridge (NS #V2.8) across the Eastern Branch of the Elizabeth River, at mile 2.7, in Norfolk, VA. The final rule allows the NS #V2.8 bridge to be operated from a remote location, and to remain open for vessel traffic and to close only for train crossings and periodic maintenance. This rule will make the operation of the bridge more efficient, because currently the bridge only opens on signal, or on signal after notice.

DATES: This rule is effective May 31, 2005.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket CGD05–04–209 and are available for inspection or copying at Commander (obr), Fifth Coast Guard District, Federal Building, 1st Floor, 431 Crawford Street, Portsmouth, VA 23704–5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The Fifth Coast Guard District maintains the public docket for this rulemaking.

FOR FURTHER INFORMATION CONTACT: Anton Allen, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398–6227.

SUPPLEMENTARY INFORMATION:

Regulatory History

On December 2, 2004, we published a notice of proposed rulemaking (NPRM) entitled ''Drawbridge Operation Regulations; Elizabeth River—Eastern Branch, Norfolk, VA'' in the **Federal Register** (69 FR 70091). We received one comment on the proposed rule. No public meeting was requested, and none was held.

Background and Purpose

Norfolk Southern Corporation (NSC), who owns and operates this swing-type bridge at mile 2.7 across the Eastern Branch of the Elizabeth River, in Norfolk, VA, requested a change to the current operating procedures set out in 33 CFR Part 117.1007(a), which requires the draw to open on signal, from 6 a.m. to 10 p.m., and open on signal with at least two hours notice, from 10 p.m. to 6 a.m.

Under this rule, the NS Railroad Bridge (NS #V2.8) will remain open to vessel traffic, closing only for train crossings and periodic maintenance. This rule allows the NS Railroad Bridge (NS #V2.8) to be operated from a remote location at the NS Railroad Bridge (NS #5), at mile 1.1, over the Eastern Branch of the Elizabeth River.

NSC has installed closed circuit cameras in the area of the bridge and directly beneath the bridge, mounted on the center pier fender systems on both sides. Infrared sensors have also been installed to cover the swing radius of the bridge. This equipment enhances the controller's ability to monitor vessel traffic from the remote location. The controller will also monitor marine channel 13.

This change is being made to make the operation of the NS Railroad Bridge (NS #V2.8) more efficient. It will save operational costs by eliminating the continuous presence of bridge tenders, and is expected to decrease maintenance costs. In addition, the draw will be left in the open position and will only close for train crossings or periodic maintenance, and therefore will provide for greater flow of vessel traffic than the current regulation.

Discussion of Comments and Changes

The Coast Guard received one comment on the NPRM from NSC. NSC requested slight revisions to the language to be used in this rule. The Coast Guard has incorporated the following changes to this rule: In paragraph (a)(3), replaced ''less than ¾ of a mile'' with ''inhibited.'' A specific visibility distance was deemed impractical. Added the words ''Attention, Attention'' to the announcement in paragraph (a)(5). In paragraph (a)(6), removed the word ''automatically.'' The operation of this bridge is not intended to be automatic. Also in paragraph (a)(6), added the following statement: ''Vessels shall stay clear of both channels as to not interfere with the infrared detectors, until green lights are displayed on the swing span.''

The Coast Guard considers these changes necessary for safe navigation and the final rule was changed to reflect these proposals.

Regulatory Evaluation

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. We reached this conclusion based on the fact that the changes have only a minimal impact on maritime traffic transiting the bridge. Although the NS Railroad Bridge (NS #V2.8) will be untended and operated from a remote location, mariners can continue their transits because the bridge will remain open to mariners, only to be closed for train crossings or periodic maintenance.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises

small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this rule so that they can better evaluate its effects on them and participate in the rulemaking process. No assistance was requested from any small entity.

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.,* specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (32)(e) of the Instruction, from further environmental documentation because it has been determined that the promulgation of operating regulations for drawbridges are categorically excluded.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

■ 1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; Department of Homeland Security Delegation No. 0170.1; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

■ 2. In § 117.1007 revise paragraph (a) to read as follows:

§ 117.1007 Elizabeth River-Eastern Branch.

(a) The draw of the Norfolk Southern Railroad Bridge (NS #V2.8), mile 2.7 at Norfolk, shall operate as follows:

(1) The draw shall remain in the open position for navigation. The draw shall only be closed for train crossings or periodic maintenance authorized in accordance with subpart A of this part.

(2) The bridge shall be operated by the controller at the Norfolk Southern Railroad Bridge (NS #5), mile 1.1, over the Eastern Branch of the Elizabeth River in Norfolk, VA. The controller shall monitor vessel traffic with closed circuit cameras and infrared sensors covering the swing radius. Operational information will be provided 24 hours a day on marine channel 13 and via telephone (757) 446–5320.

(3) The bridge shall not be operated from the remote location in the following events: Failure or obstruction of the infrared sensors, closed-circuit cameras or marine-radio communications, or anytime controller's visibility is inhibited. In these situations, a bridge tender with Norfolk Southern must be called to operate the bridge on-site.

(4) Before the bridge closes for any reason, the remote operator will monitor waterway traffic in the area. The bridge shall only be closed if the off-site remote operator's visual inspection shows that the channel is clear and there are no vessels transiting in the area. While the bridge is moving, the operator shall maintain constant surveillance of the navigation channel.

(5) Before closing the draw, the channel traffic lights will change from flashing green to flashing red, the horn will sound five short blasts, and an audio voice warning stating, ''Attention, Attention. Norfolk Southern's Railroad Bridge over the Eastern Branch of the Elizabeth River at milepost 2.7 will be closing to river traffic.'' Five short blasts of the horn will continue until the bridge is seated and locked down to vessels, the channel traffic lights will continue to flash red.

(6) When the rail traffic has cleared, the horn will sound one prolonged blast followed by one short blast to indicate that the draw is opening to vessel traffic. During the opening swing movement, the channel traffic lights will flash red until the bridge returns to the fully open position. In the full open position to vessels, the bridge channel lights will flash green followed by an announcement stating, ''Security, security, security. Norfolk Southern Railroad Bridge at mile 2.7 is open for river traffic.'' Vessels shall stay clear of both channels as to not interfere with infrared detectors, until green lights are displayed on the swing span.

* * * * *

Dated: April 18, 2005.

Ben A. Thomason III,

Captain, United States Coast Guard, Acting Commander, Fifth Coast Guard District.

[FR Doc. 05–8569 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 165

[COTP SAN JUAN 05–002]

RIN 1625–AA87

Moving and Fixed Security Zone: Port of Fredericksted, Saint Croix, U.S. Virgin Islands

AGENCY: Coast Guard, DHS.

ACTION: Final rule.

SUMMARY: The Coast Guard is establishing a moving and fixed security zone around cruise ships entering, departing, mooring or anchoring at the Port of Fredericksted in Saint Croix, U.S. Virgin Islands. This regulation is a security measure designed to protect cruise ships at this port. All vessels, with the exception of cruise ships, are prohibited from entering the moving and fixed security zone around a cruise ship without the express permission of the Captain of the Port San Juan or their designated representative. The current temporary final rule at 33 CFR 165.T07–05–005 will be removed when this final rule is effective because it is unnecessary.

DATES: This rule is effective May 31, 2005.

ADDRESSES: Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket COTP–05–002 and are available for inspection or copying at Prevention Operations Command Office, San Juan, #5 LaPuntilla Final, Old San Juan, PR 00901–1800, between 7 a.m. and 3:30 p.m. Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: LTJG Katiuska Pabon, Prevention Operations Command San Juan at 787–729–2376.

SUPPLEMENTARY INFORMATION:

Regulatory Information

On February 1, 2005, we published a notice of proposed rulemaking (NPRM) entitled ''Moving and Fixed Security Zone: Port of Fredericksted, Saint Croix, U.S. Virgin Islands'' in the **Federal Register** (70 FR 5083). We received no letters commenting on the proposed rule. No public meeting was requested and none was held.

Background and Purpose

Based on the September 11, 2001, terrorist attacks on the World Trade Center buildings in New York and the Pentagon in Arlington, Virginia, there is an increased risk that subversive activity could be launched from vessels in close proximity to cruise ships entering, departing, mooring or anchoring at any port of call. Following these attacks, national security and intelligence officials have warned that future terrorists attacks are likely and may include maritime interests such as cruise ships. The Captain of the Port San Juan proposes to reduce this risk by preventing unauthorized vessels from entering a moving or fixed security zone around each cruise ship entering, departing, anchoring or mooring at the Port of Fredericksted without the authorization of the Captain of the Port San Juan or their designated representative.

Captain of the Port San Juan can be contacted on VHF Marine Band Radio, Channel 16 (156.8 Mhz), or by telephone number (787) 289–0739. The United States Coast Guard Communications Center would notify the public via Broadcast Notice to Mariners VHF Marine Band Radio, Channel 22, when a moving and fixed security zone is activated around a cruise ship at Fredericksted.

Discussion of Comments and Changes

We did not receive any comments regarding this regulation and therefore made no changes from the proposed rule based on comments. We did, however, correct typographical errors in the coordinates in the proposed rule used for the Fredericksted Pier Lights. The final rule contains the correct coordinates.

Regulatory Evaluation

This rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this security zone to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary. Entry into the security zone would be prohibited for a limited period of time. Additionally, vessels may be allowed to enter the security zone with the express permission of the Captain of the Port San Juan or their designated representative.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Public Law 104–121), we offered to assist small entities in understanding the rule so that they could better evaluate its effects on them and participate in the rulemaking. Small businesses may send comments on the actions of Federal employees who enforce, or otherwise determine compliance with, Federal regulations to the Small Business and Agriculture Regulatory Enforcement Ombudsman and the Regional Small Business Regulatory Fairness Boards. The Ombudsman evaluates these actions annually and rates each agency's responsiveness to small business. If you wish to comment on actions by employees of the Coast Guard, call 1–888–REG–FAIR (1–888–734–3247).

Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this rule will not result in such an expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not create an environmental risk to health or risk to safety that may disproportionately affect children.

Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.lD, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation. Under figure 2–1, paragraph (34)(g), of the instruction, an ''Environmental Analysis Check List'' and a final ''Categorical Exclusion Determination'' are not required for this rule.

List of Subjects in 33 CFR Part 165

Harbors, Marine Safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR parts 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.763 to read as follows:

§ 165.763 Moving and Fixed Security Zone, Port of Fredericksted, Saint Croix, U.S. Virgin Islands.

(a) *Location.* A moving and fixed security zone is established that surrounds all cruise ships entering, departing, mooring or anchoring in the Port of Fredericksted, Saint Croix, U.S. Virgin Islands. The security zone extends from the cruise ship outward and forms a 50-yard radius around the vessel, from surface to bottom. The security zone for a cruise ship entering port is activated when the vessel is within one nautical mile west of the Fredericksted Pier lights. The security zone for a vessel is deactivated when the cruise ship is beyond one nautical mile west of the Fredericksted Pier lights. The Fredericksted Pier lights are at the following coordinates: 17°42′49″ N, 64°53′19″ W. All coordinates are North American Datum 1983 (NAD 1983).

(b) *Regulations.* (1) Under general regulations in § 165.33 of this part,

entering, anchoring, mooring, or transiting in these zones is prohibited unless authorized by the Coast Guard Captain of the Port San Juan or their designated representative.

(2) Persons desiring to transit through a security zone may contact the Captain of the Port San Juan who can be reached on VHF Marine Band Radio, Channel 16 (156.8 Mhz) or by calling (787) 289–2041, 24-hours-a-day, 7-days-a-week. If permission is granted, all persons and vessels must comply with the instructions of the Captain of the Port or designated representative.

(3) Sector San Juan will attempt to notify the maritime community of periods during which these security zones will be in effect by providing advance notice of scheduled arrivals and departures of cruise ships via a broadcast notice to mariners.

(c) *Definition.* As used in this section, *cruise ship* means a passenger vessel greater than 100 feet in length that is authorized to carry more than 150 passengers for hire, except for a ferry.

(d) *Authority.* In addition to 33 U.S.C. 1231 and 50 U.S.C. 191, the authority for this section includes 33 U.S.C. 1226.

§ 165.T07–05–005 [Removed]

■ 3. Remove § 165.T07–05–005.

Dated: April 6, 2005.

D.P. Rudolph,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 05–8539 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R03–OAR–2005–PA–0012; FRL–7905–7]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO_X RACT Determination for the Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve revisions to the Commonwealth of Pennsylvania's State Implementation Plan (SIP). The revisions were submitted by the Pennsylvania Department of Environmental Protection (PADEP) to establish and require reasonably available control technology (RACT) for the Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station (NSWCCD–SSES), a major source of nitrogen oxides (NO_X). This source is located in Pennsylvania. The EPA is approving this revision to establish RACT requirements in the SIP in accordance with the Clean Air Act (CAA).

DATES: This rule is effective on June 28, 2005 without further notice, unless EPA receives adverse written comment by May 31, 2005. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Regional Material in EDocket (RME) ID Number R03–OAR–2005–PA–0012 by one of the following methods:

A. Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. Agency Web site: *http://www.docket.epa.gov/rmepub/* RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

C. E-mail: *campbell.dave@epa.gov.*

D. Mail: R03–OAR–2005–PA–0012, Dave Campbell, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

E. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to RME ID No. R03–OAR–2005–PA–0012. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *http://www.docket.epa.gov/rmepub/*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through RME, regulations.gov or e-mail. The EPA RME and the Federal regulations.gov Web sites are an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through RME or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the RME index at *http://www.docket.epa.gov/rmepub/.* Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105.

FOR FURTHER INFORMATION CONTACT: Amy Caprio, (215) 814–2156, or by e-mail at *caprio.amy@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. Background

Pursuant to sections 182(b)(2) and 182(f) of the CAA, the Commonwealth of Pennsylvania (the Commonwealth or Pennsylvania) is required to establish and implement RACT for all major VOC and NO_X sources. The major source size is determined by its location, the classification of that area and whether it is located in the ozone transport region (OTR). Under section 184 of the CAA, RACT as specified in sections 182(b)(2) and 182(f) applies throughout the OTR. The entire Commonwealth is located within the OTR. Therefore, RACT is applicable statewide in Pennsylvania.

State implementation plan revisions imposing RACT for three classes of VOC sources are required under section 182(b)(2). The categories are:

(1) All sources covered by a Control Technique Guideline (CTG) document

issued between November 15, 1990 and the date of attainment;

(2) All sources covered by a CTG issued prior to November 15, 1990; and

(3) All major non-CTG sources.

The Pennsylvania SIP already has approved RACT regulations and requirements for all sources and source categories covered by the CTGs. The Pennsylvania SIP also has approved regulations to require major sources of NO_X and additional major sources of VOC emissions (not covered by a CTG) to implement RACT. These regulations are commonly termed the ''generic RACT regulations.'' A generic RACT regulation is one that does not, itself, specifically define RACT for a source or source categories but instead establishes procedures for imposing case-by-case RACT determinations. The Commonwealth's SIP-approved generic RACT regulations consist of the procedures PADEP uses to establish and impose RACT for subject sources of VOC and NO_X. Pursuant to the SIP-approved generic RACT rules, PADEP imposes RACT on each subject source in an enforceable document, usually a Plan Approval (PA) or Operating Permit (OP). The Commonwealth then submits these PAs and OPs to EPA for approval as source-specific SIP revisions.

It must be noted that the Commonwealth has adopted and is implementing additional ''post RACT requirements'' to reduce seasonal NO_X emissions in the form of a NO_X cap and trade regulation, 25 Pa Code Chapters 121 and 123, based upon a model rule developed by the States in the OTR. That regulation was approved as SIP revision on June 6, 2000 (65 FR 35842). Pennsylvania has also adopted 25 Pa Code Chapter 145 to satisfy Phase I of the NO_X SIP call. That regulation was approved as a SIP revision on August 21, 2001 (66 FR 43795). Federal approval of a source-specific RACT determination for a major source of NO_X in no way relieves that source from any applicable requirements found in 25 PA Code Chapters 121, 123 and 145.

On January 27, 2005, PADEP submitted revisions to the Pennsylvania SIP which establish and impose RACT for NSWCCD–SSES, a source of NO_X. The Commonwealth's submittals consist of PAs and OPs which impose NO_X RACT requirements for each source.

II. Summary of the SIP Revisions

Copies of the actual PAs and OPs imposing RACT and PADEP's evaluation memorandum are included in the electronic and hard copy docket for this final rule. As previously stated, all documents in the electronic docket are listed in the RME index at *http://www.docket.epa.gov/rmepub/*. Publicly available docket materials are available either electronically in RME or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Pennsylvania Department of Environmental Protection, Bureau of Air Quality, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105. The table below identifies the sources and the individual plan approvals (PAs) and operating permits (OPs) which are the subject of this rulemaking.

PENNSYLVANIA—VOC AND NO_X RACT DETERMINATIONS FOR INDIVIDUAL SOURCES

Source	County	Plan approval (PA No.) operating permit (OP No.)	Source type	''Major source'' pollutant
Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station.	Philadelphia	PA–04108	Oil/Natural Gas Boilers	NO_X.

EPA is approving these RACT SIP submittals because PADEP established and imposed these RACT requirements in accordance with the criteria set forth in its SIP-approved generic RACT regulations applicable to these sources. The Commonwealth has also imposed record-keeping, monitoring, and testing requirements on these sources sufficient to determine compliance with the applicable RACT determinations.

III. Final Action

EPA is approving the revisions to the Pennsylvania SIP submitted by PADEP to establish and require NO_X RACT for NSWCCD–SSES. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment and anticipates no adverse comment. However, in the ''Proposed Rules'' section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This rule will be effective on June 28, 2005 without further notice unless EPA receives adverse comment by May 31, 2005. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

IV. Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have

substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. Section 804 exempts from section 801 the following types of rules: (1) Rules of particular applicability; (2) rules relating to agency management or personnel; and (3) rules of agency organization, procedure, or practice that do not substantially affect the rights or obligations of non-agency parties. 5 U.S.C. 804(3). EPA is not required to submit a rule report regarding today's action under section 801 because this is a rule of particular applicability establishing source-specific requirements for NSWCCD-SSES.

C. 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 June 28, 2005. Filing a petition for reconsideration by the Administrator of this final rule approving source-specific RACT requirements for NSWCCD-SSES in the Commonwealth of Pennsylvania does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements.

Dated: April 20, 2005.

Donald S. Welsh,

Regional Administrator, Region III.

■ 40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

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

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

Subpart NN—Pennsylvania

■ 2. In § 52.2020, the table in paragraph (d)(1) is amended by adding the entry for Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station at the end of the table to read as follows:

§ 52.2020 Identification of plan.

* * * * *

(d) * * *

(1) * * *

Name of source	Permit No.	County	State effective date	EPA approval date	Additional explanation/ § 52.2063 citation
*	*	*	*	*	*
Naval Surface Warfare Center, Caderock Division Ship Systems Engineering Station.	PA–04108	Philadelphia	10/18/04	4/29/05, [Insert page number where the document begins].	52.2020(d)(1)(j).

* * * * *

[FR Doc. 05–8609 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R05–OAR–2004–WI–0001; FRL–7901–2]

Approval and Promulgation of Implementation Plan; Wisconsin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: On August 29, 2003, EPA published a final rule approving the emission averaging program for existing sources subject to the state's rule limiting oxides of nitrogen (NO_X) emissions in southeast Wisconsin. On November 10, 2004 (69 FR 65069), EPA published a direct final rule approving a revision to the state rule that modifies language to clarify which sources are eligible to participate in the NO_X emission averaging program. In addition, the revision creates a separate categorical emission limit for new combustion turbines burning biologically derived gaseous fuels. On November 10, 2004 (69 FR 65117), EPA also published a proposed rule on this revision. The direct final rule stated that if EPA received an adverse comment, EPA would withdraw the direct final rule and address all public comments received in a subsequent final rule based on the proposed rule. EPA received an adverse comment and withdrew the direct final rule on January 10, 2005 (70 FR 1663). This rule responds to the comment received and announces EPA's final action.

DATES: This final rule is effective on May 31, 2005.

ADDRESSES: EPA has established a docket for this action under Regional Material in EDocket (RME) Docket ID

No. R05-OAR–2004-WI–0001. All documents in the docket are listed in the RME index at *http://docket.epa.gov/rmepub/,* once in the system, select ''quick search,'' then key in the appropriate RME Docket identification number. Although listed in the index, some information is not publicly available, *i.e.*, Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or in hard copy at the Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. We recommend that you telephone Charles Hatten, Environmental Engineer, at (312) 886–6031 before visiting the Region 5 office. This facility is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding Federal holidays.

FOR FURTHER INFORMATION CONTACT: Charles Hatten, Environmental Engineer, Criteria Pollutant Section, Air Programs Branch (AR–18J), EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886–6031. *hatten.charles@epa.gov.*

SUPPLEMENTARY INFORMATION:

I. General Information
A. Does This Action Apply to Me?
B. How Can I Get Copies of This Document and Other Related Information?
II. Public Comment Received and EPA Response
III. What Action Is EPA Taking Today?
IV. Why Is the Request Approvable?
V. Statutory and Executive Order Review

I. General Information

A. Does This Action Apply to Me?

This action revises two parts of the Wisconsin state implementation plan (SIP) for the control of NO_X emissions from stationary sources as required by state rule NR 428. The rule applies to existing sources in eight counties in the Milwaukee-Racine and Sheboygan ozone nonattainment areas (Kenosha, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha counties), and to new sources in six of the eight counties (Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha).

One revision modifies language to clarify which units are eligible for demonstrating compliance through emissions averaging. The emissions averaging provisions apply only to existing electric utility boilers in the Milwaukee-Racine and Sheboygan ozone nonattainment areas (Kenosha, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha counties). The second revision creates a new NO_X categorical limit for newly installed combustion turbines burning biologically derived gaseous fuel. Sources affected by the new categorical NO_X limit are landfill operations, wastewater treatment plants, and digester facilities specifically designed to generate gaseous fuel. The new NO_X categorical limit for newly installed combustion turbines burning biologically derived fuel applies only to new sources located in Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha counties in southeastern Wisconsin. The revisions have been adopted into the state administrative code and became effective on January 1, 2004.

B. How Can I Get Copies of This Document and Other Related Information?

1. The Regional Office has established an official public rulemaking file for this action that is available both electronically and in hard copy form at the Regional office. The electronic public rulemaking file can be found under RME ID No. R05–OAR–2004–WI–0001. The official public file consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public rulemaking file does not include CBI or other information whose disclosure is restricted by statute. The hard copy version of the official public rulemaking file is available for public viewing at the Air Programs Branch, Air and Radiation Division, EPA Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604. EPA requests that if at all possible, you contact the person listed in the **FOR FURTHER INFORMATION CONTACT** section to schedule your inspection. The Regional Office's official hours of business are Monday through Friday, 8:30 a.m. to 4:30 p.m. excluding Federal holidays.

II. Public Comment Received and EPA Response

Comment: Since everyone knows that gasoline mileage figures are taken under perfect circumstances and do not affect the ''real world'' of motoring, why doesn't the figure reflect worst-case conditions, i.e. with air conditioning on and rapid acceleration considered? These conditions occur all the time. Then we will be able to judge the auto's mileage fairly and not fairy tale figures from EPA. Protect the environment, don't deceive it.

EPA Response: This comment is not relevant to this action, since this action pertains to controls on industrial facilities and not automobiles.

III. What Action Is EPA Taking Today?

EPA is approving, as part of the Wisconsin ozone SIP, certain sections of Wisconsin rule NR 428, Control of Nitrogen Oxide Emissions. These revisions refer to the addition of language to clarify which sources are eligible to participate in the emissions averaging program.

In addition, EPA is approving language that creates a separate categorical emission limit for new combustion turbines which burn biologically derived gaseous fuel.

Clarification of Emissions Averaging Eligible Sources

The current version of NR 428 contained in the SIP allows utilities to demonstrate compliance with NO_X emission limitations by averaging emissions over multiple units. The rule defines eligible units through the combination of two provisions. NR 428.06(2)(a), the introduction to the averaging program, specifies that a unit must be subject to emission limitations for existing units under NR 428.03. NR 428.06(2)(e)(3) specifies that, to be eligible for the averaging program, a unit must be allotted a portion of the total 15,912 tons of NO_X emissions allocated by the department based on fuel consumption for 1995 through 1997. This mass of NO_X emissions is the quantity determined by the Wisconsin Department of Natural Resources (DNR) for electric utility units with emission limitations under NR 428.03 and which have operated in the ozone nonattainment area during the 1995 to 1997 time frame. Through these two provisions the affected sources are defined as 17 units at five facilities in the nonattainment area, owned by We-Energies, Alliant Energy, and the Wisconsin Public Service.

Section NR 428.06(2)(a) is amended to specify that an eligible unit must be subject to the emission limitations for utility boilers under NR 428.03(a). The amendment eliminates the need to reference two provisions in determining eligible sources.

Eligible sources must still receive a proportion of the total 15,912 tons of NO_X emissions as stated under NR 428.06(2)(e)(3). This revision does not change the population of the sources currently eligible under the existing SIP.

Categorical NO_X Emission Limit for Newly Installed Combustion Turbines Fired With Biologically Derived Gaseous Fuel

In this SIP revision, EPA is also approving a new categorical NO_X emission limit for newly installed combustion turbines which burn biologically derived gaseous fuel. This section of the rule applies to new sources installed after February 1, 2001, located in Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha counties in southeastern Wisconsin.

The Wisconsin DNR created this new categorical NO_X emission limit because sources looking to install new combustion turbines would not be able to comply with the limit for natural gas-fired units that would otherwise apply under the provision of NR 428.04(2)(g)(1)(c). Currently, a newly installed simple cycle combustion turbine with a maximum design output less than 40 megawatts and burning biologically derived gaseous fuel is subject to the SIP emission limitation of 25 parts per million dry volume (ppmdv) of NO_X at 15 percent oxygen under NR 428.04(2)(g)(1)(c), which was established for burning any type of ''gaseous fuel.'' In the development of NR 428, the Wisconsin DNR anticipated biologically derived gaseous fuels being combusted in reciprocating engines and not in a combustion turbine. Therefore, biologically derived gaseous fuels were not addressed in establishing the combustion turbine emission limit of 25 ppmdv of NO_X at 15 percent oxygen. Instead, the emission limit was established based solely on the combustion of fossil gaseous fuels such as natural gas or propane.

The Wisconsin DNR has determined that a separate categorical standard of 35 ppmdv at 15 percent oxygen is appropriate for a combustion turbine burning landfill gas or any other biologically derived fuel. Comparable alternatives for controlling emissions from sources that generate biologically derived gaseous fuel, as currently allowed under the SIP, are likely to result in greater NO_X emissions than the combustion turbine. Landfills and wastewater digester plants generate biologically derived gaseous fuel as a by-product. Instead of destroying the gas by flaring, these facilities prefer to generate electricity to drive their pumping and gas collection systems. The units capable of burning the biologically derived gaseous fuel and generating electricity are either a combustion turbine or spark ignition reciprocating engine. However, the actual NO_X emission rate of the reciprocating engine is significantly higher than the new categorical limit of the combustion turbine.

The use of a combustion turbine's higher energy efficiency and lower overall emissions potentially results in further environmental benefit. First, the turbine generates energy more efficiently than a reciprocating engine or power boiler burning biologically derived fuel. Second, the additional generated electricity for the same unit of fuel can potentially offset emissions from traditional electricity sources, such as coal-fired utility plants.

Therefore, the Wisconsin DNR has concluded that implementation of a separate categorical limit is necessary for the continued or increased use of combustion turbines firing biologically derived gaseous fuel. In addition, this action is likely to result in lower NO_X emissions than originally allowed in the ozone attainment demonstration submitted to EPA in December 2000. *See* 66 FR 56931, November 13, 2001. The new categorical NO_X limit is expressed for both a simple cycle and combined cycle combustion turbine configuration.

The limit is placed in the section of NO_X emission limits for combustion turbines under provision NR 428.04(2)(g)4 as follows:

NR 428.04(2)(g)4. ''Units fired by a biologically derived gaseous fuel.'' No person may cause, allow or permit nitrogen oxides to be emitted from a biologically derived gaseous fuel fired combustion turbine in amounts greater than those specified in this subdivision.

a. 35 parts per million dry volume (ppmdv), corrected to 15% oxygen, on a 30-day rolling average basis for a simple cycle combustion turbine.

b. 35 parts per million dry volume (ppmdv), corrected to 15% oxygen, on a 30-day rolling average basis for a combined cycle combustion turbine.

With the creation of the new categorical emission limit, this revision amends the introductory language under provision NR 428.04(2)(g)(1), to acknowledge that combustion turbines only burning biologically derived gaseous fuel are not subject to the more stringent general emission limitations for burning any type of ''gaseous fuels''. The amended language references the newly created subparagraph 4 and reads:

NR 428.04(2)(g)1.(intro.) ''Gaseous fuel-fired units.'' Except as provided in subds. 3. and 4., no person may cause, allow or permit nitrogen oxides to be emitted from a gaseous fuel-fired combustion turbine in amounts greater than those specified in this subdivision.

Biologically derived gaseous fuel is defined under the newly created provision NR 428.02(1). The current provision of NR 428.02(1) is renumbered to NR 428.02(2). The newly created definition is as follows:

NR 428.02(1) ''Biologically derived gaseous fuel'' means a gaseous fuel resulting from biological processing of a carbon-based feedstock.

Units subject to the new categorical limit for combustion turbines burning biologically derived gaseous fuel must meet the same compliance, monitoring, and reporting requirements established for all other new sources. These requirements have already been determined appropriate for combustion turbines and approved by EPA in the Wisconsin SIP.

EPA's review of the revisions to Wisconsin's SIP regarding the control of NO_X emissions is contained in a September 9, 2004, technical support document available from EPA Region 5, according to previously described procedures in Section I of this notice.

IV. Why Is the Request Approvable?

EPA has concluded that the modification to Wisconsin's NO_X SIP to clarify those units eligible for demonstrating compliance through emission averaging does not change the population of sources currently eligible under the existing SIP. The approval of the new categorical NO_X emission limit will have no negative impact on the Wisconsin one-hour ozone attainment demonstration SIP. The new categorical standard will not result in any increase in overall NO_X emissions. To the contrary, this action is anticipated to reduce NO_X emission levels on a source-by-source basis below those allowed by the December 2000 SIP. The comparable alternative for burning biologically derived fuel is a spark ignition reciprocating engine with a higher NO_X emission rate than the new categorical standard for combustion turbines. In addition, there is a general environmental benefit due to the use of combustion turbines, in most cases, generating energy (electricity and steam) more efficiently than reciprocating engines or power boilers.

V. Statutory and Executive Order Review

Executive Order 12866: Regulatory Planning and Review

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget.

Executive Order 13211: Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use

For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001).

Regulatory Flexibility Act

This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*).

Unfunded Mandates Reform Act

Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

Executive Order 13175: Consultation and Coordination With Indian Tribal Governments

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

Executive Order 13132: Federalism

This action also does not have federalism implications because it does not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act.

Executive Order 13045: Protection of Children From Environmental Health and Safety Risks

This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

National Technology Transfer Advancement Act

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the state to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply.

Paperwork Reduction Act

This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Congressional Review Act

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

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 May 31, 2005. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (*See* section 307(b)(2).)

List of Subjects in 40 CFR Part 52

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

Dated: March 28, 2005.

Norman Niedergang,

Acting Regional Administrator, Region 5.

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

PART 52—[AMENDED]

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

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

Subpart YY—Wisconsin

■ 2. Section 52.2570 is amended by adding paragraph (c)(111) to read as follows:

§ 52.2570 Identification of plan.

* * * * *

(c)* * *

(111) On May 25, 2004, Lloyd L. Eagan, Director, Wisconsin Department of Natural Resources, submitted a revision to its rule for control of nitrogen oxide (NO_X) emissions as a revision to the Wisconsin State Implementation Plan. The revision modifies language to clarify which sources are eligible to participate in the NO_X emission averaging program to demonstrate compliance as part of the one-hour ozone attainment plan approved by EPA for the Milwaukee-Racine and Sheboygan ozone nonattainment areas (Kenosha, Manitowoc, Milwaukee, Ozaukee, Racine, Sheboygan, Washington, and Waukesha counties). The rule revision also creates a separate limit for new combustion turbines burning biologically derived gaseous fuels. The new NO_X categorical limit for newly installed combustion turbines burning biologically derived fuel applies only to new sources located in Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha counties in southeastern Wisconsin.

(i) Incorporation by reference.

Wisconsin rules NR 428.02(1)and (1m); NR 428.04(2)(g)(1); NR 428.04(2)(g)(4); and NR 428.06(2)(a) as published in the (Wisconsin) Register,

December 2003, No.576 and effective January 1, 2004.

[FR Doc. 05–8598 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R03–OAR–2005–VA–0003; FRL–7905–9]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Minor Revisions to the Fugitive Dust and Waiver Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.

SUMMARY: EPA is taking direct final action to approve a revision to the Virginia State Implementation Plan (SIP). The revision removes oil application as an acceptable alternative fugitive dust emissions reduction method, due to an existing prohibition of oil application, on land, found in the Virginia statute. In addition, the revision changes a specific reference from ''Executive Director'' to ''Director.'' EPA is approving these minor revisions to Virginia's regulations in accordance with the requirements of the Clean Air Act.

DATES: This rule is effective on June 28, 2005 without further notice, unless EPA receives adverse written comment by May 31, 2005. If EPA receives such comments, it will publish a timely withdrawal of the direct final rule in the **Federal Register** and inform the public that the rule will not take effect.

ADDRESSES: Submit your comments, identified by Regional Material in EDocket (RME) ID Number R03–OAR–2005–VA–0003 by one of the following methods:

A. Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.

B. Agency Web site: *http://www.docket.epa.gov/rmepub/* RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

C. E-mail: *morris.makeba@epa.gov.*

D. Mail: R03–OAR–2005–VA–0003, Makeba Morris, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

E. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to RME ID No. R03–OAR–2005–VA–0003. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *http://www.docket.epa.gov/rmepub/*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through RME, regulations.gov or e-mail. The EPA RME and the Federal regulations.gov websites are an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through RME or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the RME index at *http://www.docket.epa.gov/rmepub/*. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at the Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia 23219.

FOR FURTHER INFORMATION CONTACT: Linda Miller, (215) 814–2068, or by e-mail at *miller.linda@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

On February 2, 2004, the Virginia Department of Environmental Quality submitted a formal revision to its State Implementation Plan (SIP). The SIP revision consists of minor modifications to Virginia's fugitive dust and waiver regulations. These minor revisions remove language that conflicts with the Virginia statute and clarifies who may grant a waiver.

II. Summary of SIP Revision

The SIP revision, submitted on February 2, 2004, includes regulatory modifications made to alleviate a conflict between statutory provisions and regulatory requirements. The Virginia statute (Code of Virginia, Section 62.1–44.34:18) prohibits the discharge of oil upon land. The previously SIP approved Virginia regulations concerning fugitive dust/emissions conflicted with the statutory prohibition. The revisions to 9 VAC 5–40–90 and 9 VAC 5–50–90 remove the reference to application of oil as a means to reduce fugitive dust emissions. The change does not affect the stringency of the SIP as there are several other alternatives to reduce fugitive emissions.

In addition, there are several other minor editorial corrections made to 9 VAC 5–40–120 and 9 VAC 5–50–120. The reference to ''Executive Director'' is changed to ''Director, ''and the word ''methods'' is removed from several provisions in the regulation. These minor editorial changes do not alter the interpretation of the SIP approved regulations.

In 1995, Virginia adopted legislation that provides, subject to certain conditions, for an environmental assessment (audit) ''privilege'' for voluntary compliance evaluations performed by a regulated entity. The legislation further addresses the relative burden of proof for parties either asserting the privilege or seeking disclosure of documents for which the privilege is claimed.

Virginia's legislation also provides, subject to certain conditions, for a penalty waiver for violations of environmental laws when a regulated entity discovers such violations pursuant to a voluntary compliance evaluation and voluntarily discloses such violations to the Commonwealth and takes prompt and appropriate measures to remedy the violations. Virginia's Voluntary Environmental

Assessment Privilege Law, Va. Code Sec. 10.1–1198, provides a privilege that protects from disclosure documents and information about the content of those documents that are the product of a voluntary environmental assessment. The Privilege Law does not extend to documents or information (1) that are generated or developed before the commencement of a voluntary environmental assessment; (2) that are prepared independently of the assessment process; (3) that demonstrate a clear, imminent and substantial danger to the public health or environment; or (4) that are required by law.

On January 12, 1998, the Commonwealth of Virginia Office of the Attorney General provided a legal opinion that states that the Privilege law, Va. Code Sec. 10.1–1198, precludes granting a privilege to documents and information ''required by law,'' including documents and information ''required by Federal law to maintain program delegation, authorization or approval,'' since Virginia must ''enforce Federally authorized environmental programs in a manner that is no less stringent than their Federal counterparts. * * *'' The opinion concludes that ''[r]egarding § 10.1–1198, therefore, documents or other information needed for civil or criminal enforcement under one of these programs could not be privileged because such documents and information are essential to pursuing enforcement in a manner required by Federal law to maintain program delegation, authorization or approval.''

Virginia's Immunity law, Va. Code Sec. 10.1–1199, provides that ''[t]o the extent consistent with requirements imposed by Federal law,'' any person making a voluntary disclosure of information to a state agency regarding a violation of an environmental statute, regulation, permit, or administrative order is granted immunity from administrative or civil penalty. The Attorney General's January 12, 1998 opinion states that the quoted language renders this statute inapplicable to enforcement of any Federally authorized programs, since ''no immunity could be afforded from administrative, civil, or criminal penalties because granting such immunity would not be consistent with Federal law, which is one of the criteria for immunity.''

Therefore, EPA has determined that Virginia's Privilege and Immunity statutes will not preclude the Commonwealth from enforcing its program consistent with the Federal requirements. In any event, because EPA has also determined that a state audit privilege and immunity law can affect only state enforcement and cannot have any impact on Federal enforcement authorities, EPA may at any time invoke its authority under the Clean Air Act, including, for example, sections 113, 167, 205, 211 or 213, to enforce the requirements or prohibitions of the state plan, independently of any state enforcement effort. In addition, citizen enforcement under section 304 of the Clean Air Act is likewise unaffected by this, or any, state audit privilege or immunity law.

III. Final Action

EPA is approving a revision to the SIP to remove the reference to application of oil as a means to reduce fugitive dust emissions in 9VAC 5–40–90–2 and 9 VAC 5–50–90–2. EPA is publishing this rule without prior proposal because the Agency views this as a noncontroversial amendment to approve a minor change to regulations and anticipates no adverse comment. However, in the ''Proposed Rules'' section of today's **Federal Register**, EPA is publishing a separate document that will serve as the proposal to approve the SIP revision if adverse comments are filed. This rule will be effective on June 28, 2005 without further notice unless EPA receives adverse comment by May 31, 2005. If EPA receives adverse comment, EPA will publish a timely withdrawal in the **Federal Register** informing the public that the rule will not take effect. EPA will address all public comments in a subsequent final rule based on the proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting must do so at this time.

IV. Statutory and Executive Order Reviews

A. General Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4). This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a SIP submission, to use VCS in place of a SIP submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

B. Submission to Congress and the Comptroller General

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides

that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

C. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by June 28, 2005. Filing a petition for reconsideration by the Administrator of this final rule to approve minor changes to the visible emissions and fugitive dust regulations 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 to approve minor revisions to the Virginia fugitive dust and waiver provisions, may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Particulate matter.

Dated: April 20, 2005.

Donald S. Welsh,

Regional Administrator, Region III.

■ 40 CFR part 52 is amended as follows:

PART 52—[AMENDED]

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

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

Subpart VV–Virginia

■ 2. In § 52.2420, the table in paragraph (c) is amended by revising the entries under Chapter 40, Part II, sections 5–40–90 and 5–40–120; and Chapter 50, Part II, sections 5–50–90 and 5–50–120 to read as follows:

§ 52.2420 Identification of plan.

* * * * *

(c) * * *

EPA-APPROVED REGULATIONS AND STATUTES IN THE VIRGINIA SIP

State citation (9 VAC 5)	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
*	*	*	*	*
Chapter 40 Existing Stationary Sources [Part IV]				
*	*	*	*	*
Part II Emission Standards				
Article 1 Visible Emissions and Fugitive Dust/Emissions (Rule 4–1)				
*	*	*	*	*
5–40–90	Standard for fugitive dust/emissions	2/1/03	4/29/05	Insert page number where the document begins]
*	*	*	*	*
5–40–120	Waiver	2/1/03	4/29/05	[Insert page number where the document begins]
*	*	*	*	*
Chapter 50 New and Modified Stationary Sources [Part V]				
*	*	*	*	*
Part II Emission Standards				
Article 1 Standards of Performance for Visible Emissions and Fugitive Dust/Emissions (Rule 5–1)				
*	*	*	*	*
5–50–90	Standard for fugitive dust/emissions	2/1/03	4/29/05	[Insert page number where the document begins]
*	*	*	*	*
5–50–120	Waiver	2/1/03	4/29/05	[Insert page number where the document begins]

EPA-APPROVED REGULATIONS AND STATUTES IN THE VIRGINIA SIP—Continued

State citation (9 VAC 5)	Title/subject	State effective date	EPA approval date	Explanation [former SIP citation]
* * *	*	*	*	*

[FR Doc. 05–8606 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 62

[R01–OAR–2004–ME–0002; A–1–FRL–7903–9]

Approval and Promulgation of Plan for the Control of Designated Pollutants; Maine; Total Reduced Sulfur From Existing Kraft Pulp Mills

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: The EPA is approving a revision to Maine's plan for controlling air pollution under section 111(d) of the Clean Air Act (''111(d) plan''). This revision to Maine's regulations at Chapter 124, ''Total Reduced Sulfur Control From Kraft Pulp Mills'' (''Chapter 124''), extends the compliance date for existing brownstock washers to April 17, 2007. This action is being taken in accordance with section 111(d) of the Clean Air Act (''CAA'').

EFFECTIVE DATE: This rule is effective on May 31, 2005.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, EPA New England Regional Office, One Congress Street, 11th floor, Boston, MA 02114–2023; Air and Radiation Docket and Information Center, U.S. Environmental Protection Agency, Room B–108, 1301 Constitution Avenue, NW., Washington DC ; and the Bureau of Air Quality Control, Department of Environmental Protection, First Floor of the Tyson Building, Augusta Mental Health Institute Complex, Augusta, ME 04333–0017.

FOR FURTHER INFORMATION CONTACT: Ian D. Cohen, (617) 918–1655.

SUPPLEMENTARY INFORMATION: The following table of contents describes the format for the **SUPPLEMENTARY INFORMATION** section:

1. Background
2. Adverse Public Comment and EPA Response

1. Background

On March 1, 2005, EPA published a Direct Final Rule (''DFR'') approving a revision to the State of Maine's 111(d) plan for the control of TRS from existing kraft pulp mills at Chapter 124. 70 FR 9872. A detailed explanation of EPA's rationale for approving the 111(d) plan revision was provided in the March 1, 2005 DFR. In accordance with direct final rulemaking procedures, on March 1, 2005, EPA also published a companion notice of proposed rulemaking of this revision. 70 FR 9901. On March 5, 2005, EPA received one adverse comment on its proposed approval, which is summarized and addressed in section 2 below.[1] EPA therefore published a withdrawal of the DFR on March 15, 2005. 70 FR 12591.

2. Adverse Public Comment and EPA Response

The Agency received one adverse comment on EPA's proposed approval of Maine's 111(d) plan revision. A summary of that comment and EPA's response is provided below.

Comment: The commenter submitted a comment by electronic mail on March 5, 2005, stating that EPA's approval of Maine's 111(d) plan revision gives ''corporate polluters more time to pollute'' and that this compliance extension should not be approved. The commenter asserts that it is ''illegal to kill your fellow citizens when you have a choice'' to spend money to protect the health of American citizens, and that ''anything less equates to terrorism and war on [A]mericans.''

Response: The commenter makes blanket allegations about injury to the public with no support. EPA does not anticipate that Maine's 111(d) plan revision will endanger the public health and, therefore, disagrees with the commenter.

The term ''total reduced sulfur'' refers to a combination of compounds consisting primarily of hydrogen sulfide, methyl mercaptan, dimethyl sulfide, and dimethyl disulfide. These compounds are emitted when sulfur-based chemicals are used to dissolve wood chips as part of the paper making process. 70 FR 9872, 9874 (Mar. 1, 2005). These sulfides are extremely odorous. 41 FR 42012 (September 24, 1976) (proposed new source performance standards (NSPS) for kraft pulp mills).

As EPA explained in both the Agency's 1979 Emission Guideline for kraft pulp mills (EPA Guidelines Series, ''Kraft Pulping: Control of TRS Emissions from Existing Mills'' (March 1979) (''TRS Emission Guideline'')) and EPA's 1978 new source performance standards for kraft pulp mills (43 FR 7568 (February 23, 1978)), studies analyzing the effects of TRS emissions from kraft pulp mills have focused on the odor associated with those emissions. *See* TRS Emission Guideline at 2–8. Based on those studies, and given the low concentrations of TRS compounds found near existing kraft pulp mills, EPA determined that TRS emissions from the brownstock washer systems at these facilities were not likely to endanger the public health. *Id.* at 2–12. The commenter has submitted no information to the contrary.

The Administrator has determined that TRS emissions from kraft pulp mills may cause or contribute to endangerment of the public welfare but

[1] EPA also received a written comment from the Edison Electric Institute (''EEI''), objecting to EPA's description of CAA section 111(d) in the March 1, 2005 DFR. EEI's comment had nothing to do with the substance of the DFR, as EEI itself notes in its comment letter, but rather concerned one sentence included in the statutory background section of the DFR. EEI noted in its comments that the one sentence description of CAA section 111(d) was incorrect because it did not account for amendments to section 111(d) enacted in 1990, and that the description of section 111(d) was inconsistent with EPA's proposed Utility Rule, which specifically addressed the 1990 amendments to section 111(d). *See* 69 FR 4652 (Jan. 30, 2004) (proposed rule). EPA agreed with this comment and, for that reason, issued a ''correcting amendment'' to the statutory background section of the DFR on March 15, 2005. *See* 70 FR 12591 (Mar. 1, 2005); *see* also 70 FR 15994, 16029–32 (Mar. 29, 2005) (final rule containing EPA's interpretation of CAA section 111(d)). As explained in the March 15, 2005 notice, EEI's comment, and EPA's response to that comment, have no bearing on the substance of EPA's approval of Maine's 111(d) plan revision and, therefore, are not addressed further in this final rule.

has not found adverse effects on public health. *Id.* at 1–4, 2–12; 41 FR at 42012 (stating that TRS compounds have an adverse effect on public welfare). Therefore, TRS emissions are considered ''welfare-related pollutants'' for purposes of CAA section 111(d). TRS Emission Guideline at 2–1. EPA regulations at 40 CFR part 60, subpart B, which provide the procedures under which states submit 111(d) plans to control existing sources of designated pollutants, allow states to ''balance the emission guidelines, compliance times, and other information provided in the applicable guideline document against other factors of public concern in establishing emission standards, compliance schedules, and variances' for welfare-related pollutants. 40 CFR 60.24(d). Thus, states have more flexibility in establishing plans for the control of TRS emissions, including establishing compliance schedules, than would be the case if public health might be affected. TRS Emission Guideline at 1–3, 1–4.

EPA has previously approved other revisions to Maine's section 111(d) plan consistent with the provisions of 40 CFR part 60. EPA has determined that the limited extension of the compliance date for brownstock washer systems at existing kraft pulp mills in Maine is reasonable and consistent with our regulations for the reasons discussed in the DFR and below. As an initial matter, EPA's recommended guideline emission limit for brownstock washers at existing kraft pulp mills is ''no control.'' TRS Emission Guideline at 1–7, 10–12. This is due to both safety concerns and excessive costs associated with the retrofit of existing brownstock washer systems to control vent gases in comparison to the marginal amount of TRS reduction that would be achieved by such controls (about 1 percent of total mill TRS emissions). *Id.* at 10–12, 10–13. *See* also 43 FR 7568, 7570 (February 23, 1978) (final NSPS for kraft pulp mills explaining safety concerns and prohibitive costs associated with altering existing brownstock washers to achieve more effective TRS control). Maine's approved 111(d) plan governing TRS emissions from brownstock washers at existing kraft pulp mills is more stringent than EPA's emission guideline, because Chapter 124 establishes a specific emission limit and control requirements for TRS emissions from existing brownstock washer systems. Specifically, Chapter 124 requires that TRS emissions greater than 0.75 pounds per hour or 5 parts per million from brownstock washer systems at existing facilities be collected and controlled so as to meet the specified emission limit, unless the gases are combusted in accordance with other specific requirements of the rule. Maine Department of Environmental Protection Regulations, Chapter 124, section 3(D).

As explained in the preamble to EPA's National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry (''Pulp and Paper MACT''), the emission controls needed to comply with the Pulp and Paper MACT rule, which is a rule that directly affects brownstock washers, are expected to also reduce TRS emissions from kraft pulp mills. 63 FR 18504, 18507 (Apr. 15, 1998). The compliance date for kraft pulp mills in the Pulp and Paper MACT is April 17, 2006. 40 CFR 63.440(d)(1). EPA or a state may, however, allow an extension of up to 1 year from a MACT compliance date if a source needs additional time to install controls. CAA section 112(i)(3)(B); 40 CFR 63.6(i)(4). Maine recently granted a 1-year compliance extension to the Pulp and Paper MACT rule to four existing kraft pulp mills in the state. Consistent with 40 CFR 63.6(i), the extension of compliance will be incorporated into the sources' Title V operating permits. *See* 40 CFR 63.6(i)(4), (9)–(12). These four sources, therefore, will have until April 17, 2007 to obtain and install effective controls for purposes of compliance with the Pulp and Paper MACT. These same sources are subject to Chapter 124. Because the controls needed to achieve compliance with Chapter 124 are the same as those needed to achieve compliance with the Pulp and Paper MACT, Maine submitted for EPA approval a revision to Chapter 124 that extends the compliance date for the brownstock washer systems to April 17, 2007.

It is reasonable and cost-effective to coordinate the compliance deadline for brownstock washer systems in Chapter 124 with the Pulp and Paper MACT compliance deadline, given that the four facilities affected by the 111(d) plan revision need additional time to obtain and install the control technology needed to achieve compliance with both Chapter 124 and the Pulp and Paper MACT. Such consideration of economic and technological difficulties associated with retrofitting existing facilities is consistent with the requirements of 40 CFR Part 60, Subpart B. EPA is approving Maine's 111(d) plan revision because it is not anticipated to endanger the public health, and because it is consistent with the requirements of CAA section 111(d) and 40 CFR part 60, subpart B.

I. Final Action

EPA is approving the revised 111(d) plan controlling TRS emissions from existing kraft pulp mills as submitted by ME DEP on June 23, 2004. The revised plan, which consists of the revised regulation entitled ''Chapter 124: Total Reduced Sulfur from Kraft Pulp Mills,'' requires brownstock washers at existing kraft pulp mills to be in compliance with Chapter 124 by April 17, 2007. This action affects four existing kraft pulp mills in the State of Maine.

II. Statutory and Executive Order Reviews

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, ''Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use'' (66 FR 28355, May 22, 2001). This action merely approves state law as meeting Federal requirements and imposes no additional requirements beyond those imposed by state law. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule approves pre-existing requirements under state law and does not impose any additional enforceable duty beyond that required by state law, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104–4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have federalism implications because it does not have substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999), because it merely approves a state rule implementing a Federal standard, and does not alter the relationship or the distribution of power

and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it is not economically significant.

In reviewing 111(d) submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Clean Air Act. In this context, in the absence of a prior existing requirement for the State to use voluntary consensus standards (VCS), EPA has no authority to disapprove a SIP submission for failure to use VCS. It would thus be inconsistent with applicable law for EPA, when it reviews a 111(d) submission, to use VCS in place of a 111(d) submission that otherwise satisfies the provisions of the Clean Air Act. Thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*)

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

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 June 28, 2005. Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 62

Environmental protection, Air pollution control, Total reduced sulfur.

Dated: April 17, 2005.

Robert W. Varney,

Regional Administrator, EPA New England.

■ Part 62 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

PART 62—[AMENDED]

■ 1. The authority citation for part 62 continues to read as follows:

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

Subpart U—Maine

■ 2. Section 62.4845 is amended by adding paragraph (b)(6) to read as follows:

§ 62.4845 Identification of plan.

* * * * *

(b) * * *

(6) A revision to the plan controlling TRS from existing kraft pulp mills which extends the final compliance date for brownstock washers to April 17, 2007, was submitted on June 23, 2004.

* * * * *

[FR Doc. 05–8603 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

49 CFR Part 383

[Docket No. FMCSA–2001–11117]

RIN 2126–AA70

Limitations on the Issuance of Commercial Driver's Licenses With a Hazardous Materials Endorsement

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Interim final rule.

SUMMARY: The Federal Motor Carrier Safety Regulations (FMCSRs) prohibit States from issuing, renewing, transferring or upgrading a commercial driver's license (CDL) with a hazardous materials endorsement unless the Transportation Security Administration (TSA) has first conducted a security threat assessment of the applicant and determined the applicant does not pose a security risk warranting denial of the hazardous materials endorsement. The FMCSRs currently provide a specific date on which States become subject to the new requirement. This interim final rule amends the FMCSRs to cross-reference the TSA's compliance date as the date when FMCSA's companion requirements also become applicable. Consistent with TSA regulations, FMCSA also reduces the amount of advance notice that States must provide to drivers that a security threat assessment will be performed when they renew a hazardous materials endorsement. This rule is being issued as an IFR because it relates back to an existing substantive IFR published on May 5, 2003. This IFR will be subsumed into that rulemaking when it is finalized. All outstanding comments on these issues will be addressed in that final document.

DATES: This rule is effective on April 29, 2005.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Redmond, Office of Safety Programs, (202) 366–9579, FMCSA, 400 7th Street, SW., Washington, DC 20590. Office hours are from 8:30 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: This interim final rule is available for inspection and copying between 10 a.m. and 5 p.m., Monday through Friday, except Federal holidays at the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th Street, SW., Washington, DC 20590–0001. An electronic version of this document along with all documents entered into this docket is available on the Internet at *http://dms.dot.gov.*

Summary of Today's Action

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act [Pub. L. 107–56, 115 Stat. 272] was enacted on October 25, 2001. Section 1012 of the USA PATRIOT Act amended 49 U.S.C. Chapter 51 by adding a new sec. 5103a titled ''Limitation on issuance of hazmat licenses.'' Section 5103a(a)(1) provides:

''A State may not issue to any individual a license to operate a motor vehicle transporting in commerce a hazardous material unless the Secretary of Transportation has first determined, upon receipt of a notification under subsection (c)(1)(B), that the individual does not pose a security risk warranting denial of the license.''

FMCSA shares with TSA responsibility for implementing sec. 1012 of the USA PATRIOT Act. TSA has established the security threat assessment, including security risk factors, citizenship/immigration requirements for the hazardous

materials endorsement, fingerprinting options, fees, compliance dates and other process details. FMCSA regulations require State licensing agencies to comply with TSA's security threat assessment process. The FMCSA compliance dates for the States under 49 CFR part 383, subpart I—Requirements for Transportation Security Administration Approval of Hazardous Materials Endorsement Issuances, are the same as those in 49 CFR 1572.13 of the TSA security requirements. More specifically, the applicability date under § 383.141(a) is always the same as the deadline for TSA requirements under § 1572.13(b). To ensure FMCSA's regulations always remain current with any changes made by TSA which affect the § 383.141(a) applicability date, the agency revises § 383.141(a) to cross-reference the date under 49 CFR 1572.13(b).

On May 5, 2003, TSA published an interim final rule (68 FR 23852, referred to as the May 5 IFR) that established the security threat assessment requirements for drivers who apply for, renew, or transfer a hazardous materials endorsement for a commercial driver's license. The May 5 IFR required States to notify drivers who hold a hazardous materials endorsement about the need for a security threat assessment 180 days prior to the expiration date of the endorsement. The notice was required to inform the driver that he or she could initiate the security threat assessment at any time after receiving the notice, but no later than 90 days before the expiration date of the driver's endorsement.

On November 24, 2004, TSA published an interim final rule (*Security Threat Assessment for Individuals Applying for a Hazardous Materials Endorsement for a Commercial Drivers License*, 69 FR 68720) amending the security threat assessment standards established under the May 5 IFR. For reasons described in the November 24, 2004 interim final rule, TSA has reduced the amount of advance notice States must provide to a driver who holds a hazardous materials endorsement about the need for a security threat assessment. Accordingly, FMCSA amends its regulations to implement the November 24, 2004, changes. At least 60 days prior to the expiration date of the CDL or hazardous materials endorsement, a State must notify the holder of a hazardous materials endorsement that he or she must pass TSA's security threat assessment as a condition of renewing the endorsement. The notice must inform the individual that he or she may initiate the security threat assessment at any time after receiving the notice, but no later than 30 days before the expiration date of the individual's endorsement. These timelines have been shortened from the 180/90-day notification deadlines in existing § 383.141(c).

Rulemaking Analyses and Notices

Justification for Immediate Adoption

FMCSA is issuing this IFR without prior notice and opportunity to comment pursuant to its authority under section 4(a) of the Administrative Procedure Act (5 U.S.C. 553(b)). This provision allows the agency to issue a final rule without notice and opportunity to comment when the agency for good cause finds that notice and comment procedures are ''impracticable, unnecessary or contrary to the public interest.'' This amended IFR is ministerial in nature. It cross-references TSA's compliance deadline for the requirements of part 383, subpart I and reduces the lead-time States must give individuals currently holding a hazardous materials endorsement under § 383.141(c). Because the rule relieves a burden on stakeholders by extending the general compliance date and relaxing the dates for State driver notification requirements, FMCSA has concluded that it is within the scope of the May 5, 2003, IFR which requested comment and that further notice and comment on this issue are unnecessary.

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

FMCSA has determined this interim final rule is a significant regulatory action within the meaning of Executive Order 12866 and within the meaning of the Department of Transportation's regulatory policies and procedures (DOT Order 2100.5 dated May 22, 1980; 44 FR 11034, February 26, 1979) because of substantial public interest. This rule does not impose any costs on any public, private, or government sector, therefore further economic analysis is unnecessary.

Regulatory Flexibility Act

The Regulatory Flexibility Act of 1980 (RFA), as amended, was enacted by Congress to ensure small entities (small businesses, small not-for-profit organizations, and small governmental jurisdictions) are not unnecessarily or disproportionately burdened by Federal regulations. The Regulatory Flexibility Act requires agencies to review rules to determine if they have ''a significant economic impact on a substantial number of small entities.'' In this case, the requirement is inapplicable because a notice of proposed rulemaking was not required. Nonetheless, I certify that this interim final rule will not have a significant economic impact on a substantial number of small entities. As noted above, this interim final rule applies only to State governments and, through them, certain commercial motor vehicle drivers. It does not impose any costs on any public, private, or government sector.

Executive Order 13132 (Federalism)

Executive Order 13132 requires FMCSA to develop an accountable process to ensure ''meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.'' The term ''policies that have federalism implications'' is defined in the Executive Order to include regulations that have ''substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.'' Under the Executive Order, FMCSA may construe a Federal statute to preempt State law only where, among other things, the exercise of State authority conflicts with the exercise of Federal authority under the federal statute.

Although this amended interim final rule potentially has direct effects on the States, they are not substantial because the rule will allow States more time to comply with the TSA regulation published on November 24, 2004 (69 FR 68720), and thus avoid the withholding of Federal-aid highway funds that could result from non-compliance with the TSA rule. FMCSA has determined that this amended interim final rule does not have sufficient federalism implications to warrant the preparation of a federalism assessment.

The provisions of 49 U.S.C. 31314 require DOT to withhold certain Federal-aid highway funds from States that fail to comply substantially with the requirements for State participation in the CDL program. As discussed in detail in the May 5 IFR [see 68 FR at 23847–23848], those provisions apply also to State compliance with portions of the TSA rule implementing sec. 1012 that apply to States. In addition, 49 U.S.C. 31312 authorizes DOT to prohibit States from issuing CDLs if the Secretary determines ''that a State is in substantial noncompliance'' with 49 U.S.C. chapter 313. These penalties are available for DOT to use when and if appropriate to encourage State compliance with TSA's sec. 1012 rule.

Executive Order 12372 (Intergovernmental Review)

The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities do not apply to this program.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501–3520), a Federal agency must obtain approval from the Office of Management and Budget (OMB) for each collection of information it conducts, sponsors, or requires through regulations. This amended interim final rule does not contain any information collection requirements.

National Environmental Policy Act

The agency analyzed this amended interim final rule for the purpose of the National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 *et seq.*) and determined under our environmental procedures Order 5610.1, issued on March 1, 2004 and effective March 31, 2004, that this action is categorically excluded (CE) under Appendix 2, paragraph 6.d of the Order from further environmental documentation. That CE relates to establishing regulations and actions taken pursuant to these regulations that concern the training, qualifying, licensing, certifying, and managing of personnel. In addition, the agency believes that the action includes no extraordinary circumstances that will have any effect on the quality of the environment. Thus, the action does not require an environmental assessment or an environmental impact statement.

We have also analyzed this rule under sec. 175(c) of the Clean Air Act, as amended (CAA) sec. 176(c), (42 U.S.C. 7506(c)) and implementing regulations promulgated by the Environmental Protection Agency. Approval of this action is exempt from the CAA's General Conformity requirement since it involves policy development and civil enforcement activities, such as investigations, inspections, examinations, and the training of law enforcement personnel. See 40 CFR 93.153(c)(2). It will not result in any emissions increase nor will it have any potential to result in emissions that are above the general conformity rule's *de minimis* emission threshold levels. Moreover, it is reasonably foreseeable that the rule change will not increase total CMV mileage, change how CMVs operate, the routing of CMVs, or the CMV fleet-mix of motor carriers. This action merely changes a number of compliance dates for State licensing agencies to coincide with the new TSA deadlines.

Executive Order 13211 (Energy Supply, Distribution, or Use)

We have analyzed this action under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. This action is not a significant energy action within the meaning of sec. 4(b) of the Executive Order because it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

Trade Impact Assessment

The Trade Agreement Act of 1979 prohibits Federal agencies from engaging in any standards-related activities that create unnecessary obstacles to the foreign commerce of the United States. Legitimate domestic objectives, such as safety and security, are not considered unnecessary obstacles. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards. FMCSA has assessed the potential effect of this final rule and has determined that it will not impose any costs on domestic or international entities and thus would have a neutral trade impact.

Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires Federal agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than $120.7 million in any one year (adjusted for inflation with base year of 1995). Before promulgating a rule for which a written statement is needed, sec. 205 of the UMRA generally requires FMCSA to identify and consider a reasonable number of regulatory alternatives and to adopt the least costly, most cost-effective, or least burdensome alternative that achieves the objective of the rule. The provisions of sec. 205 do not apply when they are inconsistent with applicable law. Moreover, sec. 205 allows FMCSA to adopt an alternative other than the least costly, most cost-effective, or least burdensome alternative if the agency publishes with the rule an explanation why that alternative was not adopted.

This amended interim final rule will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of more than $120.7 million annually. Thus, FMCSA has not prepared a written assessment under the UMRA.

Executive Order 12630 (Taking of Private Property)

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutional Protected Property Rights.

Civil Justice Reform

This action meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this action under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This amended interim final rule changes the compliance dates by which States must meet TSA requirements. This rule will not cause an increase in the number of hazardous materials incidents, nor increase the number of non-hazardous materials commercial motor vehicle crashes. Therefore, the FMCSA certifies that this action is not an economically significant rule and does not concern an environmental risk to health or safety that may disproportionately affect children.

Energy Impact

FMCSA has assessed the energy impact of this rule in accordance with the Energy Policy and Conservation Act (EPCA), Public Law 94–163, as amended (42 U.S.C. 6362). FMCSA has determined that this final rule is not a major regulatory action under the provisions of the EPCA.

Privacy Act

Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477–78) or you may visit *http://dms.dot.gov.*

List of Subjects in 49 CFR Part 383

Administrative practice and procedure, Commercial driver's license,

Commercial motor vehicles, Highway safety, Motor carriers.

■ For the reasons set forth in the preamble, FMCSA amends title 49, Code of Federal Regulations, Chapter III, as follows:

PART 383—COMMERCIAL DRIVER'S LICENSE STANDARDS; REQUIREMENTS AND PENALTIES

■ 1. The authority citation for part 383 continues to read as follows:

Authority: 49 U.S.C. 521, 31136, 31301 *et seq.*, 31502; Sec. 214 of Pub. L. 106–159, 113 Stat. 1766; Sec. 1012(b) of Pub. L. 107–56, 115 Stat. 397; and 49 CFR 1.73.

■ 2. Amend § 383.141 to revise paragraphs (a) and (c) to read as follows:

§ 383.141 General.

(a) *Applicability date.* Beginning on the date(s) listed in 49 CFR 1572.13(b), this section applies to State agencies responsible for issuing hazardous materials endorsements for a CDL, and applicants for such endorsements.

* * * * *

(c) *Individual notification.* At least 60 days prior to the expiration date of the CDL or hazardous materials endorsement, a State must notify the holder of a hazardous materials endorsement that the individual must pass a Transportation Security Administration security threat assessment process as part of any application for renewal of the hazardous materials endorsement. The notice must advise a driver that, in order to expedite the security screening process, he or she should file a renewal application as soon as possible, but not later than 30 days before the date of expiration of the endorsement. An individual who does not successfully complete the Transportation Security Administration security threat assessment process referenced in paragraph (b) of this section may not be issued a hazardous materials endorsement.

* * * * *

Issued on: April 25, 2005.

Annette M. Sandberg,

Administrator.

[FR Doc. 05–8572 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–EX–P

Proposed Rules

Federal Register
Vol. 70, No. 82
Friday, April 29, 2005

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA–2005–20918; Directorate Identifier 2004–NM–269–AD]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, –500 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for all Boeing Model 737–100, –200, –200C, –300, –400, and –500 series airplanes. This proposed AD would require a one-time inspection for scribe lines and cracks in the fuselage skin at certain lap joints, butt joints, external repair doublers, and other areas; and related investigative/corrective actions if necessary. This proposed AD is prompted by reports of fuselage skin cracks adjacent to the skin lap joints on airplanes that had scribe lines. Scribe line damage can also occur at many other locations, including butt joints, external doublers, door scuff plates, the wing-to-body fairing, and areas of the fuselage where decals have been applied or removed. We are proposing this AD to prevent rapid decompression of the airplane due to fatigue cracks resulting from scribe lines on pressurized fuselage structure.

DATES: We must receive comments on this proposed AD by June 13, 2005.

ADDRESSES: Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to *http://dms.dot.gov* and follow the instructions for sending your comments electronically.
- Government-wide rulemaking Web site: Go to *http://www.regulations.gov* and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, room PL–401, Washington, DC 20590.
- By fax: (202) 493–2251.
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124–2207.

You can examine the contents of this AD docket on the Internet at *http://dms.dot.gov*, or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL–401, on the plaza level of the Nassif Building, Washington, DC. This docket number is FAA–2005–20918; the directorate identifier for this docket is 2004–NM–269–AD.

FOR FURTHER INFORMATION CONTACT: Sue Lucier, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 917–6438; fax (425) 917–6590.

SUPPLEMENTARY INFORMATION:

Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed under **ADDRESSES.** Include ''Docket No. FAA–2005–20918; Directorate Identifier 2004–NM–269–AD'' in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments submitted by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to *http://dms.dot.gov*, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You can review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477–78), or you can visit *http://dms.dot.gov*.

Examining the Docket

You can examine the AD docket on the Internet at *http://dms.dot.gov,* or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647–5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

Discussion

We have received a report of scribe lines and fuselage skin cracks adjacent to the skin lap joints on two Boeing Model 737–200 series airplanes. Scribe lines are narrow, shallow, distinct lines of damage, usually associated with the removal of a fillet seal (from a lap joint) or gap seal (from a butt splice). Scribe lines have typically occurred during maintenance, including, for example, applying and removing graphic decals and stripping paint sealant from the lap joints, butt joints, certain external doublers, door scuff plates, and the wing-to-body fairing.

On one of the subject airplanes, a 5-inch crack was found at (body) station (STA) 827, just below the lap joint at stringer (S) S–4R. The airplane had accumulated 52,226 total flight cycles. On the second airplane, two cracks were found below the S–10R lap joint: a 10-inch crack between STA 757 and STA 767, and a 5-inch crack between STA 749 and STA 754. This airplane had accumulated 41,899 total flight cycles. Both airplanes had scribe lines along the lap joints and butt joints and around the wing-to-body fairing. The scribe lines appear to have been made on the skin when sealant was removed to prepare the airplane for repainting.

Analysis of the cracked skin areas confirmed that the cracks initiated at multiple sites along the scribe lines, which were 0.002 to 0.004 inch deep. The first airplane accumulated 5,500 flight cycles between crack initiation

and a full-thickness crack; the second airplane accumulated 6,000 flight cycles during this period.

Scribe lines, if not corrected, could result in fatigue cracks that could grow large enough to allow rapid decompression of the airplane.

The configuration of the fuselage is the same on Model 737–100, –200, –200C, –300, –400, and –500 series airplanes. Therefore, all these models may be subject to the identified unsafe condition.

Relevant Service Information

We have reviewed Boeing Alert Service Bulletin 737–53A1262, dated December 9, 2004. The service bulletin describes procedures for a detailed inspection for scribe lines in the fuselage skin at certain lap joints, butt joints, external repair doublers, scuff plates and repairs in the restricted zones around the door cutouts, and, if affected, the skin around the wing-to-body fairing. The service bulletin specifies the following corrective actions:

- Blending scribe lines that are within specified limits.
- Repairing scribe lines or completing a limited return-to-service (LRTS) program for scribe lines that exceed specified limits. The LRTS includes various repetitive inspections (ultrasonic, eddy current, substructure, internal detailed stringer inspections) for cracks in the area of the scribe lines.
- Contacting Boeing for crack repair instructions.

The inspection areas are divided into three zones, which specify locations and corresponding potential fatigue thresholds. Because of the complexity of the actions and the workload for affected operators, the service bulletin provides instructions for calculating separate inspection thresholds based on fatigue life of each zonal area. By defining criticality of location, the service bulletin addresses the most critical areas (*i.e.*, Zone 1) first and provides longer compliance times for less critical areas (*i.e.*, Zones 2 and 3). The service bulletin provides compliance charts, based on the zonal information, for determining the initial scribe line inspection thresholds. The initial inspection could be required as early as 4,500 flight cycles (for airplanes with modified lap splices) or 1,200 flight cycles (for airplanes with unmodified lap splices) after the effective date of the AD. The service bulletin also describes acceptable conditions for exemption from the inspection.

FAA's Determination and Requirements of the Proposed AD

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other airplanes of this same type design. Therefore, we are proposing this AD, which would require accomplishing the actions specified in the service information described previously, except as discussed below. The proposed AD would also require sending the inspection results of positive crack findings to Boeing.

Differences Between the Proposed AD and the Service Bulletin

The service bulletin (in Part 14) provides procedures for scribe lines found before the initial inspection threshold. This proposed AD would not require those procedures but would require only the directed inspection program (Parts 1 through 11). This proposed AD would allow the optional accomplishment of an LRTS program (in Parts 12 and 13), under certain conditions, to allow temporary return to service.

This proposed AD would require operators to report cracks found during the inspections. While the service bulletin does not explicitly direct operators to provide such a report, Boeing advises that the data from these reports will help in the ongoing efforts to improve the scribe line inspection program.

The service bulletin specifies compliance times relative to the date of issuance of the service bulletin; however, this proposed AD would require compliance before the specified compliance time relative to the effective date of the AD.

The service bulletin specifies that operators may contact the manufacturer for instructions on how to repair certain conditions, but this proposed AD would require repair in one of the following ways:

- Using a method that we approve; or
- Using data that meet the certification basis of the airplane, and that have been approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization whom we have authorized to make those findings.

We have coordinated these different requirements with Boeing.

Costs of Compliance

There are about 3,132 airplanes of the affected design in the worldwide fleet. The following table provides the estimated costs for U.S. operators to comply with this proposed AD.

ESTIMATED COSTS

Zone	Action	Work hours	Average labor rate/ hour	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
1	Sealant removal	66	$65	$4,290	1,384	$5,937,360
	Inspection	4	65	260	1,384	359,840
2	Sealant removal	38	65	2,470	1,384	3,418,480
	Inspection	29	65	1,885	1,384	2,608,840
3	Sealant removal	88	65	5,720	1,384	7,916,480
	Inspection	38	65	2,470	1,384	3,418,480

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in Subtitle VII, Part A, Subpart III, Section 44701, ''General requirements.'' Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on

products identified in this rulemaking action.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a ''significant regulatory action'' under Executive Order 12866;

2. Is not a ''significant rule'' under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. 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.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD. See the **ADDRESSES** section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 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. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Boeing: Docket No. FAA–2005–20918; Directorate Identifier 2004–NM–269–AD.

Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this AD action by June 13, 2005.

Affected ADs

(b) None.

Applicability

(c) This AD applies to all Boeing Model 737–100, –200, –200C, –300, –400, and –500 series airplanes, certificated in any category.

Unsafe Condition

(d) This AD was prompted by reports of fuselage skin cracks adjacent to the skin lap joints on airplanes that had scribe lines. Scribe line damage can also occur at many other locations, including butt joints, external doublers, door scuff plates, the wing-to-body fairing, and areas of the fuselage where decals have been applied or removed. We are issuing this AD to prevent rapid decompression of the airplane due to fatigue cracks resulting from scribe lines on pressurized fuselage structure.

Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

Inspection

(f) Do a detailed inspection for scribe lines and cracks in the fuselage skin at certain lap joints, butt joints, external repair doublers, and other areas, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 737–53A1262, dated December 9, 2004, except as provided by paragraph (g) of this AD. Do the actions at the time specified in paragraph 1.E., ''Compliance,'' of the service bulletin, except as required by paragraph (i) of this AD. Acceptable inspection exemptions are described in paragraph 1.E.1. of Boeing Alert Service Bulletin 737–53A1262.

(1) If no scribe line is found, no further work is required by this AD.

(2) If any scribe line is found: Do all applicable investigative and corrective actions at the time specified by doing all applicable actions specified in the Accomplishment Instructions of the service bulletin, except as required by paragraph (h) of this AD.

Note 1: A detailed inspection is defined in Note 10 of Boeing Alert Service Bulletin 737–53A1262 under 3.A., ''General Information.'' Specific magnification requirements may be specified in the steps of the Work Instructions.

Exceptions to Service Bulletin Procedures

(g) This AD requires accomplishment of Parts 1 through 11 of Boeing Alert Service Bulletin 737–53A1262. Parts 12 and 13 of the service bulletin may be accomplished, if applicable, to allow temporary return to service. This AD does not require accomplishment of Part 14 of the service bulletin.

(h) If any scribe line or crack is found during any inspection required by this AD, and the service bulletin specifies to contact Boeing for appropriate action: Before further flight, repair according to a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA; or according to data meeting the certification basis of the airplane approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the approval must specifically refer to this AD.

(i) Where the service bulletin specifies a compliance time after the issuance of the service bulletin, this AD requires compliance within the specified compliance time after the effective date of this AD.

Reporting Requirement

(j) At the applicable time specified in paragraph (j)(1) or (j)(2) of this AD, submit a report of positive findings of cracks found during the inspection required by paragraph (f) of this AD to the Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Alternatively, operators may submit reports to their Boeing field service representatives. The report shall contain, as a minimum, the following information: airplane serial number, flight cycles at time of discovery, location(s) and extent of positive crack findings. Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements contained in this AD and has assigned OMB Control Number 2120–0056.

(1) If the inspection was done before the effective date of this AD: Send the report within 30 days after the effective date of this AD.

(2) If the inspection was done after the effective date of this AD: Send the report within 30 days after the inspection is done.

Alternative Methods of Compliance (AMOCs)

(k)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by an Authorized Representative for the Boeing Delegation Option Authorization Organization who has been authorized by the Manager, Seattle ACO, to make those findings. For a repair method to be approved, the approval must specifically refer to this AD.

Issued in Renton, Washington, on April 19, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–8578 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Parts 4, 5, and 7

[Notice No. 41]

RIN 1513–AB07

Labeling and Advertising of Wines, Distilled Spirits and Malt Beverages; Request for Public Comment

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau (TTB) requests public

comment on possible changes to the labeling and advertising requirements of alcohol beverage products regulated by TTB. The agency has long required certain labeling, such as brand name, class and type, alcohol content (in the case of wines containing more than 14 percent alcohol by volume and distilled spirits), net contents, and in recent years has published updated standards for the use of carbohydrate and calorie claims. Because of petitions to mandate additional information, including ingredient, allergen, alcohol, calorie, and carbohydrate content and requests by some to use labels with at least some of that additional information on a voluntary basis under existing rules, TTB believes it is now appropriate to consider revising the alcohol beverage labeling and advertising regulations, and seeks public comment on several issues to assist the agency in formulating specific regulatory proposals.

DATES: We must receive written comments on or before June 28, 2005.

ADDRESSES: You may send comments to any one of the following addresses:

- Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Attn: Notice No. 41, P.O. Box 14412, Washington, DC 20044–4412.
- 202–927–8525 (facsimile).
- *nprm@ttb.gov* (e-mail).
- *http://www.ttb.gov/alcohol/rules/index.htm* (an online comment form is posted with this notice on our Web site).
- *http://www.regulations.gov* (Federal e-rulemaking portal; follow instructions for submitting comments).

You may view copies of this advance notice, the petitions, and any comments we receive on this notice by appointment at the TTB Library, 1310 G Street, NW., Washington, DC 20220. To make an appointment, call 202–927–2400. You may also access copies of the advance notice and comments online at *http://www.ttb.gov/alcohol/rules/index.htm*.

See Section VI of this notice for specific instructions and requirements for submitting comments and for information on how to request a public hearing.

FOR FURTHER INFORMATION CONTACT: Lisa M. Gesser, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660; (301) 290–1460.

SUPPLEMENTARY INFORMATION:

I. Introduction

TTB is soliciting public comment on a wide range of alcohol beverage labeling and advertising issues to help the agency determine what regulatory changes in alcohol beverage labeling and advertising requirements, if any, TTB should propose in future rulemakings. Because of increased interest in including nutrition and ingredient information on alcohol beverage labels, TTB believes it is now appropriate to consider amending the alcohol beverage labeling and advertising regulations to provide more specific information to the consumer.

Accordingly, TTB is soliciting public comments on appropriate ways to use alcohol beverage labels to inform the public about the identity and quality of the products. In addition to specific questions posed later in this advance notice, TTB invites responses to the following general questions:

1. Should TTB seek to require mandatory nutrition labeling (that is, calories, fat, carbohydrates, and protein) for alcohol beverage products, or should nutrition information be permitted only on a voluntary basis?

2. Should TTB seek to require mandatory ingredient labeling (that is, a list of all ingredients used to make the product, including processing aids) for alcohol beverage products, or should ingredient labeling be permitted only on a voluntary basis?

3. What areas need further research and evaluation before TTB can reach decisions on whether and how changes can be made?

4. Are there modifications TTB can make to current requirements regarding alcohol beverage labels to help consumers better understand and benefit from the information on the label?

5. Should TTB harmonize its alcohol beverage labeling regulatory requirements with those of other major producing nations, such as the Member States of the European Union, Australia, and Canada, and with regulatory schemes of other Federal agencies, such as the Food and Drug Administration (FDA)? If so, how would that be best done?

6. Are consumers likely to derive benefits from more specific information on alcohol beverage labels, and, if so, are those benefits sufficient to warrant the economic costs associated with such revisions?

7. What should be the agency's priorities in deciding which changes to make on alcohol beverage labels, that is, which changes are most important and which are least important?

8. Should any new labeling requirements apply equally to advertisements?

II. TTB's Authority To Prescribe Alcohol Beverage Labeling and Advertising Regulations

Federal Alcohol Administration Act

Sections 105(e) and 105(f) of the Federal Alcohol Administration Act (FAA Act), codified in the United States Code at 27 U.S.C. 205(e) and 205(f), set forth standards for regulation of the labeling and advertising of distilled spirits, wine (at least 7 percent alcohol by volume), and malt beverages, generally referred to as alcohol beverage products throughout this document. These sections give the Secretary of the Treasury the authority to issue regulations to prevent deception of the consumer, to provide the consumer with ''adequate information'' as to the identity and quality of the product, and to prohibit false or misleading statements. Additionally, these FAA Act provisions give the Secretary the authority to prohibit, irrespective of falsity, statements relating to age, manufacturing processes, analyses, guarantees, and scientific or irrelevant matters which are likely to mislead the consumer. In the case of malt beverages, the labeling and advertising provisions of the FAA Act apply only if the laws of the State into which the malt beverages are to be shipped impose similar requirements. TTB is responsible for the administration of the FAA Act and the regulations promulgated under it.

TTB's Implementing Regulations

Subject to certain jurisdictional limitations, the FAA Act requires that alcohol beverage labels and advertisements be in conformity with the regulations prescribed under it. The basic FAA Act implementing regulations, which appear as parts 4, 5, and 7 in title 27 of the Code of Federal Regulations (27 CFR parts 4, 5, and 7), specifically state what mandatory information must appear, and what is prohibited from appearing, on labels and in advertisements. Most of the mandatory labeling information requirements for alcohol beverages flow directly from the purpose stated in the statute, that is, to ''provide the consumer with adequate information as to the identity and quality of the products, the alcoholic content thereof * * * the net contents of the package, and the manufacturer or bottler or importer of the product.'' See 27 U.S.C. 205(e). The current specific requirements may be summarized as follows: brand name, product identity, the name and address of the bottler, packer, or importer, the net contents and alcohol content (see below) of the

product, and the presence of sulfites, FD&C Yellow No. 5, and in the case of malt beverages, aspartame. (The health warning statement is required pursuant to a different provision of the FAA Act, the Alcoholic Beverage Labeling Act of 1988, codified at 27 U.S.C. 213–219 and 219a.)

In the case of alcohol content, it should be noted that alcohol content statements are not mandatory for all alcohol beverages falling within TTB's jurisdiction. The FAA Act provides that in the case of wines, statements of alcohol content shall be required only for wines containing more than 14 percent of alcohol by volume. See 27 U.S.C. 205(e). The implementing regulations provide that wines having an alcohol content of 14 percent alcohol by volume or less may bear on their labels either an alcohol content statement or the type designation ''table'' wine or ''light'' wine. See 27 CFR 4.36(a).

In the case of malt beverages, the FAA Act as enacted specifically prohibited the placement of alcohol content statements on malt beverage labels, unless required by State law. This provision of the law was found to be unconstitutional by the Supreme Court in *Rubin* v. *Coors Brewing Co.,* 514 U.S. 476 (1995). Accordingly, the regulations at 27 CFR 7.71 now allow the placement of optional alcohol content statements on malt beverage labels, unless prohibited by State law. The regulations do not currently require an alcohol content statement on malt beverage labels; however, effective January 3, 2006, certain flavored malt beverages will be required to bear an alcohol content statement on the brand label (see TTB T.D.–21, 70 FR 194).

The implementing regulations establish the ''identity'' of alcohol beverage products by defining certain classes and types for wines and distilled spirits. With regard to malt beverages, statements of class and type must conform to the designation of the product as known to the trade. The class and type regulations were promulgated shortly after the enactment of the FAA Act in 1935, and with relatively few exceptions, these standards have remained unchanged since then.

The regulations also prohibit, irrespective of falsity, statements that directly, or by ambiguity, omission or inference, or by the addition of irrelevant, scientific or technical matter, tend to create a misleading impression. Additionally, the regulations prohibit the use of any health-related statements in the labeling and advertising of alcohol beverages, if such statements are untrue in any particular or tend to create a misleading impression. TTB evaluates such statements on a case-by-case basis, and may require a disclaimer or some other qualifying statement to dispel any misleading impression created by the health-related statement. Statements concerning calorie, carbohydrate, protein, and fat content are not considered health-related statements within the meaning of the TTB regulations.

In order to prevent the sale or shipment of improperly labeled alcohol beverages in interstate or foreign commerce, the FAA Act requires industry members to obtain a certificate of label approval prior to the bottling of, or removal from customs custody in bottles of, distilled spirits, wines, or malt beverages. The regulations do not require a certificate of label approval for products exported in bond. If an industry member can establish that a domestic wine or distilled spirits product is not to be sold, offered for sale, shipped or delivered for shipment, or otherwise introduced, in interstate or foreign commerce, a certificate of exemption is issued.

Industry members are not required to submit advertisements to TTB for review prior to use. However, TTB encourages industry members to voluntarily submit advertising materials for pre-clearance by the Bureau. In addition, TTB monitors advertisements that are already in the marketplace as part of its comprehensive compliance program to protect the consumer and encourage industry compliance (see Industry Circular 2004–6, dated November 19, 2004).

TTB and its predecessor agencies have traditionally utilized rulings for expressing interpretations of these regulations. The questions now before the Bureau require public rulemaking to resolve because some of the changes on which we are soliciting comments go beyond the mere interpretation of existing regulations.

III. Alcohol Beverage Ingredient Labeling History

In the case of ingredient disclosure, the Department of the Treasury has considered this issue on a number of occasions dating back to 1972 when the Center for Science in the Public Interest (CSPI), a consumer health organization, petitioned TTB's predecessor, the Bureau of Alcohol, Tobacco and Firearms (ATF), to require ingredient labeling. As a result of that petition, ATF published in the **Federal Register** Docket Nos. 74–17720, 75–3719, and 75–3720 (39 FR 27812, 40 FR 6354, and 40 FR 6349) proposing amendments to 27 CFR parts 4, 5, and 7 regarding ingredient labeling of alcohol beverages. The agency held three public hearings over the course of six days and received in excess of 1,000 written comments on the matter. After considering all representations, on November 11, 1975, ATF published Notice No. 285 in the **Federal Register** (40 FR 52613) withdrawing the ingredient labeling proposals, stating five reasons: (1) The cost of ingredient labeling to the industry, and ultimately to the consumer, would be excessive in relation to the benefit received; (2) the content of alcohol beverages is extensively regulated; (3) the uniqueness of manufacturing processes of alcohol beverages is such that it makes labeling of their ingredients of little value, and in certain cases, even misleading because ingredients that are used to make the product are not necessarily present in the finished product; (4) ingredient labeling requirements would interfere with international trade negotiations; and (5) ingredient labeling is supported by only a small segment of the public.

Subsequently, on February 2, 1979, ATF published Notice No. 834 in the **Federal Register** (44 FR 6740) proposing requirements for ingredient labeling of alcohol beverages. During the comment period, ATF received over 1,800 comments from consumers, special interest groups, industry members, doctors, government agencies and members of Congress. Thereafter, on June 13, 1980, ATF published in the **Federal Register** (45 FR 40538) a final rule, T.D. ATF–66, which required ingredient disclosure on all alcohol beverages sold in the United States. The final rule included an exception to the requirement. Under the exception, an ingredient list would not have to appear on the label when the producer, bottler, or importer:

(1) Elects to make an ingredient list available upon request;

(2) Places a statement on the front label or on a separate strip label notifying the consumer of the availability of an ingredient list and provides the name and, somewhere on the label, a full mailing address in the United States where such an ingredient list can be obtained upon request; and

(3) Does not place a statement on the label that could be misconstrued to be an ingredient list (for example, a partial ingredient list).

ATF stated that this exception would give the industry maximum flexibility to provide ingredient information at a minimum cost. At the same time, it would provide consumers who have the need or desire to avoid various ingredients a means to do so, thus

meeting the objective of Notice No. 834. Also, because of specific health concerns, T.D. ATF–66 mandated the label disclosure of FD&C Yellow No. 5 whenever it is used in a product. The new labeling regulations were to take effect on January 1, 1983.

On February 17, 1981, President Reagan issued Executive Order 12291, which was published in the **Federal Register** on February 19, 1981 (46 FR 13193). Executive Order 12291 required each Federal agency to establish a management system that would improve the quality and lessen the burden of Federal regulation. Executive Order 12291 required agencies, within their legal authority, to establish regulatory goals, to set regulatory priorities, to review existing regulations, and to implement new regulations with the aim of maximizing the benefits to society while at the same time imposing the least burden to achieve those benefits.

As a result of ATF's review of existing regulations called for by Executive Order 12291, ATF concluded that T.D. ATF–66 was not in accord with the President's mandate. Therefore, on May 4, 1981, ATF published Notice No. 372 in the **Federal Register** (46 FR 24962) proposing to rescind the ingredient labeling amendments before they became mandatory.

ATF received a total of 8,068 comments containing 23,352 individual signatures. Of the comments received, 4,909 comments representing 17,138 individuals supported the proposal to rescind the ingredient labeling regulations and 3,159 comments, representing 6,214 individuals, opposed the rescission. In T.D. ATF–94, published in the **Federal Register** (46 FR 55093) on November 6, 1981, ATF rescinded the ingredient labeling regulations, concluding that the costs were disproportionate to the benefits that would be gained from the additional label information. ATF further concluded that ingredient labeling would not result in an appreciable benefit to consumers when compared to the existing label information requirements and standards of identity. ATF noted in this regard that under the FAA Act regulations, a standard of identity generally identifies the basic agricultural ingredient and sets forth standards for production and alcohol content.

On February 8, 1983, CSPI and two individual consumers filed an action in the United States District Court for the District of Columbia contesting the rescission. See *Center for Science in the Public Interest* v. *Department of the Treasury,* 573 F. Supp. 1168 (D.D.C. 1983), *appeal dismissed, Center for Science in the Public Interest* v. *Regan,* 727 F.2d 1161 (D.C. Cir. 1984). As a result of the suit, the district court held invalid and set aside Treasury's decision to rescind T.D. ATF–66 for failure to comply with the Administrative Procedure Act and for violating its statutory mandate under the FAA Act. In essence, the court found that ATF failed to adequately explain the reversal of the prior rule and placed undue weight on cost factors. The court then ordered ATF to announce a new date, not later than one year from the date of the order, to put the regulations of T.D. ATF–66 into effect. Accordingly, in a notice published in the **Federal Register** (48 FR 10309) on March 11, 1983, ATF reinstated the ingredient labeling regulations as originally promulgated in T.D. ATF–66 and mandated compliance by February 8, 1984.

Subsequently, ATF decided to reexamine the ingredient disclosure issue. On June 17, 1983, ATF published Notice No. 469 in the **Federal Register** (48 FR 27782), proposing to reconsider prior decisions concerning ingredient disclosure on labels of alcohol beverages and again proposing to rescind TD ATF–66.

During the comment period, a total of 1,840 comments containing 1,897 signatures were received. Of the total number of comments received, 1,538 supported the proposal to rescind the ingredient labeling regulations. Of these comments, 413 were from American alcohol beverage industry members or related industry members, 64 were from foreign industry members, four were from foreign governments, one was from a Federal agency, and 1,056 were from individuals. A total of 290 comments, representing 303 individuals, were received opposing the rescission of the ingredient labeling regulations.

After considering all of the comments, ATF published T.D. ATF–150 in the **Federal Register** (48 FR 45549) on October 6, 1983. This final rule rescinded the T.D. ATF–66 ingredient disclosure regulations published in 1980 but required the labeling of FD&C Yellow No. 5 by October 6, 1984. ATF determined that there was no clear evidence that any other ingredient posed a special health problem. ATF also concluded that there was no overwhelming desire on the part of consumers for comprehensive ingredient labeling and questioned its usefulness even if it were required. ATF further explained that substantial transformation during the production process means that there is only a strained relationship between the initial ingredients and the contents of the final product.

CSPI and others brought suit against the Department of the Treasury in the United States District Court for the District of Columbia, again challenging the rescission of T.D. ATF–66. See *Center for Science in the Public Interest* v. *Department of the Treasury,* Civil Action No. 84–2079, 1985 U.S. Dist. LEXIS 14329 (D.D.C. October 30, 1985). The plaintiffs challenged T.D. ATF–150, contending primarily that ATF's rescission violated the FAA Act and was arbitrary and capricious and an abuse of discretion in violation of the Administrative Procedure Act. The district court granted summary judgment to the plaintiffs and ordered the final rule contained in T.D. ATF–150 vacated.

The Government appealed the district court's decision and on August 5, 1986, the United States Court of Appeals for the D.C. Circuit reversed the decision, affirming ATF's rescission of T.D. ATF–66. See *Center for Science in the Public Interest* v. *Department of the Treasury,* 797 F.2d 995 (D.C. Cir. 1986). The court concluded that ATF's rationale for rescinding the labeling rule, that the ingredient disclosure rule would not achieve its intended purpose of providing consumers with information upon which to make an informed choice, was reasonably sufficient to support its decision. In particular, the court upheld ATF's conclusion that the record failed to establish that ingredient disclosure would provide useful information as to the actual contents of the alcohol beverage. The court noted that there was ''more than enough evidence in the record to support the agency's conclusion that, in many cases, both basic ingredients and additives will be substantially transformed by distillation and fermentation.'' See 797 F.2d at 1000. Thus, the ingredient labeling rules were rescinded in accordance with T.D. ATF–150.

The ingredient labeling issue was reopened on December 16, 2003, when CSPI, together with the National Consumers League and other organizations and individuals, forwarded a petition to TTB requesting changes to the labeling regulations in 27 CFR parts 4, 5 and 7. This petition is discussed in further detail in Section V of this notice.

IV. Alcohol Beverage Nutrition Labeling History

On August 10, 1993, in response to a petition submitted by a law firm on behalf of an unnamed client, ATF published an advance notice of proposed rulemaking (ANPRM) in the

Federal Register soliciting comments from the public on whether the regulations should be amended to require nutrition labeling for alcohol beverages. See Notice No. 776, 58 FR 42517. The petitioner's stated purpose was to bring the nutrition labeling requirements for alcohol beverages in line with the requirements for food and beverage products regulated by FDA.

In response to the advance notice, ATF received 55 comments. Of these comments, 41 commenters opposed nutrition labeling (including the Wine Institute, the Beer Institute, CSPI, and the Delegation of the Commission of the European Communities). Seven commenters supported mandatory nutrition labeling (including Seagram's, Brown-Forman, the American Association of Diabetes Educators, and the petitioner). Two commenters supported voluntary nutrition labeling. One commenter supported mandatory nutrition labeling only for ''light,'' reduced alcohol, and non-alcoholic beverages (for example, near beer).

Based on the comments received in response to the ANPRM, ATF concluded that there was neither significant consumer interest in nutrition information for alcohol beverages nor any convincing evidence that nutrition labeling would provide substantial useful information to consumers. Consequently, ATF denied the petition and terminated the rulemaking on this issue.

Presently, TTB requires a Statement of Average Analysis, in effect a nutrition statement, on all alcohol beverage product labels that bear calorie or carbohydrate claims. In addition, if an advertisement bears a carbohydrate or calorie claim (other then the term ''lite'' or ''light'' in the brand name) the advertisement must also bear a Statement of Average Analysis. These requirements are explained in more detail in Section V of this notice.

V. Major Issues Under Consideration

The specific issues and questions on which TTB is seeking public comment are discussed in the remainder of this notice.

A. Calorie and Carbohydrate Claims

In 1976, ATF issued a ruling that allowed the use of caloric and carbohydrate references as part of a statement of average analysis on malt beverage labels. See ATF Rul. 76–1, 1976 ATF C.B. 82. In subsequent rulings, ATF modified certain requirements with respect to malt beverage labeling statements, and announced its intention to engage in rulemaking on the use of the terms ''light'' and ''lite'' on malt beverage labels. See ATF Rul. 79–17, ATF Q.B. 1979–3, 3, and ATF Rul. 80–3, A.T.F.Q.B. 1980–2, 13.

In the 1980s, ATF published in the **Federal Register** three notices of proposed rulemaking, soliciting comments on substantive standards for use of the terms ''light'' and ''lite'' on alcohol beverage labels. In Notice No. 362 (45 FR 83530, December 19, 1980), ATF proposed a rule that would have required, among other things, that whenever references to calorie or carbohydrate content were made on wine, distilled spirits, or malt beverage labels, a statement of average analysis must also appear on the label. However, no statement of average analysis would be required if the word ''lite'' were used in accordance with current regulations (such as part of the designation ''light wine''), or if it was used to describe a characteristic of the product, such as ''light taste'' or ''light flavor.''

After the issuance of Notice No. 362, CSPI petitioned the Bureau for an amendment that would require mandatory caloric content labeling for all alcohol beverages and establish a maximum calorie limit for alcohol beverages designated as ''light,'' ''lite,'' or low in calories. In Notice No. 600 (51 FR 28836, August 12, 1986), ATF announced its conclusion that mandatory caloric labeling for all alcohol beverages was unnecessary, and also rejected CSPI's suggestion to establish upper limits on low-calorie alcohol beverages. It again solicited comments on requiring a statement of average analysis on labels where the terms ''light'' or ''lite'' were used to denote low calories, and proposed that the calorie statement must appear on the brand label, while the remainder of the statement of average analysis could appear on any label.

In Notice No. 659 (53 FR 22678, June 17, 1988), ATF proposed a substantive standard for the use of ''light'' or ''lite'' as part of the brand or product name of a wine, distilled spirits, or malt beverage product. ATF solicited comments on two alternatives. The first would restrict the terms to products that contain at least 20 percent fewer calories than the producer's regular product, or if the producer did not make a regular product, 20 percent fewer calories than a competitor's same or similar regular product. The second alternative would require a statement on the label of the number of calories in the light product and in a ''regular'' product made by the producer or (if the producer does not make a ''regular'' product), a competitor.

After reviewing the comments on these various proposals, the Bureau decided not to issue a regulation governing the use of the terms ''light'' and ''lite'' on alcohol beverage labels.

Within the past few years, the industry expressed greater interest in the use of carbohydrate claims on alcohol beverage labels. Furthermore, TTB received inquiries from producers of wines and distilled spirits who wanted to know whether ATF Rul. 80–3 applied to their products in addition to malt beverages. Accordingly, on April 7, 2004, TTB issued Ruling 2004–1 to provide guidance to industry about the use of calorie and carbohydrate claims in the advertising and labeling of alcohol beverages.

The ruling allows for the use of truthful and specific statements about carbohydrate and calorie content while prohibiting statements that are false or misleading or that imply that consumption of low-carbohydrate alcohol beverages may play a healthy role in a weight maintenance or weight reduction plan. TTB believes that such claims are misleading in that they provide incomplete information about the health effects of alcohol consumption.

The ruling held that calorie and carbohydrate representations in the labeling and advertising of alcohol beverages are considered to be misleading unless they provide with such representations a ''statement of average analysis.'' A statement of average analysis must list the serving size as well as the quantity of each of the following contained in a single serving size:

- Calories;
- Carbohydrates (in grams);
- Protein (in grams); and
- Fat (in grams).

As part of the ruling, TTB issued interim standards for the use of terms such as ''low carbohydrate,'' ''reduced carbohydrate,'' and ''lower carbohydrate.'' The ruling did not, however, provide specific standards for the use of terms such as ''low calorie,'' ''reduced calorie,'' or ''lower calorie.'' TTB Ruling 2004–1 allows for the use of:

- ''Low carbohydrate'' (or ''low carb'') on labels and in advertisements where: (1) a statement of average analysis is present; and (2) the standard serving size for the product (12 fl. oz. for malt beverages, 5 fl. oz. for wines, and 1.5 fl. oz. for distilled spirits) contains no more than 7 grams of carbohydrates.
- ''Reduced carbohydrate'' and ''lower carbohydrate'' on a label or in an advertisement that bears a statement of average analysis, as long as the term is

used as part of a statement that specifies the number of carbohydrates per serving size and compares that number with the number of carbohydrates in another specified product made by that producer; for example, ''Reduced carbohydrate—10 grams of carbohydrates per 12 fl. oz. serving—40 percent fewer than in our [Brand name] malt beverage'' or ''Lower carbohydrate—15 grams of carbohydrates per 5 fl. oz.—less than half the carbohydrates in our [brand name] wine.''

The ruling also held that, pending rulemaking on this issue, the terms ''effective carbohydrates'' and ''net carbohydrates'' are considered misleading and that their use on labels and in advertisements is prohibited.

TTB recognizes that the best way to develop standards for the use of terms such as ''low carbohydrate'' and ''low calorie'' is through the public notice and comment rulemaking process. Moreover, because TTB and FDA both have jurisdiction over alcohol beverages under their respective statutory mandates, TTB would prefer to have the benefit of FDA's decision-making process before setting a final ''low carbohydrate'' standard for alcohol beverage products that do not fall within FDA's exclusive jurisdiction. FDA has received several rulemaking petitions to set a standard for the use of the term ''low carbohydrate'' on food and beverage products they regulate, but has not yet set a standard.

We would also like to solicit comments on whether we should set additional substantive standards for the use of calorie claims in the labeling and advertising of alcohol beverages. FDA has set standards for the use of calorie claims (including ''calorie-free'', ''low-calorie,'' ''reduced calorie,'' and ''light'' or ''lite'') on food and beverage products they regulate. See 21 CFR 101.56 and 101.60(b).

To assist TTB in deciding whether to formulate specific regulatory proposals, we are soliciting comments from consumers, consumer and other interest groups, trade associations, and industry members on the following specific questions. We also are interested in receiving any additional information that a comment submitter believes is relevant to the issue of carbohydrate and calorie claims:

1. Should TTB promulgate regulations that define ''low carbohydrate'' for alcohol beverage products as containing no more than 7 grams of carbohydrates per standard serving size, as specified in Ruling 2004–1? Why or why not?

2. Should TTB continue to prohibit use of the terms ''effective carbohydrates'' and ''net carbohydrates'' on labels and in advertisements? Why or why not?

3. Should TTB wait for the conclusion of FDA's regulatory decision-making process for the use of the term ''low carbohydrate'' for food and beverage products FDA regulates before issuing regulations on a low carbohydrate standard for alcohol beverage products?

4. How should TTB define the terms ''low calorie'' and ''reduced calorie'' for alcohol beverage products? Should we propose standards for these claims consistent with FDA's standards? Should we develop our own alternate set of standards and, if so, what should they be?

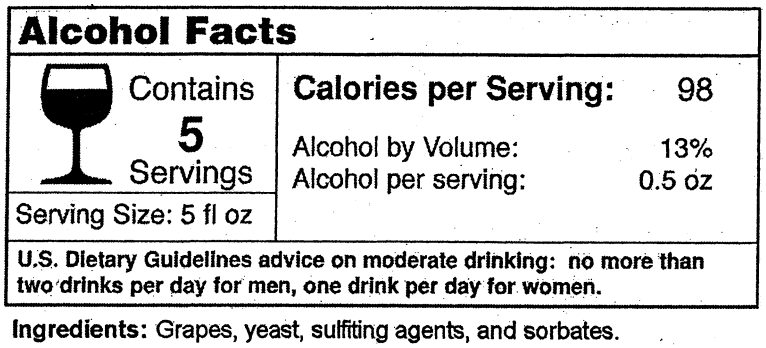
5. Should TTB establish regulations for the use of the terms ''light'' and ''lite'' on alcohol beverage labels? If so, should we propose standards for these claims consistent with FDA's standards? How would these standards apply to products for which the term ''light'' is part of the standard of identity (such as ''light whisky'' or ''light wine'')?

B. Petition for ''Alcohol Facts'' Label and Ingredient Labeling

On December 16, 2003, CSPI, together with the National Consumers League, 67 other organizations, and eight individuals, forwarded a petition to TTB requesting changes to the labeling regulations in 27 CFR parts 4, 5, and 7. After receipt of the CSPI petition, additional individuals wrote to TTB requesting the addition of their names to the petition. This petition requests issuance of a final rule amending parts 4, 5, and 7 to require that labels of all alcohol beverages regulated by TTB include the following information in a standardized format:

- The beverage's alcohol content expressed as a percentage of volume;
- The serving size;
- The amount of alcohol in fluid ounces per serving;
- The number of calories per serving;
- The ingredients (including additives) from which the beverage is made;
- The number of standard drinks per container; and
- The *U.S. Dietary Guidelines* advice on moderate drinking for men and women.

The petitioners propose that all alcohol beverage containers bear this information on an ''Alcohol Facts'' label and provide the following as an example for a 750 milliliter bottle of wine:



The petition asks that the words ''Alcohol Facts'' be immediately followed by a declaration of the number of standard drinks (servings) per container. The petitioners ask that, consistent with the *U.S. Dietary Guidelines,* a serving should be defined as 12 ounces of beer, 5 ounces of wine, and 1.5 ounces of 80-proof distilled spirits. The petitioners further recommend that for alcohol beverages not fitting into one of those standard categories, a serving should be defined as an amount of fluid containing approximately 0.5 ounces of ethyl alcohol. The petitioners recommend that a consistent graphic symbol (for example, a beer mug, wine glass, or shot glass) should appear first, followed by the number of drinks in the container (for example, ''Contains 5 Servings'').

The petition proposes requiring this information on labels of all malt beverages, wines, and distilled spirits products regulated by TTB that contain more than ½ of one percent alcohol by volume. The graphics and type size for the ''Alcohol Facts'' label should follow the Nutrition Labeling Education Act (NLEA) standards as set out in 21 CFR 101.9(d), the petitioners suggest. Further, the petitioners state that ingredient information should appear on the label immediately below, but segregated from, the ''Alcohol Facts'' box.

To assist TTB in deciding whether to propose specific regulatory changes in response to the above petition, we are requesting information from consumers, consumer and other interest groups, trade associations, and industry members on the desirability and feasibility of alcohol facts, including ingredient, labeling for alcohol beverages. Although TTB is soliciting comments on the following specific questions, the Bureau is also requesting any other relevant information on the subject.

1. Should alcohol beverage containers bear an Alcohol Facts label similar to the one presented in the CSPI petition? Why or why not?

2. Should such a label include an ingredient list as suggested in the CSPI petition?

3. Should the label be voluntary or mandatory?

4. If mandatory, should there be any exemptions from the alcohol facts and ingredient labels, such as for small businesses or for small containers?

5. Should current alcohol content statement labeling requirements be expanded to cover wines with an alcohol content of 14 percent alcohol by volume or less and malt beverages?

6. What would be the costs associated with mandatory alcohol facts and ingredient labeling to the industry and, ultimately, the consumer?

7. How might consumers benefit from such a label?

8. As a consumer, how much extra would you be willing to pay for alcohol facts and ingredient labeling information?

9. Are there alternatives to mandatory alcohol facts and ingredient labeling for alcohol beverages? For example, if a label lists a Web site or telephone number where a consumer could obtain such information about the product, would this be sufficient?

C. Allergen Labeling

On April 10, 2004, Christine A. Rogers, PhD., a senior research scientist in the Exposure, Epidemiology and Risk Program at the Harvard School of Public Health, petitioned TTB to change the regulations to require labeling on alcohol products to list all ingredients and substances used in processing. Dr. Rogers, who is allergic to egg protein, is particularly concerned with alcohol beverage products that contain potentially allergenic substances (wheat, milk, and egg or nut proteins).

On August 2, 2004, the President signed the Food Allergen Labeling and Consumer Protection Act of 2004 (FALCP Act, Title II of Public Law 108–282). The FALCP Act amends section 403 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343) to require food and beverage products that contain an ingredient that bears or contains a major food allergen to include this information on its label. The FALCP Act's definition of ''major food allergens'' includes milk, eggs, fish, Crustacean shellfish, tree nuts, peanuts, wheat, and soybeans (as well as most proteins derived from these foods). The FALCP Act requires that products containing these ingredients be labeled using plain, common language; for example, instead of merely listing ''semolina,'' the label must list ''wheat'', instead of merely listing ''sodium casein,'' the label must list ''milk.'' The FALCP Act allows for several options for the labeling of allergens in a food or beverage product:

- The common name of the allergen can be labeled within parentheses in the ingredient list, for example: ''Ingredients: Water, wheat, whey (milk), albumen (eggs), and peanuts''. The label can list the allergen in summary form after or adjacent to an ingredient list, for example: ''Ingredients: Water, sugar, whey, and albumen. Allergens: Milk and egg''.

The House of Representatives Committee Report accompanying the legislation indicates that TTB is to work with FDA to promulgate appropriate allergen labeling regulations for alcohol beverages (H.R. Rep. No. 608, 108th Cong., 2d Sess., at 3 (2004)).

In response to this Congressional instruction and the petition received from Dr. Rogers, TTB has been meeting with FDA and is considering rulemaking to require allergen labeling for alcohol beverages. To assist TTB in determining appropriate allergen labeling requirements for alcohol beverages, we are requesting information from consumers, consumer and other interest groups, trade associations, and industry. Although TTB is soliciting comments on the following specific questions, the Bureau is also requesting any other relevant information on the subject.

1. Should TTB require allergen labeling on alcohol beverage containers to be part of or adjacent to a larger list of all ingredients found in the product, similar to the requirements of the Food Allergen Labeling and Consumer Protection Act of 2004? Why or why not?

2. If the product name appearing on the label of an alcohol beverage container indicates that an allergen is present in the product, is it helpful to the consumer to have the allergen labeled again in a standardized allergen statement elsewhere on the container? To illustrate: If a product is called ''Wheat Beer,'' should it also have a label elsewhere on the container that reads: ''Allergens: wheat''? Why or why not?

3. TTB's current regulations allow certain allergens such as milk, albumen (egg), isinglass (a protein from fish bladders), and soy flour to be used as fining, processing, and filtering agents in the production of alcohol beverages. While fining, processing, and filtering agents are not primary ingredients in an alcohol beverage product, low levels of an agent may remain in the final product after production. When an allergen is used as a fining, processing, or filtering agent to produce an alcohol beverage, should TTB require that the product be labeled ''Processed with [a specific allergen]'' or ''May contain [a specific allergen]''? Why or why not?

4. Should allergenic fining, processing, and filtering agents be labeled in the exact same fashion as all other allergen ingredients? Why or why not?

5. Testing methods for detecting allergens in food and beverage products typically can only detect an allergen if it is present at or above a certain minimum value. In light of that fact, would it be helpful to consumers for TTB to require an allergenic fining, processing, or filtering agent to be labeled regardless of whether a detection test shows that the allergen is or is not present in the final product? Why or why not?

6. What is the lowest amount of an offending food allergen (or minimum threshold level) in an alcohol beverage product necessary to provide a mild, yet perceptible adverse allergic reaction in consumers with the most sensitive food allergies?

7. Is it possible to define a minimum threshold level for each major food allergen? If so, what are the minimum threshold levels for each major food allergen?

8. If FDA and/or the scientific community establish conclusively a minimum threshold level for a

particular allergen, should TTB exempt from any allergen labeling requirements products containing the allergen proteins, but at a level below the established minimum threshold level? Why or why not?

9. What would be the costs associated with mandatory allergen labeling to the industry and, ultimately, the consumer?

10. How might consumers benefit from allergen labeling?

D. Requests for Voluntary ''Serving Facts'' Labeling

Following receipt of the petitions discussed above, TTB received inquires from industry members who would like to begin voluntarily providing on their labels certain facts about a serving of their product.

Because of the immediate interest in labeling products in this fashion, and in light of the length of time needed to conclude public notice and comment rulemaking procedures, TTB concluded that there was a need for interim guidance to the industry on what type of ''serving facts'' information we would allow on alcohol beverage labels and in advertisements, and in what format TTB would accept this information.

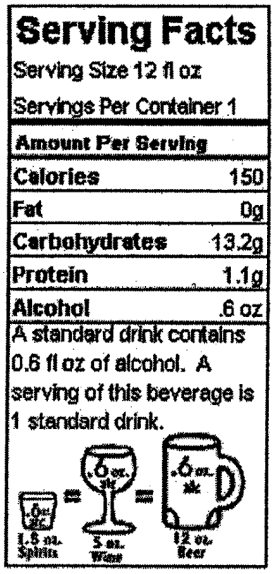
Accordingly, in July and then again in September of 2004, TTB posted on its Web site, *http://www.ttb.gov,* a summary of specifications for a planned ruling concerning the manner in which alcohol beverage labels and advertising may permissibly reflect information about a single serving in a ''Serving Facts'' panel, consistent with the statutory and regulatory standards administered by TTB. The Bureau sought input from interested parties, including the alcohol beverage industry, consumers, and consumer interest groups, about what information should be permitted on such a panel and in what format the voluntary ''Serving Facts'' panel should be presented.

TTB solicited comments on a variety of options. We asked for comments on an optional ''Serving Facts'' panel that would include the serving size in fluid ounces based on what was previously specified in TTB Ruling 2004–1, the amount of servings per container, and for each serving the following information:

- Fluid ounces of alcohol (ethyl-alcohol) (to the nearest tenth of an ounce);
- Calories;
- Fat (in grams);
- Carbohydrates (in grams); and
- Protein (in grams).

We also solicited comments on a definition of a ''standard drink'' (defined as 0.6 fluid ounces of alcohol) and the number of standard drinks in a serving. Finally, we solicited comments on the optional use of three icons similar to the ones at the bottom of the label presented below:

Malt Beverage (5% ABV)



Serving Facts

Serving Size 12 fl oz

Servings Per Container 1

Amount Per Serving	
Calories	150
Fat	0g
Carbohydrates	13.2g
Protein	1.1g
Alcohol	.6 oz

A standard drink contains 0.6 fl oz of alcohol. A serving of this beverage is 1 standard drink.

In the second posting on our Web site, TTB solicited comments on an alternative label approach that omitted the icons and standard drink references. An example of this approach is as follows:

Malt Beverage (4 % ABV)

Serving Facts	
Serving Size 12 fl oz	
Servings Per Container 1	
Amount Per Serving	
Calories	90
Alcohol	0.5 fl oz
Fat	0g
Carbohydrates	2.2g
Protein	0.8g

As a result of the two white papers, TTB received several comments concerning a voluntary serving facts panel. The comments reflected strong and varying opinions. A significant proportion of the comment submitters felt that the issue should be addressed in public notice and comment rulemaking rather than in a TTB ruling. Furthermore, many commenters believed that certain elements of the voluntary serving facts panel would tend to confuse or mislead consumers about the product.

In response to the issues raised by the commenters, on December 28, 2004, TTB issued a press release indicating that we would address these issues in an advance notice of proposed rulemaking. Pending the completion of rulemaking proceedings, TTB does not intend to issue certificates of label approval bearing the optional ''Serving Facts'' panel. We believe it is important to have the benefit of public comments on these issues before making a decision as to whether the new elements in the panel might tend to mislead consumers. We will, of course, continue to allow the use of statements of average analysis on alcohol beverage labels.

Accordingly, TTB is requesting comments from consumers, consumer and other interest groups, trade associations, and industry members on the desirability and feasibility of adopting serving facts labeling for alcohol beverages. Although TTB is soliciting comments on the following specific questions, the Bureau is also requesting any other relevant information on the subject.

1. Should alcohol beverage containers bear a Serving Facts label similar to the one presented in this section? Why or why not?

2. Should such a label include a definition of a ''standard drink'' and if so, how should a ''standard drink'' be defined?

3. Should such a label include graphic icons similar to, but not necessarily limited to, the one presented in this section? Why or why not?

4. Should the label be voluntary or mandatory?

5. If mandatory, should there be any exemptions from the serving facts label, such as for small businesses or for small containers?

6. If not mandatory for all alcohol beverage products, should the Serving Facts label be required at least on alcohol beverages that make certain calorie or carbohydrate claims?

7. What would be the costs associated with mandatory serving facts labeling to the industry and, ultimately, the consumer?

8. How might consumers benefit from such a label?

9. As a consumer, how much extra would you be willing to pay for serving facts labeling information?

10. Are there alternatives to mandatory serving facts labeling for alcohol beverages? For example, if a label lists a Web site or telephone number where a consumer could obtain such information about the product, would this be sufficient?

11. Should TTB allow a further breakdown of nutrients (for example, trans fat, sugars, fiber)?

12. Does the use of ''standard drink'' and ''serving size'' on the same label create confusion? Does any confusion arise if a label specifies ounces of alcohol in conjunction with serving size and percent alcohol?

E. Composite Label Approach

The proposed ''Alcohol Facts'' label and the ''Serving Facts'' label have the following informational components in common: (1) Calorie representation; (2) serving size; (3) number of servings per container; and (4) alcohol content expressed in fluid ounces. The components that are unique to only one label type are noted below:

- The ''Alcohol Facts'' label also includes the following information: (1) Alcohol content expressed as a percentage of alcohol by volume; (2) an icon of an alcohol beverage serving container; (3) the *U.S. Dietary Guidelines* advice on moderate drinking; and (4) an ingredient list.
- The ''Serving Facts'' label also includes the following information: (1) Fat content; (2) carbohydrate content; (3) protein content; (4) a definition of a ''standard drink'' as well as the number of standard drinks found in a serving of the alcohol beverage; and (5) three icons depicting three different alcohol beverage serving containers, separated by equal (=) signs and each carrying the legend ''0.6 oz.''

TTB is interested in receiving comments on whether a composite label, which combines the essential information on the examples discussed, would be appropriate to provide the consumer with information they want and need to see on alcohol beverage product labels. TTB is also seeking comments on whether such a composite label should be mandatory or voluntary.

VI. Submitting Comments

Please submit your comments by the closing date shown above in this notice. Your comments must include this notice number and your name and mailing address. Your comments must be legible and written in language acceptable for public disclosure. We do not acknowledge receipt of comments, and we consider all comments as originals. You may submit comments in one of five ways:

- *Mail:* You may send written comments to TTB at the address listed in the **ADDRESSES** section.

• *Facsimile:* You may submit comments by facsimile transmission to 202–927–8525. Faxed comments must—

(1) Be on 8.5 by 11-inch paper;

(2) Contain a legible, written signature; and

(3) Be no more than five pages long. This limitation assures electronic access to our equipment. We will not accept faxed comments that exceed five pages.

• *E-mail:* You may e-mail comments to *nprm@ttb.gov*. Comments transmitted by electronic mail must—

(1) Contain your e-mail address;

(2) Reference this notice number on the subject line; and

(3) Be legible when printed on 8.5 by 11-inch paper.

• *Online form:* We provide a comment form with the online copy of this notice on our Web site at *http://www.ttb.gov/alcohol/rules/index.htm*. Select the ''Send comments via e-mail'' link under this notice number.

• *Federal e-Rulemaking Portal:* To submit comments to us via the Federal e-rulemaking portal, visit *http://www.regulations.gov* and follow the instructions for submitting comments.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine, in light of all circumstances, whether to hold a public hearing.

Confidentiality

All submitted material is part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider confidential or inappropriate for public disclosure.

Public Disclosure

You may view copies of this advance notice, the petitions, and any comments we receive by appointment at the TTB Library at 1310 G Street, NW., Washington, DC 20220. You may also obtain copies at 20 cents per 8.5 by 11-inch page. Contact our librarian at the above address or telephone 202–927–2400 to schedule an appointment or to request copies of comments.

For your convenience, we will post this advance notice and any comments we receive on this proposal on the TTB Web site. We may omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in the TTB Library. To access the online copy of this notice, visit *http://www.ttb.gov/alcohol/rules/index.htm*. Select the ''View Comments'' link under this notice number to view the posted comments.

VII. Drafting Information

Lisa M. Gesser and Joanne C. Brady of the Regulations and Procedures Division drafted this advance notice.

Signed: March 16, 2005.

John J. Manfreda,

Administrator.

Approved: March 31, 2005.

Timothy E. Skud,

Deputy Assistant Secretary (Tax, Trade, and Tariff Policy).

[FR Doc. 05–8574 Filed 4–28–05; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[Notice No. 40; Ref: T.D. ATF–454]

RIN 1513–AA50

Santa Rita Hills Viticultural Area Proposed Name Abbreviation to Sta. Rita Hills (2003R–091P)

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: In response to a petition, the Alcohol and Tobacco Tax and Trade Bureau proposes to modify the name of the existing ''Santa Rita Hills'' American viticultural area by abbreviating its name to ''Sta. Rita Hills.'' We propose this change to prevent possible confusion between wines bearing the Santa Rita Hills appellation and wines bearing the Santa Rita brand name used by a Chilean winery. The size and boundaries of the existing viticultural area will remain unchanged. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. We invite comments on this proposed amendment to our regulations.

DATES: We must receive written comments on or before June 28, 2005.

ADDRESSES: You may send comments to any one of the following addresses:

• Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Attn: Notice No. 40, P.O. Box 14412, Washington, DC 20044–4412.

• 202–927–8525 (facsimile).

• *nprm@ttb.gov* (e-mail).

• *http://www.ttb.gov/alcohol/rules/index.htm* (an online comment form is posted with this notice on our Web site).

• *http://www.regulations.gov* (Federal e-rulemaking portal; follow instructions for submitting comments).

You may view copies of this notice, the petition, and any comments we receive on this proposal by appointment at the TTB Library, 1310 G Street, NW., Washington, DC 20220. To make an appointment, call 202–927–2400. You may also access copies of the notice and comments online at *http://www.ttb.gov/alcohol/rules/index.htm.*

See the **Public Participation** section of this notice for specific instructions and requirements for submitting comments and for information on how to request a public hearing.

FOR FURTHER INFORMATION CONTACT: Rita Butler, Alcohol and Tobacco Tax and Trade Bureau, Regulations and Procedures Division, 1310 G. St., NW., Washington, DC 20220; telephone 202–927–8210.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide the consumer with adequate information regarding a product's identity and prohibits the use of misleading information on those labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive American viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been recognized and defined in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographic origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an

endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Petitioners may use the same procedure to request changes involving existing viticultural areas. Section 9.3(b) of the TTB regulations requires the petition to include—

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that supports setting the boundary of the proposed viticultural area as the petition specifies;
- Evidence relating to the geographical features, such as climate, elevation, physical features, and soils, that distinguish the proposed viticultural area from surrounding areas;
- A description of the specific boundary of the proposed viticultural area, based on features found on United States Geological Survey (USGS) maps; and
- A copy of the appropriate USGS map(s) with the proposed viticultural area's boundary prominently marked.

Sta. Rita Hills Petition

General Background

TTB received a petition from a group of 11 viticulturists and vintners in the established Santa Rita Hills viticultural area (27 CFR 9.162) in Santa Barbara County, California, proposing to abbreviate the name of the viticultural area as ''Sta. Rita Hills.'' The 11 people who signed this petition are: Richard R. Longoria, owner of Richard Longoria Wines; Mary Melville, Retail Marketing Manager for Melville Vineyards and Winery; Norman Huber, owner of Huber Vineyard; Wesley D. Hagen, Vineyard Manager at Close Pepe Estate; J. Richard Sanford, Managing Partner for Sanford Winery; David Lafond, General Manager of Santa Barbara Winery and Lafond Winery; John M. Sundheim, Vice President of Arita Hills, Inc. (vineyard); Peter Work, owner of the winery Wine @ Work; Deborah Hall, owner of Gypsy Canyon (Olivestone); Ashley Parker Snider, Executive Vice President of Fess Parker Winery and Vineyard; and M. Perry Osborne, owner/trustee for Hill Top Ranch.

The petitioners are requesting abbreviation of the name of the Santa Rita Hills viticultural area as ''Sta. Rita Hills'' in order to prevent confusion between wine bearing the ''Santa Rita Hills'' appellation and wines bearing the ''Santa Rita'' brand name. The petitioners do not believe such confusion is likely, but recognize the legitimate concerns of Viña Santa Rita, the Chilean producer of Santa Rita brand wines. The petitioners believe it would be in the best interests of all parties, including consumers in the United States and abroad, to abbreviate the name of the viticultural area to ''Sta. Rita Hills.'' Viña Santa Rita endorses this proposal. TTB has given recognition to viticultural areas under names different from those originally proposed in similar circumstances.

According to the petitioners, abbreviating the viticultural area name as suggested above would accommodate Viña Santa Rita's brand and trademark rights without compromising the accuracy of the viticultural area's name. As discussed more fully below:

- The term ''Sta.'' is a recognized abbreviation for the word ''Santa,'' as evidenced by standard dictionaries of abbreviations.
- Of particular significance is the use of the abbreviation ''Sta.'' in the United States to refer to wines made from grapes grown in such well-known appellations as Santa Barbara, Santa Barbara County, the Santa Cruz Mountains, and the Santa Maria Valley.
- Historic evidence demonstrates that ''Sta. Rita'' has been used as an abbreviation for the ''Santa Rita Hills'' region. Such evidence also shows the term ''Sta.'' was frequently used with other California place names, such as Santa Barbara, Santa Clara, and Santa Rosa.
- The use of abbreviations in viticultural area names is not uncommon; approved viticultural areas include names like ''Mt. Veeder'' (27 CFR 9.123), ''Mt. Harlan'' (27 CFR 9.131), ''St. Helena'' (27 CFR 9.149), and ''Isle St. George'' (27 CFR 9.51). The petitioners believe the name ''Sta. Rita Hills'' fits comfortably within these precedents.

Background for Petition

The current petition notes that on March 31, 1998, a group of viticulturists and vintners in Santa Barbara County, California, petitioned the Bureau of Alcohol, Tobacco and Firearms (ATF, TTB's predecessor agency) to establish the ''Santa Rita Hills'' viticultural area in the western portion of the Santa Ynez Valley viticultural area. ATF published a notice of proposed rulemaking in the **Federal Register** on September 11, 1998 (see Notice No. 866, 63 FR 48658).

ATF received comments from 35 parties. Eleven parties, mostly Santa Barbara County winemakers, grape growers, and public officials, supported the proposed viticultural area. The remaining 24 parties were opposed, not to the establishment of the viticultural area, but to its proposed name.

Viña Santa Rita, a publicly traded Chilean company that has produced and sold wines under the brand name ''Santa Rita'' for more than 120 years, led this opposition. Viña Santa Rita commented that recognition of the ''Santa Rita Hills'' viticultural area would cause widespread consumer confusion and would damage Viña Santa Rita's vested trademark rights.

On May 31, 2001, ATF published a final rule in the **Federal Register** approving Santa Rita Hills as an American viticultural area (see T.D. ATF–454, 66 FR 29476). ATF concluded that the region was locally known as the Santa Rita Hills and that it was geographically, viticulturally, and climatically distinct from the surrounding Santa Ynez Valley viticultural area.

ATF recognized the similarities between the Santa Rita trademark and brand name and the Santa Rita Hills viticultural area, but concluded that consumers would not be confused by wines bearing the Santa Rita brand name and wines labeled with the Santa Rita Hills viticultural area.

The current petition states that Viña Santa Rita and the petitioners have since negotiated in good faith about the use of the Santa Rita Hills viticultural area name. The petitioners, with the agreement of Viña Santa Rita, believe that abbreviating the name ''Santa Rita Hills'' to ''Sta. Rita Hills'' would be in the best interest of everyone, including consumers in the United States and abroad. Moreover, the requested modification will, by agreement, obviate the need for further legal proceedings.

Avoiding Conflict With the Existing Santa Rita Brand Name

TTB regulations recognize that consumers can be confused when an American viticultural area and a brand name contain the same or similar terms but are used for different wines (see 27 CFR 4.39(i)). When confronted with a proposed viticultural area name that is similar to an existing brand or trademark, TTB solicits public comment for other potential names that might avoid such a dilemma. Upon occasion, TTB has modified the proposed viticultural area name to avoid conflict.

For example, in 1981, ATF considered recognizing a new AVA called ''The Pinnacles'' (46 FR 49601; Oct. 7, 1981).

That brand name, however, was already in use by a California winery. ATF thus determined the proposed name was ''inappropriate'' due to ''trademark claims by another winery and the possibility of consumer confusion that would result if the proposed name were approved'' (see 47 FR 25517; June 14, 1982). After soliciting alternative proposals, ATF recognized the viticultural area under the name ''Chalone'' (27 CFR 9.24).

Similarly, in 1992, ATF proposed establishing the Spring Mountain viticultural area (58 FR 8726; February 17, 1993). Spring Mountain Vineyards protested, claiming that its brand name, ''Spring Mountain,'' would be ''rendered worthless'' by establishment of a viticultural area of the same name. At Spring Mountain Vineyards' suggestion, the petitioners amended their petition to request the name ''Spring Mountain District'', which was approved (27 CFR 9.143).

More recently, ATF considered recognizing the Diamond Mountain viticultural area (66 FR 29695; June 1, 2001). Diamond Mountain Vineyards objected, claiming the name would cause consumer confusion and conflict with its trademark right in the ''Diamond Mountain Vineyards'' brand. ATF agreed, noting consumers might confuse wines labeled with the Diamond Mountain viticultural area name with wines bearing the brand name ''Diamond Mountain Vineyards.'' Sufficient name evidence was provided for recognition of the ''Diamond Mountain District'' name and, therefore, ATF approved the viticultural area under this alternative name (see 27 CFR 9.166).

The current petition states that the requested modification to the viticultural area's name is intended to reconcile competing and legitimate claims to the ''Santa Rita'' name. The petition contends that modifying the viticultural area's name to feature the abbreviation ''Sta.'' would reduce the potential for consumer confusion. The petitioners feel that abbreviating the viticultural area's name would be consistent with TTB's policy of minimizing, when possible, the potential for consumer confusion between existing brand names and newly created viticultural areas.

Name Evidence for Sta. Rita Hills

Below, we discuss the evidence provided in the petition showing that ''Sta. Rita Hills'' is an appropriate name for the Santa Rita Hills viticultural area. According to the petition, ''Sta. Rita Hills'' is equally accurate and appropriate name for the area, since the term ''Sta.'' is a well-recognized abbreviation for ''Santa.'' This abbreviation is confirmed by authoritative sources such as the ''Gale Press Abbreviations Dictionary'' and ''The Oxford Dictionary of Abbreviations.'' The petition included copies of these sources. Based on this, the petitioners state that the terms ''Santa Rita Hills'' and ''Sta. Rita Hills'' are functionally identical.

The abbreviation ''Sta.'' has been used in reference to the Santa Rita Hills region, as well as other California regions, for over a century, according to the petition. The petition included copies of historic *diseños*, or sketches, that were presented, along with land grant petitions, to the governors of Mexican California. There were no official surveyors in the region at that time; therefore, each *diseño* graphically defined the tract of land solicited. On these *diseños*, the term ''Sta. Rita'' was used to describe ''Santa Rita.'' Likewise, ''Sta. Clara'' denotes ''Santa Clara,'' ''Sta. Rosa'' denotes ''Santa Rosa,'' and ''Sta. Izabel'' denotes ''Santa Izabel.''

According to the petition, the ''Sta.'' abbreviation continues to be used throughout the United States today, especially in connection with California wines. The Wine Enthusiast's Web site advertises a ''wine boot camp'' in ''Sta. Barbara Cty,'' and the term ''Sta. Barbara'' is used in wine reviews (see *http://www.dooyou.co.uk/product/141787.html*—visited on 8/19/02). Top restaurants and retailers from around the United States use the terms ''Sta. Barbara,'' ''Sta. Cruz Mountains,'' and ''Sta. Maria Valley'' as appellations for fine wines (references: *http://www.renaissancehollywood.com/docs/twistwine.pdf; http://www.ambrosiaonhuntington.com/html/wines.html; http://www.circa1886.com/cabernet_sauvignon_circa_restaurant_charleston.asp?subject=circa1886;http://www.northsidewine.com/level3/us_west.htm; http://www.hotelastor.com/wine.htm; http://www.capitalraleigh.com/dining/wine_list.htm;* and *http://www.villacreek.com/pages/winelist.html*—all visited on 10/11/2002). Babcock Winery & Vineyards uses the abbreviation ''Sta. Barbara'' on its distributors list (*www.babcockwinery.com/distributionlist.html*—visited on 10/11/2002).

Internet searches reveal many additional uses of the abbreviation ''Sta.'' with California place names. A tourism page promoting Santa Barbara County uses the abbreviation ''Sta. Barbara'' for addresses within the city (*http://www.maintour.com/socal/stabarb.html*—visited on 10/11/2002). Ship schedules refer to ''Sta. Barbara'' (*http://www.gso.uri.edu/unols/schedules/Sproul/Sproul99.html*—visited on 8/19/02), as do high school athletic calendars (*http://www.ouhsd.k12.ca.us/sites/cihs/handbook/december.htm*—visited on 10/11/2002).

The term ''Sta. Rita'' is used as an abbreviation for ''Santa Rita'' throughout the United States and in Spanish-speaking countries. For example, a simple Internet search performed by a petitioner found a University of Arizona faculty Web site that uses the term ''N. Sta. Rita St.'' to refer to ''North Santa Rita Street,'' located in Tucson, Arizona (*http://www.bened.arizona.edu/ransdell/english_102_108.htm*—visited on 8/19/2002). Another Web site concerning husbandry and breeding of reptiles and amphibians abbreviates the ''Santa Rita Mountains,'' a range in Arizona, as ''Sta. Rita Mts.'' (*http://www.herper.com/MantidNA3.html*, and *http://www.herper.com?PhasmidNA2.html*—both visited on 8/19/2002).

The petition states that use of the ''Sta.'' abbreviation is consistent with practices of the United States Board on Geographic Names, the body responsible for standardizing geographic names used by the Federal Government and printed on Federal maps. The Board's guidelines specify that the term ''Saint'' may be abbreviated ''St.''. Particularly in regions where place names are derived from the Spanish language, as in Southern California, abbreviating the term ''Santa,'' the Spanish feminine form of the English word ''Saint,'' as ''Sta.'' is consistent with the Board's general approach to abbreviations.

TTB Finding

Based on the information provided in the current petition, we believe that it is appropriate to modify the name of the Santa Rita Hills viticultural area by using the abbreviation ''Sta.'' in place of ''Santa.'' If this proposal is adopted, the name of the viticultural area would be modified to read Sta. Rita Hills. Viña Santa Rita will be able to obtain future label approvals of its use of its Santa Rita brand name on wines imported into the United States because it is distinguishable from Sta. Rita Hills. Please note that even if this proposed rule is not adopted, Viña Santa Rita will be able to continue to use its Santa Rita brand name on labels approved before July 7, 1986 (see 27 CFR 4.39(i)(2)). Accordingly, we set forth below proposed amendments to the TTB regulation concerning the Santa Rita

Hills viticultural area, found at 27 CFR 9.162.

Impact on Current Wine Labels

General

Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine's true place of origin. If we adopt the proposed modification of the name for the Santa Rita Hills viticultural area, the abbreviated ''Sta. Rita Hills'' name will be recognized as a name of viticultural significance. Consequently, wine bottlers using ''Sta. Rita Hills'' in a brand name, including a trademark, or in another label reference as to the origin of the wine, will have to ensure that the product is eligible to use the viticultural area's name as an appellation of origin. Accordingly, the proposed regulatory text set forth below in § 9.162(a) specifies that ''Sta. Rita Hills'' is a term of viticultural significance for purposes of part 4 of the TTB regulations.

For a wine to be eligible to use as an appellation of origin the name of a viticultural area specified in part 9 of the TTB regulations, at least 85 percent of the grapes used to make the wine must have been grown within the area represented by that name. If the wine is not eligible to use the viticultural area name as an appellation of origin and that name appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the viticultural area name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Accordingly, if a new label or a previously approved label uses the name ''Sta. Rita Hills'' for a wine that does not meet the 85 percent standard, the new label will not be approved, and the previously approved label will be subject to revocation.

Different rules apply if a wine has a brand name containing a viticultural area name that was used as a brand name on a label approved before July 7, 1986. See 27 CFR 4.39(i)(2) for details.

Use of the Name ''Santa Rita Hills'

Since July 30, 2001, the name of this viticultural area has been expressed as ''Santa Rita Hills.'' If a final rule abbreviating this viticultural area's name takes effect, we will approve wine labels showing ''Sta. Rita Hills,'' and not ''Santa Rita Hills,'' as the viticultural area appellation.

If a final rule is adopted, under our authority pursuant to 27 CFR 13.72(a)(2), we propose a transition period during which vintners may continue to use approved labels that carry ''Santa Rita Hills'' as the name of the viticultural area. However, one year after the effective date of that final rule, certificates of label approval showing ''Santa Rita Hills'' as an appellation of origin will be revoked by operation of that final rule (see 27 CFR 13.51). We have added a statement to this effect as a new paragraph (d) in § 9.162.

Public Participation

Comments Sought

We invite comments from interested members of the public on whether we should modify the name of the Santa Rita Hills viticultural area to ''Sta. Rita Hills.'' We are especially interested in the use of the Sta. Rita Hills name as it applies to the region within the established Santa Rita Hills viticultural area's boundaries. We are also interested in comments on the impact, if any, that the abbreviation of the viticultural area's name may have on current wine labels. Please support your comments with specific information about the proposed modification or impact on current wine labels.

Submitting Comments

Please submit your comments by the closing date shown above in this notice. Your comments must include this notice number and your name and mailing address. Your comments must be legible and written in language acceptable for public disclosure. We do not acknowledge receipt of comments, and we consider all comments as originals. You may submit comments in one of five ways:

- *Mail:* You may send written comments to TTB at the address listed in the **ADDRESSES** section.
- *Facsimile:* You may submit comments by facsimile transmission to 202–927–8525. Faxed comments must—

(1) Be on 8.5- by 11-inch paper;

(2) Contain a legible, written signature; and

(3) Be no more than five pages long. This limitation assures electronic access to our equipment. We will not accept faxed comments that exceed five pages.

- *E-mail:* You may e-mail comments to *nprm@ttb.gov.* Comments transmitted by electronic mail must—

(1) Contain your e-mail address;

(2) Reference this notice number on the subject line; and

(3) Be legible when printed on 8.5- by 11-inch paper.

- *Online form:* We provide a comment form with the online copy of this notice on our Web site at *http://www.ttb.gov/alcohol/rules/index.htm.* Select the ''Send comments via e-mail'' link under this notice number.
- *Federal e-Rulemaking Portal:* To submit comments to us via the Federal e-rulemaking portal, visit *http://www.regulations.gov* and follow the instructions for submitting comments.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine, in light of all circumstances, whether to hold a public hearing.

Confidentiality

All submitted material is part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider confidential or inappropriate for public disclosure.

Public Disclosure

You may view copies of this notice, the petition, and any comments we receive by appointment at the TTB Library at 1310 G Street, NW., Washington, DC 20220. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Contact our librarian at the above address or telephone 202–927–2400 to schedule an appointment or to request copies of comments.

For your convenience, we will post this notice and any comments we receive on this proposal on the TTB Web site. We may omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in the TTB Library. To access the online copy of this notice and submitted comments, visit *http://www.ttb.gov/alcohol/rules/index.htm.* Select the ''View Comments'' link under this notice number to view the posted comments.

Regulatory Flexibility Act

We certify that this proposed regulation, if adopted, would not have a significant economic impact on a substantial number of small entities. The proposed regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of a viticultural area name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

Executive Order 12866

This proposed rule is not a significant regulatory action as defined by Executive Order 12866, 58 FR 51735. Therefore, it requires no regulatory assessment.

Drafting Information

The principal author of this document is Rita Butler, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau.

List of Subjects in 27 CFR Part 9

Wine.

Proposed Regulatory Amendment

For the reasons discussed in the preamble, we propose to amend title 27, chapter 1, part 9, Code of Federal Regulations, as follows:

PART 9—AMERICAN VITICULTURAL AREAS

1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

2. In subpart C, amend § 9.162 by revising the section heading, revising paragraph (a) and the introductory text of paragraphs (b) and (c), and adding a new paragraph (d), to read as follows:

§ 9.162 Sta. Rita Hills.

(a) *Name.* The name of the viticultural area described in this section is ''Sta. Rita Hills''. For purposes of part 4 of this chapter, ''Sta. Rita Hills'' is a term of viticultural significance.

(b) *Approved Maps.* The appropriate maps for determining the boundary of the Sta. Rita Hills viticultural area are five United States Geological Survey (USGS) 7.5 Minute Series maps titled:

* * * * *

(c) *Boundary.* The Sta. Rita Hills viticultural area is located in Santa Barbara County, California. The boundary is as follows:

* * * * *

(d) From July 30, 2001, until [1 day prior to effective date of the final rule], this viticultural area was named ''Santa Rita Hills''. Effective [effective date of final rule], this viticultural area is abbreviated to ''Sta. Rita Hills.'' Existing certificates of label approval showing ''Santa Rita Hills'' as the appellation of origin are revoked by operation of this regulation on [date one year after the effective date of final rule].

Signed: April 13, 2005.

John J. Manfreda,

Administrator.

[FR Doc. 05–8575 Filed 4–28–05; 8:45 am]

BILLING CODE 4810–31–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Parts 117 and 165

[CGD07–05–031]

RIN 1625–AA11, 1625–AA87 and 1625–AA09

Regulated Navigation Area, Security Zone and Drawbridge Operation Regulations; Port Everglades, FL

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a temporary regulated navigation area, temporary security zone and temporary drawbridge operation regulation during the Organization of American States (OAS) conference. These regulations are needed to provide for public safety and security during the OAS conference. The regulations will control the movement of vessels within the regulated navigation area, restrict access to the security zone, and alter the schedule of the Brooks Memorial Bascule Bridge.

DATES: Comments and related material must reach the Coast Guard on or before May 20, 2005.

ADDRESSES: You may mail comments and related material to U.S. Coast Guard, Sector Miami Prevention Office, 100 MacArthur Causeway, Miami Beach, FL 33139. Sector Miami maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at Sector Miami between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Douglas Tindall, Waterways Management Office, at (305) 535–8701.

SUPPLEMENTARY INFORMATION:

Request for Comments

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07–05–031], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

Public Meeting

We do not now plan to hold a public meeting but we will discuss this regulation with waterway users in and around the regulated area. You may submit a request for a meeting by writing to Sector Miami at the address under **ADDRESSES** explaining why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

Incidents of property damage and destruction during previous international conferences such as the September 2003 World Trade Organization (WTO) Ministerial in Cancun, Mexico, the 2003 G–8 Summit in Calgary, Canada, the 2001 G–8 Summit in Genoa, Italy, the 1999 Seattle World Trade Organization (WTO) Ministerial, and the 2003 Free Trade Area of the Americas (FTAA) conference in Miami, Florida indicate the potential for damage and destruction exists at the OAS conference in Ft. Lauderdale. Historically, trade conferences have experienced an influx of protestors and protest groups that oppose free international trade initiatives. Some of these groups have a propensity for violence and engage in seditious acts against conference attendees, conference venues, the general public, businesses, municipal buildings, and law enforcement personnel and equipment. Current information and intelligence indicates that there is a high potential for these groups to attempt similar acts during the OAS conference in Ft. Lauderdale.

Additionally, the Coast Guard has received information from local, state, and federal law enforcement officials that persons may launch subversive acts from the waters surrounding OAS conference venues. In the past, such subversive acts have included the use of personal watercraft to penetrate physical barriers in an attempt to launch projectiles at conference venues and participants. Certain groups have also used Rigid Hull Inflatable Boats (RHIBs) to facilitate unauthorized boardings of commercial ships. The use of high speed, highly maneuverable low draft watercraft such as personal watercraft and RHIBs poses a significant security threat to OAS venues, participants, Port Everglades and the public.

These regulations are being established to mitigate the above-mentioned threats and are necessary to protect the public, attendees, law enforcement officials and port operations from violent, disruptive and seditious acts.

Discussion of Rule

The temporary security zone will prohibit all persons and vessels from entering the waters contained within an imaginary line drawn from a point at the southwest corner of the 17th Street Causeway Bridge where it meets the seawall; thence easterly to the western edge of the Intracoastal Waterway Channel; thence southerly along the western edge of the Intracoastal channel to a point on the northeast corner of Pier 7 and all waters westward of that imaginary line. This security zone is necessary to ensure the waters surrounding the Broward County Convention Center, which is the primary venue for the OAS conference, are not used by persons attempting subversive acts. The size of the security zone is necessary to provide law enforcement officials with time and space to identify, query and stop vessels and persons suspected of attempting subversive acts against the OAS conference.

The Regulated Navigation Area (RNA) encompasses all waters contained within an imaginary line from a point on the northwestern corner of the 17th Street Causeway Bridge where it meets the seawall; thence northerly to the northeast corner of Pier 6; thence easterly across the Intracoastal Waterway and along and following the SE 15th Street shoreline to a point on land at the intersection of the SE 15th Street shoreline and the West Lake Drive Bridge; thence southerly along the West Lake Drive Bridge to the northeast mouth of the unnamed canal leading to Sylvan Lake; thence westerly across the canal and along and following the southern shoreline of the Mercedes River encompassing all waters of the Pier 66 Marina to a point on the northwestern point of the Pier 66 Marina; thence south easterly and easterly along and following the shoreline to a point of land directly north of Day Beacon ''6''; thence south to a point of land due south of Day Beacon ''7''; thence westerly and southerly along and following the shoreline of John U. Lloyd State Park to a point on the northern corner of the mouth of Whiskey Creek; thence westerly to a point of land on the southern tip of Pier 9; thence northerly along and following the shoreline to the northeast corner of Pier 7; thence northwesterly along the western edge of the Intracoastal Waterway to a point on the seawall at the northwestern corner of the 17th Street Causeway Bridge where it meets the seawall.

The RNA will require all vessels within the regulated area to proceed continuously and at slow speed. Slow speed is defined as the speed at which a vessel proceeds when it is fully off plane, completely settled into the water and not creating excessive wake. In no instance should slow speed be interpreted as a speed less than that required to maintain steerageway. Requiring vessels within the RNA to transit at slow speed will allow law enforcement officials to identify, respond to, query, and stop vessels that are suspected of presenting a threat to the public, Port Everglades, and the OAS conference participants. Additionally, the slow speed requirement will allow the Coast Guard to adequately protect against threats of hostile and violent acts carried out by smaller vessels against commercial vessels transiting within Port Everglades.

Vessels greater than 100 feet shall not enter the RNA until permission to enter is granted by the Maritime Operations Center (MOC) or Designated Representative so that the MOC can better direct traffic flow within the RNA.

The RNA prohibits all personal watercraft (PWCs) from operating within the regulated area. For purposes of this rule, personal watercraft refers to a vessel(s), less than 16 feet in length, which uses an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. PWCs are designed to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. The length is measured from end to end over the deck excluding sheer, meaning a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bowsprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments, are not included in the measurement. Length is stated in feet and inches.

The regulation prohibits PWCs from operating within the RNA due to their maneuverability, high speed, and minimal draft which allows them to outrun law enforcement vessels, operate in shallow and restricted areas and hurdle or dive under barriers erected by law enforcement officials. These facts make PWCs the preferred vessel for persons attempting subversive and violent acts against OAS conference attendees, law enforcement officials and the public.

The RNA excludes Rigid Hull Inflatable Boats (RHIBs), with the exception of RHIBs operated by licensed commercial salvors. For purposes of this rule, Rigid Hull Inflatable Boats refers to a vessel, which has an inflatable fabric or rubber collar or a foam collar surrounding the hull of the vessel. A RHIB's collar is normally joined to a fiberglass hull on larger models or a fabric hull on smaller models. Fabric hulls are often also themselves inflatable, or have an inflatable keel and sometimes have a soft or reinforced floor slated with wood or other rigid materials. RHIBs are powered by both outboard and inboard-outboard propulsion and because of their lightweight can easily be powered by oars as well. RHIBs' lightweight, enormous reserve buoyancy, stability, speed, maneuverability, shallow draft and large load-carrying capacity make them a preferred vessel for persons attempting illegal and subversive acts. Additionally, models with inflatable collars can be quickly deflated and stowed in small spaces and even carry bags. The collars are also non-marking, making them the preferred vessel for coming alongside other vessels, piers, docks, or facilities for the purpose of loading or offloading persons and cargo and thus, the preferred vessel for persons attempting unauthorized boarding of commercial vessels and illegal entries into waterfront facilities.

The RNA is necessary to ensure the safety of the public, Port Everglades, and the OAS conference as persons may attempt to board vessels while underway or moored in an effort to interrupt commerce and port operations. Also, persons may attempt unauthorized entry into or upon commercial and government facilities located along the main shipping channels throughout Port Everglades. The RNA, by regulating the movement of vessels, imposing a slow speed zone, and excluding personal watercraft and rigid hull inflatable boats will assist law enforcement officials in ensuring the safety and security of Port Everglades, the public and the OAS conference participants.

Nothing in the RNA alleviates vessels or operators from complying with all state and local laws in the area, including manatee slow speed zones.

The Brooks Memorial (S.E. 17th Street) drawbridge schedule described in 33 CFR 117.261(ii) will remain closed and only open upon direction of the Coast Guard Captain of the Port Miami or MOC.

Regulatory Evaluation

This proposed rule is not a ''significant regulatory action'' under section 3(f) of Executive Order 12866, Regulatory Planning and Review, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order. It is not ''significant'' under the regulatory policies and procedures of the Department of Homeland Security (DHS).

We expect the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under the regulatory policies and procedures of DHS is unnecessary, because the RNA and security zone will be in effect for a limited time over a limited area.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term ''small entities'' comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule will not have a significant economic impact on a substantial number of small entities. This proposed rule will affect the following entities, some of which may be small entities: the owners or operators of vessels intending to transit or anchor in a portion of the Intracoastal waterway and Port Everglades from June 4, 2005 through June 7, 2005. This proposed rule would not have a significant economic impact on a substantial number of small entities, because the rule will only be in effect for a limited time over a limited area. Vessel traffic may transit the Intracoastal waterway at slow speed and travel around the security zone.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we offered to assist small entities in understanding this proposed rule so that they could better evaluate its effects on them and participate in the rulemaking process. Small entities may contact the person listed under **FOR FURTHER INFORMATION CONTACT** for assistance in understanding and participating in this rulemaking. The Coast Guard will not retaliate against small entities that question or complain about this rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520.).

Federalism

A rule has implications for federalism under Executive Order 13132, Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of compliance on them. We have analyzed this proposed rule under that Order and have determined that it does not have implications for federalism.

Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or tribal government, in the aggregate, or by the private sector of $100,000,000 or more in any one year. Though this proposed rule would not result in such expenditure, we do discuss the effects of this rule elsewhere in this preamble.

Taking of Private Property

This proposed rule would not affect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and would not create an environmental risk to health or risk to safety that might disproportionately affect children.

Indian Tribal Governments

This proposed rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it would not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a ''significant energy action'' under that order because it is not a ''significant regulatory action'' under Executive Order 12866 and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. The Administrator of the Office of Information and Regulatory Affairs has not designated it as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

Technical Standards

The National Technology Transfer and Advancement Act (NTTAA) (15 U.S.C. 272 note) directs agencies to use voluntary consensus standards in their regulatory activities unless the agency provides Congress, through the Office of Management and Budget, with an explanation of why using these standards would be inconsistent with applicable law or otherwise impractical. Voluntary consensus standards are technical standards (*e.g.*, specifications of materials, performance, design, or operation; test methods; sampling procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This proposed rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

Environment

We have analyzed this rule under Commandant Instruction M16475.1D, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have concluded that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, this rule is categorically excluded under figure 2–1, paragraph (34)(g) and (32)(e), of the Instruction, from further environmental documentation because we are establishing a RNA, security zone and suspending a drawbridge

operation regulation. Under figure 2–1, paragraph (34)(g) and (32)(e), of the Instruction, an ''Environmental Analysis Check List'' and a ''Categorical Exclusion Determination'' are not required for this rule. Comments on this section will be considered before we make the final decision on whether to categorically exclude this rule from further environmental review.

List of Subjects

33 CFR Part 117

Bridges.

33 CFR Part 165

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

For the reasons discussed in the preamble, the Coast Guard proposes to amend 33 CFR parts 117 and 165 as follows:

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

1. The authority citation for part 165 continues to read as follows:

Authority: 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

2. Add temporary § 165.T07–031 to read as follows:

§ 165.T07–031 Temporary Regulated Navigation Area and temporary security zone, Port Everglades, FL

(a) *Locations*—(1) *Regulated Navigation Area.* The Regulated Navigation Area (RNA) encompasses all waters contained within an imaginary line from a point on the northwestern corner of the 17th Street Causeway Bridge where it meets the seawall at 26°06′02″ N, 080°07′10″ W; thence northerly to the northeast corner of Pier 6 at 26°06′08″ N, 080°07′12″ W; thence easterly across the Intracoastal waterway and along and following the SE 15th Street southern shoreline to a point on land at the intersection of the SE 15th Street shoreline and the West Lake Drive Bridge at 26°06′11″ N, 080°06′47″ W; thence southerly along the West Lake Drive Bridge to the northeast mouth of the unnamed canal leading to Sylvan Lake at 26°06′09″ N, 080°06′47″ W; thence westerly across the canal and along and following the southern shoreline of the Mercedes River encompassing all waters of the Pier 66 Marina to a point on the northwestern point of the Pier 66 Marina at 26°06′09″ N, 080°07′06″ W; thence south easterly and easterly along and following the shoreline to a point of land directly north of Day Beacon ''6'' at 26°05′41″ N, 080°06′31″ W; thence south to a point of land due south of Day Beacon ''7'' at 26°05′33″ N, 080°06′31″ W; thence westerly and southerly along and following the shoreline of John U. Lloyd State Park to a point on the northern corner of the mouth of Whiskey Creek at 26°04′96″ N, 080°06′78″ W; thence westerly to a point of land on the southern tip of Pier 9 at 26°04′58″ N, 080°06′52″ W; thence northerly along and following the shoreline to the northeast corner of Pier 7 at 26°05′23″ N, 080°06′55″ W; thence northwesterly along the western edge of the Intracoastal Waterway to the transect point on the 17th Street Causeway Bridge thence westerly to where the northwestern corner of the 17th Street Causeway Bridge meets the seawall at 26°06′02″ N, 080°07′07″ W. All coordinates reference datum NAD 1983.

(2) *Security Zone.* The Security Zone encompasses all waters from surface to bottom contained within an imaginary line drawn from a point at the northwest corner of the 17th Street Causeway Bridge where it meets the seawall at 26°06′02″ N, 080°07′07″ W; thence easterly to the western edge of the Intracoastal Waterway Channel at 26°06′02″ N; 080°07′07″ W; thence southerly along the western edge of the Intracoastal channel to a point on the northeast corner of Pier 7 at 26°05′23″ N, 080°06′54″ W and all waters west ward of that imaginary line and adjacent to Port Everglades.

(b) *Definitions.*

Designated Representative means Coast Guard Patrol Commanders that include commissioned, warrant, petty officers or auxiliary of the Coast Guard, and federal, state, and local officers that have been designated as such by the Commander, Seventh Coast Guard District, the Captain of the Port, Miami or the Coast Guard Maritime Operations Center (MOC).

Personal Watercraft (PWC) means, for the purposes of this section, vessel(s), less than 16 feet in length, which use an inboard, internal combustion engine powering a water jet pump as its primary source of propulsion. PWCs are designed to be operated by a person or persons sitting, standing or kneeling on the vessel, rather than within the confines of the hull. The length is measured from end to end over the deck excluding sheer, meaning a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline. Bowsprits, bumpkins, rudders, outboard motor brackets, and similar fittings or attachments, are not included in the measurement. Length is stated in feet and inches.

Rigid Hull Inflatable Boat (RHIB) means, for purposes of this section, a vessel that has an inflatable fabric or rubber collar or a foam collar surrounding the hull of the vessel. A RHIB's collar is normally joined to a fiberglass hull on larger models or a fabric hull on smaller models. Fabric hulls are often also themselves inflatable, or have an inflatable keel and sometimes have a soft floor or have reinforced floor slated with wood or other rigid materials.

Slow Speed means the speed at which a vessel proceeds when it is fully off plane, completely settled into the water and not creating excessive wake. In no instance should slow speed be interpreted as a speed less than that required to maintain steerageway. Due to the different speeds at which vessels of different sizes and configurations may travel while in compliance with this definition, no specific speed is assigned to slow speed. A vessel is not proceeding at slow speed if it is creating an excessive wake, on a plane or in the process of coming up or coming off plane.

(c) *Regulations.* (1) All vessels transiting the Regulated Navigation Area (RNA) shall proceed continuously and at a slow speed. Nothing in this rule alleviates vessels or operators from complying with all state and local laws in the area, including manatee slow speed zones.

(2) All vessels within the Regulated Navigation Area (RNA) shall comply with the commands and instructions issued by the Designated Representative, the Commander, Seventh Coast Guard District, the Captain of the Port, Miami or the Coast Guard Marine Operations Center (MOC).

(3) Vessels greater than 100 feet in length shall check in directly with on-scene Designated Representative(s) or the MOC, via VHF channel 12 or telephone at (305) 535–8701 to obtain permission to enter or transit the RNA. All vessels that require the Brooks Memorial (17th Street) bascule bridge to open shall not enter the RNA until permission to open the Brooks Memorial bridge and/or enter the RNA is granted by the MOC or Designated Representative.

(4) No personal watercraft shall be permitted in the Regulated Navigation Area except those operated by law enforcement personnel.

(5) No Rigid Hull Inflatable Boats shall be permitted in the Regulated Navigation Area except those operated

by law enforcement personnel or licensed commercial salvage operators.

(6) Entry into or remaining within the Security Zone is prohibited unless authorized by the Designated Representative, the Commander, Seventh Coast Guard District, the Captain of the Port, Miami or the Coast Guard Marine Operations Center (MOC). Persons desiring to enter or transit the areas encompassed by the Security Zone may contact on-scene Designated Representative(s) or the Coast Guard Maritime Operations Center on VHF channel 12 or via telephone at (305) 535–8701 in order to obtain permission to transit the Security Zone. If permission is granted, all persons and vessels must comply at all times with the instructions of the Designated Representative, the Commander, Seventh Coast Guard District, the Captain of the Port, Miami or the Coast Guard Marine Operations Center (MOC).

(d) *Effective dates.* This section is effective from 12:01 a.m. on June 4, 2005 until 12 p.m. on June 8, 2005.

PART 117—DRAWBRIDGE OPERATION REGULATIONS

3. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 33 CFR 1.05–1(g); Department of Homeland Security Delegation No. 0170.1; section 117.255 also issued under authority of Pub L. 102–587, 106 Stat. 5039.

4. In § 117.261, from June 4, 2005 until June 8, 2005, add paragraph (rr) to read as follows:

§ 117.261 Atlantic Intracoastal Waterway from St. Marys River to Key Largo.

* * * * *

(rr) The draw of the Brooks Memorial (S.E. 17th Street) bridge, mile 1065.9 at Fort Lauderdale, shall remain closed unless ordered to open by the COTP.

* * * * *

Dated: April 22, 2005.

W.E. Justice,

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

[FR Doc. 05–8570 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R03–OAR–2005–PA–0012; FRL–7905–8]

Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; NO_X RACT Determinations for the Naval Surface Warfare Center, Carderock Division Ship Systems Engineering Station

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Pennsylvania for the purpose of establishing and requiring reasonably available control technology (RACT) for the Naval Surface Warfare Center, Carderock Division Ship Systems Engineering Station (NSWCCD–SSES), a major source of nitrous oxide (NO_X). In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by May 31, 2005.

ADDRESSES: Submit your comments, identified by Regional Material in EDocket (RME) ID Number R03–OAR–2005–PA–0012 by one of the following methods:

A. Federal eRulemaking Portal: *http://www.regulations.gov.* Follow the on-line instructions for submitting comments.

B. Agency Web site: *http://www.docket.epa.gov/rmepub/* RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

C. E-mail: *campbell.dave@epa.gov.*

D. Mail: R03–OAR–2005–PA–0012, Dave Campbell, Chief, Air Quality Planning, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

E. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to RME ID No. R03–OAR–2005–PA–0012. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *http://www.docket.epa.gov/rmepub/*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through RME, regulations.gov or e-mail. The EPA RME and the Federal regulations.gov websites are an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through RME or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the RME index at *http://www.docket.epa.gov/rmepub/*. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

Copies of the State submittal are available at Pennsylvania Department of Environmental Protection Bureau of Air Quality Control, P.O. Box 8468, 400 Market Street, Harrisburg, Pennsylvania 17105; Department of Public Health, Air Management Services, 321 University Avenue, Philadelphia, Pennsylvania 19104.

FOR FURTHER INFORMATION CONTACT: Amy Caprio, (215) 814–2156, or by e-mail at *caprio.amy@epa.gov.*

SUPPLEMENTARY INFORMATION: For further information, please see the information provided in the direct final action, with the same title, that is located in the ''Rules and Regulations'' section of this **Federal Register** publication.

Dated: April 20, 2005.

Donald S. Welsh,

Regional Administrator, Region III.

[FR Doc. 05–8610 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[R03–OAR–2005–VA–0003; FRL–7906–1]

Approval and Promulgation of Air Quality Implementation Plans; Virginia; Minor Revisions to the Fugitive Dust and Waiver Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the Commonwealth of Virginia to remove the application of oil as an acceptable alternative fugitive dust emissions reduction method, due to an existing prohibition on oil application, on land, found in the Virginia statute. In addition, the revision changes a specific reference from ''Executive Director'' to ''Director''. In the Final Rules section of this **Federal Register**, EPA is approving the State's SIP submittal as a direct final rule without prior proposal because the Agency views this as a noncontroversial submittal and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to this action, no further activity is contemplated. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received in writing by May 31, 2005.

ADDRESSES: Submit your comments, identified by Regional Material in EDocket (RME) ID Number R03–OAR–2005–VA–0003 by one of the following methods:

A. Federal eRulemaking Portal: *http://www.regulations.gov*. Follow the on-line instructions for submitting comments.

B. Agency Web site: *http://www.docket.epa.gov/rmepub/* RME, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

C. E-mail: *Morris.Makeba@epa.gov*.

D. Mail: R03–OAR–2005–VA–0003, Makeba Morris, Chief, Air Quality Planning Branch, Mailcode 3AP21, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103.

E. Hand Delivery: At the previously-listed EPA Region III address. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to RME ID No. R03–OAR–2005–VA–0003. EPA's policy is that all comments received will be included in the public docket without change, and may be made available online at *http://www.docket.epa.gov/rmepub/*, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through RME, regulations.gov or e-mail. The EPA RME and the Federal regulations.gov Web sites are an ''anonymous access'' system, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through RME or regulations.gov, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD–ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses.

Docket: All documents in the electronic docket are listed in the RME index at *http://www.docket.epa.gov/rmepub/*. Although listed in the index, some information is not publicly available, *i.e.*, CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in RME or in hard copy during normal business hours at the Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, Pennsylvania 19103. Copies of the State submittal are available at Virginia Department of Environmental Quality, 629 East Main Street, Richmond, Virginia, 23219.

FOR FURTHER INFORMATION CONTACT: Linda Miller, (215) 814–2068, or by e-mail at *miller.linda@epa.gov*.

SUPPLEMENTARY INFORMATION: For further information on the approval of minor revisions to Visible Emissions and Fugitive Dust standards, please see the information provided in the direct final action, with the same title, that is located in the ''Rules and Regulations'' section of this **Federal Register** publication. Please note that if EPA receives adverse comment on an amendment, paragraph, or section of this rule and if that provision may be severed from the remainder of the rule, EPA may adopt as final those provisions of the rule that are not the subject of an adverse comment.

Dated: April 20, 2005.

Donald S. Welsh,

Regional Administrator, Region III.

[FR Doc. 05–8605 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

Notices

Federal Register
Vol. 70, No. 82
Friday, April 29, 2005

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

Submission for OMB Review; Comment Request

April 25, 2005.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104–13. Comments regarding (a) Whether the 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 burden 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 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720–8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

Title: Child Nutrition Labeling Program.

OMB Control Number: 0584–0320.

Summary of Collection: The Child Nutrition Labeling Program is a voluntary technical assistance program administered by the Food and Nutrition Service (FNS). The program is designed to aid schools and institutions participating in the National School Lunch Program, the School Breakfast Program, the Child and Adult Care Food Program, and the Summer Food Service Program by, determining the contribution a commercial product makes towards the meal pattern requirements. The Child Nutrition Labeling Program is implemented in conjunction with existing label approval programs administered by the Food Safety and Inspection Service (FSIS), the Agricultural Marketing Service (AMS), and the U.S. Department of Commerce. To participate in the CN Labeling Program, industry submits labels to FNS of products that are in conformance with the FSIS label approval program (for meat and poultry), and the USDC label approval program (for seafood products).

Need and Use of the Information: FNS uses the information collected to aid school food authorities and other institutions participating in child nutrition programs in determining the contribution a commercial product makes towards the established meal pattern requirements. FNS uses all of the collected information to give the submitted label an approval status that indicates if the label can be used as part of the CN Labeling Program. Without the information CN Labeling Program would have no basis on which to determine how or if a product meets the meal pattern requirements.

Description of Respondents: Business or other for-profit; Federal Government.

Number of Respondents: 368.

Frequency of Responses: Reporting: Other (as needed).

Total Burden Hours: 1,995.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 05–8584 Filed 4–28–05; 8:45 am]

BILLING CODE 3410–30–P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

April 25, 2005.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Comments regarding (a) whether the 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 burden 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 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 should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395–5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250–7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720–8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Rural Housing Service

Title: 7 CFR 1951-E, ''Servicing of Community and Direct Business Programs Loans and Grants''

OMB Control Number: 0575–0066.

Summary of Collection: Rural Development, hereinafter referred to as

Agency, is the credit agency for agricultural and rural development for the Department of Agriculture. The Agency offers supervised credit to build and operate family farms, modest housing, water and sewer systems, essential community facilities, and business and industrial operations in rural areas. Section 331 and 335 of the Consolidated Farm and Rural Development Act, as amended, authorize the Secretary of Agriculture, acting through the Agency, to establish provisions for security servicing policies for the loans and grants in questions. If there is a problem which exists, a recipient of the loan, grant, or loan guarantee must furnish financial information which is used to aid in resolving the problem through reamortization, sale, transfer, debt restructuring, liquidation, or other means provided in the regulations.

Need and Use of the Information: RHS will collect information to determine applicant/borrower eligibility and project feasibility for various servicing actions. The information enables field staff to ensure that borrowers operate on a sound basis and use loan and grant funds for authorized purposes.

Description of Respondents: State, Local or Tribal Government; Not-for-profit institutions.

Number of Respondents: 555.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 1,175.

Charlene Parker,

Departmental Information Collection Clearance Officer.

[FR Doc. 05–8586 Filed 4–28–05; 8:45 am]

BILLING CODE 3410–XT–P

DEPARTMENT OF AGRICULTURE

Forest Service

Site-Specific Invasive Plant Treatment Project—Mt. Hood National Forest and Columbia River Gorge National Scenic Area; Oregon

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The USDA Forest Service will prepare an Environmental Impact Statement (EIS) to document and disclose the potential environmental effects of proposed invasive plant treatments. The Proposed Action is to apply manual, mechanical, biological, and/or herbicide treatments to control known invasive plant sites within approximately 13,000 acres (208 sites) on the Mt. Hood National Forest and southern Columbia River Gorge National Scenic Area in Oregon. The Proposed Action would also establish criteria for responding to infestations that cannot be predicted. This notice of intent revises the Notice to Intent to prepare an EIS announced in the **Federal Register** on February 23, 2004; more information will be submitted at a later date for the National Forest System lands in Washington.

DATES: Comments concerning the scope of this analysis must be received no later than May 31, 2005, to ensure they are fully incorporated into the Draft EIS.

ADDRESSES: Submit written comments to Jennie O'Connor, Mt. Hood National Forest, 16400 Champion Way, Sandy OR 97055. Electronic comments can be submitted to *comments-pacificnorthwest-mthood@fs.fed.us.*

FOR FURTHER INFORMATION CONTACT: Jennie O'Connor, Natural Resource Planner, Mt. Hood National Forest, 16400 Champion Way, Sandy OR 97055 or by emailing *jmoconnor@fs.fed.us* or by calling (503) 668–1645.

SUPPLEMENTARY INFORMATION:

Need for the Proposal

Invasive plants are compromising our ability to manage the National Forest for a healthy native ecosystem. Invasive plants create a host of environmental and other effects, most of which are harmful to native ecosystem processes, including: displacement of native plants; reduction in functionality of habitat and forage for wildlife and livestock; loss of threatened, endangered, and sensitive species; increased soil erosion and reduced water quality; alteration of physical and biological properties of soil, including reduced soil productivity; changes to the intensity and frequency of fires; high cost (dollars spent) of controlling invasive plants; and loss of recreation opportunities.

Approximately 3,000 acres of forests and grasslands are known to already be degraded on the Mt. Hood National Forest and Columbia River Gorge National Scenic Area by infestations of invasive, non-native plants. These infestations are situated on about 208 individual locations or sites. These infestations have a high potential to expand and further degrade forests and grasslands. Infested areas represent potential seed sources for further invasion onto neighboring lands.

There is an underlying need on these National Forest System lands for: (1) Reduce the extent of specific invasive plants at identified sites; and (2) timely treat new/additional invasive plant sites that may appear in the future. Without action, invasive plant populations will continue to grow, compromising our ability to manage for healthy native ecosystems and contributing to the spread of invasive plants.

Proposed Action

The Proposed Action for this project is to treat approximately 13,000 infested acres and associated spread zones on the Mt. Hood National Forest and southern Columbia River Gorge National Scenic Area in Oregon. This includes 7 proposed treatment areas (2,000 acres) in the National Scenic Area, with the remainder of the sites on Mt. Hood National Forest. Treatment of these invasive plant sites would be a combination of manual, mechanical, biological, and herbicide treatment methods. Through the development long-term site goals, treatment of infested areas would be linked to revegetation and monitoring. Treatment would address 21 invasive plant species present on these sites.

Site-specific treatment prescriptions would be based on the biology of particular invasive plant species, site location, proximity to water, and size of the infestation. Prescriptions would follow integrated pest management principles. Integrated pest management (IPM) is a process by which one selects and applies a combination of management techniques (manual, mechanical, biological for example) that, together, would control a particular invasive plant species or infestation efficiently and effectively, with minimum adverse impacts to non-target organisms. IPM seeks to combine two or more management techniques which would interact to provide better control than any one of the actions might provide alone. It is typically species-specific, site-specific and designed to be practical with minimal risk.

On Mt. Hood National Forest and Columbia River Gorge National Scenic Area, the proposed action includes approximately 20 acres of biological treatment, 30 acres of herbicide only treatment, 510 acres of herbicide plus manual treatments, 2025 acres of herbicide plus mechanical treatments, 130 acres of manual plus mechanical treatments, and 10385 acres of herbicide plus manual and mechanical treatments. Treatments may be repeated over several years until control/restoration objectives are met. The proportion of specific treatment methods may change over time.

In addition, a set of criteria that can be used for future invasive plant sites that may occur would also be established under the Proposed Action.

Sites that are discovered subsequent to completion of this assessment would require evaluation and potential treatment. If the effects were found to be within the scope of this assessment, then these new populations would also be treated. Criteria would be designed to prescribe the potential treatment methods that would be effective and consistent within certain types of sites. For new sites, yet unidentified, only high priority invasive plants would be treated.

Maps of the proposed treatment sites and additional information on the proposal are available by contacting Jennie O'Connor, Mt. Hood National Forest (see above).

Proposed Scoping

Public participation is an important part of the analysis. The Forest Service is seeking information, comments, and assistance from Federal, State and local agencies, tribes, and other individuals or organizations that may be interested in or affected by the proposed action. Comments submitted during the scoping process should be in writing, and they should be specific to the action being proposed and should describe as clearly and completely as possible any issues the commenter has with the proposal. This input will be used in preparation of the draft EIS.

Comments submitted during the scoping conducted for the ''Invasive Plant Treatment Project—Olympic, Gifford Pinchot, and Mt. Hood Nationals Forests and Columbia River Gorge National Scenic Area; Oregon and Washington'' from February 23 to April 5, 2004 will be retained and considered in the development of this EIS. If you have additional comments on the revised proposed action these will be considered in conjunction with the previous comments.

In addition to this scoping, the public may visit Forest Service officials at any time during the analysis and prior to the decision. To facilitate public participation additional scoping opportunities will include: A scoping letter, public meetings (dates and locations yet to be determined), and Web sites with addresses *http://www.fs.fed.us/r6/invasiveplant-eis/multiforest-sitespecific-information.htm* and *http://www.fs.fed.us/r6/mthood/projects/*.

Preliminary Issues Identified to Date

The potential for impacts/effects as a result of the establishment and spread of invasive plants and the potential for impacts/effects as a result of treatment actions designed to manage invasive plants are both important considerations that need to be addressed in the analysis. The following issues were identified during the initial scoping process:

- Human Health—Invasive plant treatments may result in health risks to forestry workers and the public, including contamination of drinking water.
- Treatment Effectiveness—Invasive plant treatments can vary in effectiveness. The presence and spread of invasive plants within National Forest System lands may affect the presence and spread of invasive plants on neighboring ownerships.
- Social and Economic—Invasive plant treatments vary in cost and affect the acreage that can be effectively treated each year given a set budget. Manual treatment methods may cost more per acre and provide more employment.
- Non-Target Plants and Animals—Impacts to non-target plant and animal species varies by invasive plant treatments. Mitigation and protection measures need to protect plant and animal species from the adverse effects of the proposed action.
- Soils, Water Quality and Aquatic Biota—Soil and ground disturbing impacts, effects to aquatic organisms, and water quality impacts vary by invasive plant treatments.

Alternatives Considered

The No Action alternative will serve as a baseline for comparison of alternatives. Under the No Action alternative, Mt. Hood National Forest and the Columbia River Gorge National Scenic Area would continue to treat invasive plant species as authorized under existing National Environmental Policy Act (NEPA) documents. As approved by NEPA decisions, 450 acres of herbicide treatments, 100 acres of manual treatments, and 10 acres of mechanical treatment are applied each year on Mt. Hood National Forest. As approved by NEPA decisions, approximately 150 acres using herbicide treatments, 25 acres using manual treatments, and 500 acres using mechanical treatment are applied each year on the Columbia River Gorge National Scenic Area. The proposed action, as described above will be considered as an alternative. Additional alternatives may be developed to address key issues identified in the scoping and public involvement process.

Estimated Dates for Draft and Final EIS

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and to be available for public comment by January 2006. The comment period on the draft EIS will be 45 days from the date the EPA publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of the draft EIS must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp.* v. *NRDC*. 435 U.S. 519.553 (1978). Also, environmental objectives that could be raised at the draft EIS stage but that are not raised until after the completion of the final EIS may be waived or dismissed by the courts. *City of Angoon* v. *Hodel*, 803 F. 2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritage, Inc.* v. *Harris*, 490 F. Supp. 1334 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period; so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final EIS.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft EIS should be as specific as possible. It is also helpful if the comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft EIS or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provision of the National Environmental Policy Act (40 CFR 1503.3).

Comments received in response to this solicitation, including names and addresses of those who comment, will be considered part of the public record on this proposed action and will be available for public inspection. Comments submitted anonymously will be accepted and considered; however, those who submit anonymous comments may not have standing to appeal the subsequent decision under 36 CFR part 215. Additionally, pursuant to 7 CFR 1.27(d), any person may request the agency to withhold a submission from the public record by showing how the Freedom of Information Act (FOIA) permits such confidentiality. Persons requesting such confidentiality should be aware that,

under the FOIA, confidentiality may be granted in only very limited circumstances, such as to protect trade secrets. The Forest Service will inform the requester of the agency's decision regarding the request for confidentiality, and where the request is denied, the agency will return the submission and notify the requester that the comments may be resubmitted with or without name and address within a specified number of days.

Comments on the draft EIS will be analyzed, considered, and responded to by the Forest Service in preparing the final EIS. The final EIS is scheduled to be completed in May 2006. There will be two responsible officials for this EIS. Duties of the Responsible Official will be shared between Gary Larsen, Forest Supervisor of the Mt. Hood National Forest, and Daniel Harkenrider, Area Manager of the Columbia River Gorge National Scenic Area. They will consider comments, responses, environmental consequences discussed in the final EIS, and applicable laws, regulations, and policies in making a decision regarding this proposed action. The responsible officials will document the decision and rationale for the decision in the Record of Decision. It will be subject to Forest Service Appeal Regulations (36 CFR Part 215).

Dated: April 22, 2005.

Gary L. Larsen,

Forest Supervisor, Mt. Hood National Forest.

Dated: April 22, 2005.

Daniel T. Harkenrider,

Area Manager, Columbia River Gorge National Scenic Area.

[FR Doc. 05–8577 Filed 4–28–05; 8:45 am]

BILLING CODE 3410–11–M

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Additions and Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and deletions from Procurement List.

SUMMARY: This action adds to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List products previously furnished by such agencies.

EFFECTIVE DATE: May 29, 2005.

ADDRESS: Committee for Purchase from People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia, 22202–3259.

FOR FURTHER INFORMATION OR TO SUBMIT COMMENTS CONTACT: Sheryl D. Kennerly, Telephone: (703) 603–7740, Fax: (703)603–0655, or email *SKennerly@jwod.gov.*

SUPPLEMENTARY INFORMATION:

Additions

On February 25, and March 4, 2005, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (70 FR 9269, and 10596) of proposed additions to the Procurement List.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the products and services and impact of the additions on the current or most recent contractors, the Committee has determined that the products 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.

Regulatory Flexibility Act Certification

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 products and services to the Government.

2. The action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the products and services proposed for addition to the Procurement List.

End of Certification

Accordingly, the following products and services are added to the Procurement List:

Products

Product/NSN: 120cc High Density Polyethylene Pharmacy Bottle,6530–00–NIB–0120.
NPA: Alphapointe Association for the Blind, Kansas City, Missouri.
Contracting Activity: Veterans Affairs National Acquisition Center, Hines, Illinois.

Product/NSN: Flat Highlighters, Pink, 7520–01–351–9146.
NPA: Winston-Salem Industries for the Blind, Winston-Salem, North Carolina.
Contracting Activity: Office Supplies & Paper Products Acquisition Center, New York, NY.

Services

Service Type/Location: Administrative Service, Defense Procurement and Acquisition Policy Office, Crystal Square 4, Suite 200A, Arlington, Virginia.
NPA: Anchor Mental Health Association (Anchor Services Workshop), Washington, DC.
Contracting Activity: HQ Bolling—11th CONS/LGCO, Bolling AFB, DC.

Service Type/Location: Custodial Services, National Institute of Standards and Technology (NIST), Boulder Laboratories, Boulder, Colorado.
NPA: Bayaud Industries, Inc., Denver, Colorado.
Contracting Activity: National Oceanic and Atmospheric Administration, Boulder, Colorado.

Deletions

On March 4, 2005, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (70 FR 10596) of proposed deletions to the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the products listed below are no longer suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

Regulatory Flexibility Act Certification

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 may result in additional reporting, recordkeeping or other compliance requirements for small entities.

2. The action may result in authorizing small entities to furnish the products to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the products deleted from the Procurement List.

End of Certification

Accordingly, the following products are deleted from the Procurement List:

Products

Product/NSN: Kit, Backpack, 1375–01–204–1930.
NPA: Blind Industries & Services of Maryland, Baltimore, Maryland.

Contracting Activity: Naval Ships Parts Control Center, Mechanicsburg, Mechanicsburg, PA.

Product/NSN: Parts Kit, Spare, 1375–01–217–8725.

NPA: Blind Industries & Services of Maryland, Baltimore, Maryland.

Contracting Activity: Naval Ships Parts Control Center, Mechanicsburg, Mechanicsburg, PA.

Product/NSN: Trailer, Backpack, 1375–01–254–7721.

NPA: Blind Industries & Services of Maryland, Baltimore, Maryland.

Contracting Activity: Naval Ships Parts Control Center, Mechanicsburg, Mechanicsburg, PA.

Sheryl D. Kennerly,

Director, Information Management.

[FR Doc. E5–2053 Filed 4–28–05; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee is proposing to add to the Procurement List products and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

Comments Must Be Received on or Before: May 29, 2005.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

For Further Information or to Submit Comments Contact: Sheryl D. Kennerly, Telephone: (703) 603–7740, Fax: (703) 603–0655, or e-mail *SKennerly@jwod.gov.*

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 proposed actions.

If the Committee approves the proposed additions, the entities of the Federal Government identified in the notice for each product or service will be required to procure the products and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

Regulatory Flexibility Act Certification

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. If approved, 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 products and services to the Government.

2. If approved, the action will result in authorizing small entities to furnish the products and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the products and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

End of Certification

The following products and services are proposed for addition to Procurement List for production by the nonprofit agencies listed:

Products

Product/NSN: Adhesive Roller Mop & Refill, M.R. 1085 (Mop), M.R. 1095 (Refill).

NPA: Winston-Salem Industries for the Blind, Winston-Salem, North Carolina.

Contracting Activity: Defense Commissary Agency (DeCA), Fort Lee, Virginia.

Services

Service Type/Location: Cleaning Service—Gutter Cleaning, Bremerton Naval Complex, Bremerton, Washington.

NPA: Skookum Educational Programs, Port Townsend, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Custodial Services, Basewide, Naval Submarine Base, Bangor, Washington.

NPA: Skookum Educational Programs, Port Townsend, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Custodial Services, Department of Homeland Security, Customs & Border Protection, Pier One Ala Moana Blvd., Honolulu, Hawaii.

NPA: Lanakila Rehabilitation Center, Honolulu, Hawaii.

Contracting Activity: Department of Homeland Security, Indianapolis, Indiana.

Service Type/Location: Custodial Services, Jim Creek Radio Station, Jim Creek, Washington.

NPA: Northwest Center for the Retarded, Seattle, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Custodial Services, Naval Undersea Warfare Center Division, Keyport, Washington.

NPA: Skookum Educational Programs, Port Townsend, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Custodial Services, Smokey Point Support Complex, Smokey Point, Washington.

NPA: Northwest Center for the Retarded, Seattle, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Bangor Naval Submarine Base, Bangor, Washington.

NPA: Peninsula Services, Bremerton, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Naval Hospital Bremerton, HP01 Boone Road, Bremerton, Washington.

NPA: Peninsula Services, Bremerton, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Camp Wesley Harris Rifle Range, Bremerton, Washington.

NPA: Peninsula Services, Bremerton, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Flight Line and Surrounding Runway Areas, NAS Whidbey Island, Washington.

NPA: New Leaf, Inc., Oak Harbor, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Jackson Park Housing Area, Bremerton, Washington.

NPA: Peninsula Services, Bremerton, Washington.

Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Jim Creek Radio Station, Jim Creek, Washington.
NPA: Northwest Center for the Retarded, Seattle, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Outlying Field Area (OLF) near Coupeville, Washington.
NPA: New Leaf, Inc., Oak Harbor, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Grounds Maintenance, Smokey Point Support Complex, Smokey Point, Washington.
NPA: Northwest Center for the Retarded, Seattle, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Hospital Housekeeping Services, Naval Hospital Bremerton, HP01 Boone Road, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Maintenance Service—Re-lamping, Bremerton Naval Complex, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Maintenance Service—Cargo Door, Bremerton Naval Complex, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Painting Service—Street Striping, Bremerton Naval Complex, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Provision & Service of Chemical Toilets, Bremerton Naval Complex, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Service Type/Location: Provision & Service of Portable Hand Wash Units, Bremerton Naval Complex, Bremerton, Washington.
NPA: Skookum Educational Programs, Port Townsend, Washington.
Contracting Activity: Naval Facilities Engineering Command, Engineering Field Activity, Northwest, Poulsbo, Washington.

Sheryl D. Kennerly,
Director, Information Management.
[FR Doc. E5–2054 Filed 4–28–05; 8:45 am]
BILLING CODE 6353–01–P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

Materials Processing Equipment Technical Advisory Committee; Notice of Open Meeting

The Materials Processing Equipment Technical Advisory Committee (MPETAC) will meet on May 17, 2005 at 9 a.m. in Room 6087B of the Herbert C. Hoover Building, 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 equipment and related technology.

Agenda

1. Opening remarks and introductions.

2. Presentation of papers and comments by the public.

3. Report on meeting of Wassenaar Arrangement Experts Group.

4. Comments on China Machine Tool and Tool Builders' Association 2005 show.

5. Comments on machine tool licensing.

The meeting will be open to the public and a limited number of seats will be available. Reservations are not accepted. 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 Yvette Springer at *Yspringer@bis.doc.gov.*

For more information, please contact Ms. Springer at 202–482–4814.

Dated: April 26, 2005.
Yvette Springer,
Committee Liaison Officer.
[FR Doc. 05–8616 Filed 4–28–05; 8:45 am]
BILLING CODE 3510–JT–M

DEPARTMENT OF COMMERCE

International Trade Administration

A–570–846

Brake Rotors from the People's Republic of China: Extension of the New Shipper Antidumping Duty Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: April 29, 2005.

FOR FURTHER INFORMATION CONTACT: John Conniff at (202) 482–1009, AD/CVD Enforcement, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230.

SUPPLEMENTARY INFORMATION:

Background

At the request of both Dixion Brake System (Longkou) Ltd. and Laizhou Wally Automobile Co., Ltd., the Department of Commerce (''the Department'') initiated new shipper reviews of the antidumping duty order on brake rotors from the People's Republic of China for the period April 1, 2004, through September 30, 2004. *See Brake Rotors from the PRC: Initiation of Twelfth New Shipper Antidumping Duty Review*, 69 FR 70632 (December 7, 2004). The preliminary results of this review are currently due no later than May 23, 2005.

Extension of Time Limit for Preliminary Results of Review

Pursuant to 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended (''the Act'') and 19 CFR 351.214(i)(1), the Department will issue the preliminary results of a new shipper review within 180 days after the date on which the new shipper review was initiated, and issue the final results within 90 days after the date on which the preliminary results were issued. The Department may, however, extend the deadline for completion of the preliminary results of a new shipper review to 300 days if it determines that the case is extraordinarily complicated (19 CFR 351.214(i)(2)).

The Department finds that this case is extraordinarily complicated and that the preliminary results of this new shipper

review cannot be completed within the statutory time limit of 180 days. Specifically, the information that must be analyzed in order to determine whether the new shippers sales are *bona fide* is voluminous and complicated. Accordingly, the Department is extending the time limit for the completion of the preliminary results of this new shipper review until September 20, 2005, which is 300 days after the date on which the new shipper review was initiated. We intend to issue the final results no later than 90 days after the date of issuance of the preliminary results.

This notice is in accordance with section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2).

Dated: April 25, 2005.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E5–2058 Filed 4–28–05; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

C–507–601

Certain In–Shell Roasted Pistachios from the Islamic Republic of Iran: Extension of Time Limit for Preliminary Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

EFFECTIVE DATE: April 29, 2005.

FOR FURTHER INFORMATION CONTACT: Darla Brown, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone (202) 482–2786.

SUPPLEMENTARY INFORMATION:

TIME LIMITS:

Background

On October 7, 1986, the Department of Commerce (the Department) published in the **Federal Register** the countervailing duty order on roasted in–shell pistachios from the Islamic Republic of Iran (Iran) (51 FR 35679). On October 1, 2004, the Department published in the **Federal Register** a notice of opportunity to request an administrative review of the countervailing duty order on roasted in–shell pistachios from Iran (69 FR 58889). As a result of a request properly filed by Tehran Negah Nima Trading Company, Inc. (Nima) on October 27, 2004, we are conducting an administrative review of the countervailing duty order on roasted in–shell pistachios from Iran with respect to Nima. On November 19, 2004, we published in the **Federal Register** the initiation of this countervailing duty administrative review (69 FR 67701). The preliminary results are currently due no later than July 5, 2005.

Extension of Time Limit for Preliminary Results of Review

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue preliminary results within 245 days after the last day of the anniversary month of an order for which a review is requested. However, if it is not practicable to complete the preliminary results of review within this time period, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary results to a maximum of 365 days.

We determine that this review is extraordinarily complicated because there are a large number of programs, including new subsidy programs, to be considered and analyzed by the Department. In order to complete our analysis, we require additional and/or clarifying information. As a result, it is not practicable to complete the preliminary results of this review within the original time limits. Therefore, the Department is extending the time limits for completion of the preliminary results until no later than November 2, 2005, which is 365 days from the last day of the anniversary month of the date of publication of the order. The deadline for the final results of review continues to be 120 days after the publication of the preliminary results.

This notice is issued and published in accordance with section 751(a)(3)(A) of the Act.

Dated: April 25, 2005.

Barbara E. Tillman,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E5–2059 Filed 4–28–05; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041905A]

Marine Mammals; File Nos. 1036–1744, 594–1759, and 633–1763

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

ACTION: Issuance of permits.

SUMMARY: Notice is hereby given that the following individuals and institutions have been issued permits to conduct research on northern right whales (*Eubalaena glacialis*) and other marine mammals in the North Atlantic: Robert DiGiovanni, Riverhead Foundation for Marine Research and Preservation, 467 East Main Street, Riverhead, New York 11901 (File No. 1036–1744); the Georgia Department of Natural Resources, Wildlife Resources Division, Nongame-Endangered Wildlife Program, Coastal Office, Brunswick, GA (File No. 594–1759); and the Center for Coastal Studies, Provincetown, MA (File No. 633–1763).

ADDRESSES: The permit and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713–2289; fax (301)427–2521;

Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930–2298; phone (978)281–9200; fax (978)281–9371; and

Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702–2432; phone (727)570–5301; fax (727)570–5320.

FOR FURTHER INFORMATION CONTACT: Carrie Hubard or Dr. Tammy Adams, (301)713–2289.

SUPPLEMENTARY INFORMATION: On April 7, 2004, notice was published in the **Federal Register** (69 FR 18357) that a request for a scientific research permit to take marine mammals in the North Atlantic had been submitted by Robert DiGiovanni, Riverhead Foundation for Marine Research and Preservation. On February 24, 2005 notice was published in the **Federal Register** (70 FR 9049) that requests for scientific research permits to take right whales in the North Atlantic had been submitted by the Georgia Department of Natural Resources and the Center for Coastal Studies. The requested permits have been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226).

The permits authorize harassment of marine mammals during close

approaches for aerial and vessel surveys with associated photo-identification and behavioral observations. Permit No. 1036–1744 authorizes harassment of various cetacean and pinniped species in waters off Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia. Permit No. 594–1759 authorizes harassment of northern right whales in waters off Virginia, North Carolina, South Carolina, Georgia, Florida, and Alabama. Permit No. 633–1763 authorizes harassment of northern right whales in the Gulf of Maine, Cape Cod Bay, Great South Channel, and Georgia Bight, and the collection and export of sloughed right whale skin.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment was prepared analyzing the effects of the permitted activities. After a Finding of No Significant Impact, the determination was made that it was not necessary to prepare an environmental impact statement.

Issuance of these permits, as required by the ESA, was based on a finding that such permits: (1) Were applied for in good faith; (2) will not operate to the disadvantage of such endangered species; and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 21, 2005.

Stephen L. Leathery,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 05–8604 Filed 4–28–05; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF EDUCATION

Office of Innovation and Improvement (OII); Notice Reopening the Ready to Teach Program Fiscal Year (FY) 2005 Competition

Catalog of Federal Domestic Assistance (CFDA) Number: 84.286A and 84.286B.

Summary: On February 24, 2005, we published in the **Federal Register** (70 FR 9053) a notice inviting applications for the Ready to Teach program's FY 2005 competition. The original notice for this FY 2005 competition established an April 20, 2005, deadline date for eligible applicants to apply for funding under this program.

In order to afford as many eligible applicants as possible an opportunity to receive funding under this program, we are reopening the Ready to Teach program FY 2005 competition. The new application deadline date for the competition is May 6, 2005.

Dates: Deadline for Transmittal of Applications: May 6, 2005 (applications must be received at the Grants.gov/Apply Web site by 4:30 p.m., Washington, DC time).

Note: Applications for grants under the Ready to Teach program must be submitted electronically using the Grants.gov site. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us. For information about how to submit your application electronically, please refer to Section IV. 6. *Other Submission Requirements* in the February 24, 2005, notice (70 FR 9056). We have not extended the deadline for submitting a statement that an applicant qualifies for an exception to the electronic submission requirement.

Deadline for Intergovernmental Review: The deadline date for Intergovernmental Review under Executive Order 12732 is extended to June 6, 2005.

For Further Information Contact: Sharon J. Harris-Morgan, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W250, Washington, DC 20202–5980. Telephone: (202) 205–5880 or by e-mail: *sharon.morgan@ed.gov.*

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

Supplementary Information: Any eligible applicant may apply for funding under this program by the deadline date in this notice. Eligible applicants that submitted their applications in a timely manner for the Ready to Teach program FY 2005 competition to the Department on or prior to the competition's original deadline date of April 20, 2005, are not required to re-submit their applications or re-apply in order to be considered for FY 2005 awards under this program. We encourage eligible applicants to submit their applications as soon as possible to avoid any problems with filing electronic applications on the last day. The deadline for submission of applications will not be extended any further.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Dated: April 26, 2005.

Nina Shokraii Rees,

Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. 05–8614 Filed 4–28–05; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services; Overview Information; Technology and Media Services for Individuals With Disabilities—Television Access; Notice Inviting Applications For New Awards For Fiscal Year (FY) 2005

Catalog of Federal Domestic Assistance (CFDA) Number: 84.327C.

Dates:

Applications Available: May 2, 2005.

Deadline for Transmittal of Applications: June 13, 2005.

Deadline for Intergovernmental Review: August 12, 2005.

Eligible Applicants: State educational agencies (SEAs); local educational agencies (LEAs); public charter schools that are LEAs under State law; institutions of higher education (IHEs); other public agencies; private nonprofit organizations; outlying areas; freely associated States; Indian tribes or tribal organizations; and for-profit organizations.

Estimated Available Funds: $7,200,000.

Estimated Average Size of Awards: $800,000.

Maximum Award: The Secretary does not intend to fund an application that proposes a budget exceeding $800,000 for a single budget period of 12 months.

Estimated Number of Awards: 9.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of this program is to: (1) Improve results for children with disabilities by promoting the development, demonstration, and use of technology, (2) support educational media services activities designed to be of educational value in the classroom setting to children with disabilities, and (3) provide support for captioning and video description that is appropriate for use in the classroom setting.

Priorities: This competition contains an absolute priority and a competitive preference priority. In accordance with 34 CFR 75.105(b)(2)(v), these priorities are from allowable activities specified in the statute (see sections 674 and 681(d) of the Individuals with Disabilities Education Act (IDEA)).

Absolute Priority: For FY 2005 this priority is an absolute priority. Under 34 CFR 75.105(c)(3), we consider only applications that meet this priority.

This priority is:

Technology and Media Services for Individuals With Disabilities—Television Access

Background of Priority:

On July 21, 2000, the Federal Communications Commission (FCC) adopted rules to make television more accessible to people with visual disabilities by mandating that a certain amount of programming contain video description. However, in November 2002, a Federal court struck down these rules. Thus, because FCC accessibility rules do not currently require video description, only a limited number of television programs provide video description for individuals with blindness or low vision. For more information about video description, please refer to: *http://ftp.fcc.gov/cgb/consumerfacts/vid_des.html.*

The FCC is also responsible for implementing and monitoring the closed captioning requirements of the Telecommunications Act of 1996. In that law, Congress authorized the FCC to adopt exemptions from general captioning requirements. For more information about closed captioning and the exemptions please refer to: *http://www.fcc.gov/cgb/consumerfacts/closedcaption.html.*

Statement of Priority: Under this priority, which supports cooperative agreements, an applicant must describe, or describe and caption, widely available programs that are appropriate for, and designed to be of educational value in the classroom setting for children with disabilities at the preschool, elementary, or secondary level.

A project must do the following:

(a) Include criteria for selecting programs of high educational merit and take into account the preference of educators, students, and parents.

(b) Identify and support a consumer advisory group, including parents and educators, which must meet at least annually.

(c) Use the expertise of this consumer advisory group to certify that each program described or described and captioned with project funds is of educational value in the classroom setting at the preschool, elementary, or secondary level for children with disabilities. Acceptable programming must be appropriate for use in the classroom setting, focusing on the educational needs of students, including intellectual/cognitive or social/emotional needs.

(d) Identify the extent to which the programming is widely available.

(e) Identify the total number of program hours the project will make accessible and the cost per hour for description and, if the applicant is proposing both description and captioning, the cost per hour for description and captioning.

(f) For each video program, identify the source of any private or other public support, and the projected dollar amount of that support, if any.

(g) Demonstrate the willingness of program providers or program owners to permit and facilitate the description or, the description and captioning of their programs.

(h) Provide assurances from program providers or program owners stating that programs made accessible under this project will air, and will continue to air, with descriptions, or with descriptions and captions.

(i) If the applicant is proposing both description and captioning, provide assurances from program providers or program owners stating that programs captioned under this project would not otherwise be captioned to meet the FCC's captioning requirements, or are specifically exempt from the FCC's captioning requirements.

(j) Implement procedures for monitoring the extent to which full accessibility is provided, and use this information to make refinements in project operations.

(k) Identify the anticipated shelf-life and range of distribution of the video programs that is possible without further costs to the project.

In addition, projects funded under this priority must—

(a) Budget for a two-day Project Directors' meeting in Washington, DC during each year of the project.

(b) If the project maintains a Web site, include relevant information and documents in a format that meets a government or industry-recognized standard for accessibility.

Competitive Preference Priority: Within this absolute priority, we give competitive preference to applications that address the following priority. Under 34 CFR 75.105(c)(2)(i) we award up to an additional 10 points to an application from a small business. Thus, an applicant meeting this competitive preference could receive a maximum possible score of 110 points.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on proposed priorities. However, section 681(d) of IDEA makes the public comment requirements of the APA inapplicable to the priority in this notice.

Program Authority: 20 U.S.C. 1474 and 1481(d).

Applicable Regulations: The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to IHEs only.

II. Award Information

Type of Award: Cooperative agreements.

Estimated Available Funds: $7,200,000.

Estimated Average Size of Awards: $800,000.

Maximum Award: The Secretary does not intend to fund an application that proposes a budget exceeding $800,000 for a single budget period of 12 months.

Estimated Number of Awards: 9.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

III. Eligibility Information

1. *Eligible Applicants:* SEAs; LEAs; public charter schools that are LEAs under State law; IHEs; other public agencies; private nonprofit organizations; outlying areas; freely associated States; Indian tribes or tribal organizations; and for-profit organizations.

2. *Cost Sharing or Matching:* This competition does not involve cost sharing or matching.

3. *Other: General Requirements*—(a) The projects funded under this competition must make positive efforts to employ and advance in employment qualified individuals with disabilities (see section 606 of IDEA).

(b) Applicants and grant recipients funded under this competition must involve individuals with disabilities or parents of individuals with disabilities ages birth through 26 in planning, implementing, and evaluating the projects (see section 682(a)(1)(A) of IDEA).

IV. Application and Submission Information

1. *Address to Request Application Package:* Education Publications Center (ED Pubs), P.O. Box 1398, Jessup, MD 20794–1398. Telephone (toll free): 1–877–433–7827. Fax: (301) 470–1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1–877–576–7734.

You may also contact ED Pubs at its Web site: *http://www.ed.gov/pubs/edpubs.html* or you may contact ED Pubs at its e-mail address: *edpubs@inet.ed.gov.*

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA Number 84.327C.

Individuals with disabilities may obtain a copy of the application package in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) by contacting the program contact person listed under **FOR FURTHER INFORMATION CONTACT** in section VII of this notice.

2. *Content and Form of Application Submission:* Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

Page Limit: The application narrative (Part III of the application) is where you, the applicant, address the selection criteria that reviewers use to evaluate your application. You must limit Part III to the equivalent of no more than 50 pages, using the following standards:

- A ''page'' is 8.5″ x 11″, on one side only, with 1″ margins at the top, bottom, and both sides.
- Double space (no more than three lines per vertical inch) all text in the application narrative, including titles, headings, footnotes, quotations, references, and captions, as well as all text in charts, tables, figures, and graphs.
- Use a font that is either 12 point or larger or no smaller than 10 pitch (characters per inch).

The page limit does not apply to Part I, the cover sheet; Part II, the budget section, including the narrative budget justification; Part IV, the assurances and certifications; or the one-page abstract, the resumes, the bibliography, the references, or the letters of support. However, you must include all of the application narrative in Part III.

We will reject your application if—

- You apply these standards and exceed the page limit; or
- You apply other standards and exceed the equivalent of the page limit.

3. *Submission Dates and Times:*

Applications Available: May 2, 2005.

Deadline for Transmittal of Applications: June 13, 2005.

Applications for grants under this competition may be submitted electronically using the Grants.gov Apply site (Grants.gov), or in paper format by mail or hand delivery. For information (including dates and times) about how to submit your application electronically, or by mail or hand delivery, please refer to section IV. 6. *Other Submission Requirements* in this notice.

We do not consider an application that does not comply with the deadline requirements.

Deadline for Intergovernmental Review: August 12, 2005.

4. *Intergovernmental Review:* This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. *Funding Restrictions:* We reference regulations outlining funding restrictions in the *Applicable Regulations* section of this notice.

6. *Other Submission Requirements:* Applications for grants under this competition may be submitted electronically or in paper format by mail or hand delivery.

a. *Electronic Submission of Applications.*

We have been accepting applications electronically through the Department's e-Application system since FY 2000. In order to expand on those efforts and comply with the President's Management Agenda, we are continuing to participate as a partner in the new government wide Grants.gov Apply site in FY 2005. Television Access-CFDA Number 84.327C is one of the competitions included in this project.

If you choose to submit your application electronically, you must use the Grants.gov Apply site (Grants.gov). Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You may not e-mail an electronic copy of a grant application to us. We request your participation in Grants.gov.

You may access the electronic grant application for Television Access-CFDA Number 84.327C competition at: *http://www.grants.gov*. You must search for the downloadable application package for this program by the CFDA number. Do not include the CFDA number's alpha suffix in your search.

Please note the following:

- Your participation in Grants.gov is voluntary.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.
- Applications received by Grants.gov are time and date stamped. Your application must be fully uploaded and submitted with a date/time received by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. We will not consider your application if it was received by the Grants.gov system later than 4:30 p.m. on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was submitted after 4:30 p.m. on the application deadline date.
- If you experience technical difficulties on the application deadline date and are unable to meet the 4:30 p.m., Washington, DC time, deadline, print out your application and follow the instructions in this notice for the submission of paper applications by mail or hand delivery.
- The amount of time it can take to upload an application will vary depending on a variety of factors including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.
- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this competition to ensure that your application is submitted timely to the Grants.gov system.
- To use Grants.gov, you, as the applicant, must have a D–U–N–S Number and register in the Central Contractor Registry (CCR). You should allow a minimum of five business days to complete the CCR registration.

• You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you submit your application in paper format.

• You may submit all documents electronically, including all information typically included on the Application for Federal Education Assistance (ED 424), Budget Information—Non-Construction Programs (ED 524), and all necessary assurances and certifications. Any narrative sections of your application should be attached as files in a .DOC (document), .RTF (rich text) or .PDF (Portable Document) format.

• Your electronic application must comply with any page limit requirements described in this notice.

• After you electronically submit your application, you will receive an automatic acknowledgement from Grants.gov that contains a Grants.gov tracking number. The Department will retrieve your application from Grants.gov and send you a second confirmation by e-mail that will include a PR/Award number (an ED-specified identifying number unique to your application).

• We may request that you provide us original signatures on forms at a later date.

b. *Submission of Paper Applications by Mail.*

If you submit your application in paper format by mail (through the U.S. Postal Service or a commercial carrier), you must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.327C), 400 Maryland Avenue, SW., Washington, DC 20202–4260; or

By mail through a commercial carrier: U.S. Department of Education, Application Control Center—Stop 4260, Attention: (CFDA Number 84.327C), 7100 Old Landover Road, Landover, MD 20785–1506.

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

(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, or

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark, or

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. *Submission of Paper Applications by Hand Delivery.*

If you submit your application in paper format by hand delivery, you (or a courier service) must deliver the original and two copies of your application by hand, on or before the application deadline date, to the Department at the following address: U.S. Department of Education, Application Control Center, Attention: (CFDA Number 84.327C),550 12th Street, SW.,Room 7041, Potomac Center Plaza,Washington, DC 20202–4260.

The Application Control Center accepts hand deliveries daily between 8 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department:

(1) You must indicate on the envelope and—if not provided by the Department—in Item 4 of the Application for Federal Education Assistance (ED 424) the CFDA number—and suffix letter, if any—of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245–6288.

V. Application Review Information

Selection Criteria: The selection criteria for this competition are from 34 CFR 75.210 of EDGAR and are listed in the application package.

VI. Award Administration Information

1. *Award Notices:* If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. *Administrative and National Policy Requirements:* We identify administrative and national policy requirements in the application package and reference these and other requirements in the *Applicable Regulations* section of this notice.

We reference the regulations outlining the terms and conditions of an award in the *Applicable Regulations* section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. *Reporting:* At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118.

4. *Performance Measures:* Grantees will be expected to submit data on total number of hours of programs captioned or described in the aggregate. No additional data collection or review activities are planned.

VII. Agency Contact

FOR FURTHER INFORMATION CONTACT: Jo Ann McCann, U.S. Department of Education, 400 Maryland Avenue, SW., room 4067, Potomac Center Plaza, Washington, DC 20202–2600. Telephone: (202) 245–7434.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1–800–877–8339.

Individuals with disabilities may obtain this document in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request by contacting the following office: The Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center Plaza, Washington, DC 20202–2550. Telephone: (202) 245–7363.

VIII. Other Information

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister*.

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about

using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1–888–293–6498; or in the Washington, DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html*.

Dated: April 25, 2005.

John H. Hager,

Assistant Secretary for Special Education and Rehabilitative Services.

[FR Doc. 05–8615 Filed 4–28–05; 8:45 am]

BILLING CODE 4000–01–P

DEPARTMENT OF ENERGY

Office of Science; Basic Energy Sciences Advisory Committee

AGENCY: Department of Energy.

ACTION: Notice of open meeting.

SUMMARY: This notice announces a meeting of the Basic Energy Sciences Advisory Committee (BESAC). Federal Advisory Committee Act (Pub. L. 92–463, 86 Stat. 770) requires that public notice of these meetings be announced in the **Federal Register**.

DATES: Monday, June 6, 2005, 8:30 a.m.–5 p.m. Tuesday, June 7, 2005, 8:30 a.m.–12 p.m.

ADDRESSES: Omni Shoreham Hotel, 2500 Calvert Street, NW., Washington, DC 20008.

FOR FURTHER INFORMATION CONTACT: Karen Talamini; Office of Basic Energy Sciences; U. S. Department of Energy; Germantown Building, Independence Avenue, Washington, DC 20585; Telephone: (301) 903–4563

SUPPLEMENTARY INFORMATION:

Purpose of the Meeting: The purpose of this meeting is to provide advice and guidance with respect to the basic energy sciences research program.

Tentative Agenda: Agenda will include discussions of the following:

- News from the Office of Science
- News from the Office of Basic Energy Sciences
- Report of the Committee of Visitors for the Division of Chemical Sciences, Geosciences, and Biosciences
- Update from Nanoscale Science Centers

Public Participation: The meeting is open to the public. If you would like to file a written statement with the Committee, you may do so either before or after the meeting. If you would like to make oral statements regarding any of the items on the agenda, you should contact Karen Talamini at 301–903–6594 (fax) or *karen.talamini@science.doe.gov* (e-mail). You must make your request for an oral statement at least 5 business days prior to the meeting. Reasonable provision will be made to include the scheduled oral statements on the agenda. The Chairperson of the Committee will conduct the meeting to facilitate the orderly conduct of business. Public comment will follow the 10-minute rule.

Minutes: The minutes of this meeting will be available for public review and copying within 30 days at the Freedom of Information Public Reading Room; 1E–190, Forrestal Building; 1000 Independence Avenue, SW.; Washington, DC 20585; between 9 a.m. and 4 p.m., Monday through Friday, except holidays.

Issued in Washington, DC on April 22, 2005.

Rachel M. Samuel,

Deputy Advisory Committee Management Officer.

[FR Doc. 05–8588 Filed 4–28–05; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EC05–67–000, *et al.*]

American Transmission Company LLC, *et al.*; Electric Rate and Corporate Filings

April 22, 2005.

The following filings have been made with the Commission. The filings are listed in ascending order within each docket classification.

1. American Transmission Company LLC, ATC Management, Inc., Wisconsin Public Service Corporation, WPS Investments, LLC

[Docket No. EC05–67–000]

Take notice that on April 13, 2005, American Transmission Company LLC (ATC), ATC Management, Inc. (ATCM), Wisconsin Public Service Corporation (WPSC), and WPS Investments, LLC (WPSI) (collectively, Applicants), submitted an application pursuant to section 203 of the Federal Power Act for authorization for the acquisition of certain securities in connection with construction work that WPSC has performed for ATC on two substations owned by ATC. Applicants state that as consideration for this construction work, WPSC would acquire shares of Class A Non-Voting stock in ATCM, and WPSC(s affiliate, WPSI, would acquire membership interests in ATC. The applicants further state that they have also filed for the requisite approval of the Public Service Commission of Wisconsin in connection with this securities issuance.

Comment Date: 5 p.m. eastern time on May 4, 2005.

2. Neptune Regional Transmission System, LLC, Atlantic Energy Partners LLC, NewCo LLC, EIF Neptune, LLC, Starwood Energy Investors, L.L.C.

[Docket No. EC05–70–000]

Take notice that on April 18, 2005, Neptune Regional Transmission System, LLC (Neptune) on behalf of Atlantic Energy Partners LLC (AEP), NewCo LLC (NewCo), EIF Neptune, LLC (EIF) and Starwood Energy Investors L.L.C. (Starwood) (collectively with Neptune, the Applicants) tendered for filing an application requesting all necessary authorizations under section 203 of the Federal Power Act, for a transfer of jurisdictional facilities to facilitate financing and investment arrangements and for a Commission determination that AEP, EIF and Starwood are not public utilities under the Federal Power Act.

Comment Date: 5 p.m. eastern time on May 9, 2005.

3. Oleander Power Project, Limited Partnership, and Southern Power Company

[Docket No. EC05–71–000]

Take notice that, on April 20, 2005, Oleander Power Project, Limited Partnership, (Oleaner Power) and Southern Power Company (Southern Power) jointly submitted an Application pursuant to section 203 of the Federal Power Act requesting that the Commission grant all authorizations necessary to permit the sale of certain partnership interests in Oleander Power to newly-formed special purpose subsidiaries of Southern Power Company. The Applicants request privileged treatment, pursuant to 18 CFR 388.112 for Exhibit I to their Application.

Comment Date: 5 p.m. eastern time on May 11, 2005.

4. Boston Edison Company

[Docket No. EL02–123–007]

Take notice that, on April 19, 2005, Boston Edison Company (BECo) submitted its compliance filing to the March 8, 2005 Commission orders in Docket Nos. EL02–123–005 and EL02–123–006, and pursuant to Commission's April 14, 2005 Notice of Extension of Time and BECo's April 18, 2005 Request for Extension of Time.

BECo states that copies of the filing were served upon the official service list in the above-captioned proceeding and the affected customers.

Comment Date: 5 p.m. eastern time on May 10, 2005.

5. Southern Indiana Gas and Electric Company v. Midwest Independent Transmission System Operator, Inc.

[Docket No. EL05–34–001]

Take notice that on April 11, 2005, the Midwest Independent Transmission System Operator, Inc. (Midwest ISO) submitted, pursuant to section 205 of the Federal Power Act, revisions to the Midwest ISO's Open Access Transmission and Energy Markets Tariff and other information in compliance with the Commission's February 10, 2005, order in this proceeding, *Southern Indiana Gas and Electric Company* v. *Midwest Independent Transmission System Operator, Inc.,* 110 FERC ¶ 61,109 (2005). The Midwest ISO has requested a May 6, 2005, effective date for all tariff sheets submitted as part of this filing.

The Midwest ISO has requested waiver of the service requirements set forth in 18 CFR 385.2010. The Midwest ISO states it has electronically served a copy of this filing, with attachments, upon all Midwest ISO Members, Member representatives of Transmission Owners and Non-Transmission Owners, the Midwest ISO Advisory Committee participants, as well as all State commissions within the region. In addition, Midwest states that the filing has been electronically posted on the Midwest ISO's Web site at *http://www.midwestiso.org* under the heading ''Filings to FERC'' for other interested parties in this matter. The Midwest ISO will provide hard copies to any interested parties upon request.

Comment Date: 5 p.m. eastern time on April 28, 2005.

6. PJM Interconnection, L.L.C.

[Docket No. EL05–70–002]

Take notice that on April 8, 2005, PJM Interconnection, L.L.C. has provided the following designation to American Electric Power Service Corporation for use in connection with the Service Agreement No. 1263.

Comment Date: 5 p.m. eastern time on May 9, 2005.

7. Colton Power L.P.

[ER01–2644–007]

Take notice that on April 19, 2005, Colton Power L.P. (Colton Power) tendered for filing pursuant to a letter order issued by the Commission on March 23, 2005 in Docket No. ER01–2644–006, an amended market-based rate tariff to: (1) Clarify that Colton Power must first receive Commission authorization prior to making any sales to affiliates with a franchised service territory; and (2) implement the reporting requirements established in Order No. 652. *See Reporting Requirement for Change in Status for Public Utilities With Market-Based Rate Authority,* Order No. 652, 70 Fed. Reg. 8,253 (Feb. 18, 2005).

Comment Date: 5 p.m. eastern time on May 10, 2005.

8. Duke Energy Arlington Valley, LLC

[Docket No. ER02–443–005]

Take notice that, on April 19, 2005, Duke Energy Arlington Valley, LLC (Duke Arlington Valley) submitted for filing revisions to its market-based rate tariff, designated as FERC Electric Tariff, Original Volume No. 1, to include the change in status reporting requirements adopted in *Reporting Requirement for Changes in Status for Public Utilities With Market-Based Rate Authority,* Order No. 652, 110 FERC ¶ 61,097 (2005).

Duke Arlington Valley states that copies of the filing were served upon the parties on the official service list in the above-captioned proceeding.

Comment Date: 5 p.m. eastern time on May 10, 2005.

9. Pacific Gas and Electric Company

[Docket No. ER04–415–006]

Take notice that on February 15, 2005, Pacific Gas and Electric Company, (PG&E) submitted for filing an electric refund report in compliance with the Commission's order issued November 30, 2004 in Docket Nos. ER04–415–000, 001 and 002.

Comment Date: 5 p.m. eastern time on May 2, 2005.

10. San Diego Gas & Electric Company

[Docket No. ER05–839–000]

Take notice that on April 19, 2005, San Diego Gas & Electric Company (SDG&E) tendered for filing its revision to SDG&E's TO tariff, FERC Electric Tariff, Second Revised Volume No. 11, to provide for the inclusion of costs resulting from SDG&E's procurement procedure that was implemented in response to the California Public Utilities Commission Decision 04–07–028 in SDG&E's reliability services rates. SDG&E requests an effective date of June 18, 2005 to the tariff changes proposed herein.

SDG&E states that copies of the filing have been served on the California Public Utilities Commission, the California Electricity Oversight Board, the California Independent System Operator Corporation, Pacific Gas and Electric Company, and Southern California Edison Company.

Comment Date: 5 p.m. eastern time on May 10, 2005.

11. San Diego Gas & Electric Company

[Docket No. ER05–840–000]

Take notice that on April 19, 2005, San Diego Gas & Electric Company (SDG&E) tendered for filing its Service Agreement No. 22 to its FERC Electric Tariff, Second Revised Volume No. 11. SDG&E states that this agreement provides for SDG&E to operate and maintain certain interconnection facilities required for a 47.955 MW generation project being constructed and owned by RAMCO Generation One in San Diego County. SDG&E requests an effective date of April 22, 2005.

SDG&E states that copies of the filing have been served on RAMCO Generation One, on the California Independent System Operator Corporation and on the California Public Utilities Commission.

Comment Date: 5 p.m. eastern time on May 10, 2005.

12. Praxair Plainfield, Inc.

[Docket No. ER05–841–000]

Take notice that on April 19, 2005, Praxair Plainfield, Inc. (Plainfield) filed an application to amend its market-based rate tariff and seek waiver of certain regulations, and blanket approvals.

Comment Date: 5 p.m. eastern time on May 10, 2005.

13. Cleco Power, LLC

[Docket No. ER05–842–000]

Take notice that on April 19, 2005, Cleco Power LLC (Cleco Power) filed a proposed new Attachment L to its Open Access Transmission Tariff (OATT) to incorporate by reference the North American Electric Reliability Council's transmission loading relief procedures, and any amendments on file and accepted by the Commission, as a part of Cleco's OATT. Cleco Power states that it designates the filing as FERC Electric Tariff, Second Revised Volume No. 1, Second Revised Sheet No. 7 and Original Sheet No. 283. Cleco Power requests and effective date of April 20, 2005.

Comment Date: 5 p.m. eastern time on May 10, 2005.

14. Westar Energy, Inc.

[Docket No. ER05–843–000]

Take notice that on April 19, 2005, Westar Energy, Inc. (Westar) submitted for filing a notice of cancellation for first

revised rate schedule FERC No. 227, an Electric Power Supply agreement between Westar and the City of Axtell, Kansas.

Comment Date: 5 p.m. eastern time on May 10, 2005.

Standard Paragraph

Any person desiring to intervene or to protest this filing must file in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). 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 notice of intervention or motion to intervene, as appropriate. Such notices, motions, or protests must be filed on or before the comment date. Anyone filing a motion to intervene or protest must serve a copy of that document on the Applicant and all parties to this proceeding.

The Commission encourages electronic submission of protests and interventions in lieu of paper using the ''eFiling'' link at *http://www.ferc.gov*. Persons unable to file electronically should submit an original and 14 copies of the protest or intervention to the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

This filing is accessible online at *http://www.ferc.gov,* using the ''eLibrary'' link and is available for review in the Commission's Public Reference Room in Washington, DC. There is an ''eSubscription'' link on the Web site that enables subscribers to receive e-mail notification when a document is added to a subscribed docket(s). For assistance with any FERC Online service, please e-mail *FERCOnlineSupport@ferc.gov,* or call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Linda Mitry,

Deputy Secretary.

[FR Doc. E5–2055 Filed 4–28–05; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF ENERGY

National Nuclear Security Administration

Final Site-Wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement

AGENCY: National Nuclear Security Administration, Department of Energy.

ACTION: Notice of availability.

SUMMARY: The Livermore Site Office of the Department of Energy's (DOE) National Nuclear Security Administration (NNSA) announces the availability of the Final Site-wide Environmental Impact Statement for Continued Operation of Lawrence Livermore National Laboratory (DOE/EIS–0348) and Supplemental Stockpile Stewardship and Management Programmatic Environmental Impact Statement (DOE/EIS–0236-S3) (LLNL SW/SPEIS). The Final LLNL SW/SPEIS was prepared in accordance with the Council on Environmental Quality's National Environmental Policy Act (NEPA) Implementing Regulations (40 CFR Parts 1500–1508) and the DOE's NEPA Implementing Procedures (10 CFR Part 1021). The Final LLNL SW/SPEIS analyzes the potential environmental impacts associated with continuing current Lawrence Livermore National Laboratory (LLNL) operations and foreseeable new or modified operations and facilities. The LLNL SW/SWPEIS also evaluates the potential environmental impacts of experiments at the National Ignition Facility (NIF) using plutonium, other fissile materials, fissionable materials, and lithium hydride. The Final LLNL SW/SPEIS analyses a Proposed Action and two alternatives, the No Action Alternative and a Reduced Operation Alternative. The No Action Alternative would continue operation of current LLNL programs in support of assigned missions. The Proposed Action includes operations discussed under the No Action Alternative and new or expanded operations in support of reasonably foreseeable mission requirements. The Reduced Operation Alternative consists of a reduction of activities compared to the No Action Alternative. The NNSA has identified the Proposed Action as the preferred alternative in the Final LLNL SW/SPEIS.

DATES: The NNSA intends to issue a Record of Decision on the Final LLNL SW/SPEIS no sooner than 30 days after the Environmental Protection Agency (EPA) publishes a notice of filing of the Final LLNL SW/SPEIS in the **Federal Register**.

ADDRESSES: The Final LLNL SW/SPEIS is available on the LLNL Environmental Community Relations Web site *http://www-envirinfo.llnl.gov/.* For additional information or a copy of the Final LLNL SW/SPEIS or its Summary contact: Mr. Thomas Grim, Document Manager, National Nuclear Security Administration, Livermore Site Office, L–293, 7000 East Avenue, Livermore, CA 94550–9234; phone (925) 422–0704 or toll free 1–877–388–4930; or by e-mail *(tom.grim@doeal.gov).* The Final LLNL SW/SPEIS is also available at the following locations: the DOE Public Reading Room in Room 1E–190, 1000 Independence Ave, SW., Washington, DC 20585, (202) 586–3142; the LLNL Public Reading Room in the LLNL Visitors Center in Building 6525 located at the East Gate Entrance off of Greenville Road, Livermore, California, (925) 424–4026; the Livermore Public Library at 1000 South Livermore Avenue, Livermore California, (925) 373–5500; and the Tracy Public Library at 20 East Eaton Avenue, Tracy, CA, (209) 831–4250.

For general information on the DOE NEPA process, please contact: Ms. Carol M. Borgstrom, Director, Office of NEPA Policy and Compliance, EH–42, U.S. DOE, 1000 Independence Avenue, SW., Washington, DC 20585, telephone 202–586–4600, or leave a message at 1–800–472–2756.

SUPPLEMENTARY INFORMATION: The continued operation of LLNL is critical to NNSA's Stockpile Stewardship Program and to preventing the spread and use of nuclear weapons worldwide. LLNL maintains core competencies in activities associated with research and development, design, and surveillance of nuclear weapons, as well as the assessment and certification of their safety and reliability. LLNL also supports other DOE programs and Federal agencies such as the Department of Defense, the Nuclear Regulatory Commission, EPA, and the Department of Homeland Security. The Final LLNL SW/SPEIS analyzes the environmental impacts of these operations.

LLNL was founded in 1952 as the second nuclear weapons design laboratory in order to promote innovation in the design of our nation's nuclear stockpile. LLNL consists of two sites: the Livermore Site located in Livermore, California (Alameda County); and Site 300, an experimental test site located near Tracy, California,

(San Joaquin and Alameda counties). The Livermore Site is the primary site and is located approximately 40 miles east of San Francisco in the Livermore Valley on the east side of the city of Livermore. Site 300 is located 15 miles southeast of the city of Livermore between Livermore and Tracy.

The alternatives evaluated in the Final LLNL SW/SPEIS represent a range of operation from the minimum level that maintains core capabilities (Reduced Operation Alternative) to the highest reasonable activity levels that could be supported by current facilities, and the potential expansion and construction of new facilities for identified future actions (Proposed Action). The No Action Alternative would continue operation of current LLNL programs in support of assigned missions and includes approved interim actions; facility construction, expansion, or modification; and decontamination and decommissioning projects for which NEPA analysis and documentation already exist. The Proposed Action includes operations discussed under the No Action Alternative and the construction of new facilities and expanded operations in support of future mission requirements. Specifically, the Proposed Action includes increasing the administrative and material-at-risk limits for plutonium and tritium, and the use of nuclear materials (plutonium, other fissile materials, fissionable materials, and lithium hydride) at the National Ignition Facility. The Reduced Operation Alternative represents a thirty percent reduction of the Stockpile Stewardship Program compared to the No Action Alternative. The Reduced Operation Alternative maintains full operational readiness for NNSA facilities and operations, but does not represent the level of operation required to fulfill the missions of the Stockpile Stewardship Program assigned to LLNL. The NNSA has identified the Proposed Action as its preferred alternative in the Final LLNL SW/SPEIS.

The Final LLNL SW/SPEIS contains responses to comments received during the public comment period, as well as changes that were made to the Draft LLNL SW/SPEIS in response to these comments. The NNSA will consider the analyses in the Final LLNL SW/SPEIS, along with other information, in making its decision regarding future operations at LLNL.

Issued in Washington, DC, this 10th day of March 2005.

Linton F. Brooks,

Administrator, National Nuclear Security Administration.

[FR Doc. 05–8600 Filed 4–28–05; 8:45 am]

BILLING CODE 6450–01–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6662–9]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and Section 102(2)(c) of the National Environmental Policy Act, as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at 202–564–7167. An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in the **Federal Register** dated April 1, 2005 (70 FR 16815).

Draft EISs

EIS No. 20050006, ERP No. D1–FHW–H40397–MO, Interstate 70 Corridor Improvements, Section of Independent Utility #4, from Missouri Route BB Interchange to Eastern Columbia, Funding, Boone County, MO.

Summary: EPA has no objections to the proposed project.

Rating LO

EIS No. 20040520, ERP No. D–DOE–J39033–UT, Moab Uranium Mill Trailings Remediation, Proposal To Clean Up Surface Contamination and Implement a Ground Water Strategy, Grand and San Juan Counties, UT.

Summary: EPA rated the on-site alternative environmentally unsatisfactory because it would result in continuing exceedances of water quality criteria and it may not provide long-term pile stability. EPA has environmental objections to the White Mesa Mill site based on potential inconsistency with Utah's ground water protection standards. EPA has environmental concerns for the two other alternatives regarding transportation of the tailings to the site and cap design.

Rating EU2

EIS No. 20040569, ERP No. D–NRC–D03004–VA, Early Site Permit (ESP at the North Anna Power Station ESP Site (TAC No. MC1128), Construction and Operation, NUREG–1811, Louisa County, VA.

Summary: EPA has environmental concerns based on the lack of information on wetland and stream impacts, the impact on the water resource and the affects on the downstream communities.

Rating EC2

EIS No. 20050018, ERP No. D–FAA–F51050–IL, O'Hare Modernization Program, Proposes Major Development, Chicago O'Hare International Airport, Airport Layout Plan (ALP), Federal Funding, U.S. Army COE Section 404 Permit, City of Chicago, IL.

Summary: EPA expressed concerns related to air quality (criteria pollutants and hazardous air pollutants), wetlands, stormwater, noise, and environmental justice. EPA recommended additional analysis for air (general conformity and fine particulate matter (PM2.5)), noise mitigation options, and environmental justice. EPA recommended that the final EIS contain mitigation commitments for: increased mitigation ratios for wooded wetlands, noise mitigation, specific air mitigation measures targeting diesel emissions during construction and operation and hazardous air pollutants associated with aircraft idling and taxiing.

Rating EC2

EIS No. 20050021, ERP No. D–NRC–F06025–WI, GENERIC—License Renewal for Point Beach Nuclear Plant, Units 1 and 2, Supplement 23 to NUREG–1437 (TAC Nos. MC2049 and MC2050), Lake Michigan,Manitowoc County, WI.

Summary: EPA has environmental concerns regarding the adequacy and presentation of the radiological impacts and risk estimates and entrainment of fish and shellfish. In addition, impacts to ground water, especially with respect to on-site drinking water wells, are not discussed.

Rating EC2

EIS No. 20050050, ERP No. D–COE–D39028–00, TIER 1-DEIS Baltimore Harbor and Channel Dredged Material Management Plan (DMMP), To Analyze Dredged Material Placement, Port of Baltimore, Chesapeake Bay, MD, PA, DE, WV, VA, DC, and NY.

Summary: EPA had no objections to the ''no action'' alternative (*i.e.*, the continued use of Open Water Placement in Virginia and the optimized use of existing dredged material management sites) and the new Alternative proposing

beneficial uses of dredged materials (*i.e.*, wetlands restoration in Dorchester County, MD). EPA expressed environmental concerns over the remaining three alternatives (*i.e.*, the proposed multiple new Confined Disposal Facilities in the Patapsco River, the Poplar Island Environmental Restoration Project expansion and the Large Island Restoration Middle Bay). EPA recommended that continued use of Open Water Placement in Virginia include the already designated NorfolkOcean Disposal Site given its available capacity.

Rating EC1

EIS No. 20050053, ERP No. D–CGD–E03013–00, Compass Port and Deepwater Port License Application, To Construct a Liquefied Natural Gas (LNG) Receiving, Storage and Regasification Facility, Proposed Offshore Pipeline and Fabrication Site, NPDES Permit, U.S. Army COE Section 10 and 404 Permits, Mobile County, AL and San Patricio and Nueces County, TX.

Summary: EPA expressed objections to the open loop re-gasification system due to immediate and cumulative adverse impacts to eastern Gulf waters and habitat. EPA requested additional information that is necessary for the federal Prevention of Significant Deterioration and National Pollutant Discharge Elimination System permits required for this Deep Water Port.

Rating EO2

EIS No. 20050082, ERP No. D–FRC–J03001–CO, Entrega Pipeline Project, Construction and Operation New Interstate Natural Gas Pipeline System, Right-of-Way Grant Issue by BLM, Meeker Hub and Cheyenne Hub, Rio Blanco and Weld Counties, CO, and Sweetwater County, WY.

Summary: EPA expressed concerns regarding the environmental impacts of additional natural gas development in the Piceance and Uinta basins to wildlife, water and air quality. EPA also recommended that other connected actions to the project and other projects that will be induced by the new pipeline be reviewed in the EIS.

Rating EC2

EIS No. 20050091, ERP No. D–FRC–G03026–00, Golden Pass Liquefied Natural Gas (LNG) Import Terminal and Natural Gas Pipeline Facilities, Construction and Operation, Jefferson, Orange, Newton Counties, TX and Calcasieu Parish, LA.

Summary: EPA expressed environmental concerns and requested additional information regarding alternatives, invasive species, air quality impacts and Clean Air Act conformity.

Rating EC2.Final EISs

EIS No. 20050071, ERP No. F–FHW–F40394–MI, I–94/Rehabilitation Project, Transportation Improvements to a 6.7 mile portion of I–94 from east I–96 west and to Conner Avenue on the east end, Funding and NPDES Permit, City of Detroit, Wayne County, MI.

Summary: EPA has no objections to the preferred alternative.

EIS No. 20050085, ERP No. F–FRC–K05060–CA, Stanislaus Rivers Projects, Relicensing of Hydroelectric Projects: Spring Gap-Stanislaus FERC No. 2130; Beardsley/Donnells FERC No. 2005; Tulloch FERC No. 2067; and Donnells-Curtis Transmission Line FERC No. 2118, Tuolumne and Calaveras Counties, CA.

Summary: EPA has no objections to the project as proposed. In response to comments from EPA, FERC clarified and provided additional information on impacts to water and air quality, efforts to involve tribal governments, and evaluation of environmental justice issues.

Dated: April 26, 2005.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 05–8612 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6662–8]

Environmental Impact Statements; Notice of Availability

Responsible Agency: Office of Federal Activities, General Information (202) 564–7167 or *http://www.epa.gov/compliance/nepa/.*

Weekly receipt of Environmental Impact Statements filed April 18, 2005 through April 22, 2005 pursuant to 40 CFR 1506.9.

EIS No. 20050165, Draft EIS, NPS, AK, Denali National Park and Preserve Revised Draft Backcountry Management Plan, General Management Plan Amendment, Implementation, AK, *Comment Period Ends:* June 30, 2005, Contact: Anne D. Castelina (202) 208–6381.

EIS No. 20050166, Draft EIS, AFS, CA, Brown Project, Proposal to Improve Forest Health by Reducing Overcrowded Forest Stand Conditions, Trinity River Management Unit, Shasta-Trinity National Forest, Weaverville Ranger District, Trinity County, CA, *Comment Period Ends:* June 13, 2005, Contact: J. Sharon Heywood (530) 226–2500.

EIS No. 20050167, Final EIS, AFS, WV, Fernow Experimental Forest, To Continue Long-Term Research and Initiate New Research, Involving Removal of Trees, Prescribed Burning, Stem Injection of Selected of Trees, Control Invasive Plant Species, Northeastern Research Station, Parson, Tucker County, WV, *Comment Period Ends:* May 31, 2005, Contact: Mary Beth Adams (304) 478–2000.

EIS No. 20050168, Draft EIS, BLM, AK, East Alaska Draft Resource Management Plan (RMP), Provide a Single Comprehensive Land Use Plan, Glennallen Field Office District, AK, *Comment Period Ends:* July 28, 2005, Contact: Bruce Rogers (907) 822–3217.

EIS No. 20050169, Final EIS, BLM, MT, Dillon Resource Management Plan, Provide Direction for Managing Public Lands within the Dillon Field Office, Implementation, Beaverhead and Madison Counties, MT, *Wait Period Ends:* May 31, 2005, Contact: Renee Johnson (406) 683–8016.

EIS No. 20050170, Final EIS, DOE, CA, Site-wide Continued Operation of Lawrence Livermore National Laboratory (LLNL) and Stockpile Stewardship and Management, Implementation, Alameda and San Joaquin Counties, CA, *Wait Period Ends:* May 31, 2005, Contact: Tom Grim (925) 422–0704.

EIS No. 20050171, Final EIS, AFS, NV, Jarbidge Canyon Project, Road Management Plan Implementation, Water Projects Construction along Charleston-Jarbidge Road and South Canyon Road Reconstruction, Humbolt-Toiyabe National Forest, Jarbidge Ranger District, Elko County, NV, *Wait Period Ends:* May 31, 2005, Contact: James Winfrey (775) 778–6129.

EIS No. 20050172, Final EIS, NRC, AR, Generic-License Renewal of Nuclear Plants, Arkansas Nuclear One, Unit 2 (Tac. Nos. MB 8405) Supplement 19 to NUREG–1437, Operating License Renewal, Pope County, AR, *Wait Period Ends:* May 31, 2005, Contact: Thomas Kenyon (301) 415–1120.

EIS No. 20050173, Draft EIS, NRC, MS, Grand Gulf Early Site Permit, Construction and Operation, Issuance of an Early Site Permit (ESP), NUREG–1817, Claiborne County, MS, *Comment Period Ends:* July 14, 2005,

Contact: James Wilson (301) 415–1108.

EIS No. 20050174, Draft EIS, FHW, CO, I–25 Valley Highway Project, Transportation Improvement from Logan to U.S. 6, Douglas County, CO, *Comment Period Ends:* June 14, 2005, Contact: Chris Horn (720) 963–3017.

Amended Notices

EIS No. 20050096, Draft EIS, NRC, IL, Early Site Permit (ESP) at the Exelon ESP Site, Application for ESP on One Additional Nuclear Unit, within the Clinton Power Station (CPS), NUREG–1815, DeWitt County, IL, *Comment Period Ends:* May 25, 2005, Contact: Thomas Kenyon (301) 415–1120. Revision of FR Notice Published on 3/11/2005: CEQ Comment Period Ending on 4/25/2005 has been Extended to 5/25/2005.

EIS No. 20050137, Draft EIS, AFS, VT, Green Mountain National Forest, Propose Revised Land and Resource Management Plan, Implementation Forest Plan Revision, Addison, Bennington, Rutland, Washington, Windham and Windsor Counties, VT, *Comment Period Ends:* July 5, 2005, Contact: Jay Strand (802) 767–4261.

Revision of FR Notice Published on 4/01/05: CEQ Comment Period Ending 6/30/2005 has been Extended to 7/05/2005.

Dated: April 26, 2005.

Ken Mittelholtz,

Environmental Protection Specialist, Office of Federal Activities.

[FR Doc. 05–8613 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[OPPT–2005–0027; FRL–7713–5]

Certain New Chemicals; Receipt and Status Information

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5 of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory) to notify EPA and comply with the statutory provisions pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSC, EPA is required to publish a notice of receipt of a premanufacture notice (PMN) or an application for a test marketing exemption (TME), and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from April 6, 2005 to April 13, 2005, consists of the PMNs pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

DATES: Comments identified by the docket identification (ID) number OPPT–2005–0027 and the specific PMN number or TME number, must be received on or before May 31, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Colby Lintner, Regulatory Coordinator, Environmental Assistance Division, Office of Pollution Prevention and Toxics (7408M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (202) 554–1404; e-mail address: *TSCA-Hotline@epa.gov*.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general. As such, the Agency has not attempted to describe the specific entities that this action may apply to. Although others may be affected, this action applies directly to the submitter of the premanufacture notices addressed in the action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPPT–2005–0027. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the EPA Docket Center, Rm. B102-Reading Room, EPA West, 1301 Constitution Ave., NW., Washington, DC. The EPA Docket Center is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The EPA Docket Center Reading Room telephone number is (202) 566–1744 and the telephone number for the OPPT Docket, which is located in EPA Docket Center, is (202) 566–0280.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the ''**Federal Register**'' listings at *http://www.epa.gov/fedrgstr/*.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at *http://www.epa.gov/edocket/* to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select ''search,'' then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and

without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number and specific PMN number or TME number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked ''late.'' EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically*. If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets*. Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at *http://www.epa.gov/edocket/*, and follow the online instructions for submitting comments. Once in the system, select ''search,'' and then key in docket ID number OPPT–2005–0027. The system is an ''anonymous access'' system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail*. Comments may be sent by e-mail to *oppt.ncic@epa.gov*, Attention: Docket ID Number OPPT–2005–0027 and PMN Number or TME Number. In contrast to EPA's electronic public docket, EPA's e-mail system is not an ''anonymous access'' system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM*. You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail*. Send your comments to: Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001.

3. *By hand delivery or courier*. Deliver your comments to: OPPT Document Control Office (DCO) in EPA East Bldg., Rm. 6428, 1201 Constitution Ave., NW., Washington, DC. Attention: Docket ID Number OPPT–2005–0027 and PMN Number or TME Number. The DCO is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the DCO is (202) 564–8930.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the technical person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Offer alternative ways to improve the notice or collection activity.
7. Make sure to submit your comments by the deadline in this document.
8. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action and the specific PMN number you are commenting on in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. Why is EPA Taking this Action?

Section 5 of TSCA requires any person who intends to manufacture (defined by statute to include import) a new chemical (i.e., a chemical not on the TSCA Inventory to notify EPA and comply with the statutory provisions

pertaining to the manufacture of new chemicals. Under sections 5(d)(2) and 5(d)(3) of TSCA, EPA is required to publish a notice of receipt of a PMN or an application for a TME and to publish periodic status reports on the chemicals under review and the receipt of notices of commencement to manufacture those chemicals. This status report, which covers the period from April 6, 2005 to April 13, 2005, consists of the PMNs pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period.

III. Receipt and Status Report for PMNs

This status report identifies the PMNs pending or expired, and the notices of commencement to manufacture a new chemical that the Agency has received under TSCA section 5 during this time period. If you are interested in information that is not included in the following tables, you may contact EPA as described in Unit II. to access additional non-CBI information that may be available.

In Table I of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the PMNs received by EPA during this period: the EPA case number assigned to the PMN; the date the PMN was received by EPA; the projected end date for EPA's review of the PMN; the submitting manufacturer; the potential uses identified by the manufacturer in the PMN; and the chemical identity.

I. 17 PREMANUFACTURE NOTICES RECEIVED FROM: 04/06/05 TO 04/13/05

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P–05–0479	04/05/05	07/03/05	CBI	(G) Resin coating	(G) Alkanoic acid, 2-hydroxy-, ion(1-), salt with bisphenol a-bisphenola-epichlorohydrin polymer alkanoate-2-(dialkylamino)alkanol-2-alkyl-1-alkanol-tdi reaction products
P–05–0480	04/07/05	07/05/05	CBI	(G) Pigment	(G) Benzyl acrylate polymer with substituted propanediol triacrylate
P–05–0481	04/07/05	07/05/05	CBI	(G) Pigment	(G) 2-propenoic acid, polymer with substituted propanediol triacrylated
P–05–0482	04/07/05	07/05/05	CBI	(G) Additive, open, non-dispersive use	(G) Styrene-methacrylate copolymer
P–05–0483	04/07/05	07/05/05	CBI	(G) Anti-corrosive substance	(G) Reaction products with polyoxypropylenediamine and alkyl ketone
P–05–0484	04/07/05	07/05/05	CBI	(G) Surfactant for waterborne dispersion	(G) Polyoxyethylene polyxoxypropylene polymer, reaction with cyclohexylmethane diisocyanate and polyoxyphenyl derivative.
P–05–0485	04/08/05	07/06/05	CBI	(G) Non-dispersive use	(S) Methanesulfonic acid, bismuth (3+) salt
P–05–0486	04/08/05	07/06/05	Kemira Chemicals, Inc.	(G) Dispersive use (e.g., paper manufacturing)	(G) Fatty acids, C_{16-18} and C_{18}-unsaturated reaction products with triethanolamine, dimethyl sulfate-quaternized
P–05–0487	04/08/05	07/06/05	Kemira Chemicals, Inc.	(G) Dispersive use (e.g., paper manufacturing)	(G) Fatty acids, C_{16-18} and C_{18}-unsaturated reaction products with triethanolamine, methyl chloride-quaternized
P–05–0488	04/08/05	07/06/05	Clariant Corporation	(S) Chemical intermediate	(S) Acetic acid, [2-(2-methoxyethoxy)ethoxy]-
P–05–0489	04/08/05	07/06/05	CBI	(G) Polymer solution for use in the microelectronics industry	(G) Silsesquioxanes, modified alkyl hydroxy-terminated, substituted sulfonic acid salts, polymers with hydroxy-terminated modified silsesquioxanes-modified silane polymer
P–05–0490	04/11/05	07/09/05	Wacker silicones a division of Wacker Chemical Corporation	(S) Reactive binder for adhesives, sealants, potting compounds and coatings.	(S) Poly[oxy(methyl-1,2-ethanediyl)], .alpha.-[[[(dimethoxymethylsilyl)methyl]amino]carbonyl]-.omega.-[[[[(dimethoxymethylsilyl)methyl]amino]carbonyl]oxy]-
P–05–0491	04/11/05	07/09/05	CBI	(G) Textile treatment additive	(G) Fluoroalkylacrylate copolymer
P–05–0492	04/11/05	07/09/05	CBI	(G) Textile treatment additive	(G) Fluoroalkylacrylate copolymer
P–05–0493	04/12/05	07/10/05	AOC L.L.C.	(S) Polyester component for gelcoat resin for spray up of fiberglass reinforced plastic parts	(S) Hexanedioic acid, polymer with 2,2-dimethyl-1,3-propanediol, 2-ethyl-2-(hydroxymethyl)-1,3-propanediol, 2,5-furandione, hexahydro-1,3-isobenzofurandione and 1,2-propanediol, 2-ethylhexyl ester

I. 17 PREMANUFACTURE NOTICES RECEIVED FROM: 04/06/05 TO 04/13/05—Continued

Case No.	Received Date	Projected Notice End Date	Manufacturer/Importer	Use	Chemical
P–05–0494	04/12/05	07/10/05	CBI	(G) Industrial coating binder	(G) Poly(oxy-1,2-alkyldiyl), .alpha.-hydro-.omega.-hydroxy-, polymer with 1,3-diisocyanatomethylbenzene, 2-hydroxyethyl acrylate-blocked
P–05–0495	04/12/05	07/10/05	CBI	(G) Non-dispersive use	(G) Blocked aromatic isocyanate
P–05–0496	04/13/05	07/11/05	CBI	(S) A component in ultraviolet-, visible light and electron beam curable formulations	(G) Cyclohexane, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyl-, polymers with hydroxy-terminated saturated hydrocarbon chain, 2-hydroxyethyl acrylate-blocked

In Table II of this unit, EPA provides the following information (to the extent that such information is not claimed as CBI) on the Notices of Commencement to manufacture received:

II. 13 NOTICES OF COMMENCEMENT FROM: 04/06/05 TO 04/13/05

Case No.	Received Date	Commencement Notice End Date	Chemical
P–03–0505	04/13/05	03/31/05	(S) Siloxanes and silicones, 3-[[2-[[[3(or 4)-(ethenylphenyl)]methyl]amino]ethyl]amino]propyl methoxy, methoxy-terminated, hydrochlorides
P–03–0794	04/06/05	03/28/05	(S) Alanine, n,n-bis (carboxymethyl)-, iron sodium complexes
P–04–0529	04/13/05	04/01/05	(G) Trialkyl cycloalkanone
P–04–0706	04/12/05	03/29/05	(G) Organosilane ester
P–04–0707	04/13/05	03/29/05	(G) Organosilane ester
P–04–0756	04/12/05	03/09/05	(G) Derivative of c.i. pigment yellow 138
P–04–0827	04/13/05	03/21/05	(G) Diimidazo(substituted)triphenodioxazine-(substituted)dione, (substituted)dichloro, (substituted)diethyl, (substituted)tetrahydro
P–04–0889	04/06/05	03/16/05	(G) Dynacoll 7250, dynacoll 7140, dynacoll 7130
P–05–0070	04/12/05	02/18/05	(G) Alkyl modified polysiloxane
P–05–0072	04/07/05	03/10/05	(G) Polymer of acrylate and methacrylate esters
P–05–0121	04/05/05	03/29/05	(G) Vinyl acrylic copolymer
P–05–0169	04/12/05	03/21/05	(G) Maleic anhydride and acrylics modified polyolefin

List of Subjects

Environmental protection, Chemicals, Premanufacturer notices.

Dated: April 21, 2005.

Vicki A. Simons,

Acting Director, Information Management Division, Office of Pollution Prevention and Toxics.

[FR Doc. 05–8596 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7905–4]

Notice of Tentative Approval and Solicitation of Request for a Public Hearing for Public Water System Supervision Program Revisions for the State of West Virginia

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of tentative approval and solicitation of requests for a public hearing.

SUMMARY: Notice is hereby given in accordance with the provision of section 1413 of the Safe Drinking Water Act, as amended, and the requirements governing the National Primary Drinking Water Regulations Implementation, 40 CFR part 142, that the State of West Virginia is revising its approved Public Water System Supervision Program. West Virginia has adopted the Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring Rule (the Arsenic Rule) that requires community and non-transient non-community water systems to comply with the revised arsenic maximum contaminant level of 0.010 mg/L. EPA has determined that these revisions, all effective April 29, 2004, are no less stringent than the corresponding Federal regulations. Therefore, EPA has decided to tentatively approve these program revisions. All interested parties are invited to submit written comments on this determination and may request a public hearing.

DATES: Comments or a request for a public hearing must be submitted by May 31, 2005. This determination shall become effective on May 31, 2005, if no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, and if no comments are received which cause EPA to modify its tentative approval.

ADDRESSES: Comments or a request for a public hearing must be submitted to the U.S. Environmental Protection Agency Region III, 1650 Arch Street, Philadelphia, PA 19103–2029. Comments only, may also be submitted electronically to Patti Kay Wisniewski at *wisniewski.patti-kay@epa.gov.*

All documents relating to this determination are available for inspection between the hours of 8 a.m.

and 4:30 p.m., Monday through Friday, at the following offices:

- Drinking Water Branch, Water Protection Division, U.S. Environmental Protection Agency Region III, 1650 Arch Street, Philadelphia, PA 19103–2029.
- Bureau for Public Health, Department of Health and Human Resources, Capital & Washington Streets, 1 Davis Square, Suite 200, Charleston, WV 25301

FOR FURTHER INFORMATION CONTACT: Patti Kay Wisniewski, Drinking Water Branch (3WP22) at the Philadelphia address given above; telephone (215) 814–5668 or fax (215) 814–2318.

SUPPLEMENTARY INFORMATION: All interested parties are invited to submit written comments on this determination and may request a public hearing. All comments will be considered, and, if necessary, EPA will issue a response. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by May 31, 2005, a public hearing will be held. A request for public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such a hearing; and (3) the signature of the individual making the request; or, if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

Dated: April 22, 2005.

Donald S. Welsh,

Regional Administrator, EPA Region III.

[FR Doc. 05–8595 Filed 4–28–05; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL DEPOSIT INSURANCE CORPORATION

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35). Currently, the FDIC is soliciting comments concerning information collections titled ''Acquisition Services Information Requirements.''

DATES: Comments must be submitted on or before June 28, 2005.

ADDRESSES: Interested parties are invited to submit written comments to Gary A. Kuiper, Counsel, (202) 942–3824, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street, NW., PA–1730–3000, Washington, DC 20429. All comments should refer to ''Acquisition Services Information Requirements.'' Comments may be hand-delivered to the guard station at the rear of the 550 17th Street Building (located on F Street), on business days between 7 a.m. and 5 p.m. [FAX number (202) 898–3838; E-mail: *comments@fdic.gov]*. Comments may be inspected and photocopied in the FDIC Public Information Center, 801 17th Street, NW., Room 100, Washington, DC between 9 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 FDIC: Mark Menchik, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 3208, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Gary A. Kuiper, at the address identified above.

SUPPLEMENTARY INFORMATION:

Title: Acquisition Services Information Requirements.

OMB Number: 3064–0072. This OMB Number covers the following forms:

Forms Currently in Use:

FDIC Background Investigation Questionnaire for Contractor Personnel Management Officials, Form 1600/04 (1–03). [Added questions regarding other names used, race, height, weight, eye color, hair color, contract number and oversight manager.]

FDIC Contractor Representation and Certifications, Form 3700/04A (8–02). [Changed format so form can be filled out online.]

FDIC Background Investigation Questionnaire for Contractor, Form 1600/07 (8–02). [No changes.]

FDIC Notice and Authorization Pertaining to Consumer Reports, Form 1600/10 (10–02). [Added statement that authorization is valid for one year or upon separation of employment/services from the FDIC.]

FDIC Integrity and Fitness Representations and Certifications, Form 3700/12 (11–03). [In the instructions for the form, ''Definitions'' was replaced with ''Unique Terms'' and the explanations of ''conflict of interest'' and ''ownership or control'' were simplified; also, examples were given of ''pattern or practice of defalcation regarding obligations,'' and of ''conflicts of interest.'']

FDIC Leasing Representations and Certifications, Form 3700/44 (10–01). [No changes.]

Discontinued Forms in This Collection:

FDIC Contractor Application, Form 3700/13 (5–02).

Contractor Past Performance RFP Reference Check Questionnaire, Form 3700/29 (10–01).

Contractor Application Revision Request, Form 3700/33 (8–98).

Frequency of Response: On occasion.

Affected Public: Any contractors who wish to do business, have done business, or are currently under contract with the FDIC.

Estimated Number of Respondents and Burden Hours:

FDIC document	Hours per unit	No. of respondents	Burden hours
Background Investigation Questionnaire Management (1600/04)	.33	2,330	769
Background Investigation Questionnaire Contractors (1600/10)	.50	664	332
Notice of Authorization (1600/10)	.05	1,172	59
Contractor Representation and Certifications (3700/04A)	.50	2,312	1,156
Integrity and Fitness Representations and Certifications (3700/12)	.33	2,312	763
Leasing Representations and Certifications (3700/44)	1.0	20	20
Total	.....	8,810	3,099

FDIC document	Hours per unit	No. of respondents	Burden hours
Discontinued Forms			
Contractor Application (3700/13)	.58	631	366
Contractor Past Performance RPF Reference Check Questionnaire (3700/29)	.75	2,295	1,721
Contractor Application Revision Request (3700/33)	.25	810	203
Total Reduction in Burden	.....	3,736	2,290

Previous Estimated Total Annual Reporting Burden Hours: 5,389 hours.

New Estimated Total Annual Reporting Burden Hours: 3,099 hours.

Net Reduction in Estimated Burden Hours: 2,290 hours.

General Description of Collection: The collection involves the submission of information on various forms by contractors who wish to do business, have done business, or are currently under contract with the FDIC. The information is used to: Enter contractors on the FDIC's nationwide contractor database, the National Contractor System (NCS); ensure compliance with established contractor ethics regulations (12 CFR part 366); obtain information on a contractor's past performance for proposal evaluation purposes; review a potential lessor's fitness and integrity prior to entering into a lease transaction; provide notice and authorization for obtaining consumer reports for employment purposes or performance under a contract; and document contractor change requests.

Request for Comment

Comments are invited on: (a) Whether the collections of information are necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collections, 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 information collections on respondents, including through the use of automated collection techniques or other forms of information technology.

At the end of the comment period, the comments and recommendations received will be analyzed to determine the extent to which the collections should be modified prior to submission to OMB for review and approval. Comments submitted in response to this notice also will be summarized or included in the FDIC's requests to OMB for renewal of these collections. All comments will become a matter of public record.

Dated at Washington, DC, this 26th day of April, 2005.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Executive Secretary.

[FR Doc. 05–8583 Filed 4–28–05; 8:45 am]

BILLING CODE 6714–01–P

FEDERAL RESERVE SYSTEM

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act (12 U.S.C. 1843). Unless otherwise noted, nonbanking activities will be conducted throughout the United States. Additional information on all bank holding companies may be obtained from the National Information Center website at *www.ffiec.gov/nic/*.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 24, 2005.

A. Federal Reserve Bank of New York (Jay Bernstein, Bank Supervision Officer) 33 Liberty Street, New York, New York 10045-0001:

1. Hudson Valley Holding Corp., Yonkers, New York; to acquire 100 percent of the voting shares of New York National Bank, Bronx, New York.

B. Federal Reserve Bank of Richmond (A. Linwood Gill, III, Vice President) 701 East Byrd Street, Richmond, Virginia 23261-4528:

1. Abigail Adams National Bancorp, Inc., Washington, D.C.; to acquire 100 percent of the voting shares of Consolidated Bank & Trust Company, Richmond, Virginia.

C. Federal Reserve Bank of St. Louis (Glenda Wilson, Community Affairs Officer) 411 Locust Street, St. Louis, Missouri 63166-2034:

1. ESB Bancorp, Inc., Elberfeld, Indiana; to become a bank holding company by acquiring 100 percent of the voting shares of The Elberfeld State Bank, Elberfeld, Indiana.

2. German American Bancorp, Jasper, Indiana; to acquire 9.8 percent of the voting shares of Eclipse Bank, Inc., Louisville, Kentucky (in organization).

D. Federal Reserve Bank of Kansas City (Donna J. Ward, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198-0001:

1. Second Capital Investments, LLC, Lee's Summit, Missouri; to become a bank holding company by acquiring 33.90 percent of the voting shares of 1st Financial Bancshares, Inc., Overland Park, Kansas, and 1st Financial Bank, Overland Park, Kansas.

E. Federal Reserve Bank of Dallas (W. Arthur Tribble, Vice President) 2200 North Pearl Street, Dallas, Texas 75201-2272:

1. Olney Bancshares of Texas, Inc., Olney, Texas, and Olney Bancorp of Delaware, Inc., Wilmington, Delaware; to acquire 100 percent of the voting shares of Rose Rock Bank, Oklahoma City, Oklahoma.

Board of Governors of the Federal Reserve System, April 25, 2005.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 05–8571 Filed 4–28–05; 8:45 am]

BILLING CODE 6210–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Agency for Healthcare Research and Quality

Meeting of the Citizens' Health Care Working Group

AGENCY: Agency for Healthcare Research and Quality (AHRQ).

ACTION: Notice of public meeting.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces the first meeting of the Citizens' Health Care Working Group mandated by section 1014 of the Medicare Modernization Act.

DATES: The meeting will be held on Wednesday, May 11 and Thursday, May 12, 2005 from 8:30 a.m. to 5 p.m. and Friday, May 13, 2005 from 8:30 a.m. to 3:30 p.m.

ADDRESSES: The meeting will be held at the Hampton Inn & Suites Reagan National Airport, 2000 Jefferson Davis Highway, Arlington, Virginia. The meeting is open to the public.

FOR FURTHER INFORMATION CONTACT: Ken Cohen, Citizens' Health Care Working Group, at (301) 443–1489 or *citizenshealth@ahrq.gov.* If sign language interpretation or other reasonable accommodation for a disability is needed, please contact Mr. Donald L. Inniss, Director, Office of Equal Employment Opportunity Program, Program Support Center, on (301) 443–1144 no later than May 2, 2005.

The agenda and roster will be available on the Citizens' Health Care Working Group Web site, *www.citizenshealth.ahrq.gov,* which will be operational in early May. When a transcription of the Working Group's April 11 and 12 meeting is completed, it will be made available on the website.

SUPPLEMENTARY INFORMATION: Section 1014 of Public Law 108–173, the Medicare Modernization Act (42 U.S.C. 299 note) directs the Secretary of the Department of Health and Human Services (DHHS), acting through the Agency for Healthcare Research and Quality, to establish a Citizens' Health Care Working Group (Working Group). The statute charges the Working Group to: (1) Identify options for changing our health care system so that every American has the ability to obtain quality, affordable health care coverage; (2) provide for a nationwide public debate about improving the health care system; and (3) submit their recommendations to the President and the Congress.

The Citizens' Health Care Working Group is composed of 15 members: the Secretary of DHHS is designated as a member by the statute and the Comptroller General of the U.S. Government Accountability Office (GAO) is directed to appoint the remaining 14 members. The Comptroller General announced the 14 appointments on February 28, 2005. A list of the Working Group members is available on the GAO Web site (*http://www.gao.gov.*).

Agenda

This meeting will include three components: (1) Briefings for the Working Group on aspects of the health care system that the statute requires then to address; (2) hearings on two broad topics, the uninsured and drivers of health care costs; and (3) a portion of each day will be devoted to ongoing Working Group business.

The briefings will address the following topics: overview of the health care system, public insurance programs (Medicare, Medicaid, and State Childrens' Health Insurance Program), the private health insurance market, the uninsured, and drivers of health care costs.

The hearings portion of the meeting is expected to address the following issues: public and private sector initiatives to expand health insurance coverage and public or private sector initiatives to control costs.

The business portions of the meeting on each day will include discussions of future field hearings, the required Report of the American People, and begin the discussion of approaches for conducting the community meetings required by the statute.

The official agenda will be available on the Working Group's website.

Submission of Written Information

Individuals or organizations wishing to provide written information for consideration by the Working Group should submit information electronically to *citizenshealth@ahrq.gov.* Targeted but separate submissions that address the following topics are encouraged: (1) The issues that will be addressed to the May meeting; (2) the issues that the statute requires the Report to the American People to address; (3) examples of innovative public or private sector initiatives to address the issues that the statute requires the hearings or Report to address; or (4) approaches that the Working Group should consider in developing the strategies and framework for the community meetings envisioned in the statute. If an individual or organization wishes to address more than one of these topics, separate submissions are requested. Because all electronic submissions will be posted on the Working Group web site, separate submissions will facilitate review of ideas submitted on each topic by the Working Group and the public.

Dated: April 25, 2005.

Carolyn M. Clancy,

Director.

[FR Doc. 05–8533 Filed 4–28–05; 8:45 am]

BILLING CODE 4160–90–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10123 & 10124, CMS–21/21B, CMS–64, CMS–R–43, CMS–R–209, and CMS–R–245]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS), Department of Health and Human Services, is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the Agency's function; (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.

1. *Type of Information Collection Request:* New Collection; *Title of Information Collection:* Expedited Review notices and Supporting Regulations contained in 42 CFR 405.1200 and 405.1202; *Use:* These notices are used to inform beneficiaries that their provider services will end, and to provide beneficiaries who request an expedited determination with detailed information of why the services should end. This application requests approval of an information collection associated with CMS–4004–FC, [Medicare Program: Expedited Determination Procedures for Provider

Service Terminations.] The rule provides for an expedited appeal when a Medicare beneficiary receives notice from a provider of services that his or her Medicare covered services will be terminated. The rule allows beneficiaries to request an expedited determination by a Quality Improvement Organization on whether such services should continue. Providers affected by the rule include home health agencies, comprehensive outpatient rehabilitation facilities, and hospices; *Form Numbers:* CMS–10123 & 10124 (OMB# 0938-NEW); *Frequency:* On occasion; *Affected Public:* Individuals or Households, Business or other for-profit, and Not-for-profit institutions; *Number of Respondents:* 4,200,000; *Total Annual Responses:* 4,200,000; *Total Annual Hours:* 379,400.

2. *Type of Information Request:* Extension of a currently approved collection; *Title of Information Collection:* Quarterly Children's Health Insurance Program (CHIP) Statement of Expenditures for Title XXI; *Use:* States use forms CMS–21 and CMS–21B to report budget, expenditure, and related statistical information required for implementation of the Children's Health Insurance Program. The information provided by these forms is used by CMS to prepare the grant awards to States for the Medicaid and CHIP programs, to ensure that the appropriate level of Federal payments for State expenditures under the Medicaid program and CHIP are made in accordance with the CHIP related Balanced Budget Act legislation provisions, and to track, monitor, and evaluate the numbers of related children being served by the Medicaid and CHIP programs; *Form Number:* CMS–21 and CMS–21B (OMB# 0938–0731); *Frequency:* Quarterly; *Affected Public:* State, local or tribal government; *Number of Respondents:* 56; *Total Annual Responses:* 448; *Total Annual Hours:* 7,840.

3. *Type of Information Request:* Extension of a currently approved collection; *Title of Information Collection:* Quarterly Medicaid Statement of Expenditures for the Medical Assistance Program; *Use:* The State Medicaid agencies use the form CMS–64 for the Medical Assistance Program to report their actual program benefit costs and administrative expenses to CMS. CMS uses this information to compute the Federal financial participation for the State's Medicaid Program costs; *Form Number:* CMS–64 (OMB# 0938–0067); *Frequency:* Quarterly; *Affected Public:* State, Local or Tribal Government; *Number of Respondents:* 56; *Total Annual Responses:* 224; *Total Annual Hours:* 18,144.

4. *Type of Information Request:* Extension of a currently approved collection; *Title of Information Collection:* Conditions of Participation for X-ray Suppliers and Supporting Regulations in 42 CFR 486.104, 486.106, and 486.110; *Use:* The information is required to certify portable X-ray suppliers wishing to participate in the Medicare program. The information collection is needed to determine if portable X-ray suppliers are in compliance with published health and safety requirements. This is standard medical practice and is necessary in order to ensure the well-being and safety of patients and professional treatment accountability; *Form Number:* CMS-R–43 (OMB# 0938–0338); *Frequency:* Recordkeeping; *Affected Public:* Business or other for-profit, Not-for-profit institutions; *Number of Respondents:* 602; *Total Annual Responses:* 602; *Total Annual Hours:* 1,505.

5. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare and Medicaid: Use and Reporting OASIS Data as Part of the Conditions of Participation (CoPs) for Home Health Agencies (HHAs) and Supporting Regulations in 42 CFR 484.11 and 484.20; *Use:* HHAs are required to report data from the OASIS as a condition of participation. Specifically, the above named regulation sections provide guidelines for HHAs for the electronic transmission of the OASIS data as well as responsibilities of the State agency or OASIS contractor in collecting and transmitting this information to CMS. These requirements are necessary to achieve broad-based, measurable improvement, in the quality of care furnished through Federal programs, and to establish a prospective payment system for HHAs; Form Numbers: CMS–R–209 (OMB# 0938–0761); *Frequency:* Monthly; *Affected Public:* Business or other for-profit, Not-for-profit institutions, Federal Government, and State, Local or Tribal Government; *Number of Respondents:* 7,582; *Total Annual Responses:* 93,621; *Total Annual Hours:* 921,271.

6. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare and Medicaid Programs OASIS Collection Requirements as Part of the Conditions of Participation for Home Health Agencies (HHAs) and Supporting Regulations in 42 CFR 484.55, 484.205, 484.245, 484.250; *Use:* Type of Information Collection Request: Extension of a currently approved collection; *Title of Information Collection:* Medicare and Medicaid Programs OASIS Collection Requirements as Part of the Conditions of Participation for Home Health Agencies (HHAs) and Supporting Regulations in 42 CFR 484.55, 484.205, 484.245, 484.250; *Use:* This collection requires HHAs to use a standard core assessment data set, the OASIS, to collect information and to evaluate adult non-maternity patients. In addition, data from the OASIS will be used for purposes of case-mix adjusting patients under home health PPS, and will facilitate the production of necessary case-mix information at relevant time intervals in the patient's home health stay. Modifications were previously made to the OASIS forms to allow for the preservation of masking of personally identifiable information for the non-Medicare/non-Medicaid individuals.; Form Numbers: CMS-R–245 (OMB# 0938–0760); *Frequency:* Other ''Upon patient assessment; *Affected Public:* Business or other for-profit, Not-for-profit institutions, Federal Government, and State, Local or Tribal Government; *Number of Respondents:* 7,582; *Total Annual Responses:* 10,156,569; *Total Annual Hours:* 8,556,995.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS Web site address at *http://www.cms.hhs.gov/regulations/pra/*, or E-mail your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.gov*, or call the Reports Clearance Office on (410) 786–1326.

Written comments and recommendations for the proposed information collections must be mailed within 30 days of this notice directly to the OMB desk officer: OMB Human Resources and Housing Branch, Attention: Christopher Martin, New Executive Office Building, Room 10235,Washington, DC 20503.

Dated: April 22, 2005.

Michelle Shortt,

Acting Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 05–8712 Filed 4–28–05; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[Document Identifier: CMS–10117, 10118, 10119, 10135, 10136 and CMS–R–138]

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Centers for Medicare & Medicaid Services, HHS.

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Centers for Medicare & Medicaid Services (CMS) is publishing the following summary of proposed collections for public comment. Interested persons are invited to send comments regarding this burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

1. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare Advantage Application for Coordinated Care, Private Fee-for-Service, Regional Preferred Provider Organization, Service Area Expansion for Coordinated Care and Private Fee-for-Service Plans, Medical Savings Account Plans; *Form Nos.:* CMS–10117, 10118, 10119, 10135, 10136 (OMB # 0938–0935); *Use:* Health plans must meet certain regulatory requirements to enter into a contract with CMS to provide health benefits to Medicare beneficiaries. These applications are the collection forms to obtain the information from a health plan that will allow CMS staff to determine compliance with the regulations; *Frequency:* Other—one-time submission; *Affected Public:* Business or other for-profit, Not-for-profit institutions, and State, Local or Tribal Government; *Number of Respondents:* 420; *Total Annual Responses:* 520; *Total Annual Hours:* 20,100.

2. *Type of Information Collection Request:* Extension of a currently approved collection; *Title of Information Collection:* Medicare Geographic Classification Review Board (MGCRB) Procedures and Supporting Regulations in 42 CFR Sections 412.256 and 412.230; *Form Nos.:* CMS–R–138 (OMB #0938–0573); *Use:* Section 1886(d)(10) of the Social Security Act established the Medicare Geographic Classification Review Board (MGCRB), an entity with the authority to accept short-term hospital inpatient prospective payment system applications from hospitals requesting geographic reclassification for wage index or standardized payment amounts and to issue decisions on these requests. This regulation sets up the application process for prospective payment system hospitals that choose to appeal their geographic status to the MGCRB. This regulation also establishes procedural guidelines for the MGCRB; *Frequency:* Reporting—Annually; *Affected Public:* Business or other for-profit, Not-for-profit institutions; *Number of Respondents:* 500; *Total Annual Responses:* 500; *Total Annual Hours:* 500.

To obtain copies of the supporting statement and any related forms for the proposed paperwork collections referenced above, access CMS' Web site address at *http://www.cms.hhs.gov/regulations/pra/*, or e-mail your request, including your address, phone number, OMB number, and CMS document identifier, to *Paperwork@cms.hhs.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 to the address below:CMS, Office of Strategic Operations and Regulatory Affairs, Division of Regulations Development,Attention: Melissa Musotto, PRA Specialist,Room C4–26–05,7500 Security Boulevard,Baltimore, Maryland 21244–1850.

Dated: April 22, 2005.

Michelle Shortt,

Acting Director, Regulations Development Group, Office of Strategic Operations and Regulatory Affairs.

[FR Doc. 05–8713 Filed 4–28–05; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–2207–N]

Medicare, Medicaid, and CLIA Programs; Clinical Laboratory Improvement Amendments of 1988; Continuance of Exemption of Laboratories Licensed by the State of Washington

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: This notice announces that laboratories located in the State of Washington that possess a valid license under the Medical Test Site Licensure Law, Chapter 70.42 of the Revised Code of Washington (RCW), continue to be exempt from the requirements of the Clinical Laboratory Improvement Amendments of 1988 (CLIA) until April 30, 2007.

DATES: The continuance granted by this notice is effective until April 30, 2007.

FOR FURTHER INFORMATION CONTACT: Sandra Farragut, (410) 786–3531.

SUPPLEMENTARY INFORMATION:

I. Background

Section 353 of the Public Health Service Act (PHS Act), as amended by the Clinical Laboratory Improvement Amendments of 1988, Pub. L. 100–578 (CLIA), provides that no laboratory may perform tests on human specimens unless it has a certificate to perform these tests issued by the Secretary of the Department of Health and Human Services (HHS). Under section 1861(s) of the Social Security Act, the Medicare program will pay for laboratory services only if the laboratory has a CLIA certificate. Section 1902(a)(9)(C) of the Social Security Act requires that State Medicaid plans pay only for laboratory services furnished by CLIA-certified laboratories. Thus, although subject to specified exemptions, laboratories generally must have a current and valid CLIA certificate to test human specimens and to be eligible for payment from the Medicare or Medicaid programs. Regulations implementing section 353 of the PHS Act are contained in 42 CFR part 493.

Section 353(p) of the PHS Act provides for the exemption of laboratories from CLIA requirements in a State that applies requirements that are equal to or more stringent than those of CLIA.

Regulations in 42 CFR part 493 subpart E implement section 353(p) of

the PHS Act. Sections 493.551 and 493.553 provide that we may exempt from CLIA requirements, for a period not to exceed 6 years, all State licensed or approved laboratories in a State if the State Licensure Program meets specified conditions. Section 493.559 provides that we will publish a notice in the **Federal Register** when we grant exemption to a State Laboratory licensure program. It also provides that the notice will include the following: the basis for granting the exemption, a description of how the laboratory requirements are equal to or more stringent than those of CLIA, and the term of approval, not to exceed 6 years.

On July 1, 1997 (62 FR 35513), we published a notice in the **Federal Register** announcing that the State of Washington had applied for exemption of its laboratories from CLIA requirements; that the evaluation of this application demonstrated that all requirements for exemption were met; and that the Washington State Laboratory licensure program was granted an approval of CLIA exemption for laboratories in its program.

II. Requirements for Granting CLIA Exemption

In order to determine whether we should grant or continue an approval of an existing CLIA exemption to laboratories licensed by a State, we conduct a detailed and in-depth comparison of State licensure program and CLIA requirements to determine whether the State program meets the requirements at § 493.551 and § 493.553. In summary, the State must—

- Have laws in effect that provide for requirements that are equal to or more stringent than CLIA requirements;
- Have a State licensure program that licenses or approves laboratories that meet State requirements that meet or exceed CLIA requirements, and, therefore, meet the condition-level requirements of the CLIA regulations;
- Meet the requirements and be approved in accordance with § 493.555 and § 493.557(b);
- Demonstrate that it has enforcement authority and administrative structures and resources adequate to enforce its laboratory requirements;
- Permit CMS or CMS agents to inspect laboratories within the State;
- Require laboratories within the State to submit to inspections by CMS or CMS agents as a condition of licensure;
- Agree to pay the cost of the validation program administered by CMS and the cost of the State's pro rata share of the general overhead to develop and implement CLIA as specified in § 493.645(a), § 493.646(b), and § 493.557(b); and
- Take appropriate enforcement action against laboratories found by CMS or CMS agents not to be in compliance with requirements comparable to condition-level requirements, as specified in § 493.557(b).

As specified in our regulations at § 493.555 and § 493.557(b), our review of a State laboratory program includes (but is not necessarily limited to) an evaluation of—

- Whether the State's requirements for laboratories are equal to or more stringent than the CLIA condition-level requirements;
- The State's inspection process requirements to determine—
  - —The comparability of the full inspection and complaint inspection procedures to those of CMS;
  - —The State's enforcement procedures for laboratories found to be out of compliance with its requirements; and
  - —The ability of the State to provide CMS with electronic data and reports with the adverse or corrective actions resulting from proficiency testing (PT) results that constitute unsuccessful participation in CMS-approved PT programs and with other data we determine to be necessary for validation review and assessment of the State's inspection process requirements;
- The State's agreement with us to ensure that the agreement obligates the State to—
  - —Notify CMS within 30 days of the action taken against any CLIA-exempt laboratory that has had its licensure or approval withdrawn or revoked or been in any way sanctioned;
  - —Notify CMS within 10 days of any deficiency identified in a CLIA-exempt laboratory in cases when the deficiency poses an immediate jeopardy to the laboratory's patients or a hazard to the general public;
  - —Notify each laboratory licensed by the State within 10 days of CMS' withdrawal of the exemption;
  - —Provide CMS with written notification of any changes in its licensure (or approval) and inspection requirements;
  - —Disclose to CMS or a CMS agent any laboratory's PT results in accordance with a State's confidentiality requirements;
  - —Take the appropriate enforcement action against laboratories found by CMS not to be in compliance with requirements comparable to CLIA condition-level requirements and report these enforcement actions to CMS;
  - —Notify CMS of all newly licensed laboratories, including changes in the specialties and subspecialties for which any laboratory performs testing, within 30 days; and
  - —Provide CMS, as requested, inspection schedules for validation purposes.

III. Evaluation of Washington's Request for Continued CLIA Exemption of Its Laboratories

Washington has applied for continued exemption of its laboratories from CLIA program requirements.

We evaluated the application to verify Washington's assurance of continued compliance with the following subparts of part 493: Subpart H, Participation in Proficiency Testing for Laboratories Performing Nonwaived Testing; Subpart J, Facility Administration for Nonwaived Testing; Subpart K, Quality Systems for Nonwaived Testing, Subpart M, Personnel for Nonwaived Testing; Subpart Q, Inspection; and Subpart R, Enforcement Procedures.

The Washington State Laboratory Licensure Program was found to continue to meet the requirements of subparts H, J, K, M, Q, and R.

We also verified the State of Washington's assurance that it requires the laboratories it licenses to meet the requirements for the following subparts of part 493 as explained below:

Subpart E—Accreditation by a Private, Nonprofit Accreditation Organization or Exemption Under an Approved State Laboratory Program

The State of Washington submitted a comparison of its laboratory licensure requirements with comparable CLIA condition-level requirements (that is, a crosswalk); a description of its inspection process; proficiency testing monitoring process; its data management and analysis system; its investigative and complaint response procedures; its current list of licensed laboratories; and its policy regarding announcement and unannouncement of inspections. We have determined that the State of Washington has complied with the requirements under subpart E of part 493 and that the requirements of its laboratory licensure program are equal to the condition-level requirements in subparts H, J, K, M, Q, and R of part 493.

Subpart H—Participation in Proficiency Testing for Laboratories Performing Nonwaived Testing

The Washington State program's requirements are equal to the CLIA

requirements at § 493.801 through § 493.865.

Subpart J—Facility Administration for Nonwaived Testing

The Washington State Program's requirements are equal to the CLIA requirements at § 493.1100 through § 493.1105.

Subpart K—Quality System for Nonwaived Testing

The Quality Control (QC) requirements of the Washington State Laboratory Licensure Program have been evaluated against the requirements of the CLIA regulations. The Washington State Program has modified its survey process and made revisions to its requirements encompassing general QC as well as specialty and subspecialty QC requirements in order to reflect the new QC requirements of the CLIA regulations. As such, we have determined that the Washington State Program's requirements are equal to the requirements of the CLIA regulations.

Subpart M—Personnel for Nonwaived Testing

The Washington State Program requirements are equal to the CLIA requirements at § 493.1403 through § 493.1495 for laboratories that perform moderate and high complexity testing.

Subpart Q—Inspections

The Washington State Laboratory Licensure Program requires laboratories to comply with the inspection requirements of § 493.1773 and § 493.1780 of this subpart, as applicable. Thus, we have determined that the Washington State Program's requirements are equal to the requirements of the CLIA regulations.

Subpart R—Enforcement Procedures

The Washington State Program meets the requirements of subpart R to the extent that subpart R applies to State laboratory licensure programs. Accordingly, we have determined that the Washington State Program's enforcement and appeal policies are equal to the requirements of the CLIA regulations.

IV. Validation Inspections

The Federal validation inspections of CLIA-exempt laboratories, as specified in § 493.563, were conducted on a representative sample basis as well as in response to any substantial allegations of noncompliance (complaint inspections). The outcome of those validation inspections has been and will continue to be CMS' principal tool for verifying that the laboratories located in and licensed by the State are in compliance with CLIA requirements.

Staff in the CMS Regional Office in Seattle, Washington have conducted validation inspections of a representative sample (approximately 5 percent) of the laboratories inspected by the Washington State Office of Laboratory Quality Assurance (LQA). The validation inspections were primarily of the concurrent type; that is, CMS surveyors accompanied Washington's inspectors, each inspecting against his or her agency's respective regulations. Analysis of the validation data revealed no significant differences between the State and Federal findings. The validation surveys verified that the Washington inspection process covers all CLIA conditions applicable to each laboratory being inspected, and also verified that the State laboratory licensure requirements meet or exceed CLIA condition-level requirements. The CMS survey staff found the State inspectors highly skilled and qualified. The LQA inspected laboratories in timely fashion, that is, all laboratories were inspected within the required 24-month cycle. All parameters monitored by CMS staff to date indicate that Washington is meeting all requirements for approval of CLIA exemption. This Federal monitoring will continue as an on-going process.

Approval of the CLIA exemption for laboratories located in and licensed by Washington is subject to removal if we determine that the outcome of a comparability review or a validation review inspection is not acceptable, as described under § 493.573 and § 493.575, or if Washington fails to pay the required fee every 2 years as required under § 493.646.

V. Laboratory Data

In accordance with § 493.557(b)(8), Washington will continue to agree to provide us with changes to a laboratory's specialties or subspecialties based on the State's survey. Washington also will provide us with changes in a laboratory's certification status, such as a change from a regular certificate to a certificate of waiver.

VI. Required Administrative Actions

CLIA is a totally user-fee funded program. The registration fee paid by laboratories is intended to cover the cost of the development and administration of the program. However, when a State's application for exemption is approved, we do not charge a fee to laboratories in the State. The State's share of the costs associated with CLIA must be collected from the State, as specified in § 493.645.

Washington must pay for the following:

- Costs of Federal inspection of laboratories in the State to verify that Washington's laboratory licensure program requirements are enforced in an appropriate manner. The average Federal hourly rate is multiplied by the total hours required to perform Federal validation surveys within the State.
- Costs incurred for Federal investigations and surveys triggered by complaints that are substantiated. We will bill Washington on a semiannual basis.
- Washington's proportionate share of the costs associated with establishing, maintaining, and improving the CLIA computer system, a portion of those services from which Washington received direct benefit or contributed to the CLIA program in the State. Thus, Washington is being charged for a portion of CMS' direct and indirect costs as well as a portion of the costs incurred by the Centers for Disease Control and Prevention (CDC).

In order to estimate Washington's proportionate share of the general overhead costs to develop and implement CLIA, we determined the ratio of laboratories in the State to the total number of laboratories nationally. Approximately 1.6 percent of the registered laboratories are in Washington. We determined that 1.6 percent of the applicable CDC and CMS costs should be borne by Washington.

Washington has agreed to pay us the State's pro rata share of the overhead costs and anticipated costs of actual validation and complaint investigation surveys. A final reconciliation for all laboratories and all expenses will be made. We will reimburse the State for any overpayment or bill it for any balance.

VII. Approval

CMS grants continued approval of the CLIA exemption for all laboratory specialties and subspecialties to all laboratories located in and licensed by the State of Washington effective April 30, 2001 to April 30, 2007.

The State of Washington applied timely for re-approval, that is, to continue approval for exemption beyond the period ending April 30, 2001. Review of the application for continued approval, and evaluation of the outcomes of the validation inspections indicated that continued approval for 6 more years was in order. The actual publication of the continued approval was delayed, however, due to the timing of the publication of changes to the CLIA regulations, and subsequently the time period necessary

for the State of Washington to publish corresponding changes to the Washington State Medical Test Site Rules, which were effective March 19, 2005.

VIII. Collection of Information Requirements

This document does not impose information collection, and recordkeeping requirements, which are subject to the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 35). Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the PRA.

VIX. Regulatory Impact Statement

This notice announces the continuance of the exemption of laboratories licensed by the State of Washington from the requirements of the Clinical Laboratory Improvement Amendments of 1988 (CLIA). The State has established that the quality of laboratory services required under its Laboratory licensure program continues to be equal or more stringent than those required by the CLIA program. Washington also has established that it has a comparable program to monitor and evaluate compliance with its laboratory licensure program requirements. The effect of the continued exemption from CLIA requirements is that laboratories will remain under State, rather than Federal, regulation, with no discernible difference in the operations of the programs. Consequently, we anticipate that our continued approval of Washington's CLIA exemption will not affect the laboratories or the quality and availability of services provided.

We have examined the impact of this notice as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), the Regulatory Flexibility Act (RFA) (September 19, 1980, Pub. L. 96–354), section 1102(b) of the Social Security Act, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), and Executive Order 13132.

Executive Order 12866 directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more in any 1 year). This notice does not reach the economic threshold and thus is not considered a major rule.

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies. Most hospitals and most other providers and suppliers are small entities, either by nonprofit status or by having revenues of $6 million to $29 million in any 1 year. Individuals and States are not included in the definition of a small entity. We are not preparing an analysis for the RFA because we have determined that this notice will not have a significant economic impact on a substantial number of small entities.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis if a notice may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 604 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside of a Metropolitan Statistical Area and has fewer than 100 beds. We are not preparing an analysis for section 1102(b) of the Act because we have determined that this notice will not have a significant impact on the operations of a substantial number of small rural hospitals.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in expenditure in any 1 year by State, local, or tribal governments, in the aggregate, or by the private sector, of $110 million. This notice will have no consequential effect on the governments mentioned or on the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. Since this regulation does not impose any costs on State or local governments, the requirements of E.O. 13132 are not applicable.

In accordance with the provisions of Executive Order 12866, this regulation was not reviewed by the Office of Management and Budget.

Authority: Section 353(p) of the Public Health Service Act (42 U.S.C. 263a).

(Catalog of Federal Domestic Assistance Program No. 93.778, Medical Assistance Program; No. 93.773 Medicare—Hospital Insurance Program; and No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: April 8, 2005.

Mark B. McClellan,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 05–8286 Filed 4–22–05; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–5033–N4]

Medicare Program; Meeting of the Advisory Board on the Demonstration of a Bundled Case-Mix Adjusted Payment System for End-Stage Renal Disease Services—May 24, 2005

AGENCY: Centers for Medicare & Medicaid Services (CMS),HHS.

ACTION: Notice.

SUMMARY: This notice announces the second public meeting of the Advisory Board on the Demonstration of a Bundled Case-Mix Adjusted Payment System for End-Stage Renal Disease (ESRD) Services. Notice of this meeting is required by the Federal Advisory Committee Act (5 U.S.C. App. 2, section 10(a)(1) and (a)(2)). The Advisory Board will provide advice and recommendations with respect to the establishment and operation of the demonstration mandated by section 623(e) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

DATES: The meeting is on May 24, 2005 from 9 a.m. to 5 p.m., eastern standard time.

Special Accomodations: Persons attending the meeting, who are hearing or visually impaired, or have a condition that requires special assistance or accommodations, are asked to notify Pamela Kelly by May 17, 2005 by e-mail at *ESRDAdvisoryBoard@cms.hhs.gov* or by telephone at (410) 786–2461.

ADDRESSES: The meeting will be held at the Holiday Inn—BWI Airport, 890 Elkridge Landing Rd., Linthicum, MD 21090.

Attendance is limited to the space available, so seating will be on a first come, first served basis.

Web site: Up-to-date information on this meeting is located at *http://www.cms.hhs.gov/faca/esrd.*

Hotline: Up-to-date information on this meeting is located on the CMS Advisory Committee Hotline at 1 (877)

449–5659 (toll free) or in the Baltimore area at (410) 786–9379.

FOR FURTHER INFORMATION CONTACT: Pamela Kelly by e-mail at *ESRDAdvisoryBoard@cms.hhs.gov* or telephone at (410) 786–2461.

SUPPLEMENTARY INFORMATION: On June 2, 2004, we published a **Federal Register** notice requesting nominations for individuals to serve on the Advisory Board on the Demonstration of a Bundled Case-Mix Adjusted Payment System for End-Stage Renal Disease (ESRD) Services. The June 2, 2004 notice also announced the establishment of the Advisory Board and the signing by the Secretary on May 11, 2004 of the charter establishing the Advisory Board. On January 28, 2005, we published a **Federal Register** notice announcing the appointment of eleven individuals to serve as members of the Advisory Board on the Demonstration of a Bundled Case-Mix Adjusted Payment System for ESRD Services, including one individual to serve as co-chairperson, and one additional co-chairperson, who is employed by CMS. The first public meeting of the Advisory Board was held on February 16, 2005. The original meeting scheduled for April 13, 2005 was cancelled. This notice announces the second public meeting of this Advisory Board.

I. Topics of the Advisory Board Meeting

The Advisory Board on the Demonstration of a Bundled Case-Mix Adjusted Payment System for ESRD Services will study and make recommendations on the following issues:

- The drugs, biologicals, and clinical laboratory tests to be bundled into the demonstration payment rates.
- The method and approach to be used for the patient characteristics to be included in the fully case-mix adjusted demonstration payment system.
- The manner in which payment for bundled services provided by non-demonstration providers should be handled for beneficiaries participating in the demonstration.
- The feasibility of providing financial incentives and penalties to organizations operating under the demonstration that meet or fail to meet applicable quality standards.
- The specific quality standards to be used.
- The feasibility of using disease management techniques to improve quality and patient satisfaction and reduce costs of care for the beneficiaries participating in the demonstration.
- The selection criteria for demonstration organizations.

II. Procedure and Agenda of the Advisory Board Meeting

This meeting is open to the public. The Advisory Board will hear background presentations from CMS. The Advisory Board will then deliberate openly on the general topic and will make recommendations on specific topics for future meetings. The Advisory Board will also allow at least a 30-minute open public session. Interested parties may speak or ask questions during the public comment period. Comments may be limited by the time available. Written questions should be submitted by May 17, 2005 to *ESRDAdvisoryBoard@cms.hhs.gov.* Parties may also submit written comments following the meeting to the contact listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice.

Authority: 5 U.S.C. App. 2, section 10(a). (Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: April 21, 2005.

Mark B. McClellan,

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 05–8386 Filed 4–28–05; 8:45 am]

BILLING CODE 4120–01–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

[CMS–1314–N]

Medicare Program; Meeting of the Practicing Physicians Advisory Council, May 23, 2005

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Notice.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces a meeting of the Practicing Physicians Advisory Council (the Council). The Council will be meeting to discuss certain proposed changes in regulations and carrier manual instructions related to physicians' services, as identified by the Secretary of the Department of Health and Human Services (the Secretary). This meeting is open to the public.

DATES: The meeting is scheduled for Monday, May 23, 2005, from 8:30 a.m. until 5 p.m. e.d.t.

ADDRESSES: The meeting will be held in Room 705A, 7th floor, in the Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201.

Meeting Registration: Persons wishing to attend this meeting must contact the Designated Federal Official (DFO) by email at PPAC@cms.hhs.gov at least 72 hours in advance of the meeting to register. Persons not registered in advance will not be permitted into the Hubert H. Humphrey Building and will not be permitted to attend the Council meeting. Persons attending the meeting will be required to show a photographic identification, preferably a valid driver's license, before entering the building.

FOR FURTHER INFORMATION CONTACT: Kelly Buchanon, Designated Federal Official, Practicing Physicians Advisory Council, 7500 Security Blvd., Mail Stop C4–11–27, Baltimore, MD, 21244–1850, telephone (410) 786–6132, or e-mail *PPAC@cms.hhs.gov.* News media representatives must contact the CMS Press Office, (202) 690–6145. Please refer to the CMS Advisory Committees Information Line (1–877–449–5659 toll free) ((410) 786–9379 local) or the Internet at *http://www.cms.hhs.gov/faca/ppac/default.asp* for additional information and updates on committee activities.

SUPPLEMENTARY INFORMATION: The Secretary is mandated by section 1868(a) of the Social Security Act (the Act) to appoint a Practicing Physicians Advisory Council (the Council) based on nominations submitted by medical organizations representing physicians. The Council meets quarterly to discuss certain proposed changes in regulations and carrier manual instructions related to physicians' services, as identified by the Secretary. To the extent feasible and consistent with statutory deadlines, the consultation must occur before publication of the proposed changes. The Council submits an annual report on its recommendations to the Secretary and the Administrator of the Centers for Medicare & Medicaid Services not later than December 31 of each year.

The Council consists of 15 physicians, each of whom must have submitted at least 250 claims for physicians' services under Medicare in the previous year. Members of the Council include both participating and nonparticipating physicians, and physicians practicing in rural and underserved urban areas. At least 11 members of the Council must be physicians as described in section 1861(r)(1) of the Act; that is, State-licensed doctors of medicine or osteopathy. The remaining 4 members may include dentists, podiatrists, optometrists and chiropractors. Members serve for overlapping 4-year terms; terms of more than 2 years are contingent upon the renewal of the Council by appropriate action prior to

its termination. Section 1868(a)(1) of the Act provides that nominations to the Secretary for Council membership must be made by medical organizations representing physicians.

The Council held its first meeting on May 11, 1992. The current members are- Jose Azocar, M.D.; Ronald Castellanos, M.D. (Chairperson); Rebecca Gaughan, M.D.; Peter Grimm, D.O.; Carlos R. Hamilton, M.D.; Dennis K. Iglar, M.D.; Christopher Leggett, M.D.; Barbara McAneny, M.D.; Geraldine O'Shea, D.O.; Laura B. Powers, M.D.; Anthony Senagore, M.D.; and Robert L. Urata, M.D.

The meeting will commence with the swearing-in of three Council members. The Council's Executive Director will give a status report and the CMS responses to the recommendations made by the Council at the March 7, 2005 meeting and prior meeting recommendations. Additionally, updates will be provided on the Physician Regulatory Issues Team (PRIT), and the National Provider Identifier. In accordance with the Council charter, we are requesting assistance with the following agenda topics:

- Pay for Performance Initiatives
- Recovery Audits
- Part D Prescription Drug Program
- Competitive Acquisition for Drugs

For additional information and clarification on these topics, contact the Executive Director, listed under the **FOR FURTHER INFORMATION CONTACT** section of this notice. Individual physicians or medical organizations that represent physicians wishing to make a 5-minute oral presentation on agenda issues must contact the Designated Federal Officer (DFO) by 12 noon, e.d.t., May 12, 2005, to be scheduled. Testimony is limited to agenda topics only. The number of oral presentations may be limited by the time available. A written copy of the presenter's oral remarks must be submitted to the DFO by e-mail at *PPAC@cms.hhs.gov,* no later than 12 noon, e.d.t., May 16, 2005, for distribution to Council members to review prior to the meeting. Physicians and medical organizations not scheduled to speak may also submit written comments to the DFO for distribution no later than 12 noon, e.d.t., May 16, 2005. The meeting is open to the public, but attendance is limited to the space available.

Special Accommodations: Individuals requiring sign language interpretation or other special accommodation must contact the DFO by e-mail at *PPAC@cms.hhs.gov* or by telephone at (410) 786–6132 at least 10 days before the meeting.

Authority: (Section 1868 of the Social Security Act (42 U.S.C. 1395ee) and section 10(a) of Pub. L. 92–463 (5 U.S.C. App. 2, section 10(a)).

Dated: April 25, 2005.

Mark B. McClellan

Administrator, Centers for Medicare & Medicaid Services.

[FR Doc. 05–8593 Filed 4–28–05; 8:45 am]

BILLING CODE 4120–01–P

DEPARTMENT OF HEALTH & HUMAN SERVICES

Administration for Children and Families

Office of Community Services; Funding Opportunity Title: Compassion Capital Fund (CCF) Targeted Capacity Building Program

Announcement Type: Initial.

Funding Opportunity Number: HHS–2005–ACF–OCS–IJ–0036.

CFDA Number: 93.009.

Due Date for Applications: Application is due May 31, 2005.

Executive Summary: The Administration for Children and Families (ACF), Office of Community Services (OCS) announces that applications will be accepted for new grants pursuant to the U.S. Department of Health and Human Services (HHS) Secretary's Compassion Capital Fund (CCF) authorized under section 1110 of the Social Security Act governing Social Services Research and Demonstration activities and the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005, Public Law 108–447.

Pursuant to this announcement, OCS will award funds to help build the capacity of faith-based and community organizations that address the needs of distressed communities. A ''distressed community'' is defined as a neighborhood or geographic community with an unemployment rate and/or poverty rate equal to or greater than the state or national rate. Priority areas of need include at-risk youth; the homeless; marriage education and preparation services to help couples who choose marriage for themselves develop the skills and knowledge to form and sustain healthy marriages; or social services to those living in rural communities.

I. Funding Opportunity Description

The Administration for Children and Families (ACF), Office of Community Services (OCS) announces that applications will be accepted for new grants pursuant to the U.S. Department of Health and Human Services (HHS) Secretary's Compassion Capital Fund (CCF) authorized under section 1110 of the Social Security Act governing Social Services Research and Demonstration activities and the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005, Public Law 108–447.

Pursuant to this announcement, OCS will award funds to help build the capacity of faith-based and community organizations that address the needs of distressed communities. A ''distressed community'' is defined as a neighborhood or geographic community with an unemployment rate and/or poverty rate equal to or greater than the State or national rate. Priority areas of need include at-risk youth; the homeless; marriage education and preparation services to help couples who choose marriage for themselves develop the skills and knowledge to form and sustain healthy marriages; or social services to those living in rural communities.

A. Background

Faith-based and community organizations have a long history of providing an array of important services to people and communities in need of charitable services in the United States. These groups have unique strengths that government cannot duplicate. They hold the trust of their community neighbors and leaders and have great understanding of the needs of the community and its systems. As a result, they are well positioned to understand the unique needs of at-risk youth, the homeless, those choosing to develop the skills and knowledge to form and sustain healthy marriages, and those living in rural communities in need of social services. Furthermore, the sense of mission from which these organizations work often translates into a unique approach to service delivery, a dedication of service to others, and a cultural awareness specific to their surrounding communities.

In recognition of this history and ability, President Bush believes it is in the public's interest to broaden Federal efforts to work with faith-based and community organizations, and he has made it a priority to ensure that these groups are treated equally with other organizations that apply for Federal funding. A key part of this effort to enhance and expand the participation of faith-based and community groups in serving those in need is the Compassion Capital Fund (CCF) Targeted-Capacity Building program described in this announcement.

Although the CCF Targeted Capacity Building program has addressed issues of at-risk youth in the past, this year, President Bush has specifically identified the need to focus on helping at-risk youth overcome the perilous risk of gang influence and involvement. Consequently, those interested in proposing at-risk youth activities are encouraged to propose projects that address this critical youth issue.

B. Program Purpose and Objectives

The purpose of the CCF Targeted Capacity Building program is to help build the capacity of grassroots faith-based and community organizations that address the needs of distressed communities. The CCF Targeted Capacity Building Program funds capacity-building activities that produce measurable impact resulting in more sustainable organizations. Capacity-building activities ensure that grassroots organizations have the tools to facilitate key changes within their organization. By addressing issues that are critical to the long-term viability of the organization, non-profits are better prepared and positioned to understand and meet the needs of the communities they serve.

CCF Targeted Capacity-Building grants will be awarded to grassroots faith-based and community organizations serving ''distressed communities.'' These grassroots organizations must use the funds in one of the four priority areas of need towards their organization's capacity-building in at least one of these five critical areas: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. Examples of the kinds of activities that relate to each critical area are listed below. This list is intended to be illustrative, not exhaustive:

Critical areas	Examples
1. Leadership Development	—Board Composition and Function. —Staff Professional and Career Development. —Volunteers Training and Development. —Succession Planning.
2. Organizational Development	—Board Governance. —Systems: Management, Human Resources, Financial, Information Technology, Planning. —Policies and Procedures. —Fiscal Controls. —Comprehensive Communications Strategy. —Non-profit Incorporation.
3. Programs/Services	—Program Design that expands or enhances program or service delivery. —Program Monitoring. —Evaluating Program Outcomes.
4. Funding	—Diversified Funding Sources. —Financial Sustainability. —Donor Development.
5. Community Engagement	—Community Asset Mapping. —Level of Community Participation. —Community Needs Assessment. —Leveraging Resources/Collaborative Relationships.

The goal of the CCF Targeted Capacity-Building Program is to help promising organizations bolster their sustainability and ultimately be able to serve more people more effectively and/or more efficiently, or expand/enhance services to distressed communities on a continuing basis. Applicants must describe, in concrete terms, their plans for using funds to improve their organization in a sustainable way. Grantees must use these awards to increase efficiency and capacity; therefore, these awards cannot be used to augment or supplant direct service delivery funds. For example, an organization that distributes food to the poor will not receive a grant simply to purchase additional food. Nor, for example, will an organization that provides substance abuse treatment services receive additional funds simply to enable it to provide exactly the same services to more people. Although these awards might well enable these organizations to assist additional individuals, they would not serve to improve the organizations' sustainability, efficiency, or capacity. Rather, the organizations would simply use additional funds in the same way they use existing funds, without fundamentally changing or improving their services.

ACF encourages and will grant preference to those eligible organizations whose annual operational budget is less than $500,000, or whose tribal membership is less than 5,000. Please see Section III.3 Other Eligibility Information, Section IV.2 Content and Form of Application Submission, V.1 Evaluation Criteria, and V. 2 Review and Selection Process for a detailed description.

Organizations that receive CCF funds may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with CCF funds. If an organization conducts such inherently religious activities, the activities must be offered separately, in time or location, from the programs or services funded with CCF assistance, and participation must be voluntary for beneficiaries of the CCF-funded programs or services. In addition, an organization receiving CCF funds shall not, in providing CCF-funded services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief. Regulations pertaining to the Equal Treatment for Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS Web site at *http://www.os.dhhs.gov/fbci/waisgate21.pdf.*

II. Award Information

Funding Instrument Type: Grant.

Anticipated Total Priority Area Funding: $15,000,000.

Anticipated Number of Awards: 300.

Ceiling on Amount of Individual Awards per budget period: $50,000.

Floor on Amount of Individual Awards per budget period: None.

Average Projected Award Amount: $50,000.

Length of Project Periods: 12 month project and budget period.

III. Eligibility Information

1. Eligible Applicants

Native American tribal organizations (other than Federally recognized tribal governments);
Native American tribal governments (federally recognized);
Non-profits having a 501(c)(3) status with the IRS, other than institutions of higher education;
Non-profits that do not have a 501(c)(3) status with the IRS, other than institutions of higher education.

Additional Information on Eligibility

Faith-based and community organizations are eligible to apply for these grants. Other eligible entities include:

Federally recognized Indian Tribes;
Consortia of Indian Tribes;
Incorporated non-Federally recognized Tribes;
Incorporated non-profit multi-purpose community-based Indian organizations;
Urban Indian Centers;
National or regional incorporated non-profit Native American organizations with Native;
American community-specific objectives;
Alaska Native villages, as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or non-profit village consortia;
Incorporated non-profit Alaska Native multi-purpose community-based organizations;
Non-profit Alaska Native Regional Corporations/Associations in Alaska with village specific projects;
Non-profit Native organizations in Alaska with village specific projects;
Non-profit private agencies serving Native Hawaiians;
Non-profit private agencies serving native peoples from Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands (the populations served may be located on these islands or in the United States); and,
Non-profit Alaska Native community entities or Tribal governing bodies (Indian Reorganization Act or Traditional Councils) as recognized by the Bureau of Indian Affairs.

Fiscal year (FY) 2003 and (FY) 2004 Compassion Capital Fund (CCF) Targeted Capacity Building grantees are eligible to apply for funding under this announcement as long as the social service priority area addressed by their FY 2005 proposed project differs from the priority area addressed in their FY 2004 project.

Eligible organizations in Non-Metropolitan counties as defined by the Office of Management and Budget are eligible for a grant under the social service priority area, Rural Communities. Due to the fact that entire counties are designated as Metropolitan when in fact, large parts of many counties may be rural in nature; ZIP Codes in Metropolitan counties that meet the criteria as defined by the Office of Rural Health are also eligible. To determine if a ZIP Code is defined as rural, please refer to the Web site at *http://ruralhealth.hrsa.gov/funding/eligibilitytestv2.asp*.

ACF encourages and will grant preference to organizations whose annual operational budget is less than $500,000, or whose tribal membership is less than 5,000.

In addition, ACF anticipates awarding up to 5 percent of the funds available under this announcement to the following eligible organizations:
Native American tribal organizations (other than Federally recognized tribal governments);
Native American tribal governments (Federally recognized);
Federally recognized Indian Tribes; Consortia of Indian Tribes;
Incorporated non-Federally recognized Tribes;
Incorporated non-profit multi-purpose community-based Indian organizations;
Urban Indian Centers;
National or regional incorporated non-profit Native American organizations with Native;
American community-specific objectives;
Alaska Native villages, as defined in the Alaska Native Claims Settlement Act (ANCSA) and/or non-profit village consortia;
Incorporated non-profit Alaska Native multi-purpose community-based organizations;
Non-profit Alaska Native Regional Corporations/Associations in Alaska with village specific projects;
Non-profit Native organizations in Alaska with village specific projects;
Non-profit private agencies serving Native Hawaiians;
Non-profit private agencies serving native peoples from Guam, American Samoa, or the Commonwealth of the Northern Mariana Islands (the populations served may be located on these islands or in the United States); and,
Non-profit Alaska Native community entities or Tribal governing bodies (Indian Reorganization Act or Traditional Councils) as recognized by the Bureau of Indian Affairs.

Please see Section I. Funding Opportunity Description, IV.2 Content and Form of Application Submission, V.1 Evaluation Criteria, and V.2 Review and Selection Process for a detailed description.

Please see Section IV for required documentation supporting eligibility or funding restrictions if any are applicable.

2. Cost Sharing/Matching

No.

3. Other

All applicants must have a Dun & Bradstreet number. On June 27, 2003 the Office of Management and Budget published in the **Federal Register** a new Federal policy applicable to all Federal grant applicants. The policy requires Federal grant applicants to provide a Dun & Bradstreet Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements on or after October 1, 2003. The DUNS number will be required whether an applicant is submitting a paper application or using the government-wide electronic portal (*www.Grants.gov*). A DUNS number will be required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement and block grant programs, submitted on or after October 1, 2003.

Please ensure that your organization has a DUNS number. You may acquire a DUNS number at no cost by calling the dedicated toll-free DUNS number request line on 1–866–705–5711 or you may request a number on-line at *http://www.dnb.com*.

Non-profit organizations applying for funding are required to submit proof of their non-profit status. Proof of non-profit status is any one of the following:

- A reference to the applicant organization's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations described in the IRS Code.
- A copy of a currently valid IRS tax exemption certificate.
- A statement from a State taxing body, State attorney general, or other appropriate State official certifying that the applicant organization has a non-profit status and that none of the net earning accrue to any private shareholders or individuals.
- A certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status.
- Any of the items in the subparagraphs immediately above for a State or national parent organization

and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *http://www.acf.hhs.gov/programs/ofs/forms.htm*.

Disqualification Factors

Applications that exceed the ceiling amount will be considered non-responsive and will not be eligible for funding under this announcement.

An application that fails to satisfy the deadline requirements referenced in Section IV.3 will be considered non-responsive and will not be considered for funding under this announcement.

IV. Application and Submission Information

1. Address To Request Application Package

U.S. Department of Health and Human Services (HHS), Attention: Eduardo Hernandez, Administration for Children and Families Office of Community Services Operations Center, Compassion Capital Fund Targeted Capacity Building Program, 1515 Wilson Boulevard, Suite 100, Arlington, VA 22209. *Phone:* 1–800–281–9519. *E-mail: OCS@lcgnet.com*.

2. Content and Form of Application Submission

A. Required Format of Application

You may submit your application to us in either electronic or paper format. To submit an application electronically, please use the *www.Grants.gov/Apply* site. If you use Grants.gov, you will be able to download a copy of the application package, complete it off-line, and then upload and submit the application via the Grants.gov site. ACF will not accept grant applications via e-mail or facsimile transmission.

Please note the following if you plan to submit your application electronically via Grants.gov:

- Electronic submission is voluntary, but strongly encouraged.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation. We strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.
- To use Grants.gov, you, as the applicant, must have a DUNS Number and register in the Central Contractor Registry (CCR). You should allow a minimum of five days to complete the CCR registration.
- You will not receive additional point value because you submit a grant application in electronic format, nor will we penalize you if you submit an application in paper format.
- You may submit all documents electronically, including all information typically included on the SF 424 and all necessary assurances and certifications.
- Your application must comply with any page limitation requirements described in this program announcement.
- After you electronically submit your application, you will receive an automatic acknowledgement from Grants.gov that contains a Grants.gov tracking number. The Administration for Children and Families will retrieve your application from Grants.gov.
- We may request that you provide original signatures on forms at a later date.
- You may access the electronic application for this program on *www.Grants.gov*.
- You must search for the downloadable application package by the CFDA number.

An original and two copies of the complete application are required. The original and each of the two copies must include all required forms, certifications, assurances, and appendices, be signed by an authorized representative, have original signatures, and be submitted unbound.

Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *www.acf.hhs.gov/programs/ofs/forms.htm*.

General

While applicants may be working in more than one priority area, applicants must select one (1) priority area and label their application accordingly. The four (4) priority areas include: At-risk youth; Homeless; Healthy Marriage; and Rural Communities. Applications proposing projects covering more than one priority area will not be given a higher priority than those projects working in just one area.

The application must be double-spaced and single-sided on 8 x 11 plain white paper, with 1″ margins on all sides. The application must use Times New Roman 12 point font or Arial 12 point font.

The Table of Contents must not exceed one (1) page. The Project Narrative must not exceed nine (9) pages. Pages submitted beyond the first nine (9) pages in the Project Narrative section will be removed prior to panel review. The Appendix must not exceed five (5) pages. Pages submitted beyond the first five (5) in the Appendix section will be removed prior to panel review. The Appendix includes any additional supporting documentation.

All pages of the application must be sequentially numbered. The Budget, Narrative Budget Justification, Standard Forms for Assurances, Certifications, and Disclosures are not included in the Project Narrative and Appendix page limitations.

Applicants are requested not to send pamphlets, brochures, or other printed material along with their applications as these pose copying difficulties. These materials, if submitted, will not be included in the review process.

Standard Forms and Certifications

The project description should include all the information requirements described in the specific evaluation criteria outlined in the program announcement under Section V Application Review Information. In addition to the project description, the applicant needs to complete all the standard forms required for making applications for awards under this announcement.

Applicants seeking financial assistance under this announcement must file the Standard Form (SF) 424, Application for Federal Assistance; SF–424A, Budget Information—Non-Construction Programs; SF–424B, Assurances—Non-Construction Programs. The forms may be reproduced for use in submitting applications. Applicants must sign and return the standard forms with their application.

Applicants must furnish prior to award an executed copy of the Standard Form LLL, Certification Regarding Lobbying, when applying for an award in excess of $100,000. Applicants who have used non-Federal funds for lobbying activities in connection with receiving assistance under this announcement shall complete a disclosure form, if applicable, with their applications (approved by the Office of Management and Budget under control number 0348–0046). Applicants must sign and return the certification with their application.

Applicants must also understand they will be held accountable for the smoking prohibition included within

Public Law 103–227, Title XII Environmental Tobacco Smoke (also known as the PRO–KIDS Act of 1994). A copy of the **Federal Register** notice which implements the smoking prohibition is included with forms. By signing and submitting the application, applicants are providing the certification and need not mail back the certification with the application.

Applicants must make the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification form. Complete the standard forms and the associated certifications and assurances based on the instructions on the forms. The forms and certifications may be found at: *http://www.acf.hhs.gov/programs/ofs/forms.htm*.

Voluntary Budget or Tribal Membership Size Assurance

The voluntary budget or tribal membership size assurance is not required for a complete application; however, ACF encourages any eligible non-profit organization, including Native American Tribal Organizations, whose annual operational budget is less than $500,000 or Native American Tribal Governments, federally recognized Indian Tribes, Consortia of Indian Tribes, or Incorporated non-federally recognized Tribes whose tribal membership is less than 5,000 to include the assurance with its application in order to receive an additional 5 points in the scoring of the application. In absence of a properly authorized assurance, no additional points will be granted. By signing the voluntary budget or tribal membership size assurance the authorizing official is attesting to the validity of all statements on the assurance. Please see Appendix A for instructions on completing the Voluntary Budget or Tribal Membership Size Assurance and Section V.1 for a detailed description of the relevant criteria that will be evaluated.

Please see Section V.1. Criteria, for instructions on preparing the full project description.

3. Submission Dates and Times

Explanation of Due Dates

The closing time and date for receipt of applications is referenced above. Applications received after 4:30 p.m. eastern time on the closing date will be classified as late.

Deadline: Applications shall be considered as meeting an announced deadline if they are received on or before the deadline time and date referenced in Section IV.6. Applicants are responsible for ensuring applications are mailed or submitted electronically well in advance of the application due date.

Applications hand carried by applicants, applicant couriers, other representatives of the applicant, or by overnight/express mail couriers shall be considered as meeting an announced deadline if they are received on or before the deadline date, between the hours of 8:00 a.m. and 4:30 p.m., eastern time, at the address referenced in Section IV.6., between Monday and Friday (excluding Federal holidays).

ACF cannot accommodate transmission of applications by facsimile. Therefore, applications transmitted to ACF by fax will not be accepted regardless of date or time of submission and time of receipt.

Late Applications: Applications that do not meet the criteria above are considered late applications. ACF shall notify each late applicant that its application will not be considered in the current competition.

Any application received after 4:30 p.m. eastern time on the deadline date will not be considered for competition.

Applicants using express/overnight mail services should allow two working days prior to the deadline date for receipt of applications. Applicants are cautioned that express/overnight mail services do not always deliver as agreed.

Extension of deadlines: ACF may extend application deadlines when circumstances such as acts of God (floods, hurricanes, etc.) occur, or when there are widespread disruptions of mail service, or in other rare cases. A determination to extend or waive deadline requirements rests with the Chief Grants Management Officer.

Checklist

You may use the checklist below as a guide when preparing your application package.

What to submit	Required content	Required form or format	When to submit
Table of Contents	See Section IV.2	See Section IV.2	By application due date.
Project Narrative	See Section IV.2	See Section IV.2	By application due date.
SF 424	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description.	By application due date.
SF 424A	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description.	By application due date.
SF 424B	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description.	By application due date.
Voluntary Budget or Tribal Membership Size Assurance.	See Sections III.3 and IV.2	Format described in Sections III.3 and IV. 2	By application due date.
Certification regarding Lobbying and associated Disclosure of Lobbying Activities (SF LLL).	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description.	By Time of Award.
Certification regarding Environmental Tobacco Smoke.	See Section IV. 2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description.	By Time of Award.
Proof of Non-Profit Status	See Section III.3	See Section III.3	By application due date.

Additional Forms

Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *www.acf.hhs.gov/programs/ofs/forms.htm*.

What to submit	Required content	Location	When to submit
Survey for Private, Non-Profit Grant Applicants.	See form	May be found on *www.acf.hhs.gov/programs/ofs/forms.htm*.	By application due date.

4. Intergovernmental Review

State Single Point of Contact (SPOC)

This program is covered under Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR part 100, ''Intergovernmental Review of Department of Health and Human Services Programs and Activities.'' Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

As of October 1, 2004, the following jurisdictions have elected to participate in the Executive Order process: Arkansas, California, Delaware, District of Columbia, Florida, Georgia, Illinois, Iowa, Kentucky, Maine, Maryland, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New Mexico, New York, North Dakota, Rhode Island, South Carolina, Texas, Utah, West Virginia, Wisconsin, American Samoa, Guam, North Mariana Islands, Puerto Rico, and Virgin Islands. As these jurisdictions have elected to participate in the Executive Order process, they have established SPOCs. Applicants from participating jurisdictions should contact their SPOC, as soon as possible, to alert them of prospective applications and receive instructions. Applicants must submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a. Under 45 CFR 100.8(a)(2).

A SPOC has 60 days from the application deadline to comment on proposed new or competing continuation awards. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which may trigger the ''accommodate or explain'' rule.

When comments are submitted directly to ACF, they should be addressed to the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade SW., 4th floor, Washington, DC 20447.

When comments are submitted directly to ACF, they should be addressed to: Department of Health and Human Services, Administration for Children and Families, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., Washington, DC 20447.

Although the remaining jurisdictions have chosen not to participate in the process, entities that meet the eligibility requirements of the program are still eligible to apply for a grant even if a State, Territory, Commonwealth, etc. does not have a SPOC. Therefore, applicants from these jurisdictions, or for projects administered by federally-recognized Indian Tribes, need take no action in regard to E.O. 12372.

The official list, including addresses, of the jurisdictions elected to participate in E.O. 12372 can be found on the following URL: *http://www.whitehouse.gov/omb/grants/spoc.html*.

A list of the Single Points of Contact for each State and Territory is included with the application materials for this announcement.

5. Funding Restrictions

An application that exceeds the upper value of the dollar range specified will be considered non-responsive and will be returned without further review.

6. Other Submission Requirements

Submission by Mail: An applicant must provide an original application with all attachments, signed by an authorized representative and two copies. Please see Section IV.3 for an explanation of due dates. Applications should be mailed to: U.S. Department of Health and Human Services (HHS), Administration for Children and Families Office of Community, Compassion Capital Fund Targeted Capacity Building Program, 1815 North Fort Meyer Drive, Suite 300, Arlington, VA 22209.Attention: Barbara Ziegler Johnson.

Hand Delivery: An applicant must provide an original application with all attachments signed by an authorized representative and two copies. Please see Section IV.3 for an explanation of due dates. Applications should be delivered to: U.S. Department of Health and Human Services (HHS), Administration for Children and Families Office of Community, Compassion Capital Fund Targeted Capacity Building Program, 1815 North Fort Meyer Drive, Suite 300, Arlington, VA 22209. Attention: Barbara Ziegler Johnson.

Electronic Submission: *www.Grants.gov*. Please see section IV. 2 Content and Form of Application Submission, for guidelines and requirements when submitting applications electronically.

V. Application Review Information

The Paperwork Reduction Act of 1995 (Pub. L. 104–13)

Public reporting burden for this collection of information is estimated to average 20 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information.

The project description is approved under OMB control number 0970–0139 which expires 4/30/2007.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The following are instructions and guidelines on how to prepare the ''Project Summary/Abstract'' and ''Full Project Description'' sections of the application. Under the evaluation criteria section, note that each criterion is preceded by the generic evaluation requirement under the ACF Uniform Project Description (UPD).

1. Criteria

Organizational Profiles

Provide information on the applicant organization(s) and cooperating partners, such as organizational charts, financial statements, audit reports or statements from CPAs/Licensed Public Accountants, Employer Identification Numbers, names of bond carriers, contact persons and telephone numbers, child care licenses and other documentation of professional accreditation, information on compliance with Federal/State/local government standards, documentation of experience in the program area, and other pertinent information. If the applicant is a non-profit organization, submit proof of non-profit status in its application.

The non-profit agency can accomplish this by providing: (a) A reference to the applicant organization's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations

described in the IRS Code; (b) a copy of a currently valid IRS tax exemption certificate, (c) a statement from a State taxing body, State attorney general, or other appropriate State official certifying that the applicant organization has a non-profit status and that none of the net earnings accrue to any private shareholders or individuals; (d) a certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status, (e) any of the items immediately above for a State or national parent organization and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Objectives and Need for Assistance

Clearly identify the physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated; supporting documentation, such as letters of support and testimonials from concerned interests other than the applicant, may be included. Any relevant data based on planning studies should be included or referred to in the endnotes/footnotes. Incorporate demographic data and participant/beneficiary information, as needed. In developing the project description, the applicant may volunteer or be requested to provide information on the total range of projects currently being conducted and supported (or to be initiated), some of which may be outside the scope of the program announcement.

Approach

Outline a plan of action that describes the scope and detail of how the proposed work will be accomplished. Account for all functions or activities identified in the application. Cite factors that might accelerate or decelerate the work and state your reason for taking the proposed approach rather than others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Provide quantitative monthly or quarterly projections of the accomplishments to be achieved for each function or activity in such terms as the number of people to be served and the number of activities accomplished.

When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

If any data is to be collected, maintained, and/or disseminated, clearance may be required from the U.S. Office of Management and Budget (OMB). This clearance pertains to any ''collection of information that is conducted or sponsored by ACF.''

List organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

Results or Benefits Expected

Identify the results and benefits to be derived.

Budget and Budget Justification

Provide a budget with line item detail and detailed calculations for each budget object class identified on the Budget Information form. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. Also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification that describes how the categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify the project director or principal investigator, if known. For each staff person, provide the title, time commitment to the project (in months), time commitment to the project (as a percentage or full-time equivalent), annual salary, grant salary, wage rates, etc. Do not include the costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement insurance, taxes, etc.

Travel

Description: Costs of project-related travel by employees of the applicant organization (does not include costs of consultant travel).

Justification: For each trip, show the total number of traveler(s), travel destination, duration of trip, per diem, mileage allowances, if privately owned vehicles will be used, and other transportation costs and subsistence allowances. Travel costs for key staff to attend ACF-sponsored workshops should be detailed in the budget.

Equipment

Description: ''Equipment'' means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of (a) the capitalization level established by the organization for the financial statement purposes, or (b) $5,000. (**Note:** Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation shall be included in or excluded from acquisition cost in accordance with the organization's regular written accounting practices.)

Justification: For each type of equipment requested, provide a description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use on the project, as well as use or disposal of the equipment after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, construction, etc. Include third party evaluation contracts (if applicable) and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or businesses to be financed by the applicant.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and

free competition. Recipients and subrecipients, other than States that are required to use Part 92 procedures, must justify any anticipated procurement action that is expected to be awarded without competition and exceed the simplified acquisition threshold fixed at 41 U.S.C. 403(11) (currently set at $100,000).

Recipients might be required to make available to ACF pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and budget narrative for each delegate agency, by agency title, along with the required supporting information referred to in these instructions.

Other

Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to insurance, food, medical and dental costs (noncontractual), professional services costs, space and equipment rentals, printing and publication, computer use, training costs, such as tuition and stipends, staff development costs, and administrative costs.

Justification: Provide computations, a narrative description and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category should be used only when the applicant currently has an indirect cost rate approved by the Department of Health and Human Services (HHS) or another cognizant Federal agency.

Justification: An applicant that will charge indirect costs to the grant must enclose a copy of the current rate agreement. If the applicant organization is in the process of initially developing or renegotiating a rate, upon notification that an award will be made, it should immediately develop a tentative indirect cost rate proposal based on its most recently completed fiscal year, in accordance with the cognizant agency's guidelines for establishing indirect cost rates, and submit it to the cognizant agency. Applicants awaiting approval of their indirect cost proposals may also request indirect costs. When an indirect cost rate is requested, those costs included in the indirect cost pool should not also be charged as direct costs to the grant. Also, if the applicant is requesting a rate which is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

Evaluation Criteria

The following evaluation criteria appear in weighted descending order. The corresponding score values indicate the relative importance that ACF places on each evaluation criterion; however, applicants need not develop their applications precisely according to the order presented. Application components may be organized such that a reviewer will be able to follow a seamless and logical flow of information (*e.g.*, from a broad overview of the project to more detailed information about how it will be conducted).

In considering how applicants will carry out the responsibilities addressed under this announcement, competing applications for financial assistance will be reviewed and evaluated against the following criteria:

Objectives and Need for Assistance (30 points)

(a) Service Area (5 Points): An application will be evaluated on the extent to which the applicant identifies the specific service area for project implementation and the target population they serve.

(b) Needs of Service Area (5 Points): An application will be evaluated on the extent to which the applicant describes the specific needs of the targeted service area; documents that the proposed project will be implemented in a distressed community and/or engages organizations that serve low-income populations; and documents that the project addresses a vital need in a distressed community. A ''distressed community'' is defined as a neighborhood or geographic community with an unemployment rate and/or poverty rate equal to or greater than the state or national rate. The application documents that both the unemployment level and poverty level for the targeted neighborhood or community are equal to or greater than the state or national level. The application cites the most recent available statistics from published sources, *e.g.* the recent U.S. Census or updates, the State, county, city, election district and other information are provided in support of its contention.

(c) Applicant's Capacity-Building Needs (10 Points). An application will be evaluated on the extent to which the applicant documents the capacity-building needs of their organization. The needs of the organization must be described in relationship to the following five critical areas of organizational capacity: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement.

(d) Project Objectives (10 Points): An application will be evaluated on the extent to which the applicant states all primary project objectives. Applications will be evaluated on the extent to which the objectives of the proposed project are clearly stated and shown to address the needs of the organization in at least one of the five critical areas: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. Applications will be evaluated on the extent to which the applicant presents a compelling need in the community for an increase or improvement in services. Applicants must demonstrate how the receipt of this Federal grant will enable the applicant to increase its capacity to address these vital needs.

Approach (30 points)

Capacity-Building Strategy. An application will be evaluated on the extent to which the applicant describes a plan for developing organizational capacity in at least one of five critical areas: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. Applications will be evaluated based on the extent to which the capacity-building approach or strategy is logical, reasonable, and clearly linked to the desired results and benefits expected.

Organizational Proiles (15 points)

(a) Past Experience: (10 Points). An application will be evaluated on the extent to which the applicant demonstrates experience in and a proven track record in addressing the needs of ''distressed community (ies)'', through the provision of social services. A ''distressed community'' is defined as a neighborhood or geographic community with an unemployment rate and/or poverty rate equal to or greater than the state or national rate. Applications will also be evaluated on the extent to which the applicant documents a history of service in the proposed project service area. In addition, applications will be also be evaluated on the extent to which the applicant includes concrete examples of services and/or programs.

(b) Organizational Capacity and Project Staff (5 Points). An application will be evaluated on the extent to which the applicant describes how the proposed project fits into the structure

of the applicant organization. Applications will be evaluated on the extent to which the applicant provides evidence of facilities, fiscal controls and other resources that are adequate to achieve project goals. An application will be evaluated on the extent to which the applicant includes a listing of key positions required to carry out the project, the individuals proposed to fill the positions, and a detailed description of the kind of work they will perform. An application will be evaluated on the extent to which the applicant provides evidence demonstrating the staff's skill, knowledge, and experience in carrying out their assigned activities. Applications will be evaluated on the extent to which the applicant includes the above information with regard to consultants or staff from other organizations proposed to work on the project.

Results or Benefits Expected (15 Points)

An application will be evaluated on the extent to which it identifies the results or benefits expected to be derived from project activities. Applicants must describe how the proposed project will impact the sustainability of their organization. Applicants must describe the process for determining the relationship between project activities and anticipated outcomes, including any output measures to be used to evaluate the proposed project. Applicants must clearly describe the relationship(s) among project objectives, activities and anticipated results. The results and benefits proposed by the applicant must be reasonable and likely, quantified, clearly linked to and supported by the proposed capacity-building approach.

Budget and Budget Justification (10 Points)

An application will be evaluated based on the extent to which the applicant includes a budget that is clear, easy to understand, and that provides a detailed justification for the amount requested. Applicants should refer to the budget information presented in the Standard Forms 424 and 424A and to the budget justification instructions in section C. General Instructions for the Uniform Project Description. Since non-Federal reviewers will be used in the review of applications, applicants may omit from the copies of the application submitted (not from the original), the specific salary rates or amounts for individuals in the application budget and instead provide only summary information.

Additional Bonus Points (5 Points)

The extent to which the application demonstrates that the applicant has an annual operational budget of less than $500,000, or a tribal membership of less than 5,000 via a signed assurance from an authorized official (Please see Appendix A for instructions on completing the assurance).

2. Review and Selection Process

Since ACF will be using non-Federal reviewers in the review process, applicants have the option of omitting from the application copies (not the original) of specific salary rates or amounts for individuals specified in the application budget.

No grant award will be made on the basis of an incomplete application.

Applications received by the due date will be reviewed and scored competitively. Experts in the field, generally persons from outside the Federal government, will use the evaluation criteria listed in Part V of this announcement to review and score the applications. The results of this review will be a primary factor in making funding decisions. ACF may also solicit comments from Regional Office staff and other Federal agencies. ACF may consider a variety of factors in addition to the review criteria identified above, including geographic diversity/coverage and types of applicant organizations, in order to ensure that the interests of the Federal Government are met in making the final selections. Furthermore, ACF may limit the number of awards made to the same or affiliated organizations although they would serve different geographic areas. Please note that applicants that do not comply with the requirements in the section titled ''Eligible Applicants'' will not be included in the review process.

ACF encourages and will grant preference to those eligible organizations whose annual operational budget is less than $500,000, or whose tribal membership is less than 5,000. Please see Section I. Funding Opportunity Description, III.3 Other Information on Eligibility, IV.2 Content and Form of Application Submission, and V.1 Evaluation Criteria for a detailed description.

Approved but Unfunded Applications

Applications that are approved but unfunded may be held over for funding in the next funding cycle, pending the availability of funds, for a period not to exceed one year.

VI. Award Administration Information

1. Award Notices

The successful applicants will be notified through the issuance of a Financial Assistance Award document which sets forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which initial support will be given, the non-Federal share to be provided, and the total project period for which support is contemplated. The Financial Assistance Award will be signed by the Grants Officer and transmitted via postal mail.

Organizations whose applications will not be funded will be notified in writing.

2. Administrative and National Policy Requirements

Direct Federal grants, sub-award funds, or contracts under this Compassion Capital Fund Capacity Building program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this Program. Regulations pertaining to the Equal Treatment For Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS Web site at *http://www.os.dhhs.gov/fbci/waisgate21.pdf.*

45 CFR Part 74

45 CFR Part 92

Grantees are subject to the requirements in 45 CFR part 74 (non-governmental) or 45 CFR part 92 (governmental) as well as 45 CFR part 87.

3. Reporting Requirements

Programmatic Reports: Semi-Annually

Financial Reports: Semi-Annually

Grantees will be required to submit program progress and financial reports (SF 269) throughout the project period. Program progress and financial reports are due 30 days after the reporting period. In addition, final programmatic and financial reports are due 90 days after the close of the project period.

Original reports and one copy should be mailed to: Administration for Children and Families, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., Washington, DC 20447.

VII. Agency Contacts

Program Office Contact

Kelly Cowles, Office of Community Services, 370 L'Enfant Promenade, SW., Suite 500 West, Aerospace Building, Washington, DC 20447–0002. *Phone:* (800) 281–9519. *E-mail: ocs@lcgnet.com.*

Grants Management Office Contact

Barbara Ziegler-Johnson, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., 4th Floor West, Aerospace Building, Washington, DC 20447–0002. *Phone:* (800) 281–9519. *E-mail: ocs@lcgnet.com.*

VIII. Other Information

Additional information about this program and its purpose can be located on the following Web sites: *http://www.acf.hhs.gov/programs/ccf/.*

Applicants will be sent acknowledgements of received applications.

Dated: April 25, 2005.

Josephine B. Robinson,

Director, Office of Community Services.

Voluntary Budget or Tribal Membership Assurance

As the authorized individual signing this grant application on behalf of (name of applicant), I hereby attest and certify that the most recent annual operational budget for (name of applicant) is less than $500,000, or that the tribal membership of (name of applicant) is less than 5,000.

Date: _____

Printed Name of Authorized Individual:

Signature of Authorized Individual: ___

[FR Doc. 05–8607 Filed 4–28–05; 8:45 am]

BILLING CODE 4184–01–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Office of Community Services; Compassion Capital Fund (CCF) Demonstration Program

Announcement Type: Initial.

Funding Opportunity Number: HHS–2005–ACF–OCS–EJ–0035.

CFDA Number: 93.009.

Due Date for Applications: Application is due June 13, 2005.

Executive Summary: The Administration for Children and Families (ACF), Office of Community Services (OCS) announces that applications will be accepted for new grants pursuant to the U.S. Department of Health and Human Services (HHS) Compassion Capital Fund (CCF) authorized under Section 1110 of the Social Security Act governing Social Services Research and Demonstration activities and the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005, Public Law 108–447.

Pursuant to this announcement, ACF will award funds to experienced organizations to deliver capacity-building services to faith-based and community organizations through the provision of training, technical assistance, and sub-awards.

Intermediary organizations will assist faith-based and community organizations with capacity-building activities in five critical areas: (1) Leadership development, (2) organizational development, (3) programs and services, (4) funding, and (5) community engagement. Capacity-building activities are designed to increase an organization's sustainability and effectiveness, enhance its ability to provide social services, diversify its funding sources, and create collaborations to better serve those most in need.

Priority Area I

I. Funding Opportunity Description

The Administration for Children and Families (ACF), Office of Community Services (OCS) announces that applications will be accepted for new grants pursuant to the U.S. Department of Health and Human Services (HHS) Compassion Capital Fund (CCF) authorized under Section 1110 of the Social Security Act governing Social Services Research and Demonstration activities and the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005, Pub. Law 108–447.

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A. Background

Faith-based and community organizations have a long history of providing an array of important services to people in need in the United States. These organizations possess unique strengths that the government cannot duplicate. As a result, they are well positioned to assist individuals and families with the most pressing social service needs.

In recognition of this history and ability, President Bush believes it is in the public's interest to broaden Federal efforts to work with faith-based and community organizations and has made improving funding opportunities for such organizations a priority. CCF is a key part of the effort to enhance and expand the participation of faith-based and community groups serving those in need. Intermediary organizations awarded funds under this announcement will serve as partners to both the Federal government and to the faith-based and community organizations that they assist. The intermediaries will represent a diverse set of affiliations, and will assist community-level organizations that have a range of service goals, target populations, affiliations, and beliefs.

Historically, the CCF program has identified the following social service priorities: homelessness, prisoners reentering the community, children of prisoners, at-risk youth, addicts, elders in need, families in transition from welfare to work and organizations that provide marriage education and preparation services to help couples who choose marriage for themselves, develop the skills and knowledge to form and sustain healthy marriages. Although the CCF program has addressed issues of at-risk youth in the past, this year, President Bush has specifically identified the need to focus on helping at-risk youth overcome the perilous risk of gang influence and involvement. Consequently, those interested in proposing at-risk youth activities are encouraged to propose projects that address these critical youth issues.

This announcement represents a new direction resulting from experience over the first three years of the CCF program. Consistent with the aim of a demonstration project, we intend to test innovative and creative approaches to grants in aid. Consequently, this announcement proposes a 17 month

project and budget period. These grants will be funded to cover an entire project and budget period. In addition, it should be noted that the amount required to be awarded by the intermediary grantees to sub-awardees is 40 percent of the Federal share.

B. Program Purpose and Objectives

The goal of the Compassion Capital Fund (CCF) Demonstration Program is to help grassroots faith-based and community organizations maximize their social impact as they provide services to those most in need including the homeless, prisoners reentering the community, children of prisoners, at-risk youth, addicts, elders in need, families in transition from welfare to work and couples who choose marriage for themselves, to develop the skills and knowledge to form and sustain healthy marriages.

The CCF Demonstration Program provides funding for intermediary organizations in well-defined geographic locations with a proven track record of community involvement and experience in providing training and technical assistance to smaller faith- and community-based organizations in their communities. These intermediary organizations serve as a bridge between the Federal government and the grassroots faith-based and community organizations that the CCF Demonstration Program is designed to assist.

The CCF Demonstration Program does not fund direct social service provision. Rather, the CCF Demonstration Program funds capacity-building activities that produce measurable impact resulting in more sustainable organizations. By addressing issues that are critical to the long-term viability of non-profit organizations, faith-based and community organizations are better prepared and positioned to understand and meet the needs of their communities.

ACF encourages applications from organizations that propose to work with and have experience working with faith-based and community organizations that historically have not been supported by governmental funds. Intermediaries must be established organizations with well-developed connections to and working relationships with the non-profit community in the geographic area they propose to serve. In most cases, intermediaries or their partners will be physically located in the geographic area they propose to serve. In addition, for an intermediary organization to provide effective training and technical assistance in capacity building, they should demonstrate a cultural sensitivity that establishes credibility with their target audience of faith-based and community organizations in the geographic area they select.

Intermediary organizations will provide two services within their communities:

1. Capacity-building training and technical assistance to faith-based and community organizations; and

2. Financial support—through sub-awards—to some subset of the organizations receiving training and technical assistance.

Training and Technical Assistance

ACF seeks intermediary organizations with demonstrated ability to provide training and technical assistance to faith-based and community organizations in five critical areas of capacity building: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. Applicants must demonstrate the ability to provide training and technical assistance in all five areas of capacity building. This may be accomplished by a single organization, or through partnerships among several organizations. If organizations propose to collaborate to provide CCF intermediary services, they must have a well-developed working relationship and a history of working together prior to announcement of this funding opportunity.

Applicants must submit a coherent plan for providing training and technical assistance in all five of the critical areas of capacity building. Training and technical assistance activities must produce measurable results for the organizations served. Examples of the kinds of activities that relate to each element are listed below. This list is intended to be illustrative, not exhaustive:

Critical areas	Examples
1. Leadership Development	—Board Composition and Function —Staff Professional and Career Development —Volunteers Training and Development —Succession Planning
2. Organizational Development	—Board Governance —Systems: Management, Human Resources, Financial, Information Technology, Planning —Policies and Procedures —Fiscal Controls —Comprehensive Communications Strategy —Non-profit Incorporation
3. Programs/Services	—Program Design that expands or enhances program or service delivery —Program Monitoring —Evaluating Program Outcomes
4. Funding	—Diversified Funding Sources —Financial Sustainability —Donor Development
5. Community Engagement	—Community Asset Mapping —Level of Community Participation —Community Needs Assessment —Leveraging Resources/Collaborative Relationships

Intermediaries must demonstrate their ability to correctly assess the highest impact capacity building needs of the organizations they propose to serve. Applicants must describe the process they will use to assist faith-based and community organizations with the identification of organizational needs. Applicants must include a detailed description of pre- and post-assessment methods to be used to determine the measurable impact of training, technical assistance and sub-award activities provided.

For purposes of this program announcement, training will refer to

group-based adult education and skill-building activities (*e.g.*, workshops); technical assistance will refer to consultation that is specifically customized or tailored to the needs of particular faith-based and community organizations.

Technical assistance must be provided on a long-term, ongoing basis, rather than through single or short-term contacts (such as a nationwide series of seminars or conferences). The training and technical assistance strategy must address a minimum of two (2) of the identified needs for each faith-based and community organization served; although, it is expected that in aggregate the faith-based and community organizations served will represent the full range of all five critical areas. A minimum of fifty percent (50 percent) of training and technical assistance provided by an intermediary must be in the form of direct and individualized technical assistance to address the identified priority needs of the faith-based and community organization (*i.e.*, ''one-on-one'' assistance to the organization's leadership, key staff and/or board). It is expected that intermediaries will deliver both training and technical assistance. Training conferences and workshops may be part of an applicant's plan, but they must not be its sole focus. Training and technical assistance activities funded under CCF are to be offered at no cost to interested faith-based and community organizations.

Sub-Awards

CCF intermediaries will be required to issue sub-awards in an amount representing at least forty percent (40 percent) of the total Federal funds requested. (Please see section V.1 for a detailed description regarding sub-award strategy).

ACF expects to work closely with organizations that receive funding to ensure that CCF monies are used appropriately and in the most effective manner possible. Intermediary organizations that receive CCF awards will be required to develop, with guidance from and in consultation with ACF, a detailed plan to issue sub-awards within 60 days of receipt of an award under this announcement. Please note that this plan will be based on the sub-award strategy outlined in Section V.1. ACF will work with grantees to develop their sub-award strategy into a concrete sub-award plan. ACF must review and approve this plan prior to the issuance of any sub-awards using Federal funds awarded under this announcement. Intermediary organizations must report on the use of funds for sub-awards. Intermediary organizations will also be required to develop, with guidance from and in consultation with ACF, an evaluation plan within six months of receipt of an award for working with sub-awardees to develop outcome measures and to evaluate the activities supported by the sub-awards.

Approved applicants must be willing to work closely with ACF, and any entities funded by ACF, to coordinate, assist, or evaluate the activities of the intermediary organizations providing technical assistance and issuing sub-awards.

Conditions for the Cooperative Agreement: Organizations selected to receive an award will be responsible for implementing activities described in the project description of the approved application; developing and implementing work plans that will ensure that the services and activities included in the approved application address the needs of faith-based and community organizations in an efficient, effective, and timely manner; submitting for Federal review and approval, within 60 days of receipt of the Financial Assistance Award and prior to the issuance of any such sub-awards, plans and procedures for the issuance of sub-awards; submitting regular semi-annual financial status and progress reports that describe project activities; working cooperatively and collaboratively with ACF officials, other Federal agency officials conducting related activities, the other intermediary organizations approved under the CCF program, and other entities or organizations contracted by ACF to assist in carrying out the purposes of the Compassion Capital Fund program; ensuring that key staff attend and participate in ACF sponsored workshops and meetings, including the initial orientation meeting; and ensuring that Compassion Capital Funds are not used to support religious practices such as religious instruction, worship, prayer or proselytization.

Proposed budgets should include the cost of travel-related expenses for two key personnel with responsibility for the CCF award to attend a two-day orientation workshop with Federal officials in Washington, DC. This meeting will focus on orientation to Federal objectives for the project; information about related activities supported by HHS and other Federal agencies; Federal grants management requirements; and coordination between and among the approved intermediary organizations and other entities funded by ACF to be involved in the CCF initiative.

Direct Federal grants, sub-award funds, or contracts under the Compassion Capital Fund Demonstration Program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the CCF-funded services. Regulations pertaining to the Equal Treatment For Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS Web site at *http://www.os.dhhs.gov/fbci/waisgate21.pdf.*

Grantees may be asked to participate in a national evaluation of the Compassion Capital Fund program. The program will cooperate with any research or evaluation efforts sponsored by the Administration for Children and Families (ACF).

II. Award Information

Funding Instrument Type: Cooperative Agreement.

Substantial Federal Involvement With Cooperative Agreement

A cooperative agreement is Federal assistance in which substantial Federal Involvement is anticipated. Responsibilities of Federal Staff and the successful applicants are negotiated prior to an award. The grantees funded under this announcement will work collaboratively with the CCF program office on the development of products and prior to finalization and dissemination will submit products such as training and technical assistance plans and sub-award plans to the CCF program office for review and approval. Please see *Section I. Funding Opportunity Description* for a detailed description of the cooperative agreement.

Anticipated Total Priority Area Funding: $16,900,000.

Anticipated Number of Awards: Up to 17.

Ceiling on Amount of Individual Awards per budget period: None.

Average Projected Award Amount: $1,000,000.

Length of Project Periods: 17-month project with a 17-month budget period.

This announcement is inviting applications for project periods up to 17 months. Awards, however, will be made on a competitive basis, for a 17-month budget period.

III. Eligibility Information

1. Eligible Applicants

State governments

County governments
City or township governments
Special district governments
State controlled institutions of higher education
Native American tribal governments (federally recognized)
Non-profits having a 501(c)(3) status with the IRS, other than institutions of higher education
Non-profits that do not have a 501(c)(3) status with the IRS, other than institutions of higher education
Private institutions of higher education
For-profit organization other than small businesses
Small businesses
Faith-based and community organizations

Additional Information on Eligibility:

Fiscal year (FY) 2003 and (FY) 2004 Compassion Capital Fund Demonstration Program grantees are ineligible to apply. Fiscal year (FY) 2002 grantees are eligible to apply, but will not be awarded additional points or given preferential treatment for past CCF experience.

2. Cost Sharing/Matching

Yes.

Matching/Cost-Sharing

Grantees must provide at least *20* percent of the total approved cost of the project. The total approved cost of the project is the sum of the ACF share and the non-Federal share. The non-Federal share may be met by cash or in-kind contributions, although applicants are encouraged to meet their match requirements through cash contributions. Therefore, a project requesting *$500,000* in Federal funds (based on an award of *$500,000* per budget period) must provide a match of at least *$125,000* (*20%* of the total approved project costs). Grantees will be held accountable for commitments of non-Federal resources even if over the amount of the required match. Failure to provide the amount will result in disallowance of Federal dollars.

3. Other

All applicants must have a Dun & Bradstreet number. On June 27, 2003 the Office of Management and Budget published in the **Federal Register** a new Federal policy applicable to all Federal grant applicants. The policy requires Federal grant applicants to provide a Dun & Bradstreet Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements on or after October 1, 2003. The DUNS number will be required whether an applicant is submitting a paper application or using the government-wide electronic portal (*www.Grants.gov*). A DUNS number will be required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement and block grant programs, submitted on or after October 1, 2003.

Please ensure that your organization has a DUNS number. You may acquire a DUNS number at no cost by calling the dedicated toll-free DUNS number request line on 1–866–705–5711 or you may request a number on-line at *http://www.dnb.com*.

Non-profit organizations applying for funding are required to submit proof of their non-profit status.

Proof of non-profit status is any one of the following:

- A reference to the applicant organization's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations described in the IRS Code.
- A copy of a currently valid IRS tax exemption certificate.
- A statement from a State taxing body, State attorney general, or other appropriate State official certifying that the applicant organization has a non-profit status and that none of the net earning accrue to any private shareholders or individuals.
- A certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status.
- Any of the items in the subparagraphs immediately above for a State or national parent organization and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *www.acf.hhs.gov/programs/ofs/forms.htm.*

Disqualification Factors

Any application received after 4:30 p.m. eastern time on the deadline date will not be considered for competition.

IV. Application and Submission Information

1. Address to Request Application Package

U.S. Department of Health and Human Services (HHS), Attention: Eduardo Hernandez, Administration for Children and Families Office of Community Services, Operations Center, Compassion Capital Fund Demonstration Program, 1515 Wilson Boulevard, Suite 100, Arlington, Virginia 22209. Phone: 1–800–281–9519. E-mail: *OCS@lcgnet.com.*

2. Content and Form of Application Submission

A. Required Format of Application

You may submit your application to us in either electronic or paper format.To submit an application electronically, please use the *www.Grants.gov/Apply* site. If you use Grants.gov, you will be able to download a copy of the application package, complete it off-line, and then upload and submit the application via the Grants.gov site. ACF will not accept grant applications via e-mail or facsimile transmission.

Please note the following if you plan to submit your application electronically via Grants.gov

- Electronic submission is voluntary, but strongly encouraged.
- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation. We strongly recommend that you do not wait until the application deadline date to begin the application process through Grants.gov.
- To use Grants.gov, you, as the applicant, must have a DUNS Number and register in the Central Contractor Registry (CCR). You should allow a minimum of five days to complete the CCR registration.
- You will not receive additional point value because you submit a grant application in electronic format, nor will we penalize you if you submit an application in paper format.
- You may submit all documents electronically, including all information typically included on the SF 424 and all necessary assurances and certifications.
- Your application must comply with any page limitation requirements described in this program announcement.
- After you electronically submit your application, you will receive an automatic acknowledgement from Grants.gov that contains a Grants.gov tracking number. The Administration for Children and Families will retrieve your application from Grants.gov.
- We may request that you provide original signatures on forms at a later date.
- You may access the electronic application for this program on *http://www.Grants.gov.*

• You must search for the downloadable application package by the CFDA number.

An original and two copies of the complete application are required. The original and each of the two copies must include all required forms, certifications, assurances, and appendices, be signed by an authorized representative, have original signatures, and be submitted unbound.

Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *www.acf.hhs.gov/programs/ofs/forms.htm.*

General. The application must be double-spaced and single-sided on 8 × 11 plain white paper, with 1″ margins on all sides. The application must use Times New Roman 12 point font or Arial 12 point font.

The Table of Contents must not exceed one (1) page.

The Project Abstract must not exceed one (1) page.

The Project Narrative must not exceed twenty-five (25) pages. Pages submitted beyond the first 25 in the application's Project Narrative section will be removed prior to panel review.

The Appendix must not exceed twenty (20) pages. The Appendix includes the sample assessment tool(s) to be used to assist organizations served in identifying organizational needs in the five critical capacity-building areas, cost share commitment letters, and any other additional supporting documentation.

All pages of the application must be sequentially numbered. The Budget, Narrative Budget Justification, Standard Forms for Assurances, Certifications, Disclosures, and cost-share letters are not included in the Project Narrative and Appendix page limitations.

Applicants are requested not to send pamphlets, brochures, or other printed material along with their applications as these pose copying difficulties. These materials, if submitted, will not be included in the review process. In addition, applicants should not submit any additional letters of endorsement beyond any that may be required.

Standard Forms and Certifications: The project description should include all the information requirements described in the specific evaluation criteria outlined in the program announcement under Section V Application Review Information. In addition to the project description, the applicant needs to complete all the standard forms required for making applications for awards under this announcement.

Applicants seeking financial assistance under this announcement must file the Standard Form (SF) 424, Application for Federal Assistance; SF–424A, Budget Information—Non–Construction Programs; SF–424B, Assurances—Non-Construction Programs. The forms may be reproduced for use in submitting applications. Applicants must sign and return the standard forms with their application.

Applicants must furnish prior to award an executed copy of the Standard Form LLL, Certification Regarding Lobbying, when applying for an award in excess of $100,000. Applicants who have used non-Federal funds for lobbying activities in connection with receiving assistance under this announcement shall complete a disclosure form, if applicable, with their applications (approved by the Office of Management and Budget under control number 0348–0046). Applicants must sign and return the certification with their application.

Applicants must also understand they will be held accountable for the smoking prohibition included within Pub. L. 103–227, Title XII Environmental Tobacco Smoke (also known as the PRO–KIDS Act of 1994). A copy of the **Federal Register** notice which implements the smoking prohibition is included with forms. By signing and submitting the application, applicants are providing the certification and need not mail back the certification with the application.

Applicants must make the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination. By signing and submitting the applications, applicants are providing the certification and need not mail back the certification form. Complete the standard forms and the associated certifications and assurances based on the instructions on the forms. The forms and certifications may be found at: *www.acf.hhs.gov/programs/ofs/forms.htm.*

Please see *Section V.1. Criteria,* for instructions on preparing the full project description.

3. Submission Dates and Times

Explanation of Due Dates: The closing time and date for receipt of applications is referenced above. Applications received after 4:30 p.m. eastern time on the closing date will be classified as late.

Deadline: Applications shall be considered as meeting an announced deadline if they are received on or before the deadline time and date referenced in *Section IV.6.* Applicants are responsible for ensuring applications are mailed or submitted electronically well in advance of the application due date.

Applications hand carried by applicants, applicant couriers, other representatives of the applicant, or by overnight/express mail couriers shall be considered as meeting an announced deadline if they are received on or before the deadline date, between the hours of 8 a.m. and 4:30 p.m., eastern time, at the address referenced in *Section IV.6.,* between Monday and Friday (excluding Federal holidays).

ACF cannot accommodate transmission of applications by facsimile. Therefore, applications transmitted to ACF by fax will not be accepted regardless of date or time of submission and time of receipt.

Late Applications: Applications that do not meet the criteria above are considered late applications. ACF shall notify each late applicant that its application will not be considered in the current competition.

Any application received after 4:30 p.m. eastern time on the deadline date will not be considered for competition.

Applicants using express/overnight mail services should allow two working days prior to the deadline date for receipt of applications. Applicants are cautioned that express/overnight mail services do not always deliver as agreed.

Extension of deadlines: ACF may extend application deadlines when circumstances such as acts of God (floods, hurricanes, etc.) occur, or when there are widespread disruptions of mail service, or in other rare cases. A determination to extend or waive deadline requirements rests with the Chief Grants Management Officer.

Checklist: You may use the checklist below as a guide when preparing your application package.

What to submit	Required content	Required form or format	When to submit
Table of Contents ...	See Section IV.2 ...	See Section IV.2	By application due date.

What to submit	Required content	Required form or format	When to submit
Project Narrative	See Section IV.2	See Section IV.2	By application due date.
SF 424	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description..	By application due date.
SF 424A	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description..	By application due date.
SF 424B	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description..	By application due date.
Training and Technical Assistance Plan.	See Section I. and V.1.	See Section I. and V.1.	By application due date.
Certification regarding Lobbying and associated Disclosure of Lobbying Activities (SF LLL).	See Section IV.2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description..	By Time of Award.
Certification regarding Environmental Tobacco Smoke.	See Section IV. 2	Please visit *http://www.acf.hhs.gov/programs/ofs/forms.htm* for a full description..	By Time of Award.
Proof of Non-Profit Status.	See Section III.3	See Section III.3	By Time of Award.

Additional Forms: Private, non-profit organizations are encouraged to submit with their applications the survey located under ''Grant Related Documents and Forms,'' ''Survey for Private, Non-Profit Grant Applicants,'' titled, ''Survey on Ensuring Equal Opportunity for Applicants,'' at: *www.acf.hhs.gov/programs/ofs/forms.htm*.

What to submit	Required content	Location	When to submit
Survey for Private, Non-Profit Grant Applicants.	See form	May be found on *www.acf.hhs.gov/programs/ofs/forms.htm*	By application due date.

4. Intergovernmental Review:

State Single Point of Contact (SPOC)

This program is covered under Executive Order 12372, ''Intergovernmental Review of Federal Programs,'' and 45 CFR part 100, ''Intergovernmental Review of Department of Health and Human Services Programs and Activities.'' Under the Order, States may design their own processes for reviewing and commenting on proposed Federal assistance under covered programs.

As of October 1, 2004, the following jurisdictions have elected to participate in the Executive Order process: Arkansas, California, Delaware, District of Columbia, Florida, Georgia, Illinois, Iowa, Kentucky, Maine, Maryland, Michigan, Mississippi, Missouri, Nevada, New Hampshire, New Mexico, New York, North Dakota, Rhode Island, South Carolina, Texas, Utah, West Virginia, Wisconsin, American Samoa, Guam, North Mariana Islands, Puerto Rico, and Virgin Islands. As these jurisdictions have elected to participate in the Executive Order process, they have established SPOCs. Applicants from participating jurisdictions should contact their SPOC, as soon as possible, to alert them of prospective applications and receive instructions. Applicants must submit all required materials, if any, to the SPOC and indicate the date of this submittal (or the date of contact if no submittal is required) on the Standard Form 424, item 16a. Under 45 CFR 100.8(a)(2).

A SPOC has 60 days from the application deadline to comment on proposed new or competing continuation awards. SPOCs are encouraged to eliminate the submission of routine endorsements as official recommendations. Additionally, SPOCs are requested to clearly differentiate between mere advisory comments and those official State process recommendations which may trigger the ''accommodate or explain'' rule.

When comments are submitted directly to ACF, they should be addressed to the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade SW., 4th floor, Washington, DC 20447.

Although the remaining jurisdictions have chosen not to participate in the process, entities that meet the eligibility requirements of the program are still eligible to apply for a grant even if a State, Territory, Commonwealth, etc. does not have a SPOC. Therefore, applicants from these jurisdictions, or for projects administered by federally-recognized Indian Tribes, need take no action in regard to E.O. 12372.

The official list, including addresses, of the jurisdictions elected to participate in E.O. 12372 can be found on the following URL: *http://www.whitehouse.gov/omb/grants/spoc.html*.

A list of the Single Points of Contact for each State and Territory is included with the application materials for this announcement.

5. Funding Restrictions

Fiscal year (FY) 2003 and (FY) 2004 Compassion Capital Fund Demonstration Program grantees are ineligible to apply.

6. Other Submission Requirements

Submission by Mail: An applicant must provide an original application with all attachments, signed by an authorized representative and two copies. Please see Section IV.3 for an explanation of due dates. Applications should be mailed to:

U.S. Department of Health and Human Services (HHS),Administration

for Children and Families Office of Community Services,Compassion Capital Fund Demonstration,1815 North Fort Meyer Drive, Suite 300,Arlington, Virginia 22209,Attention: Attention: Barbara Ziegler Johnson.

Hand Delivery: An applicant must provide an original application with all attachments signed by an authorized representative and two copies. Please see Section IV.3 for an explanation of due dates. Applications should be delivered to:

U.S. Department of Health and Human Services (HHS),Administration for Children and Families Office of Community Services,Compassion Capital Fund Demonstration Program,1815 North Fort Meyer Drive, Suite 300,Arlington, Virginia 22209,Attention: Attention: Barbara Ziegler Johnson.

Electronic Submission: www.Grants.gov. Please see section *IV. 2 Content and Form of Application Submission*, for guidelines and requirements when submitting applications electronically.

V. Application Review Information

The Paperwork Reduction Act of 1995 (Pub. L. 104–13)

Public reporting burden for this collection of information is estimated to average 20 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information.

The project description is approved under OMB control number 0970–0139 which expires 4/30/2007.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The following are instructions and guidelines on how to prepare the ''Project Summary/Abstract'' and ''Full Project Description'' sections of the application. Under the evaluation criteria section, note that each criterion is preceded by the generic evaluation requirement under the ACF Uniform Project Description (UPD).

1. Criteria

Organizational Profiles

Provide information on the applicant organization(s) and cooperating partners, such as organizational charts, financial statements, audit reports or statements from CPAs/Licensed Public Accountants, Employer Identification Numbers, names of bond carriers, contact persons and telephone numbers, child care licenses and other documentation of professional accreditation, information on compliance with Federal/State/local government standards, documentation of experience in the program area, and other pertinent information. If the applicant is a non-profit organization, submit proof of non-profit status in its application.

The non-profit agency can accomplish this by providing: (a) A reference to the applicant organization's listing in the Internal Revenue Service's (IRS) most recent list of tax-exempt organizations described in the IRS Code; (b) a copy of a currently valid IRS tax exemption certificate, (c) a statement from a State taxing body, State attorney general, or other appropriate State official certifying that the applicant organization has a non-profit status and that none of the net earnings accrue to any private shareholders or individuals; (d) a certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status, (e) any of the items immediately above for a State or national parent organization and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Objectives and Need for Assistance

Clearly identify the physical, economic, social, financial, institutional, and/or other problem(s) requiring a solution. The need for assistance must be demonstrated and the principal and subordinate objectives of the project must be clearly stated; supporting documentation, such as letters of support and testimonials from concerned interests other than the applicant, may be included. Any relevant data based on planning studies should be included or referred to in the endnotes/footnotes. Incorporate demographic data and participant/beneficiary information, as needed. In developing the project description, the applicant may volunteer or be requested to provide information on the total range of projects currently being conducted and supported (or to be initiated), some of which may be outside the scope of the program announcement.

Approach

Outline a plan of action that describes the scope and detail of how the proposed work will be accomplished. Account for all functions or activities identified in the application. Cite factors that might accelerate or decelerate the work and state your reason for taking the proposed approach rather than others. Describe any unusual features of the project such as design or technological innovations, reductions in cost or time, or extraordinary social and community involvement.

Provide quantitative monthly or quarterly projections of the accomplishments to be achieved for each function or activity in such terms as the number of people to be served and the number of activities accomplished.

When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

If any data is to be collected, maintained, and/or disseminated, clearance may be required from the U.S. Office of Management and Budget (OMB). This clearance pertains to any ''collection of information that is conducted or sponsored by ACF.''

List organizations, cooperating entities, consultants, or other key individuals who will work on the project along with a short description of the nature of their effort or contribution.

Results or Benefits Expected

Identify the results and benefits to be derived.

Budget and Budget Justification

Provide a budget with line item detail and detailed calculations for each budget object class identified on the Budget Information form. Detailed calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. Also include a breakout by the funding sources identified in Block 15 of the SF–424.

Provide a narrative budget justification that describes how the categorical costs are derived. Discuss the necessity, reasonableness, and allocability of the proposed costs.

Personnel

Description: Costs of employee salaries and wages.

Justification: Identify the project director or principal investigator, if known. For each staff person, provide the title, time commitment to the project (in months), time commitment to the project (as a percentage or full-time equivalent), annual salary, grant salary, wage rates, etc. Do not include the costs of consultants or personnel costs of delegate agencies or of specific project(s) or businesses to be financed by the applicant.

Fringe Benefits

Description: Costs of employee fringe benefits unless treated as part of an approved indirect cost rate.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement insurance, taxes, etc.

Travel

Description: Costs of project-related travel by employees of the applicant organization (does not include costs of consultant travel).

Justification: For each trip, show the total number of traveler(s), travel destination, duration of trip, per diem, mileage allowances, if privately owned vehicles will be used, and other transportation costs and subsistence allowances. Travel costs for key staff to attend ACF-sponsored workshops should be detailed in the budget.

Equipment

Description: ''Equipment'' means an article of nonexpendable, tangible personal property having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of (a) the capitalization level established by the organization for the financial statement purposes, or (b) $5,000. (**Note:** Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation shall be included in or excluded from acquisition cost in accordance with the organization's regular written accounting practices.)

Justification: For each type of equipment requested, provide a description of the equipment, the cost per unit, the number of units, the total cost, and a plan for use on the project, as well as use or disposal of the equipment after the project ends. An applicant organization that uses its own definition for equipment should provide a copy of its policy or section of its policy which includes the equipment definition.

Supplies

Description: Costs of all tangible personal property other than that included under the Equipment category.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information which supports the amount requested.

Contractual

Description: Costs of all contracts for services and goods except for those that belong under other categories such as equipment, supplies, construction, etc. Include third party evaluation contracts (if applicable) and contracts with secondary recipient organizations, including delegate agencies and specific project(s) or businesses to be financed by the applicant.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open and free competition. Recipients and subrecipients, other than States that are required to use Part 92 procedures, must justify any anticipated procurement action that is expected to be awarded without competition and exceed the simplified acquisition threshold fixed at 41 U.S.C. 403(11) (currently set at $100,000).

Recipients might be required to make available to ACF pre-award review and procurement documents, such as request for proposals or invitations for bids, independent cost estimates, etc.

Note: Whenever the applicant intends to delegate part of the project to another agency, the applicant must provide a detailed budget and budget narrative for each delegate agency, by agency title, along with the required supporting information referred to in these instructions.

Other

Enter the total of all other costs. Such costs, where applicable and appropriate, may include but are not limited to insurance, food, medical and dental costs (noncontractual), professional services costs, space and equipment rentals, printing and publication, computer use, training costs, such as tuition and stipends, staff development costs, and administrative costs.

Justification: Provide computations, a narrative description and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category should be used only when the applicant currently has an indirect cost rate approved by the Department of Health and Human Services (HHS) or another cognizant Federal agency.

Justification: An applicant that will charge indirect costs to the grant must enclose a copy of the current rate agreement. If the applicant organization is in the process of initially developing or renegotiating a rate, upon notification that an award will be made, it should immediately develop a tentative indirect cost rate proposal based on its most recently completed fiscal year, in accordance with the cognizant agency's guidelines for establishing indirect cost rates, and submit it to the cognizant agency. Applicants awaiting approval of their indirect cost proposals may also request indirect costs. When an indirect cost rate is requested, those costs included in the indirect cost pool should not also be charged as direct costs to the grant. Also, if the applicant is requesting a rate which is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed.

Evaluation Criteria: The following evaluation criteria appear in weighted descending order. The corresponding score values indicate the relative importance that ACF places on each evaluation criterion; however, applicants need not develop their applications precisely according to the order presented. Application components may be organized such that a reviewer will be able to follow a seamless and logical flow of information (*e.g.*, from a broad overview of the project to more detailed information about how it will be conducted).

In considering how applicants will carry out the responsibilities addressed under this announcement, competing applications for financial assistance will be reviewed and evaluated against the following criteria:

Organizational Profiles (30 Points)

(a) *Past Experience (15 Points).* An application will be evaluated on the extent to which it demonstrates that the applicant has a proven track record in providing training and technical assistance to faith-based and community organizations, including concrete examples with specific dates of training and technical assistance that the applicant has provided relating to the five critical elements of capacity building: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. If organizations propose to collaborate to provide Compassion Capital Fund (CCF) intermediary services, the application must demonstrate the extent to which these organizations possesses well-developed working relationships and a history of working together prior to announcement of this funding opportunity. Intermediaries or their partners should be physically located in the geographic area they propose since intermediaries are expected to develop

ongoing relationships with the grassroots organizations they serve.

(b) *Organizational Capability (5 Points).* An application will be evaluated on the extent to which it describes how the organization is well positioned to support the project and how the proposed project fits into the structure of the applicant organization. The applicant should provide evidence of facilities, fiscal controls, and other resources that are adequate to achieve project goals. The applicant must address the issue of how their overall organization is positioned to support this project, and how this project may impact other (non-CCF) activities which the organization plans to undertake.

(c) *Project Management Structure and Staffing (10 Points):* An application will be evaluated on the extent to which it includes a listing of key positions required to carry out the project, the individuals proposed to fill the positions, and a detailed description of the kind of work they will perform. Applications will be evaluated on the extent to which evidence is provided demonstrating the staff's skill, knowledge, and experience in carrying out their assigned activities such as evidence that demonstrates not only staff's good technical skills, but also a clear record of working with faith-based and community organizations. Applications will be evaluated on the extent to which any proposed partnerships with other organizations for purposes of this CCF application are clearly defined and documented: *e.g.* significant contributions to the proposed project by each partner; a formal agreement among parties; defined roles and responsibilities appropriate to their natural strengths; shared decision-making responsibility.

Applicants will also be evaluated on the extent to which the above information is provided with regard to consultants or staff from other organizations proposed to work on the project.

Objectives and Need for Assistance (10 Points)

An application will be evaluated on the extent to which it demonstrates that the organization is established and has well-developed connections to and working relationships with the non-profit community in the geographic area they propose to serve.

(a) *Service Area (2 Points):* An application will be evaluated on the extent to which the applicant identifies the specific service area for project implementation. Applicants or their partners must demonstrate a prior history of involvement in and connectedness to the proposed service area to ensure that the impact of services provided is local and sustained.

(b) *Needs of Service Area (4 Points):* An application will be evaluated on the extent to which it describes the specific needs of the targeted service area. Applications will be evaluated on the extent to which documentation is provided which demonstrates that the proposed project will be implemented in a distressed community, engages organizations that serve low-income populations, and addresses a vital need in a distressed community.

(c) *Needs of Non-profits in Service Area (2 Points):* An application will be evaluated on the extent to which it describes the capacity-building needs of non-profit organizations in their proposed service area and provides documentation of those needs from third party sources as available.

(d) *Project Objectives (2 Points):* An application will be evaluated on the extent to which the applicant states all primary project objectives. Objectives must relate to the provision of training, technical assistance, and sub-awards to grassroots organizations to build their organizational capacity in five critical areas: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement.

Approach (30 Points)

(a) *Pre-Assessment Strategy (5 Points):* An application will be evaluated on the extent to which it describes the methods, strategies, and/or tools, that will be used to provide a baseline assessment of faith-based and community organizations' capacity prior to receiving training and technical assistance from the intermediary. The pre-assessment must address all of the five critical elements of capacity building: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement. The needs of the faith and community based organizations served should be determined by the pre-assessment, not based on the preferences or specific interests and capabilities of the intermediary organization.

(b) *Training/Technical Assistance Strategy (10 Points).* Applicants will be evaluated on extent to which they demonstrate their ability to provide training and technical assistance in all of the five critical elements of capacity building: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement, either on their own or through partnerships. Applicants will be evaluated on the extent to which they describe the capacity-building activities proposed to address the needs of faith-based and community organizations served in each of the five critical areas listed above. Applicants must also propose a logical and attainable schedule for accomplishing planned activities.

Applications will be evaluated on the extent to which the outlined strategy is comprehensive, describes the process that the applicant will employ to outreach to and identify and select organizations to receive training and technical assistance, and estimates the types and number of organizations expected to receive training and technical assistance. For purposes of this program announcement, training will refer to group-based adult education and skill-building activities (*e.g.*, workshops); technical assistance will refer to consultation that is specifically customized or tailored to the needs of particular faith-based and community organizations.

Applications will be evaluated on the extent to which training and technical assistance plans address a minimum of two (2) of the identified needs for each faith and community based organization served. A minimum of 50 percent of the technical assistance provided by intermediaries must be in the form of direct and individualized technical assistance to address the identified priority needs of the faith and community-based organization (*i.e.*, ''one-on-one'' assistance to the organization's leadership, key staff and/or board).

(c) *Sub-award Strategy (15 points).* An application will be evaluated on the extent to which to which the applicant describes a plan for selecting sub-award recipients, describes the process that the applicant will employ to identify and select organizations to receive sub-awards; estimates the types and number of organizations expected to receive funding; and identifies the capacity building needs to which sub-awards may be used. Applicants will be evaluated on the extent to which they effectively demonstrate the following:

- Sub-award recipients will be chosen through a fair and open competitive process that includes outreach to both faith-based and community organizations.
- Sub-award recipients will not be pre-selected. The criteria for selection of sub-awardees will not include consideration of the religious nature of a group or the religious nature of the program it offers.
- Intermediary organizations will provide ongoing technical assistance

and capacity-building support to the organizations to which they issue sub-awards.

• Priority for sub-awards will be given to organizations that historically have not received grants from the Federal government.

• Priority for sub-awards will be given to organizations implementing program(s) in several priority areas including: the homeless, elders in need, at-risk youth, particularly those facing the specific risk of gang influence and involvement, families in transition from welfare to work, those in need of intensive rehabilitation such as addicts or prisoners, and couples who choose marriage for themselves, to develop the skills and knowledge to form and sustain healthy marriages.

• Intermediaries will not require sub-award applicants to provide matching funds or give them a preference in the selection process if they offer matching funds in their applications.

• Intermediaries will not require sub-award applicants to have 501(c)(3) status or to identify a sponsoring organization with 501(c)(3) status.

• Organizations that partner with an intermediary to deliver technical assistance or provide cost-sharing funds for the proposed project will not to be eligible for sub-awards, unless approved by the Administration for Children and Families (ACF).

• Sub-awards will be in amounts manageable for a small organization.

• Intermediaries will not provide recipients of a CCF sub-award a second sub-award for the same purpose for the duration of the grant.

• Intermediaries will inform sub-awardees that their activities are governed by all applicable Federal laws and regulations including those in 45 CFR 87.1, which state that direct Federal grants, sub-award funds, or contracts under the Compassion Capital Fund Demonstration Program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization.

• The central focus of an intermediary proposed sub-award concept will be capacity-building activities that further the sustainability of sub-awardees' social service efforts. Sub-awards will be used to assist organizations in differing stages of development. For example, funds may be provided to fledgling organizations to improve their basic functions, such as attaining 501(c)(3) status or developing sound financial systems.

• Sub-awards will not be used to provide direct services, but rather improve the sub-awardee's efficiency and capacity.

Evaluation (20 Points)

(a) *Evaluation Design (5 Points):* An applicant will be evaluated on the extent to which they include a program logic model or other illustration or narrative explanation of the relationship between proposed activities and anticipated outcomes. Applicants will be evaluated on the extent to which the evaluation design includes a process component that describes the activities of the project, how the project will operate, and the extent to which it is able to produce the expected results. Applicants will also be evaluated on the extent to which the evaluation design includes an outcome component with outcome measures. For purposes of this announcement, an outcome is defined as any benefit or change in the capacity of faith-based and community organizations after receiving services.

(b) *Post-Assessment Strategy (5 Points):* Applications will be evaluated on the extent to which they describe the methods, strategies, and/or tools that will be used to provide a post-assessment of an organization's capacity after receiving training and/or technical assistance from the intermediary. In particular, the post-assessment should focus on measuring the results and impact of the training, technical assistance, and where applicable, sub-award activities. The post-assessment strategy should address all of the five critical elements of capacity building: (1) Leadership development, (2) organizational development, (3) programs/services, (4) funding, and (5) community engagement, either on their own or through partnerships. Applications will also be evaluated on the extent to which they provide a plan detailing assessment intervals for faith-based and community organizations served.

(c) *Data collection (2 Points):* An application will be evaluated on the extent to which it describes how project data will be gathered and maintained, including pre- and post-assessment data.

(d) *Analysis (6 points):* An application will be evaluated on the extent to which it describes how project data will be analyzed to determine whether capacity-building activities were implemented and achieved measurable results within the organizations served.

(e) *Application/Dissemination (2 Points):* An application will be evaluated on the extent to which it describes how the proposed evaluation will demonstrate the effectiveness of the activities and services provided in addressing the identified capacity-building needs of faith-based and community organizations served.

Budget and Budget Justification (10 Points)

(a) *Project Budget (8 points):* An application will be evaluated on the extent to which it includes a budget that is clear, easy to understand, and provides a detailed justification for the amount requested. Applicants should refer to the budget information presented in the Standard Forms 424 and 424A and to the budget justification instructions in section V. General Instructions for the Uniform Project Description.

(b) *Last Two Year's Years Operating Budget (2 points):* Applications will be evaluated on the extent to which they include the last two years' recent operating budgets of the applicant. Detailed breakdowns of the organizational operating budget are not required. The application will be evaluated based on the extent to which the amount requested under the funding announcement is proportional to the recent size of the applicant's operating budget. For example, it would be unreasonable for an organization that operated with $100,000 in 2003 and $110,000 in 2004 to request $1 million in Federal funds.

2. Review and Selection Process

Since ACF will be using non-Federal reviewers in the review process, applicants have the option of omitting from the application copies (not the original) of specific salary rates or amounts for individuals specified in the application budget.

No grant award will be made on the basis of an incomplete application.

Applications received by the due date will be reviewed and scored competitively. Experts in the field, generally persons from outside the Federal government, will use the evaluation criteria listed in Part V of this announcement to review and score the applications. The results of this review will be a primary factor in making funding decisions. ACF may also solicit comments from Regional Office staff and other Federal agencies. ACF may consider a variety of factors in addition to the review criteria identified above, including geographic diversity/coverage and types of applicant organizations, in order to ensure that the interests of the Federal Government are met in making the final selections. Furthermore, ACF may limit the number of awards made to the same or affiliated organizations although they would serve different geographic areas. Please note that applicants that do not comply with

the requirements in the section titled ''Eligible Applicants'' will not be included in the review process.

As stated, CCF monies must be used towards the organization's capacity-building and not for direct services. Additionally, organizations that receive CCF funds may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the programs or services funded with CCF funds. If an organization conducts such inherently religious activities, the activities must be offered separately, in time or location, from the programs or services funded with CCF assistance, and participation must be voluntary for beneficiaries of the CCF-funded programs or services. In addition, an organization receiving CCF funds shall not, in providing CCF-funded services, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.

Approved But Unfunded Applications

Applications that are approved but unfunded may be held over for funding in the next funding cycle, pending the availability of funds, for a period not to exceed one year.

VI. Award Administration Information

1. Award Notices

The successful applicants will be notified through the issuance of a Financial Assistance Award document which sets forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which initial support will be given, the non-Federal share to be provided, and the total project period for which support is contemplated. The Financial Assistance Award will be signed by the Grants Officer and transmitted via postal mail.

Organizations whose applications will not be funded will be notified in writing.

2. Administrative and National Policy Requirements

Direct Federal grants, sub-award funds, or contracts under this Compassion Capital Fund Intermediary Demonstration Program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this Program. Regulations pertaining to the Equal Treatment For Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS Web site at *http://www.os.dhhs.gov/fbci/waisgate21.pdf.*

45 CFR Part 74

45 CFR Part 92

Grantees are subject to the requirements in 45 CFR part 74 (non-governmental) or 45 CFR part 92 (governmental) as well as 45 CFR part 87.

3. Reporting Requirements

Programmatic Reports: Semi-Annually.

Financial Reports: Semi-Annually.

Grantees will be required to submit program progress and financial reports (SF 269) throughout the project period. Program progress and financial reports are due 30 days after the reporting period. In addition, final programmatic and financial reports are due 90 days after the close of the project period.

Original reports and one copy should be mailed to:

Administration for Children and Families, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., Washington, DC 20447.

Grantees may be asked to participate in a national evaluation of the Compassion Capital Fund program. The program will cooperate with any research or evaluation efforts sponsored by the Administration for Children and Families (ACF).

VII. Agency Contacts

Program Office Contact

Kelly Cowles, Office of Community Services, 370 L'Enfant Promenade, SW., Suite 500 West, Aerospace Building, Washington, DC 20447–0002. Phone: (800) 281–9519. E-mail: *ocs@lcgnet.com.*

Grants Management Office Contact

Barbara Ziegler-Johnson, Office of Grants Management, Division of Discretionary Grants, 370 L'Enfant Promenade, SW., 4th Floor West, Aerospace Building, Washington, DC 20447–0002. Phone: (800) 281–9519. E-mail: *ocs@lcgnet.com.*

VIII. Other Information

Notice: Beginning with FY 2006, the Administration for Children and Families (ACF) will no longer publish grant announcements in the **Federal Register**. Beginning October 1, 2005 applicants will be able to find a synopsis of all ACF grant opportunities and apply electronically for opportunities via: *http://www.Grants.gov.* Applicants will also be able to find the complete text of all ACF grant announcements on the ACF Web site located at: *http://www.acf.hhs.gov/grants/index.html.*

Additional information about this program and its purpose can be located on the following Web sites: *http://www.acf.hhs.gov/programs/ccf/.*

Applicants will be sent acknowledgements of received applications.

Dated: April 25, 2005.

Josephine B. Robinson,

Director, Office of Community Services.

[FR Doc. 05–8608 Filed 4–28–05; 8:45 am]

BILLING CODE 4184–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2003E–0259]

Determination of Regulatory Review Period for Purposes of Patent Extension; GEODON

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for GEODON and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of Patents and Trademarks, Department of Commerce, for the extension of a patent which claims that human drug product.

ADDRESSES: Submit written comments and petitions to the Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to *http://www.fda.gov/dockets/ecomments.*

FOR FURTHER INFORMATION CONTACT: Claudia Grillo, Office of Regulatory Policy (HFD–013), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 240–453–6699.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Public Law 98–417) and the Generic Animal Drug and Patent Term Restoration Act (Public Law 100–670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive,

or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: A testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Director of Patents and Trademarks may award (for example, half the testing phase must be subtracted, as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA recently approved for marketing the human drug product GEODON (ziprasidone hydrochloride). GEODON is indicated for the treatment of schizophrenia. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for GEODON (U.S. Patent No. 4,831,031) from Pfizer, Inc., and the Patent and Trademark Office requested FDA's assistance in determining this patent's eligibility for patent term restoration. In a letter dated July 16, 2003, FDA advised the Patent and Trademark Office that this human drug product had undergone a regulatory review period and that the approval of GEODON represented the first permitted commercial marketing or use of the product. Shortly thereafter, the Patent and Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for GEODON is 3,933 days. Of this time, 2,511 days occurred during the testing phase of the regulatory review period, while 1,422 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 355(i) became effective*: May 3, 1990. FDA has verified the applicant's claim that the date the Investigational New Drug application became effective was on May 3, 1990.

2. *The date the application was initially submitted with respect to the human drug product under section 505(b) of the act*: March 17, 1997. FDA has verified the applicant's claim that the new drug application (NDA) for GEODON (NDA 20–825) was initially submitted on March 17, 1997.

3. *The date the application was approved*: February 5, 2001. FDA has verified the applicant's claim that NDA 20–825 was approved on February 5, 2001.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 1,825 days of patent term extension.

Anyone with knowledge that any of the dates as published are incorrect may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments and ask for a redetermination by June 28, 2005. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period by October 26, 2005. To meet its burden, the petition must contain sufficient facts to merit an FDA investigation. (See H. Rept. 857, part 1, 98th Cong., 2d sess., pp. 41–42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Comments and petitions should be submitted to the Division of Dockets Management. Three copies of any mailed information 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. Comments and petitions may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 5, 2005.

Jane A. Axelrad,

Associate Director for Policy, Center for Drug Evaluation and Research.

[FR Doc. 05–8587 Filed 4–28–05; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service

Native American Research Centers for Health (NARCH) Grants

Announcement Type: New.

Funding Opportunity Announcement: HHS–2005–IHS–NARCH–0001.

Catalog of Federal Domestic Assistance Numbers (s): 93.933.

Key Dates: Release Date: May 2005. Letter of Intent Deadline: August 1, 2005. Application Deadline Date: September 14, 2005. Review Date: November 2005. Earliest Anticipated Start Date: June 1, 2006.

Due Dates for E.O. 12372: Not Applicable.

Summary

The Indian Health Service (IHS), with the National Institute of General Medical Sciences (NIGMS) of the National Institutes of Health announces an initiative to support the Native American Research Centers for Health (NARCH) grant. This funding mechanism will develop opportunities for conducting research and research training to meet the needs of American Indian/Alaska Native (AI/AN) communities. The estimated funds (total costs) available for the first year of support for the entire initiative is expected to be over $2.2 million in FY 2006. The actual amount may vary, depending on the response to the Request for Applications (RFA) and the availability of funds. Eligibles include federally-recognized Indian Tribes, Tribally sanctioned non-profit Tribal organizations, Non-profit national or area Indian health boards, and consortiums of two or more of those Tribes, Tribal organizations, or health boards.

I. Funding Opportunity Description

Purpose of the RFA

The NARCH initiative will support partnerships between AI/AN Tribes or Tribally-based organizations such as the National Indian Health Board and Area Health Boards, and institutions that conduct intensive academic-level biomedical, behavioral and health services research. These partnerships are called Native American Research Centers for Health (NARCH). The purposes of the NARCH initiative are:

1. To develop a cadre of AI/AN scientists and health professionals engaged in biomedical, clinical, behavioral and health services research who will be competitive in securing

National Institutes of Health (NIH) funding;

2. To increase the capacity of both research-intensive institutions and AI/AN organizations to work in partnership to reduce distrust by AI/AN communities and people toward research; and

3. To encourage competitive research linked to the health priorities of the AI/AN organizations and to reducing health disparities. These purposes will be achieved by supporting student development projects, faculty/researcher development projects, and research projects (including pilot projects) developed by each NARCH partnership.

Background

The AI/AN Tribal nations and communities have long experienced poorer health status than other Americans. Although major gains of reducing health disparities were made in the last half of the twentieth century, most gains stopped by the mid 1980s (Trends in Indian Health 1998–99) and a few diseases, *e.g.*, diabetes, worsened. ''All Indian'' rates contain marked variation among the ''IHS Areas'' or regions (Regional Differences in Indian Health 1998–99); variation by Tribe exists within Areas as well. The Trends and Regional Differences reference can be found at the IHS Web site at *http://www.ihs.gov/publicInfo/publications/index.asp*. Although the ''All Indian'' mortality rates for all cancers are about 20 percent lower than the U.S. rates for all races, there is variation among IHS Areas for specific cancers; moreover, the favorable AI/AN mortality rates for some cancers may be due to markedly lower incidence rates partly offset by higher case-fatality rates. Unfamiliarity with modern health care may adversely influence health status among the elderly, the low-income elderly, and Tribes, and also may reduce the acceptability of health research among them. The daunting tasks confronting Tribes, researchers, and health care and public health programs in the beginning of the twenty-first century are to resume the reduction of health disparities that had occurred up to the 1980s, to reverse the worsening in a few diseases, to maintain and strengthen the favorable status, and to reduce the disparities among and within Areas and Tribes. Factors known to contribute to health status and disparities are complex, and include underlying biology, physiology, and genetics, as well as ethnicity, culture, socioeconomic status, gender/sex, age, geographical access to care, and levels of insurance.

Additional factors known to contribute to health status and disparities include:

1. Family, home, and work environments;

2. General or culturally specific health practices;

3. Social support systems;

4. Lack of access to culturally-appropriate health care; and

5. Attitudes toward health.

Yet none of these alone or in combination accounts for all documented differences. Health disparities of AI/ANs may also reflect a lack of research relevant to improve their health status. Many AI/ANs distrust research for historical reasons. One approach that combats this distrust is to ensure that Tribes are senior partners in training and research that involves them, as for example in community-based participatory research. This approach is especially helpful to design both training relevant to researchers from Tribal communities, and research relevant to the health needs of the communities.

Research Objectives: Due to the complexity of factors contributing to the health and disease of AI/ANs, and to their health disparities compared with other Americans, the collaborative efforts of the agencies of the Department of Health and Human Services (HHS) and the collaboration of researchers and AI/AN communities, are needed to achieve significant improvements in the health status of AI/AN people. To accomplish this goal, in addition to objectives set by the Tribe, Tribal Organization or Indian Health Board, the IHS NARCH program will pursue the following program objectives:

A. To Develop a Cadre of AI/AN Scientists and Health Professionals—Offering opportunities to develop more AI/AN scientists and health professionals engaged in research, and to conduct biomedical, clinical, behavioral and health services research that is responsive to the needs of the AI/AN community and the goals of this initiative; Faculty/researchers and students at each proposed NARCH will develop investigator-initiated, scientifically meritorious research projects, including pilot research projects, and will be supported through science education projects designed to increase the numbers of, and to improve the research skills of, AI/AN investigators and investigators involved with AI/ANs.

B. To Enhance Partnerships—Recent community-based participatory research suggests that AI/AN communities can work collaboratively in partnership with health researchers to further the research needs of AI/ANs. Fully utilizing all cultural and scientific knowledge, strengths, and competencies, such partnerships can lead to better understanding of the biological, genetic, behavioral, psychological, cultural, social, and economic factors either promoting or hindering improved health status of AI/ANs, and generate the development and evaluation of interventions to improve their health status.

C. To Reduce Health Disparities—In the amended Indian Health Care Improvement Act, Public Law (Pub. L.) 94–437, IHS was legislatively mandated to improve the delivery of effective health care to AI/ANs. In the NIH Revitalization Act of 1993, NIH was encouraged to increase the number of under-represented minorities participating in biomedical, clinical, and behavioral research, including studies on drug abuse and alcoholism, and the examination of the role of resiliency in the prevention and treatment of those conditions. Also, the ''Initiative To Eliminate Racial and Ethnic Disparities in Health'' by HHS (*http://www.omhrc.gov/rah*) encouraged NIH to help reduce health disparities. In response to these priorities, the IHS and NIH have established a collaboration to support Native American Research Centers for Health.

Reducing health disparities among AI/AN communities and individuals may be fostered by greater understanding of how to enhance their strengths and resilience. While AI/AN communities have relied on health research and medical science to reduce health disparities, they also have relied on their own psychological, organizational, and cultural assets and strengths to survive major harms and disruptions over the centuries, and to rebound from insults to health.

The mission of NIH is to acquire new knowledge that will lead to better health by understanding the processes underlying health and disease that in turn will help prevent, detect, diagnose, and treat disease and disability. The NARCH initiative works toward the NIH mission by supporting research that discovers the interrelationships among the many factors that contribute to health and disease, and by helping train and promote researchers concerned with AI/AN health.

II. Award Information

1. Mechanism(s) of Support

Awards under this initiative will be administered using the competing institutional grant mechanism of the IHS. This funding opportunity will be

reviewed using the NIH SO6 mechanisms. The responsibility for planning, directing, and executing the program, as well as data acquisition and analysis and evaluation of the proposed program, lies with the applicant organization.

2. Funds Available

The estimated funds (total costs) available for the first year of support for the entire initiative is expected to be over $ 2.2 million in Fiscal Year 2006. The actual amount may vary, depending on the response to the RFA and availability of funds. An application may request a project period not to exceed four years of support, and direct costs not to exceed $800,000 in the first year. Direct costs to the applicant include the entire cost of each subcontract—that is, each subcontract's direct cost plus the subcontract's appropriate Facilities and Administration (F&A) cost. Because it is anticipated that all budget requests will exceed $250,000, the modular grant requirements would not apply to this RFA.

The maximum grant period may not exceed four years, with the opportunity for a competing renewal at the end of that period.

III. Eligibility Information

The proposed NARCH must be a working partnership of the AI/AN organization and of the research-intensive institution. Applicants eligible to receive a NARCH award are the AI/AN organizations of the partnerships. As the grantee, the AI/AN organization will define criteria and eligibility for participation in all aspects of the partnership, consistent with this announcement. A minimum of 30 percent of the grant funds must remain with that AI/AN organization, that is, no more than 70 percent may be subcontracted to other institutions or organizations.

1. Eligible Applicants

The AI/AN applicant must be one of the following:

A. A federally recognized Indian Tribe; or

B. A Tribally sanctioned non-profit Tribal organization; or

C. A non-profit national or area Indian health board; or

D. A consortium of two or more of those Tribes, Tribal organizations, or health boards.

2. Cost Sharing or Matching

Cost sharing or matching is not required.

3. Other Requirements

A. The Research-Intensive Partner

The Research-Intensive Partner must be an accredited public or private nonprofit university or other institution that has an established record of conducting research into the health problems of AI/AN; has demonstrated a commitment to enhancing the capability of AI/AN faculty/researchers, students, investigators, and communities to engage in biomedical, behavioral, clinical and health services research; and has demonstrated a commitment to mentoring AI/AN faculty/researchers, students, and investigators.

B. Principal Investigator

The Principal Investigator, the individual responsible for the administration (including fiscal management) of the overall project, must have his/her primary appointment with the AI/AN applicant organization. Special arrangements of employment, such as inter-organizational personnel agreements, are permissible. The Principal Investigator may be, but is not required to be, the NARCH Program Director or a Research Project Investigator.

C. NARCH Program Director

The NARCH Program Director is the individual responsible for the day-to-day leadership and management of the research and training programs within the proposed NARCH. The Program Director may be, but is not required to be, the Student and Faculty/Researcher Development Director or a Research Project Investigator.

D. Student and Faculty/Researcher Development Director and Participants

The NARCH initiative is an institutional developmental grant mechanism that places an emphasis on the continual development of students and faculty/researchers. In order to be included as the Student and Faculty Development Director, the prospective director must have a faculty/researcher appointment at the research-intensive institution or equivalent appointment at the AI/AN organization or other consortium partner, and must demonstrate that he/she has the knowledge, skills, and capabilities to mentor students and faculty/researchers and to generate and direct development and mentoring programs.

The Student and Faculty Development Director may be the NARCH Program Director. Faculty/researchers and students should be supported in research education activities that improve their skills and abilities to be successful at the next stage of their professional development. To be included as a participant for faculty/researcher development in the proposed NARCH, the individual must have a faculty/researcher appointment at the research-intensive institution or equivalent appointment at the AI/AN organization or other consortium partner.

E. Research Project Investigators

The NARCH initiative is an institutional developmental grant mechanism that places an emphasis on continual improvement of the research competitiveness of the research investigators. In order to be included as a research project investigator in the proposed NARCH, a prospective investigator must have a faculty appointment at the research-intensive institution or equivalent appointment at the AI/AN organization or other consortium partner, and must show that he/she has the need, based on institutional, departmental, and professional development plans, to enhance his/her research knowledge, skills, and capabilities by engaging in the proposed research program and associated activities.

F. Tribal Approval of the Application

It is the policy of the IHS that all research involving AI/AN Tribes be approved by the Tribal governments with jurisdiction. Therefore, the following documentation is required as part of the application:

- For a federally recognized Indian Tribe—a resolution of support from the Tribal government must be part of the application. Applications that involve more than one Indian Tribe must include resolutions of support from all participating Tribes. For an eligible consortium of Tribes—a resolution of support from each Tribe of the consortium must be included.
- For a Tribally sanctioned non-profit Tribal organization—specific Tribal resolution(s) of support will not be required if the current Tribal resolution(s) under which the organization operates encompasses the proposed application. (A copy of the current operational resolution(s) must be submitted with the application.)

An official signed resolution must be received by the Division of Grants Operations, IHS, at the Reyes Building, 801 Thompson Avenue, TMP 100, Rockville, MD 20852. A grant will not be awarded unless the signed resolution is received.

For a Non-profit national or area Indian health board, or a consortium of those eligible Indian health boards—a

resolution is not required. However, the applicant organization must submit a letter of support signed by the executive director of each health board involved, specifically citing the research project proposed. Each AI/AN organization that derives benefit from the grant must also submit such a letter.

G. Mechanism of Support

Awards under this initiative will be administered using the competing institutional grant mechanism of the IHS, and will be reviewed using the NIH S06 mechanism.

IV. Application and Submission Information

1. Address To Request Application Package

NARCH Program Official, Reyes Building, 801 Thompson Avenue, Rockville, MD 20852. Applicants are strongly encouraged to establish eligibility of their proposed applications prior to submission. Inquiries about eligibility should be addressed to Timothy L. Taylor, Ph.D., at (301) 443–1549. The application package will be posted on the IHS Research Program Web site, at: *http://www.ihs.gov/MedicalPrograms/Research/narch.cfm*.

The NIH PHS 398 application instructions are available at: *http://grants.nih.gov/grants/funding/phs398/phs398.html* in an interactive format. Applicants must use the currently approved version of the PHS 398. For further assistance contact GrantsInfo, Telephone (301) 435–0714, E-mail: *GrantsInfo@nih.gov.* Telecommunications for the hearing impaired: TTY 301–451–0088.

There will be no acknowledgment of receipt of the application.

2. Content and Form of Application Submission

A. A proposed NARCH may include any or all of the following components: student development projects; faculty/researcher development projects; research projects (including pilot projects); and ''core'' administrative facility.

B. The content of the application should explain the components of the application, and how they help meet the purposes of the NARCH initiative. A description should be provided of the current state of the research and research training enterprise at the proposed NARCH and its institutional and community partners, including faculty/researcher and student profiles.

A clear statement should be presented of the overall goals, specific measurable objectives, and anticipated milestones. These elements should be presented in the context of needed improvements in the partners' organizational infrastructure and environment for research.

Documentation should be provided to establish that the research-intensive partner is an institution with a record of conducting research into the health of AI/ANs, and that it has a demonstrated commitment to the special encouragement of, and assistance to, AI/AN faculty/researchers, students, investigators, and communities for enhancing their capacity to engage in biomedical, behavioral and health services research. Documentation about the nature of the partnership itself should be included, such as: The process to develop the application and proposed NARCH itself, the past and future efforts to increase the capacity of the partners to improve their partnership, and to contribute to the success of the NARCH.

A plan for assessment of the benefits of the activities by the proposed NARCH on specific, measurable outcomes identified in the application should be provided. IHS and NIGMS recognize that Tribes, Tribally-based organizations, and research-intensive institutions are diverse in their missions, their health and economic status, and their cultures. Such an assessment could include a self-study by the proposed NARCH and its partners, which focuses on fact-finding, program evaluation, and recommendations for improvement in key areas.

Strategies for determining the initial and ongoing success of their efforts for organizational development should also be presented. It is expected that each proposed NARCH will develop its own set of strategies that best match its circumstances. Guidance and suggestions for program evaluation of a proposed NARCH can be obtained from *http://www.the-aps.org/education/promote/promote.html*.

Applicants are strongly urged to contact NARCH initiative staff at an early stage to request the specific supplementary instructions for the PHS 398 for the NARCH grants. Supplementary instructions may be obtained from the initiative contacts listed under VII. Agency Contacts, and will be posted at: *http://www.ihs.gov/MedicalPrograms/Research/narch.cfm*.

''DUNS'' Number

Applications must be prepared using the PHS 398 research grant application instructions and forms (revised 9/2004). As of October 1, 2003, applications must have a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number as the Universal Identifier when applying for Federal grants or cooperative agreements. The DUNS number can be obtained by calling (866) 705–5711 or through the Web site at *http://www.dunandbradstreet.com/*. The DUNS number should be entered on line 11 of the face page of the PHS 398 form. The PHS 398 document is available at *http://grants.nih.gov/grants/funding/phs398/phs398.html* in an interactive format. For further assistance contact Grants Info, Telephone (301) 435–0714, e-mail: *GrantsInfo@nih.gov*. Internet applications for a DUNS number can take up to 30 days and this could cause organizations to lose opportunities to apply, or delay them until the next round. It is significantly faster to obtain one by phone. You will need the following information to request a DUNS number:

- Organization name.
- Organization address.
- Organization telephone number.
- Name of CEO, Executive Director, President, *etc.* (The person in charge.)
- Legal structure of the organization.
- Year organization started.
- Primary business (activity) line.
- Total number of employees.

C. The RFA label available at *http://grants1.nih.gov/grants/funding/phs398/label-bk.pdf* in the PDF format, must be affixed to the bottom-face page of the application. Type this RFA number: ''NOT GM–04–107'' on the label. Failure to use this label could delay processing the application and it may not reach the review committee in time for review. In addition, the ''Native American Research Centers for Health'' and the RFA number must be typed on line 2 of the face page of the application form and the YES box must be marked.

D. If Student Development Projects are proposed, the NARCH application should describe new programs, modifications or additions to existing programs of the partners that encourage and facilitate AI/AN students to enter, advance, and remain in research careers. Such projects might include, but are not limited to, providing employment as research assistants in research projects of research-active mentors with an explicit mentoring plan, providing other mentoring with an explicit mentoring plan, providing workshops to improve technical or communication skills, providing motivating seminars or journal clubs highlighting problems of interest to students, providing contact with role models, and providing opportunities to travel to present results at national scientific meetings. If research mentorships or apprenticeships are proposed, the application should

clearly document the experience, proposed commitment, and quality of the mentors in providing guidance and advice to students (including responsible conduct of research and research integrity, teaching, and protection of human subjects), and in fostering the development of academic and/or community-based AI/AN researchers.

The application should describe how the development plans for the student will meet both the individual's professional development goals, and one purpose of the NARCH initiative: To develop a cadre of AI/AN scientists and health professionals. The application must have an evaluation plan for the project(s) that indicates the anticipated outcomes relative to the current baseline data. For example, one outcome might be the improved retention of students in science majors. The application should indicate the anticipated (quantitative) improvement relative to the current retention rate.

A student in a NARCH Student Development Project must be a full-time or part-time student officially enrolled in an educational program leading to an undergraduate or graduate degree, or in a post-doctoral educational program, or (if well justified) in late high school. A helpful book about mentoring science students is found at *http://books.nap.edu/catalog/5789.html*.

E. If Faculty/Researcher Development Projects are proposed, the NARCH application should describe the need, proposed activity, and anticipated outcomes. Faculty/researcher development projects might include, but are not limited to, short-term mentored research experiences in the lab of an active NIH-extramurally-funded researcher with an explicit mentoring plan, long-term general mentoring under an explicit mentoring plan, or attendance at workshops or courses or national meetings needed for acquiring specific skills or methodologies needed for prospective research. As with student development projects, the application should document the experience, proposed commitment, and quality of the mentors, teachers, or experience in providing guidance and advice to faculty/researchers, and in fostering the development of academic and community-based AI/AN research. The application must also describe the evaluation plan for the faculty/researcher development project. The application must clearly describe how the development plans for faculty/researchers will meet both the individual's professional development goals, and two purposes of the NARCH initiative:

- To develop a cadre of AI/AN scientists and health professionals, and
- To enhance the partnership of the proposed NARCH.

F. NARCH applications may include a maximum of five (5) regular Research Projects and a maximum of five (5) Pilot Research Projects. Unlike regular research projects, a pilot research project is limited in scope and is not expected to have preliminary data. It is also limited to a budget of no more than $50,000 direct costs per year for four years. The pilot research project is intended for faculty/researchers without current Federal research support. Support for faculty/researchers participating in pilot research projects is preparatory to seeking more substantial funding from NIH research grant programs (*e.g.*, Academic Research Enhancement Award [AREA], K, and R01 awards), as well as funding from other agencies and private sources. Funds received from the proposed NARCH to support pilot research projects may not be used to supplement ongoing research projects. A NARCH application need not include both research projects and pilot research projects. Applications for only pilot research projects or for only research projects may be submitted. Individual project investigators may propose either a research project or a pilot research project, but not both.

Research projects (including pilot research projects) proposed under this initiative must be in research areas normally funded by any of the National Institutes of Health. Research projects addressing health disparities and the health priorities of the AI/AN partner are especially encouraged.

A listing of grants recently funded by NIH may be found at CRISP (Computer Retrieval of Information on Scientific Projects), a searchable database of federally funded biomedical research projects conducted at universities, hospitals, and other research institutions. It may be accessed at (*http://ott.od.nih.gov/crisp.html*).

Each research project or pilot research project should follow the instructions provided in PHS 398 (revised 9/2004) for preparing research grant applications. The professional development goals must clearly describe specific objectives and milestones which should include, but are not limited to, improving competitiveness in acquiring grant support. The applicant should describe how successful completion of the proposed research project will improve the research skills, and will help develop the students and faculty/researchers, thus contributing to the overall goals and specific measurable objectives of the proposed NARCH.

Each research project or pilot research project must follow the IHS policy concerning Tribal approval, that all research involving AI/AN Tribes be approved by the Tribal governments with jurisdiction. That is, each grantee must include a resolution of approval from the Tribal government[s], or (if applicable) a letter of support signed by the director of the eligible AI/AN organization, or both (if applicable) for projects that involve people or community[ies] of an AI/AN Tribe, or an eligible non-profit organization.

3. Submission Dates and Times

A. Letter of Intent Deadline: August 1, 2005.

Prospective applicants are asked to submit a letter of intent that includes the title of the proposed NARCH, the name, address, and telephone number of the Principal Investigator and its Program Director, the identities of the partners and of key personnel, and the number and title of this RFA.

The letter of intent should be received before 6 p.m. EST on May 1, 2005, by Mushtaq A. Khan, D.V.M., Ph.D., Chief, Digestive and Respiratory Sciences IRGs, Center for Scientific Review, MSC 7818, Room 2176; 6701 Rockledge Drive; Bethesda, MD 20892 (20817 for Fed Ex)Phone: (301) 435–1778; Fax (301) 451–2043; E-Mail: *KHANM@CSR.NIH.GOV.*

Letters may be submitted by mail, fax or e-mail. Although a letter of intent is not required, is not binding, and does not enter into the review of a subsequent application, the information that it contains allows the IHS and NIH Center for Scientific Review (CSR) staffs to estimate the potential review workload and avoid conflict of interest in the review.

B. Application Deadline: September 14, 2005.

The applications must be received before 6 p.m. EST on September 14, 2005. If an application is received after that date, it will be returned to the applicant without review. To be considered timely, an application must be sent on or before the deadline date. If sent timely (with documented proof of mailing) but received after the deadline, an application will be accepted for review only if it is received in time for orderly processing. Competing applications not meeting the deadline date specified in the announcement are considered late applications and will not be considered for funding under that announcement. The Center for Scientific Review (CSR) will not accept any application in response to this RFA that

is essentially the same as one currently pending initial review, unless the applicant withdraws the pending application. The CSR will not accept any application that is essentially the same as one already reviewed. This does not preclude the submission of substantial revisions of applications already reviewed, but such applications must include an introduction addressing the previous critique.

4. Intergovernmental Review

This funding opportunity is not subject to Executive Order 12372, ''Intergovernmental Review of Federal Programs.'' A State approval is not required.

5. Funding Restrictions

Grantees are allowed a reasonable period of time in which to submit required financial and performance reports. Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in the imposition of special award provisions, or cause other eligible projects or activities involving that grantee organization, or the individual responsible for the delinquency to not be funded. Failure to obtain prior approval for change in Scope, Principal Investigator, Grantee Institutions, Successor in Interest, or Recipient Institute Name, undertaking any activities disapproved or restricted as a condition of the award, may result in fund restrictions.

6. Other Submission Requirement

The administrative personnel, facilities, and programs of the overall NARCH should be described. It is permissible, but not necessary to have a set of core support programs that provide common scientific services to two or more NARCH projects. Submit a typed and signed original application, including the Checklist, and one (1) single-sided photocopy of the entire application (including Appendices and supporting documents) in one package to: Grants Management Branch, Indian Health Service, Reyes Building, 801 Thompson Avenue, TMP 100, Rockville, MD 20852–1627 (zip code is unchanged for express/courier services), Telephone: (301) 443–5204.

Also, at the time of submission, send four (4) additional single-sided photocopied and signed applications, including the Checklist, Appendices, and supporting documentation to: Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6160—MSC 7892, Bethesda, MD 20892–7720, Bethesda, MD 20817 (for express or courier service). Telephone: (301) 435–0715.

V. Application Review Information

Upon receipt, IHS and NIH staff will administratively review applications for completeness and responsiveness. Applications that are incomplete, non-responsive to this RFA, or do not follow the guidelines of the PHS form 398 (revised 9/2004) or of the supplementary instructions for NARCH grants, will be returned to the applicant without further consideration. Applications will be evaluated in accordance with the criteria stated below for scientific and technical merit by appropriate peer review groups convened by the CSR. The National Advisory General Medical Sciences Council will conduct the second level of review.

1. Criteria

Priorities for funding will be based on the scientific and technical merit of the application, the assessed potential of investigators in the developmental stages of their careers, and the likelihood that the proposed NARCH can further the purposes of the NARCH initiative. Awards will be made only to organizations with financial management systems and management capabilities that are acceptable under PHS policy. Awards will be administered under the PHS Grants Policy Statement.

2. Review and Selection Process

A. Review of Student and Faculty/Researcher Development Plans

The anticipated effectiveness of the proposed NARCH in making a difference relative to the current base-line data (based in part on previous experience of the partners) will be assessed. Factors to be considered include:

The appropriateness of the content, phasing, quality, and duration of the student or faculty/researcher development plans in the NARCH application to achieve the scientific development of the faculty/researcher, post-doctoral, pre-doctoral, undergraduate, and (if well justified) high school students; andThe experience, proposed commitment, and quality of the mentoring plan and of individual mentors of the partners in providing mentoring, guidance, and advice to candidates (including training in responsible conduct of research and research integrity, teaching, and protection of human subjects), and in fostering the development of academic and community-based AI/AN researchers.

B. Review of Research Projects

The NIH has announced procedures to be used for the review of research grant applications (NIH Guide, Volume 26, Number 22, June 27, 1997 or see *http://grants.nih.gov/grants/guide/notice-files/not97–010.html* and *http://grants.nih.gov/grants/guide/notice-files/NOT–OD–05–002.html* (for additional updated information). For NARCH applications, the five criteria listed in this announcement will be used for the scientific review of research projects and pilot research projects. The review of research projects and pilot research projects will be the same except that applications for pilot studies may be smaller in scope and would not be expected to have preliminary data.

In the written comments, reviewers will be asked to discuss the following aspects of the application in order to judge the likelihood that the proposed research will have a substantial impact on the pursuit of these purposes. Each of these criteria will be addressed and considered in assigning the overall score, weighting them as appropriate for each application.

- Significance: Does this study address an important problem? If the aims of the application are achieved, how will scientific knowledge or clinical practice be advanced? What will be the effect of these studies on the concepts, methods, technologies, treatments, services, or preventative interventions that drive this field?
- Approach: Are the conceptual or clinical framework, design, methods, and analyses adequately developed, well integrated, well reasoned, and appropriate to the aims of the project? Does the applicant acknowledge potential problem areas and consider alternative tactics?
- Innovation: Is the project original and innovative? For example: Does the project challenge existing paradigms or clinical practice; address an innovative hypothesis or critical barrier to progress in the field? Does the project develop or employ novel concepts, approaches, methodologies, tools, or technologies for this area?
- Investigators: Are the investigators appropriately trained and well suited to carry out this work? Is the work proposed appropriate to the experience level of the principal investigator and other researchers? Does the investigative

team bring complementary and integrated expertise to the project (if applicable)?

• Environment: Does the scientific environment in which the work will be done contribute to the probability of success? Do the proposed studies benefit from unique features of the scientific environment, or subject populations, or employ useful collaborative arrangements? Is there evidence of institutional support?

In addition to the above criteria, in accordance with NIH policy, all applications will also be reviewed with respect to the following:

• The adequacy of plans, if research on human subjects is involved, to include both genders and children as appropriate for the scientific goals of the research. Plans for the recruitment and retention of subjects will also be evaluated.

• The reasonableness of the proposed budget and duration in relation to the proposed research.

• The adequacy of the proposed protection for humans, animals or the environment, to the extent they may be adversely affected by the project proposed in the application.

• The adequacy of the proposed plan to share data, if appropriate.

In reviewing the overall Center, the initial scientific review group will examine evidence of the partners' commitment to the purposes of the NARCH initiative to develop a cadre of AI/AN scientists and health professionals engaged in biomedical, clinical, behavioral and health services research that is competitive for Federal funding; to increase the capacity of both research-intensive institutions and AI/AN organizations to work in partnership to reduce distrust by AI/AN communities and people toward research; and to encourage competitive research linked to the health priorities of the AI/AN partner and to reducing health disparities.

The evidence will include:

• The quality of the partnership of the institutional and community partners, and the quality of the involvement of the Community and Scientific Advisory Council, as demonstrated by documentation of (for instance): The intellectual and tangible contributions and activities of the partners, and of the Council, in developing the application and the proposed NARCH; the interactions of the partners, and of the members of the Council, in meetings (such as those to develop the application and proposed NARCH); the past activities and future plans to increase the capacity of the partners and of the Council; the plans for future contributions and activities by the partners, and by the Council, in furthering the goals of the proposed NARCH; and the plans for future development of the partnership itself;

• The experience and commitment of the institutional and community partners to recruit, retain, and advance AI/AN faculty/ researcher and students, to support faculty/researcher and student research efforts, and to increase the role of the involved AI/AN communities in the plans of the proposed NARCH;

• The appropriateness of the plan for evaluating the impact of the proposed NARCH, including the quality of baseline data and milestones for accomplishments, and a system to track the future course of program participants; and

• The potential of the proposed NARCH to be a regional and national resource, including: Capacity to provide quality research training and mentoring for integrated promotion and development of AI/AN research careers from undergraduate (or if well justified, high school) through post-doctoral levels; attainment of quality research linked to health priorities of the AI/AN partner and to reducing health disparities; plans for research information dissemination and education activities; and plans for the development of research networks to support the scientific aims of the proposed NARCH.

3. Anticipated Announcement and Award Dates

Anticipated Announcement Date: May 2005.

Earliest Anticipated Award Date: June 1, 2006.

VI. Award Administration Information

1. Award Notices

Grants Management will not award a grant without an approved application in conformance with regulatory and policy requirements and which describes the purpose and scope of the project to be funded. When the application is approved for funding, the Grants Management Office will prepare a Notice of Grant Award with special terms and conditions binding upon the award and refer to all general terms applicable to the award.

2. Administrative and National Policy Requirements

Authority and Regulations

This program is described in the Catalog of Federal Domestic Assistance at: *http://www.cfda.gov/* and is not subject to the intergovernmental review requirements of Executive Order 12372 or Health Systems Agency review. Awards are made under the authorization of 301(A) and 405 of the Public Health Service Act. Awards will be subject to OMB Circulars, HHS Grant Regulations at 45 CFR Parts 74 and 92. The grant will be administered under the PHS Grants Policy Statement and other applicable agency policies, IHS and NIH policies and procedures. Also, see Senate Appropriations Committee Report, No. 92–316, July 29, 1971, Executive Order 12900, Educational Excellence for Hispanic Americans February 22, 1994, Executive Order 12876, Historically Black Colleges and Universities, November 1, 1993, and Executive Order 13021, October 21, 1996, and Outline of Work Plan, August 18, 1998, White House Initiative on Tribal Colleges and Universities. Applications are not subject to the intergovernmental review requirements of Executive Order 12372 or Health Systems Agency review.

A. Inclusion of Women and Minorities in Research Involving Human Subjects

It is the policy of the NIH that women and members of minority groups and their subpopulations must be included in all NIH supported biomedical, clinical, behavioral and health services research projects involving human subjects, unless a clear and compelling rationale and justification is provided that inclusion is inappropriate with respect to the health of the subjects or the purpose of the research. This policy results from the NIH Revitalization Act of 1993 (Section 492B of Pub. L. 103–43). Because the NARCH initiative targets AI/AN people and communities, a minority population, only the policy of inclusion of women applies to this RFA. The IHS has fully accepted the OHRP policy regarding human subjects. The OHRP Web site is *http://www.hhs.gov/ohrp/*. All investigators proposing research involving human subjects should read the UPDATED ''NIH Guidelines for Inclusion of Women and Minorities as Subjects in Clinical Research,'' published in the NIH Guide for Grants and Contracts on August 2, 2000(*http://grants.nih.gov/grants/guide/notice-files/NOT-OD–00–048.html*). The complete Guidelines are available at: *http://grants1.nih.gov/grants/funding/women_min/guidelines_amended_10_2001.htm*. The revisions relate to NIH defined Phase III clinical trials and require:

• All applications or proposals and/or protocols to provide a description of plans to conduct analyses, as appropriate, to address differences by

sex/gender and/or racial/ethnic groups, including subgroups if applicable; and

• All investigators to report accrual, and to conduct and report analyses, as appropriate, by sex/gender and/or racial/ethnic group differences.

B. Inclusion of Children as Participants in Research Involving Human Subjects

It is the policy of NIH that children (*i.e.*, individuals under the age of 21) must be included in all human subjects' research, conducted or supported by the NIH, unless there are scientific or ethical reasons not to include them. This policy applies to all initial (Type 1) applications submitted. All investigators proposing research involving human subjects should read the ''NIH Policy and Guidelines on the Inclusion of Children as Participants in Research Involving Human Subjects'' that was published in the NIH Guide for Grants and Contracts, March 6, 1998, and is available at the following URL address: *http://grants.nih.gov/grants/guide/notice-files/not98–024.html*. Investigators may obtain copies of these policies from the initiative staff listed under VII. Agency Contact. Initiative staff may also provide additional relevant information concerning the policy.

C. URLS in NIH Grant Applications or Appendices

All applications and proposals for NIH funding must be self-contained within specified page limitations. Unless otherwise specified in an NIH solicitation, Internet addresses (URLs) should not be used to provide information necessary to the review because reviewers are under no obligation to view the Internet sites. Reviewers are cautioned that their anonymity may be compromised when they directly access an Internet site.

D. Public Access To Research Data Through the Freedom of Information Act

The OMB Circular A–110 has been revised to provide public access to research data through the Freedom of Information Act (FOIA) under some circumstances. Data that are:

• First produced in a project that is supported in whole or in part with Federal funds; and

• Cited publicly and officially by a Federal agency in support of an action that has the force and effect of law (*i.e.*, a regulation) may be accessed through FOIA.

It is important for applicants to understand the basic scope of this amendment. NIH has provided guidance at: *http://grants.nih.gov/grants/policy/a110/a110_guidance_dec1999.htm*. Applicants may wish to place data collected under this RFA in a public archive, which can provide protections for the data and manage the distribution for an indefinite period of time. If so, the application should include a description of the archiving plan in the study design and include information about this in the budget justification section of the application. In addition, applicants should think about how to structure informed consent statements and other human subjects procedures given the potential for wider use of data collected under this award.

E. Allowable Administrative Costs

Certain administrative costs for managing a comprehensive program are allowable and may vary, depending upon the size and complexity of the program's activities. The costs budgeted for NARCH grants and subcontracts may not duplicate items already budgeted in other cost centers of the AI/AN, research-intensive, and subcontracted organizations and institutions, such as accounts which make up the Facilities and Administration (F&A) cost pool. The grantee organization receiving the award must be prepared to provide documentation showing the direct relationship of proposed costs to the program, and that costs of this type are charged in a uniform manner to all other grants at all institutions and organizations participating in the award.

Salary (up to 25 percent effort, although it should generally be less) for the NARCH Program Director is allowable for that portion of time or effort specifically employed in directing the proposed NARCH. (The 25 percent limit does not include salary for being a research investigator.) Limited salary support for secretarial or clerical help is allowable only when in direct support of the proposed NARCH. For guidance, applicants should refer to the OMB Circular appropriate for them, A–87 (Cost Principles for State, local, and Indian Tribal Governments), at *http://www.whitehouse.gov/omb/circulars* or A–122 (Cost Principles for Non-Profit Organizations), *http://www.whitehouse.gov/omb/circulars*, or should contact the grants management officer listed under VII. Agency Contacts.

Costs for evaluation activities are allowable, as are costs for the Community and Scientific Advisory Council. All applications must include costs associated with one annual meeting per year in Rockville, MD, of NARCH directors and their key scientific personnel. Applications should also include costs associated with attendance at the annual IHS Research conference for key personnel and trainees.

Student Development Costs: Student (graduate, undergraduate, and high school if well justified) remuneration through salary/wages for participation in research experiences may be requested, provided all the following conditions are met:

• The student is performing necessary work involved in the research.

• There is an employer-employee relationship between the student and the proposed NARCH or its partners.

• The total compensation is reasonable for the work performed.

• It is the practice of the proposed NARCH or its partners to provide compensation for all students in similar circumstances, regardless of the source of support for the activity.

Graduate students, but not undergraduate students, are allowed tuition costs as part of a compensation package. When requesting support for a graduate student, the NARCH application should provide, in the budget justification section of the application, the basis for the compensation level. The IHS staff will review the requested compensation level and, if it is reasonable and justified, will provide compensation up to a maximum of $45,000 (*http://grants.nih.gov/grants/guide/notice-files/not98–168.html*). Post-doctoral students should be compensated at a rate commensurate with that of other post-doctoral employees with similar degrees and experience at the research-intensive institution. It is the expectation of the IHS and NIGMS that students who are enrolled in a accredited graduate program, as part of a proposed NARCH, will not be excluded from support from other non-Federal or Federal graduate training sources (such as loans and assistance under the Veterans' Adjustment Benefit Act or Pell Grants) for which they are eligible.

Graduate and post-doctoral students cannot concurrently hold another federally-sponsored stipend or fellowship or any other Federal award that duplicates the NARCH support.

Faculty/Researcher Development Costs:

Costs to support faculty/researcher development activities, such as workshops or courses, national meetings, or short-term research experiences in the laboratory of an active NIH-extramurally-funded researcher needed for acquiring specific skills or methodologies needed for prospective research, are allowable. Such costs might include tuition, travel and per diem costs, as well as salary

support appropriate to the percent effort needed for the activity.

Research Project Costs:

Direct costs associated with research and pilot research projects are allowable when adequate justification is provided. These include faculty/researcher salaries, reimbursed according to percent effort. Summer salary support can be paid provided the institution's academic schedule permits such release and when the institution approves. The maximum summer-salary support provided by the program cannot exceed the equivalent of three months at 100 percent effort, or time specified by the institution as its policy. Grant funds may not be used to increase or supplement faculty/ researcher academic year salaries. Salary support for technical assistance and costs for consultants, if justified, are allowable. Costs for equipment to be used to carry out the proposed research are allowable.

Costs for Core Scientific Services:

Costs for core scientific services to support two or more projects are allowable. Costs for multi-user research equipment are also allowable. A plan for access to the multi-user equipment, its maintenance, management and use must be included. To aid in the review, it is suggested that a tabular summary show the estimated or actual proportional use of this equipment by each project, and other investigators and students. Justify this core component by discussing ways in which these centralized services improve quality, bring about an economy of effort, and/or save overall costs as compared to their inclusion as part of each research project. Personnel costs to maintain and service the equipment are an allowable cost. Support for very large pieces of equipment, however, may be restricted by the NARCH budget. Plans to maintain the shared core scientific services and facility beyond the grant period should be discussed.

Cost for Supplies:

Costs for supplies, including costs for animals necessary to carry out the proposed research, may be included. Travel costs for the investigator(s) are permitted when direct benefits to the program are expected, and when adequate justification is provided. Alterations and Renovations costs (up to $40,000) are allowable only when essential for conduct of the proposed research. Other permitted costs include animal maintenance (unit care costs and number of care days), donor fees, publication costs, computer charges, rentals and leases, equipment maintenance, and service contracts.

Consortium and Contract Arrangements:

Consortium arrangements that may involve personnel costs, supplies, and other allowable costs, including F&A costs; contractual costs for support services, such as the laboratory testing of biological materials, clinical services, data processing, or core administrative services, are allowable expenses. Consortia and contractual costs with Native health organizations, Tribes and/ or research institutions in Canada or Mexico are allowable expenses.

Pilot Research Projects:

The intent of pilot research projects is to lead to regular research projects funded as part of the center grant or as freestanding grants. For pilot research projects, applications may request support for up to $50,000 (direct costs) per year. This support is non-renewable.

Subcontracts:

The grant recipient may issue subcontracts to other organizations (such as the research-intensive institution of the partnership), as long as at least 30 percent of the grant remains with the AI/AN organization; that is, no more than 70 percent may be subcontracted.

F. Unallowable Costs

Unallowable costs for research projects (including for pilots projects) include costs for student development, textbooks, journals, memberships, and Internet subscription costs, as well as other costs prohibited by OMB Circulars A–87 or A–122 as applicable. Employees of the applicant organization may not serve as paid consultants but may be paid. The pilot research project is intended for faculty/researcher without current Federal research support. Therefore, investigators with significant current support from other mechanisms such as the R01 and research funding from other extramural sources are not eligible, and the costs therefore are not allowable. Release time for preparing proposals or mini-research projects, not submitted as pilot projects, is not allowed.

G. Qualifications of the NARCH Program Director and Key Personnel

As leader of the research and research training for the proposed NARCH, the NARCH Program Director is expected to possess certain essential qualifications such as:

- Strong leadership skills, including scientific leadership experience and a strong academic and scientific background, as exemplified, ideally, by scientific publications and a record of peer-reviewed scientific support;
- Knowledge of and personal working relationship with the AI/AN Tribes or communities involved in the NARCH research, and with the partners of the proposed NARCH;
- Strong mentoring and supervision skills, to exercise responsibility for mentoring activities, organization of communicating skills programs, special methods workshops, tracking of student career plans, etc.; and
- Knowledge of IHS and NIH policies, including those concerning human participants in research, human biological material, animals, hazardous materials, and Tribal review and approval of research.

The names and qualifications of the NARCH Program Director, the Student and Faculty/Researcher Development Director and directors of individual projects within the program (where appropriate), and any other key personnel, should be listed in the application under the Key Personnel section. Biographical Sketches of these individuals, including other grant support, should be included.

H. Human Subjects Protection

Federal Regulations (45 CFR Part 46) require that applications and proposals involving human subjects must be evaluated with reference to the risks to the subjects, the adequacy of protection against these risks, the potential benefits of the research to the subjects and others, and the importance of the knowledge gained or to be gained (*http://www.hhs.gov/ohrp/humansubjects/guidance/45cfr46.htm*)

I. Healthy People 2010

The Public Health Service (PHS) is committed to achieving the health promotion and disease prevention objectives of ''Healthy People 2010,'' a PHS led national activity for setting priority areas. This Request for Application (RFA) announcement is related to one or more of the priority areas. Potential applicants may obtain a copy of Healthy People 2010 at: *http://www.healthypeople.gov*.

3. Reporting

The NARCH Program Office and Grants Management have requirements for the progress reports and financial reports based on the terms and conditions of the grant. Grantees are responsible and accountable for accurate reporting of the Progress Reports and Financial Status Reports which are generally due annually. Financial Status Reports (SF 269) are due 90 days after each budget period and the final SF 269 must be verified from the grantee records on how the value was derived. Grantees are allowed a reasonable period of time in which to

submit required financial and performance reports.

Failure to submit required reports within the time allowed may result in suspension or termination of an active grant, withholding of additional awards for the project, or other enforcement actions such as withholding of payments or converting to the reimbursement method of payment. Continued failure to submit required reports may result in the imposition of special award provisions, or cause other eligible projects or activities involving that grantee organization, or the individual responsible for the delinquency to not be funded.

Failure to obtain prior approval for change in Scope, Principal Investigator, Grantee Institutions, Successor in Interest, or Recipient Institute Name, undertaking any activities disapproved or restricted as a condition of the award, may result in fund restrictions.

VII. Agency Contact(s)

1. Questions on the initiative, regarding IHS NARCH issues and policies, may be directed to: Timothy L. Taylor, Ph.D., Director of Planning, Evaluation and Research, Indian Health Service, 801 Thompson Avenue, TMP, Suite 450, Rockville, MD 20852–1750, Telephone: (301) 443–0222, Fax: (301) 443–1522, e-mail: *ttaylor@hqe.ihs.gov*.

2. Questions on grants management and fiscal matters may be directed to: Sylvia Ryan, Division of Grants Operations, Indian Health Service, Reyes Building, 801 Thompson Avenue, Rockville, MD 20852–1627, Telephone: (301) 443–5204, Fax: (301) 443–9602, e-mail: *sryan@hqe.ihs.gov*.

3. Questions on NIGMS issues and policies, may be directed to: Clifton A. Poodry, Ph.D., Minority Opportunities in Research Division, National Institute of General Medical Sciences, 45 Center Drive, Suite 2AS.37, MSC 6200, Bethesda, MD 20892–6200, Telephone: (301) 594–3900, Fax: (301) 480–2753, e-mail: *poodryc@nigms.nih.gov*.

4. Questions on the review of Applications may be directed to: Mushtaq A. Khan, D.V.M., Ph.D., Chief, Digestive and Respiratory Sciences IRGs, Center for Scientific Review, MSC 7818, Room 2176; 6701 Rockledge Drive; Bethesda, MD 20892 (20817 for Fed Ex) Telephone: (301) 435–1778; Fax: (301) 451–2043; e-mail: *khanm@csr.nih.gov*.

VIII. Other Information

Technical Assistance Workshops

The IHS and NIH intend to conduct technical assistance and information sharing workshops about this grant initiative in July 2005 at one regional center. Potential grantees wanting to attend one of these workshops will have to provide names and the eligible organization to Ms. Sylvia Ryan, at telephone number (301) 443–5204 or Fax (301) 443–9602, or by e-mail to *sryan@hqe.ihs.gov* as soon as possible and no later than March 15, 2005. This notification will help the IHS and the NIH to determine the best times and locations for potential grantees' training and to have adequate workshop supplies. The details of the workshops and locations will be posted (as they are finalized) on the IHS Research Program Web site at *http://www.ihs.gov/medicalprograms/research*.

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Dated: April 22, 2005.

Charles Grim,

Assistant Surgeon General Director, Indian Health Service.

[FR Doc. 05–8465 Filed 4–28–05; 8:45 am]

BILLING CODE 4165–16–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Government-Owned Inventions; Availability for Licensing

AGENCY: National Institutes of Health, Public Health Service, DHHS.

ACTION: Notice.

SUMMARY: The inventions listed below are owned by an agency of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally-funded research and development. Foreign patent applications are filed on selected inventions to extend market coverage for companies and may also be available for licensing.

ADDRESSES: Licensing information and copies of the U.S. patent applications listed below may be obtained by writing to the indicated licensing contact at the Office of Technology Transfer, National Institutes of Health, 6011 Executive Boulevard, Suite 325, Rockville, Maryland 20852–3804; telephone: (301) 496–7057; fax: (301) 402–0220. A signed

Confidential Disclosure Agreement will be required to receive copies of the patent applications.

Standard Slide for Testing the Axial Resolution of Microscopes

Edward Cho and Stephen Lockett (NCI/SAIC—Frederick)
DHHS Reference No. E–148–2005/0—Research Tool
Licensing Contact: Michael Shmilovich; 301/435–5019; *shmilovm@mail.nih.gov*

Available for licensing as a research tool for both internal use or commercial distribution is a test slide for three-dimensional resolution. The U.S. Government has not applied for patent rights on this invention. The resolution of an optical system must be accurately measured in multiple dimensions when acquiring imaging data for biological or materials applications. Such measurements permit quantitative analysis of data obtained from the optical system. The invention is a microscope slide that can be adapted for a variety of microscopy applications (*e.g.*, electron, confocal, widefield fluorescence, and deconvolution) to measure and resolve multiple points or objects in three-dimensional space by having objects of known distances separated in three dimensions. The slide is ideally suited to test the precision of the resolution of an optical system to determine the quality of the optical system and its separate components. This allows for proper quality control of existing instruments, as well as a method to evaluate instruments that are being considered for purchase. The slide is designed with markings having known distances to determine resolution and allows for the quantification of spatial data.

Use of Targeted Bone Marrow Cell Infiltration To Induce Pigmentation and Hair Growth in Skin

Riccardo Cassiani-Ingoni (NINDS); U.S. Provisional Application filed 18 Mar 2005
(DHHS Reference No. E–343–2004/0–US–01)
Licensing Contact: Fatima Sayyid; (301) 435–4521; *sayyidf@mail.nih.gov*

A long standing problem in skin research has been the difficulty of inducing stem cells such as bone marrow cells, to infiltrate the skin. Such infiltration could be the basis of numerous therapeutic intraventions. The present invention describes a method of using localized inflammation to induce targeted bone marrow cell effects in the skin. Among the conditions treated in the preliminary trials are hair and pigmentation loss.

Alopecia (hair loss) is a common condition that results from diverse causes such as altered physiology, surgical trauma and/or certain drugs. The present invention relates to methods of increasing hair growth and melanocyte proliferation. Such methods include administration of bone marrow cells, an agent that mobilizes bone marrow cells or a combination thereof.

Creation and Characterization of Carcinogen-Altered Mouse Epidermal CellLines

Stuart H. Yuspa (NCI)
DHHS Reference No. E–154–2004/0—Research Tool
Licensing Contact: Jesse S. Kindra; (301) 435–5559; *kindraj@mail.nih.gov*

The invention relates to the creation of three (3) cell lines that may be used as models of putative initiated cancer cells. The cell lines can be used in basic research assays and low/high throughput screening assays.

Cell line 308 evolved from a calcium-resistant focus from adult mouse epidermis that was exposed to the carcinogen, 7,12-dimethylbenz[a]anthracene (DMBA). Cell lines F and D were derived by treating primary newborn mouse epidermal cells in culture with N-methyl-N'-nitro-N-nitrosoguanidine (MNNG) and DMBA, respectively. These three (3) nontumorigenic cell lines derived from differentiation-resistant, carcinogen-induced foci may be considered to be putative initiated cells.

The creation and characterization of the cell lines was published in Yuspa and Morgan, 1981, ''Mouse Skin Cells Resistant to Terminal Differentiation Associated with Initiation of Carcinogenesis,'' Nature, vol. 72–74; and Hennings *et al.*, 1987, ''Response of Carcinogen-Altered Mouse Epidermal Cells to Phorbol Ester Tumor Promoters and Calcium,'' The Society for Investigative Dermatology, Inc., vol. 88, no. 1, 60–65.

Conditionally Immortalized Cell Line of Metanephric Mesenchyme

Zoia B. Levashova *et al.* (NCI)
DHHS Reference No. E–181–2001/0—Research Tool
Licensing Contact: Marlene Shinn-Astor; (301) 435–4426; *shinnm@mail.nih.gov*

An immortalized rat cell line with characteristics of undifferentiated kidney blastemal cells has been established (Kidney Int. 60:2075, 2003). Not only can these cells be maintained in culture, but they retain the capacity to differentiate into epithelial-like cells. This cell line may have utility in studying the molecular mechanisms of mesenchymal-epithelial conversion, kidney development, and kidney tumorigenesis. It may also have future application in the development of renal xenographs or other forms of kidney tissue transplantation.

A Transgenic Mouse Model for Tetracycline Regulation of Active TGFbeta1 in Mice: tetO TGFbeta1

Adam B. Glick (NCI)
DHHS Reference No. E–300–1999/0—Research Tool.
Licensing Contact: Marlene Shinn-Astor; (301) 435–4426; *shinnm@mail.nih.gov*

Many human cancers and other skin ailments arise from overexpression of the polypeptide TGFbeta1 growth factor. This growth factor is a growth inhibitor whose function involves cell differentiation and development. It is thought that overexpression of this protein is a contributing factor in many diseases, including certain cancers and dermal fibrosis.

There is a need for mouse models that can exhibit overexpression of TGFbeta1 in a locally specific manner. Such is the technology being made available. The technology relates to a mouse model where the overexpression in epithelial cells is achieved via the bigenic tetracycline regulatory system. Expression of tetO TGFbeta1 occurs when the mice are bred with a second transgenic line expressing the transactivator tTa or rTa. The rTa or tTa have been coupled with keratin 5 promoters, enabling localized activation of tetO TGFbeta1 in the presence or absence of tetracyclines upon successful mating. The potential uses of these models is invaluable and can assist similar research involving different tissue specificity.

Dated: April 14, 2005.

Steven M. Ferguson,

Director, , Division of Technology Development and Transfer, Office of Technology Transfer, National Institutes of Health.

[FR Doc. 05–8546 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Cancer Institute; 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 meetings.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidentialtrade secrets or commercial property such as patentable material, and personal information concerning individualsassociated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion ofpersonal privacy.

Name of Committee: National Cancer Institute Special Emphasis Panel, Colorectal Cancer Screening in Primary Care Practice.

Date: June 14–15, 2005.

Time: 9:30 a.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: Gaithersburg Marriott Washingtonian Center, 9751 Washingtonian Boulevard, Gaithersburg, MD 20878.

Contact Person: Marvin L. Salin, PhD, Scientific Review Administrator, Special Review and Logistics Branch, Division of Extramural Activities, 6116 Executive Boulevard, Room 7073, MSC8329, Bethesda, MD 20892–8329. (301) 496–0694. *msalin@mail.nih.gov*.

(Catalogue of Federal Domestic Assistance Program Nos. 93.392, Cancer Construction; 93.393, Cancer Cause and Prevention Research; 93.394, Cancer Detection and Diagnosis Research; 93.395, Cancer Treatment Research; 93.396, Cancer Biology Research; 93.397, Cancer Centers Support; 93.398, Cancer Research Manpower; 93.399, Cancer Control, National Institutes of Health, HHS)

Dated: April 22, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8547 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung and Blood Institute; Notice of 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 a meeting of the Sickle Cell Disease Advisory Committee.

The meeting will be open to the public, 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 notify the Contact Person listed below in advance of the meeting.

Name of Committee: Sickle Cell Disease Advisory Committee.

Date: June 6, 2005.

Time: 8:30 a.m. to 4 p.m.

Agenda: Discussion of program policies and issues.

Place: National Institute of Health, 6701 Rockledge Drive, Room 9112, Bethesda, MD 20892.

Contact Person: Charles M. Peterson, MD, Director, Blood Diseases Program, Division of Blood Diseases and Resources, National Heart, Lung, and Blood Institute, NIH, Two Rockledge Center, Room 10158, MSC 7950, 6701 Rockledge Drive, Bethesda, MD 20892, 301/435–0080.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

Information is also available on the Institute's/Center's home page *http://www.nhlbi.nih.gov/meetings/index/htm*, where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233, National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8550 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Heart, Lung, and Blood Institute; 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 a meeting of the Board of Scientific Counselors, NHLBI.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Heart, Lung, and Blood Institute, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Board of Scientific Counselors, NHLBI.

Date: June 8–9, 2005.

Time: June 8, 2005, 7 p.m. to 9 p.m.

Agenda: To review and evaluate personal qualifications and performance, and competence of individual investigators.

Place: Embassy Suites Pavillion, 4300 Military Road, NW., Washington, DC 20015.

Time: June 9, 2005, 7:15 a.m. to 4:30 p.m.

Agenda: To review and evaluate the Molecular Disease Branch and the Pulmonary Critical Care Medicine Branch.

Place: Embassy Suites Pavillion, 4300 Military Road, NW., Washington, DC 20015.

Contact Person: Robert S. Balaban, PhD, Scientific Director, Division of Intramural Research, National Institutes of Health, NHLBI, Building 10, Room 7N214, MSC 1668, 10 Center Drive, Bethesda, MD 20892, (301) 496–2116.

Information is also available on the Institute's/Center's home page: *http://www.nhlbi.nih.gov/meetings/index.htm,* where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.233 National Center for Sleep Disorders Research; 93.837, Heart and Vascular Diseases Research, 93.838, Lung Diseases Research, 93.839, Blood Diseases and Resources Research, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8551 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Allergy and Infectious Diseases; Notice of Meeting

Pursuant to section 10(a) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of a meeting of the AIDS Research Advisory Committee, NIAID.

The meeting will be open to the public, 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 notify the Contact Person listed below in advance of the meeting.

Name of Committee: AIDS Research Advisory Committee, NIAID.

Date: May 23, 2005.

Time: 1 p.m. to 4 p.m.

Agenda: Report from the Division Director, discussion of Division programs.

Place: National Institutes of Health, Natcher Building, 45 Center Drive, Conference Room E1/E2, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Rona L. Siskind, Executive Secretary, AIDS Research Advisory Committee, Division of AIDS, NIAID/NIH, 6700B Rockledge Drive, Room 4139, Bethesda, MD 20892–7601. (301) 435–3732.

Any interested person may file written comments with the committee by forwarding the statement to the Contact Person listed on this notice. The statement should include the name, address, telephone number and when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance into the building by non-government employees. Persons without a government I.D. will need to show a photo I.D. and sign-in at the security desk upon entering the building.

(Catalogue of Federal Domestic Assistance Program Nos. 93.855, Allergy, Immunology, and Transplantation Research; 93.856, Microbiology and Infectious Diseases Research, National Institutes of Health, HHS)

Dated: April 22, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8548 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute on Drug Abuse; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be close to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Drug Abuse Special Emphasis Panel, SBIR Phase II.

Date: May 10, 2005.

Time: 10 a.m. to 11 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6101 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Eric Zatman, Contract Review Specialist, Office of Extramural Affairs, National Institute on Drug Abuse, NIH, DHHS, Room 220, MSC 8401, 6101 Executive Boulevard, Bethesda, MD 20892–8401, (301) 435–1438.

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

(Catalogue of Federal Domestic Assistance Program Nos. 93.277, Drug Abuse Scientist Development Award for Clinicians, Scientist Development Awards, and Research Scientist Awards; 93.278, Drug Abuse National Research Service Awards for Research Training; 93.279, Drug Abuse Research Programs, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8552 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of Neurological Disorders and Stroke; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Neurological Disorders and Stroke Special Emphasis Panel, Multiple Sclerosis Review.

Date: May 10, 2005.

Time: 4 p.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, Neuroscience Center, 6001 Executive Boulevard, Rockville, MD 20852, (Telephone Conference Call).

Contact Person: Katherine Woodbury, PhD, Scientific Review Administrator, Scientific Review Branch, NINDS/NIH/DHHS, Neuroscience Center, 6001 Executive Blvd, Suite 3208, MSC 9529, Bethesda, MD 20892–9529, (301) 496–5980, *kw47o@nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.853, Clinical Research Related to Neurological Disorders; 93.854, Biological Basis Research in the Neurosciences, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8554 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institutes of Aging; 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.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute on Aging Special Emphasis Panel; Vascular Disease and AD.

Date: May 20, 2005.

Time: 12 p.m. to 4 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes on Aging, NIH, Gateway Building, 7201 Wisconsin Avenue, Room 2C212, Bethesda, MD 20814 (Telephone Conference Call).

Contact Person: William Cruce, PhD, Health Scientist Administrator, Scientific Review Office, National Institute on Aging, National Institutes of Health, Room 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20814. (301) 402–7704. *crucew@nia.nih.gov.*

Name of Committee: National Institute on Aging Special Emphasis Panel, ''Interdisciplinary Approach to Alzheimer Drug Discovery II''.

Date: June 2, 2005.

Time: 12 p.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institute on Aging, NIH, Gateway Building, 7201 Wisconsin Ave., Room 2C212, Bethesda, MD 20892 (Telephone Conference Call).

Contact Person: Bita Nakhai, PhD, Scientific Review Administrator, Scientific Review Office, National Institute on Aging, Gateway Bldg., 2C212, 7201 Wisconsin Avenue, Bethesda, MD 20814. 301–402–7701. *nakhaib@nia.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.866, Aging Research, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8555 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Library of Medicine; Notice of Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is hereby given of the following meeting.

The meeting will be open to the public as indicated below, 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 notify the Contact Person listed below in advance of the meeting.

The portions of the meeting devoted to the review and evaluation of journals for potential indexing by the National Library of Medicine will be closed to the public in accordance with the provisions set forth in section 552b(c)(9)(B), Title 5 U.S.C., as amended. Premature disclosure of the titles of the journals as potential titles to be indexed by the National Library of Medicine, the discussions, and the presence of individuals associated with these publications could significantly frustrate the review and evaluation of individual journal.

Name of Committee: Literature Selection Technical Review Committee.

Date: June 16–17, 2005.

Open: June 16, 2005, 9 a.m. to 11 a.m.

Agenda: Administrative reports and program discussions.

Place: National Library of Medicine, Building 38, Board Room, 2nd Floor, 8600 Rockville Pike, Bethesda, MD 20894.

Closed: June 16, 2005, 11 a.m. to 5 p.m.

Agenda: To review and evaluate journals as potential titles to be indexed by the National Library of Medicine.

Place: National Library of Medicine, Building 38, Board Room, 2nd Floor, 8600 Rockville Pike, Bethesda, MD 20894.

Closed: June 17, 2005, 8:30 a.m. to 2 p.m.

Agenda: To review and evaluate journals as potential titles to be indexed by the National Library of Medicine.

Place: National Library of Medicine, Building 38, Board Room, 2nd Floor, 8600 Rockville Pike, Bethesda, MD 20894.

Contact Person: Sheldon, Kotzin, MLS, Chief, Bibliographic Services Division, Division of Library Operations, National Library of Medicine, 8600 Rockville Pike, Bldg 38A/Room 4N419, Bethesda, MD 20894.

Any interested person may file written comments with the Committee by forwarding the statement to the Contact Person listed on this Notice. The statement should include the name, address, telephone number and, when applicable, the business or professional affiliation of the interested person.

In the interest of security, NIH has instituted stringent procedures for entrance into the building by non-government employees. Person without a government I.D. will need to show a photo I.D. and sign in at the security desk upon entering the building.

Dated: April 21, 2005.

(Catalogue of Federal Domestic Assistance Program No. 93.879, Medical Library Assistance, National Institutes of Health, HHS)

LaVerne Y. Stringfield,

Director, Office of Federal Advisory Committee Policy, NIH.

[FR Doc. 05–8549 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Center for Scientific Review; 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.

The meetings will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The grant applications and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the grant applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Clinical Trials.

Date: May 4, 2005.

Time: 4 p.m. to 6 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Marcia Litwack, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6206, MSC 7804, Bethesda, MD 20892, (301) 435–1719, *litwackm@csr.nih.gov.*

This notice is being published less than 15 days prior to the meeting due to the timing limitations imposed by the review and funding cycle.

Name of Committee: Center for Scientific Review Special Emphasis Panel, Medical Bone/Cartilage Imaging.

Date: June 1, 2005.

Time: 1 p.m. to 3 p.m.

Agenda: To review and evaluate grant applications.

Place: National Institutes of Health, 6701 Rockledge Drive, Bethesda, MD 20892, (Telephone Conference Call).

Contact Person: Eileen W Bradley, DSC, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5100, MSC 7854, Bethesda, MD 20892, (301) 435–1179, *bradleye@csr.nih.gov.*

Name of Committee: Center for Scientific Review Special Emphasis Panel, Topics in Virology.

Date: June 2–3, 2005.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: The Watergate, 2650 Virginia Avenue, NW., Washington, DC 20037.

Contact Person: Joseph D. Mosca, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5158, MSC 7808, Bethesda, MD 20892, (301) 435–2344, *moscajos@csr.nih.gov.*

Name of Committee: Oncological Sciences Integrated Review Group, Tumor Progression and Metastasis Study Section.

Date: June 2–3, 2005.

Time: 8 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Holiday Inn Georgetown, 2101 Wisconsin Avenue, NW., Washington, DC 20007.

Contact Person: Martin L. Padarathsingh, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 6212, MSC 7804, Bethesda, MD 20892, (301) 435–1717, *padaratm@csr.nih.gov.*

Name of Committee: Cell biology Integrated Review Group, Cell Structure and Function.

Date: June 2–3, 2005.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Melrose Hotel, 2430 Pennsylvania Ave., NW., Washington, DC 20037.

Contact Person: Alexandra M. Ainsztein, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5144, MSC 7840, Bethesda, MD 20892, 301–451–3848, *ainsztea@csr.nih.gov.*

Name of Committee: Integrative, Functional and Cognitive Neuroscience Integrated Review Group, Neurobiology of Motivated Behavior Study Section.

Date: June 2–3, 2005.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, 7400 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Gamil Debbas, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 5170, MSC 7844, Bethesda, MD 20892, (301) 435–1018, *debbasg@csr.nih.gov.*

Name of Committee: Immunology Integrated Review Group, Cellular and Molecular Immunology—B.

Date: June 2–3, 2005.

Time: 8:30 a.m. to 5 p.m.

Agenda: To review and evaluate grant applications.

Place: Residence Inn Bethesda, 7335 Wisconsin Avenue, Bethesda, MD 20814.

Contact Person: Betty Hayden, PhD, Scientific Review Administrator, Center for Scientific Review, National Institutes of Health, 6701 Rockledge Drive, Room 4206, MSC 7812, Bethesda, MD 20892, 301–435–1223, *haydenb@csr.nih.gov.*

(Catalogue of Federal Domestic Assistance Program Nos. 93.306, Comparative Medicine; 93.333, Clinical Research, 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS)

Dated: April 21, 2005.

LaVerne Stringfield,

Director, Office of Federal Advisory Committee Policy.

[FR Doc. 05–8553 Filed 4–28–05; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Agency Information Collection Activities: Proposed Collection; Comment Request

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 concerning opportunity for public comment on proposed collections of information, the Substance Abuse and Mental Health Services Administration will publish periodic summaries of proposed projects. To request more information on the proposed projects or to obtain a copy of the information collection plans, call the SAMHSA Reports Clearance Officer on (240) 276–1243.

Comments are invited on: (a) Whether the proposed collections of information are 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 or other forms of information technology.

Proposed Project: Toolkit Protocol for the Crisis Counseling Assistance and Training Program (CCP)—NEW

The Substance Abuse and Mental Health Services Administration's (SAMHSA) Center for Mental Health Services (CMHS) will use a toolkit to collect data on the Crisis Counseling Assistance and Training Program (CCP). The CCP provides supplemental funding to states and territories for individual and community crisis intervention services during a federal disaster.

The CCP has provided disaster mental health services to millions of disaster survivors since its inception and, as a result of 30 years of accumulated expertise, it has become an important model for Federal response to a variety of catastrophic events. State CCPs, such as Project HOPE (after Hurricane Floyd in North Carolina), Project Heartland (in Oklahoma City after the Murrah Federal Building bombing), Project Liberty (in New York after 9/11), and Project Outreach for Recovery (after the Rhode Island nightclub fire) have primarily addressed the short-term mental health needs of communities through (a) outreach and public education, (b) individual and group counseling, and (c) referral. Outreach and public education serve primarily to normalize reactions and to engage people who might need further care. Crisis counseling assists survivors to cope with current stress and symptoms in order to return to predisaster functioning. Crisis counseling relies largely on ''active listening,'' and crisis counselors also provide psycho-education (especially about the nature of responses to trauma) and help clients build coping skills. Crisis counseling typically continues no more than a few times. Because crisis counseling is time-limited, referral is the third important function of CCPs. Counselors are expected to refer clients to formal treatment if the person has developed more serious psychiatric problems.

Data about services delivered and users of services will be collected throughout the program period. The data will be collected via the use of a toolkit that relies on standardized forms. At the program level, the data will be entered quickly and easily into a cumulative database to yield summary tables for quarterly and final reports for the program. CMHS has confirmed the feasibility of using scannable forms for most purposes. Because the data will be collected in a consistent way from all programs, the forms can be uploaded into an ongoing national database that likewise provides CMHS with a way of producing summary reports of services provided across all programs funded.

The components of the tool kit are listed and described below:

- *Encounter logs.* These forms document all services provided. Completion of these logs is required by the crisis counselors. There are three types of encounter logs: (1) Individual Crisis Counseling Services Encounter Log; (2) Group Encounter Log; and (3) Weekly Tally Sheet.
- *Individual Crisis Counseling Services Encounter Log.* Crisis counseling is defined as an interaction that lasts at least 15 minutes and involves participant disclosure. This form is completed by the Crisis Counselor for each service recipient, defined as the person or persons who actively participated in the session (*e.g.,* by verbally participating), not someone who is merely present. For families, complete separate forms for all family members who are actively engaged in the visit. Information collected includes demographics, service characteristics, risk factors, and referral data.
- *Group Encounter Log.* This form is used to identify either a group crisis counseling encounter or a group public education encounter. A check at the top identifies the class of activities (*i.e.,* counseling or education). Information collected includes services characteristics, group identity and characteristics, and group activities.
- *Weekly Tally Sheet.* This form documents brief educational and supportive encounters not captured on any other form. Information collected includes service characteristics, daily tallies and weekly totals for brief educational or supportive contacts and material distribution with no or minimal interaction.
- *Assessment and Referral Tool.* This tool provides descriptive information about intense users of services, defined as all individuals receiving a third individual crisis counseling visit. This tool will be used beginning three months postdisaster and will be completed by the crisis counselor.
- *Participant Feedback.* These surveys are completed by and collected from a sample of service recipients, not every recipient. A time sampling approach (*e.g.*, soliciting participation from all counseling encounters one week per quarter) will be used. Information collected includes satisfaction with services, perceived improvements in self-functioning, types of exposure, and event reactions.

• *CCP Service Provider Feedback.* These surveys are completed by and collected from the CCP service providers anonymously at six months and one year postevent. The survey will be coded on several program-level as well as worker-level variables. However, the program itself will be identified and shared with program management only if the number of individual workers was greater than 20.

ESTIMATES OF ANNUALIZED HOUR BURDEN

Form	Number of respondents	Responses per respondents	Hours per responses	Total hour burden
Individual Crisis Counseling Services Encounter Log Form	7,500	1	.03	225
Group Encounter Log Form	4,000	1	.03	120
Weekly Tally Sheet	4,000	1	.08	320
Assessment & Referral Tool	100	1	.08	8
Participant Feedback	1,000	1	.06	60
CCP Service Provider Feedback	100	1	.08	8
Total	16,700			741

Send comments to Summer King, SAMHSA Reports Clearance Officer, Room 7–1044, 1 Choke Cherry Road, Rockville, MD 20850. Written comments should be received by June 28, 2005.

Dated: April 25, 2005.

Anna Marsh,

Executive Officer, SAMHSA.

[FR Doc. 05–8576 Filed 4–28–05; 8:45 am]

BILLING CODE 4162–20–P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

[CGD08–05–024]

Implementation of Sector Corpus Christi

AGENCY: Coast Guard, DHS.

ACTION: Notice of organizational change.

SUMMARY: The Coast Guard announces the stand-up of Sector Corpus Christi. Sector Corpus Christi is an internal reorganization that combines Group Corpus Christi and Marine Safety Office Corpus Christi into a single command. The Coast Guard has established a continuity of operations whereby all previous practices and procedures will remain in effect until superseded by an authorized Coast Guard official or document.

DATES: This notice is effective May 13, 2005.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket CGD08–05–024 and are available for inspection or copying at Commander (rpl), Eighth Coast Guard District, 500 Poydras Street, New Orleans, Louisiana 70130–3310 between 7:30 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Lieutenant Michael Roschel, Eighth District Planning Office at 504–589–6293.

SUPPLEMENTARY INFORMATION:

Discussion of Notice

Sector Corpus Christi is located at 8930 Ocean Drive, Corpus Christi, TX 78419–5201 and contains a single Command Center. Sector Corpus Christi is composed of a Response Department, Prevention Department, and Logistics Department. Effective May 13, 2005, all existing missions and functions performed by Group Corpus Christi and Marine Safety Office Corpus Christi will be performed by Sector Corpus Christi. Group Corpus Christi and Marine Safety Office Corpus Christi will no longer exist as organizational entities. Sector Corpus Christi is responsible for all Coast Guard Missions in the following zone: the boundary of Sector Corpus Christi Marine Inspection zone and Captain of the Port zone ''Starts at the junction of the sea and the east bank of the Colorado River; thence proceeds northerly along the east bank of the Colorado River to 29°18′ N. latitude, 96°07′ W. longitude; thence northwesterly to the southeast corner of New Mexico at 32°00′ N. latitude; thence westerly along the Texas-New Mexico boundary; thence southeasterly along the Mexican border to the sea. The offshore area includes all waters and islands contained therein of the EEZ that are south and west of a line bearing 140° T from the junction of the sea and the east bank of the Colorado River to the outermost extent of the EEZ.''

Sector Corpus Christi's zone will be modified in the future upon the stand-up of adjoining sectors. Notice will be published in the **Federal Register**.

The Sector Corpus Christi Commander is vested with all the rights, responsibilities, duties, and authority of a Group Commander and Commanding Officer Marine Safety Office, as provided for in Coast Guard regulations, and is the successor in command to the Commanding Officers of Group Corpus Christi and Marine Safety Office Corpus Christi. The Sector Corpus Christi Commander is designated: (a) Captain of the Port (COTP) for the Corpus Christi COTP zone; (b) Federal Maritime Security Coordinator (FMSC); (c) Federal On Scene Coordinator (FOSC) for the Corpus Christi COTP zone, consistent with the National Contingency Plan; (d) Officer in Charge of Marine Inspection (OCMI) for the Corpus Christi Marine Inspection Zone; and (e) Search and Rescue Mission Coordinator (SMC). The Deputy Sector Commander is designated alternate COTP, FMSC, FOSC, SMC, and Acting OCMI. A continuity of operations order has been issued ensuring that all previous Group Corpus Christi and Marine Safety Office Corpus Christi practices and procedures will remain in effect until superseded by Commander, Sector Corpus Christi. This continuity of operations order addresses existing COTP regulations, orders, directives, and policies.

The following information is a list of updated command titles, addresses and points of contact to facilitate requests from the public and assist with entry into security or safety zones:

Name: Sector Corpus Christi.

Address: Commander, U.S. Coast Guard Sector Corpus Christi, 8930 Ocean Drive, Corpus Christi, TX 78419–5201

Contact: General Number, (361) 939–6269, Sector Commander: Captain John Korn; Deputy Sector Commander: Captain Lincoln Stroh.

Chief, Prevention Department: (361) 939–6219.

Chief, Response Department: (361) 939–6366.

Chief, Logistics Department: (361) 939–6203.

Dated: April 19, 2005.

Kevin L. Marshall,

Captain, U.S. Coast Guard, Commander, 8th Coast Guard Dist., Acting.

[FR Doc. 05–8538 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–15–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1586–DR]

Arizona; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Arizona (FEMA–1586–DR), dated April 14, 2005, and related determinations.

DATES: *Effective Date:* April 14, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 14, 2005, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of Arizona resulting from severe storms and flooding on February 10–15, 2005, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of Arizona.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance and Hazard Mitigation in the designated areas; and any other forms of assistance under the Stafford Act you may deem appropriate. Direct Federal assistance is authorized, if warranted. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs. If Other Needs Assistance under Section 408 of the Stafford Act is later requested and warranted, Federal funding under that program will also be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, Sandra Coachman, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Arizona to have been affected adversely by this declared major disaster:

The counties of Gila, Graham, Greenlee, Mohave, Pinal, and Yavapai; and the Havasupai Tribe, the Hopi Tribe, the San Carlos Apache Tribe; and the portion of the Navajo Tribal Nations within the State of Arizona for Public Assistance.

The counties of Gila, Graham, Greenlee, Maricopa, Mohave, Pinal and Yavapai; and the Gila River Indian Community, the Havasupai Tribe, the Hopi Tribe, the San Carlos Apache Tribe; and the portion of the Navajo Tribal Nation within the State of Arizona are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8564 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1585–DR]

California; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of California (FEMA–1585-DR), dated April 14, 2005, and related determinations.

DATES: Effective Date: April 22, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of California is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 14, 2005:

Kern, San Bernardino, and San Diego Counties for Public Assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8563 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1585–DR]

California Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of California (FEMA–1585–DR), dated April 14, 2005, and related determinations.

DATES: *Effective Date:* April 14, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 14, 2005, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of California, resulting from severe storms, flooding, landslides, and mud and debris flows on February 16–23, 2005, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of California.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Public Assistance and Hazard Mitigation in the designated areas, and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance and Hazard Mitigation will be limited to 75 percent of the total eligible costs. If Other Needs Assistance under Section 408 of the Stafford Act is later warranted, Federal funding under that program will also be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, David Fukutomi, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of California to have been affected adversely by this declared major disaster:

Los Angeles, Orange, Riverside, and Ventura Counties for Public Assistance.

Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8565 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–3210–EM]

Maine; Emergency and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of an emergency for the State of Maine (FEMA–3210–EM), dated April 21, 2005, and related determinations.

DATES: *Effective Date:* April 21, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 21, 2005, the President declared an emergency declaration under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the impact in certain areas of the State of Maine, resulting from the record snow on March 11–12, 2005, is of sufficient severity and magnitude to warrant an emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such an emergency exists in the State of Maine.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide emergency protective measures under the Public Assistance program to save lives, protect public health and safety, and property. Other forms of assistance under Title V of the Stafford Act may be added at a later date, as you deem appropriate. You are further authorized to provide this emergency assistance in the affected areas for a period of 48 hours. You may extend the period of assistance, as warranted. This assistance excludes regular time costs for sub-grantees' regular employees. Assistance under this emergency is authorized at 75 percent Federal funding for eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, James N. Russo, of FEMA is appointed to act as the Federal Coordinating Officer for this declared emergency.

I do hereby determine the following areas of the State of Maine to have been affected adversely by this declared emergency:

Androscoggin, Cumberland, and Oxford Counties for emergency protective measures (Category B) under the Public Assistance program for a period of 48 hours.

(Catalog of Federal Domestic Assistance No. 97.036, Disaster Assistance.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8560 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1588–DR]

New Jersey; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of New Jersey (FEMA–1588–DR), dated April 19, 2005, and related determinations.

DATES: *Effective Date:* April 19, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April

19, 2005, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of New Jersey, resulting from severe storms and flooding on April 1–3, 2005, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of New Jersey.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance in the designated areas; Hazard Mitigation throughout the State; and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and the Other Needs Assistance under Section 408 of the Stafford Act will be limited to 75 percent of the total eligible costs. If Public Assistance is later warranted, Federal funds provided under that program will also be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, Peter J. Martinasco, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of New Jersey to have been affected adversely by this declared major disaster:

Bergen Essex, Gloucester, Hunterdon, Mercer, Morris, Passaic, Sussex, and Warren Counties for Individual Assistance.

All counties in the State of New Jersey are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8562 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1589–DR]

New York; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of New York (FEMA–1589–DR), dated April 19, 2005, and related determinations.

DATES: *Effective Date:* April 19, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington,DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 19, 2005, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the State of New York, resulting from severe storms and flooding on April 2–4, 2005, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the State of New York.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and Public Assistance in the designated areas; and Hazard Mitigation throughout the State. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance, Hazard Mitigation, and the Other Needs Assistance under Section 408 of the Stafford Act will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, Marianne C. Jackson, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of New York to have been affected adversely by this declared major disaster:

Broome, Chenango, Cortland, Delaware, Orange, Rensselaer, Schenectady, Schoharie, Sullivan, Tioga, and Ulster Counties for Individual Assistance.

Broome, Chenango, Cortland, Delaware, Greene, Montgomery, Orange, Rensselaer, Schoharie, Sullivan, Tioga, and Ulster Counties for Public Assistance.

All counties in the State of New York are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8559 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[FEMA–1587–DR]

Pennsylvania; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the Commonwealth of Pennsylvania (FEMA–1587–DR), dated April 14, 2005, and related determinations.

DATES: Effective Date: April 14, 2005.

FOR FURTHER INFORMATION CONTACT: Magda Ruiz, Recovery Division, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–2705.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated April 14, 2005, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act), as follows:

I have determined that the damage in certain areas of the Commonwealth of Pennsylvania, resulting from severe storms and flooding, beginning on April 2, 2005 and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121–5206 (the Stafford Act). Therefore, I declare that such a major disaster exists in the Commonwealth of Pennsylvania.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance in the designated areas; Hazard Mitigation throughout the Commonwealth; and any other forms of assistance under the Stafford Act you may deem appropriate. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Hazard Mitigation and the Other Needs Assistance under Section 408 of the Stafford Act will be limited to 75 percent of the total eligible costs. If Public Assistance is later requested and warranted, Federal funds provided under that program will also be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Under Secretary for Emergency Preparedness and Response, Department of Homeland Security, under Executive Order 12148, as amended, Thomas Davies, of FEMA is appointed to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the Commonwealth of Pennsylvania to have been affected adversely by this declared major disaster:

Bradford, Bucks, Columbia, Luzerne, Monroe, Northampton, Pike, Wayne, and Wyoming Counties for Individual Assistance.

All counties in the Commonwealth of Pennsylvania are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund Program; 97.032, Crisis Counseling; 97.033, Disaster Legal Services Program; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance; 97.048, Individuals and Households Housing; 97.049, Individuals and Households Disaster Housing Operations; 97.050 Individuals and Households Program-Other Needs, 97.036, Public Assistance Grants; 97.039, Hazard Mitigation Grant Program.)

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 05–8561 Filed 4–28–05; 8:45 am]

BILLING CODE 9110–10–P

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-day notice of information collection under review: Medical Examination of Aliens Seeking Adjustment of Status, Form I–693.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on February 28, 2005 at 70 FR 9666, allowed for a 60-day public comment period. The USCIS did not review any comments on this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until May 31, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Medical Examination of Aliens Seeking Adjustment of Status.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–693. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or Households. This information collection will be used by the USCIS in considering eligibility for adjustment of status under section 209, 210, 245 and 245A of the Immigration and Nationality Act.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to*

respond: 800,000 responses at 90 minutes (1.5) hours per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 1,200,000 annual burden hours.

If you have additional comments, suggestions, or need a copy of the information collection instrument, please contact Richard A. Sloan, Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, 111 Massachusetts Avenue, NW., Washington, DC 20529; 202–272–8377.

Dated: March 29, 2005.

Richard A. Sloan,

Director, Regulatory Management Division, U.S. Citizenship and Immigration Services.

[FR Doc. 05–8293 Filed 4–28–05; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-day notice of information collection under review: Immigration User Fee, File No. OMB–01.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection quest to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on February 28, 2005 at 70 FR 9665, allowed for a 60-day public comment period. No comments were received by the USCIS on this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until May 31, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agencies estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection: Extension of a currently approved collection.*

(2) *Title of the Form/Collection:* Immigration User Fee.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* No Agency Form Number (File No. OMB–1). U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Business or other for-profit. The information requested from commercial air carriers, commercial vessel operators, and tour operators is necessary for effective budgeting, financial management, monitoring, and auditing of User Fee collections.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 325 responses at 15 minutes (.25) per response for reporting, in addition to 25 respondents at 10 hours per response for recordkeeping.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 331 annual burden hours.

If you have additional comments, suggestions, or need a copy of the information collection instrument with instructions, please contact Richard A. Sloan, Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, 111 Massachusetts Avenue, NW., Washington, DC 20529; 202–272–8377.

Dated: March 29, 2005.

Richard A. Sloan,

Director, Regulatory Management Division, U.S. Citizenship and Immigration Services.

[FR Doc. 05–8294 Filed 4–28–05; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Extension of a Currently Approved Collection; Comments Request

ACTION: 30-day notice of information collection under review: Employment Authorization Document; Form I–765.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on February 28, 2005, at 70 FR 9665, allowed for a 60-day public comment period. No public comments were received on this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until May 31, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the following will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* Employment Authorization Document.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–765, U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or Households. The information collected on this form is used by the USCIS to determine eligibility for the issuance of the employment document.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 1,873,296 responses at 205 minutes (3.42 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 6,406,672 annual burden hours.

If you have comments, suggestions, or need a copy of the information collection instrument, please contact Richard A. Sloan, Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, 111 Massachusetts Avenue, NW., Washington, DC 20529.

Dated: March 29, 2005.

Richard A. Sloan,

Director, Regulatory Management Division, U.S. Citizenship and Immigration Services.

[FR Doc. 05–8295 Filed 4–28–05; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities: Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-Day Notice of Information Collection Under Review: Refugee/Asylee Relative Petition; Form I–730.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on February 28, 2005 at 70 FR 9664, allowed for a 60-day public comment period. The USCIS did not receive any comments on this information collection during that period.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until May 31, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of currently approved collection.

(2) *Title of the Form/Collection:1* Refugee/Asylee Relative Petition.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Form I–730. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: individuals or Households. This form will be used by an asylee or refugee to file on behalf of his or her spouse and/or children provided that the relationship to the refugee/asylee existed prior to their admission to the United States. The information collected on this form will be used by the Service to determine eligibility for the requested immigration benefit.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 86,400 responses at 35 minutes (.583 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 50,371 annual burden hours.

If you have comments, suggestions, or need a copy of the information collection instrument with instructions, please contact Richard A. Sloan, Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, 111 Massachusetts Avenue, NW., Washington, DC 20529; 202–272–8377.

Dated: March 29, 2005.

Richard A. Sloan,

Director, Regulatory management Division, U.S. Citizenship and Immigration Services.

[FR Doc. 05–8296 Filed 4–28–05; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF HOMELAND SECURITY

U.S. Citizenship and Immigration Services

Agency Information Collection Activities:

Extension of a Currently Approved Information Collection; Comment Request

ACTION: 30-Day Notice of Information Collection under Review: Document Verification Request and Document Verification Request Supplement; Forms G–845 and G–845 Supplement.

The Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995. The information collection was previously published in the **Federal Register** on February 29, 2005 at 70 FR 9672, allowed for a 60-day public comment period. No comments were received on this information collection.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until May 31, 2005. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the collection of information should address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of collection of information including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this information collection:

(1) *Type of Information Collection:* Extension of a currently approved information collection.

(2) *Title of the Form/Collection:* Document Verification Request and Document Verification Request Supplement.

(3) *Agency form number, if any, and the applicable component of the Department of Homeland Security sponsoring the collection:* Forms G–845 and G–845 Supplement. U.S. Citizenship and Immigration Services.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individuals or Households. This form is used to check other agency records on applications or petitions submitted for benefits under the Immigration and Nationality Act. Additionally, this form is required for applicants for adjustment to permanent resident status and specific applicants for naturalization.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* 500,000 responses at 5 minutes (.083 hours) per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 41,500 annual burden hours.

If you have comments, suggestions, or need a copy of the information collection instrument with instructions, please contact Richard A. Sloan, Director, Regulatory Management Division, U.S. Citizenship and Immigration Services, 111 Massachusetts Avenue, NW., Washington, DC 20529; 202–272–8377.

Dated: March 29, 2005.

Richard A. Sloan,

Director, Regulatory Management Division, U.S. Citizenship and Immigration Services.

[FR Doc. 05–8297 Filed 4–28–05; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4980–N–17]

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: Kathy Ezzell, room 7266, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; telephone (202) 708–1234; TTY number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration,* No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Where property is described as for ''off-site use only'' recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to John Hicks, Division of Property Management, Program Support Center, HHS, room 5B–17, 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: ARMY: Ms. Audrey C. Ormerod, Department of the Army, Office of the Assistant Chief of Staff for Installation Management, Attn: DAIM–MD, Room 1E677, 600 Army Pentagon, Washington, DC 20310–0600;

(703) 601–2520; COE: Ms. Shirley Middleswarth, Army Corps of Engineers, Civil Division, Directorate of Real Estate, 441 G Street, NW., Washington, DC 20314–1000; (202) 761–7425; ENERGY: Mr. Andy Duran, Department of Energy, Office of Engineering & Construction Management, ME–90, 1000 Independence Ave, SW., Washington, DC 20585: (202) 586–4548; GSA: Mr. Brian K. Polly, Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th and F Streets, NW., Washington, DC 20405; (202) 501–0084; INTERIOR: Ms. Linda Tribby, Acquisition & Property Management, Department of the Interior, 1849 C Street, NW., MS5512, Washington, DC 20240; (202) 219–0728; NAVY: Mr. Charles C. Cocks, Department of the Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE., Suite 1000, Washington, DC 20374–5065; (202) 685–9200; (These are not toll-free numbers).

Dated: April 21, 2005.

Mark R. Johnston,

Director, Office of Special Needs Assistance Programs.

Title V, Federal Surplus Property Program Federal Register Report for 4/29/05

Suitable/Available Properties

Buildings (by State)

California

Federal Building
415 West 18th Street
Merced Co: CA 95340–
Landholding Agency: GSA
Property Number: 54200520006
Status: Surplus
Comment: 15,492 sq. ft., over 50% occupied for up to two years, most recent use—post office/office space, listed on the National Register of Historic Places
GSA Number : 9–G–CA–1567

Trailer 51243
Joshua Tree Natl Park
74485 Natl Park Drive
San Bernardino Co: CA 92277–
Landholding Agency: Interior
Property Number: 61200520004
Status: Unutilized
Comment: 600 sq. ft., needs repair, off-site use only

Trailer 51243
Joshua Tree Natl Park
74485 Natl Park Drive
San Bernardino Co: CA 92277–
Landholding Agency: Interior
Property Number: 61200520005
Status: Unutilized
Comment: 576 sq. ft., needs repair, off-site use only

South Dakota

Post Ofc/Courthouse
102 4th Avenue, SE
Aberdeen Co: Brown SD 57401–4309
Landholding Agency: GSA
Property Number: 54200520011
Status: Excess
Comment: 32,162 sq. ft., currently 42% occupied, presence of asbestos, most recent use—office, listed on Natl Register of Historic Structures
GSA Number: 7–G–SD–0527

Tennessee

Tract 01–171
National Military Park
Shiloh Co: Hardin TN 38376–
Landholding Agency: Interior
Property Number: 61200520010
Status: Excess
Comment: 1344 sq. ft. mobile home, off-site use only

Tract 01–174
National Military Park
Shiloh Co: Hardin TN 38376–
Landholding Agency: Interior
Property Number: 61200520011
Status: Excess
Comment: 1179 sq. ft., presence of lead paint most recent use—residential, off-site use only

Land (by State)

Arizona

0.03 acres
Dobson & Elliott Road Encroachment
Chandler Co: Maricopa AZ 85224–
Landholding Agency: GSA
Property Number: 54200520005
Status: Surplus
Comment: 35 x 35, building encroachment
GSA Number: 9–I–AZ–834

Kentucky

Site No. 7
Big Bone Access
Boat Dock Road
Union Co: Boone KY 41005–
Landholding Agency: GSA
Property Number: 54200520010
Status: Excess
Comment: 39 acres with boat ramp and parking area, existing easements, Corps reserves the right to overflow/flood
GSA Number : 4–D–KY–0620

Unsuitable Properties

Buildings (by State)

Alabama

Bldg. 00209
Anniston Army Depot
Anniston Co: Calhoun AL 36201–4199
Landholding Agency: Army
Property Number: 21200520001
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 00010, 00354
Redstone Arsenal
Garrison Co: AL 35898–5000
Landholding Agency: Army
Property Number: 21200520002
Status: Unutilized
Reasons: Secured Area, Extensive deterioration

Alaska

BIA Staff Bldg.
200 1st Avenue
Nome Co: AK 99762–
Landholding Agency: GSA
Property Number: 54200520007
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material
GSA Number: 9–I–AK–797

California

Bldgs. 00635, 00796
Park Reserve Forces
Training Area
Dublin Co: Alameda CA 94568–
Landholding Agency: Army
Property Number: 21200520003
Status: Excess
Reason: Extensive deterioration

Bldg. 756
Wastewater Treatment Plant
El Portal Co: Mariposa CA 95318–
Landholding Agency: Interior
Property Number: 61200520001
Status: Unutilized
Reason: Extensive deterioration

FMSS Asset 6727
Sunrise Backpackers Campground
Mariposa Co: CA 95389–
Landholding Agency: Interior
Property Number: 61200520002
Status: Unutilized
Reason: not accessible by road

FMSS Asset 6728
Glen Aulin Backpackers Campground
Tuolumne Co: CA 95389–
Landholding Agency: Interior
Property Number: 61200520003
Status: Unutilized
Reason: not accessible by road

Bldg. 2533
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520005
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldg. 13111
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520006
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldgs. 53325, 53326
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520007
Status: Excess
Reasons: Secured Area, Extensive deterioration

5 Bldgs.
Marine Corps Base
53421, 53424 thru 53427
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520008
Status: Excess
Reasons: Secured Area, Extensive deterioration

Bldgs. 61311, 61313, 61314
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520009
Status: Excess

Reasons: Secured Area, Extensive deterioration

Bldgs. 61320–61324, 61326
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520010
Status: Excess
Reasons: Secured Area
Extensive deterioration

Bldgs. 62711 thru 62717
Marine Corps Base
Camp Pendleton Co: CA 92055–
Landholding Agency: Navy
Property Number: 77200520011
Status: Excess
Reasons: Secured Area, Extensive deterioration

Georgia

Bldgs. 00132, 00504
Fort McPherson
Fulton Co: GA 30330–1096
Landholding Agency: Army
Property Number: 21200520004
Status: Unutilized
Reason: Extensive deterioration

3 Buildings
Camp Merrill
00023, 00049, 00070
Dahlonega Co: Lumpkin GA 30533–
Landholding Agency: Army
Property Number: 21200520005
Status: Unutilized
Reason: Extensive deterioration

Bldg. 5101
Naval Submarine Base
Kings Bay Co: Camden GA 31547–
Landholding Agency: Navy
Property Number: 77200520004
Status: Unutilized
Reasons: Floodway, Secured Area, Extensive deterioration

Hawaii

Bldgs. 00001 thru 00051
Kipapa Ammor Storage Site
Honolulu Co: HI 96786–
Landholding Agency: Army
Property Number: 21200520006
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 00802, 01005
Wheeler Army Airfield
Wahiawa Co: Honolulu HI 96786–
Landholding Agency: Army
Property Number: 21200520007
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 01500 thru 01503
Wheeler Army Airfield
Honolulu Co: HI 96786–
Landholding Agency: Army
Property Number: 21200520008
Status: Unutilized
Reason: Extensive deterioration

Illinois

Trailers 115, T158
FERMILAB
Batavia Co: DuPage IL 60510–
Landholding Agency: Energy
Property Number: 41200520002
Status: Excess
Reason: Extensive deterioration

Iowa

3 Buildings
Iowa Army Ammo Plant
00036, 00816, 01067
Middletown Co: Des Moines IA 52601–
Landholding Agency: Army
Property Number: 21200520009
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Kansas

Bldg. 896
Fort Leavenworth
Leavenworth Co: KS 66027–
Landholding Agency: Army
Property Number: 21200520010
Status: Unutilized
Reason: Extensive deterioration

Kentucky

Bldg. 00023
Blue Grass Army Depot
Richmond Co: Madison KY 40475–
Landholding Agency: Army
Property Number: 21200520011
Status: Unutilized
Reason: Secured Area

Bldg. 3110
Fort Campbell
Christian Co: KY 42223–
Landholding Agency: Army
Property Number: 21200520012
Status: Unutilized
Reason: Extensive deterioration

Bldg. 06446
Fort Campbell
Christian Co: KY 42223–
Landholding Agency: Army
Property Number: 21200520013
Status: Unutilized
Reason: Extensive deterioration

Bldg. 06448
Fort Campbell
Christian Co: KY 42223–
Landholding Agency: Army
Property Number: 21200520014
Status: Unutilized
Reason: Extensive deterioration

Bldg. 07230
Fort Campbell
Christian Co: KY 42223–
Landholding Agency: Army
Property Number: 21200520015
Status: Unutilized
Reason: Extensive deterioration

Maryland

Bldg. 73
Fort George G. Meade
Anne Arundel Co: MD 20755–5115
Landholding Agency: Army
Property Number: 21200520016
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 2222C, 2222D
Fort George G. Meade
Anne Arundel Co: MD 20755–5115
Landholding Agency: Army
Property Number: 21200520017
Status: Unutilized
Reason: Extensive deterioration

Bldg. 3185
Fort George G. Meade
Anne Arundel Co: MD 20755–5115
Landholding Agency: Army
Property Number: 21200520018
Status: Unutilized
Reason: Extensive deterioration

Bldg. 4674A
Fort George G. Meade
Anne Arundel Co: MD 20755–5115
Landholding Agency: Army
Property Number: 21200520019
Status: Unutilized
Reason: Extensive deterioration

Bldg. 8610
Fort George G. Meade
Anne Arundel Co: MD 20755–5115
Landholding Agency: Army
Property Number: 21200520020
Status: Unutilized
Reason: Extensive deterioration

38 Bldgs.
Aberdeen Proving Grounds
Aberdeen Co: Harford MD 21005–
Location: Chemical Warfare Neutralization Site
Landholding Agency: Army
Property Number: 21200520021
Status: Underutilized
Reason: Secured Area

Bldg. 02831
Aberdeen Proving Ground
Harford Co: MD 21005–
Landholding Agency: Army
Property Number: 21200520072
Status: Unutilized
Reason: Secured Area

Bldg. E5000
Aberdeen Proving Ground
Edgewood Co: Harford MD 21005–
Landholding Agency: Army
Property Number: 21200520073
Status: Unutilized
Reason: Secured Area

Michigan

4 Buildings
Detroit Arsenal
T0209, T0216, T0246, T0247
Warren Co: Macomb MI 48397–5000
Landholding Agency: Army
Property Number: 21200520022
Status: Unutilized
Reason: Secured Area

New Hampshire

CRREL Greenhouse
Lyme Road
Hanover Co: Grafton NH 03755–
Landholding Agency: GSA
Property Number: 54200520009
Status: Excess
Reason: Extensive deterioration, GSA Number: 1–D–NH–496

New Jersey

Bldgs. 9167B, 9904
Fort Dix
Burlington Co: NJ 08640–
Landholding Agency: Army
Property Number: 21200520023
Status: Unutilized
Reason: Extensive deterioration

Bldg. 178
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520024
Status: Unutilized

Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

5 Bldgs.
Picatinny Arsenal 214–216, 221, 225
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520025
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

4 Bldgs.
Picatinny Arsenal 230, 230A, 230B, 230G
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520026
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 232, 234, 235
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520027
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 338
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520028
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

4 Bldgs.
Picatinny Arsenal 408, 424, 424C, 424D
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520029
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

5 Bldgs.
Picatinny Arsenal 427, 427B, 429A, 430B, 477
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520030
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 525A, 566
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520031
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 611C, 634, 637
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520032
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

4 Bldgs.
Picatinny Arsenal 641C, 641D, 641F, 641G
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520033
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

4 Bldgs.
Picatinny Arsenal 652B, 655, 658, 659
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520034
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 1241, 1242, 1242A
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520035
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

6 Bldgs.
Picatinny Arsenal
Dover Co: NJ 07806–5000
Location: 1354, 1357, 1357A, 1359, 1359A, 1361
Landholding Agency: Army
Property Number: 21200520036
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 1400, 1510B
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520037
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldgs. 01600, 01611
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520038
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

Bldg. 3612
Picatinny Arsenal
Dover Co: NJ 07806–5000
Landholding Agency: Army
Property Number: 21200520039
Status: Unutilized
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

New York

Quarters 3018
U.S. Military Academy
Highlands Co: Orange NY 10996–1592
Landholding Agency: Army
Property Number: 21200520040
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00805
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520041
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 00904, 00913
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520042
Status: Unutilized
Reason: Extensive deterioration

Bldg. 02362
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520043
Status: Unutilized
Reason: Extensive deterioration

Bldg. 03827
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520044
Status: Unutilized
Reason: Extensive deterioration

Bldg. 04898
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520045
Status: Unutilized
Reason: Extensive deterioration

Bldg. 21616
Fort Drum
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520046
Status: Unutilized
Reason: Extensive deterioration

4 Bldgs.
Fort Drum
22412, 22416, 22462, 22606
Jefferson Co: NY 13602–
Landholding Agency: Army
Property Number: 21200520047
Status: Unutilized
Reason: Extensive deterioration

Ohio

Army Reserve Activity #56
Jack Gibbs Blvd.
Columbus Co: OH 43215–1795
Landholding Agency: GSA
Property Number: 54200520008
Status: Surplus
Reason: Extensive deterioration
GSA Number: 1–D–OH–05832A

Oklahoma

Bldgs. 00437, 00438
McAlester Army Ammo Plant
Pittsburg Co: OK 74501–
Landholding Agency: Army
Property Number: 21200520048
Status: Excess
Reasons: Secured Area, Extensive deterioration

Pennsylvania

Bldg. 00039
Carlisle Barracks
Cumberland Co: PA 17013–
Landholding Agency: Army
Property Number: 21200520049
Status: Excess
Reason: Extensive deterioration

South Carolina

Bldg. 5882
Fort Jackson
Richland Co: SC 29207–
Landholding Agency: Army
Property Number: 21200520050
Status: Unutilized
Reason: Extensive deterioration

Tennessee

Air Raid Shelters
Milan Army Ammo Plant
Gibson Co: TN 38358–

Location: A001U–A119U, B001U–B008U, C001U–C010U, D001U–D010U, E001U–E010U, F001U–F010U, G001U–G010U, H001U–H005U
Landholding Agency: Army
Property Number: 21200520051
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. X0028
Milan Army Ammo Plant
Gibson Co: TN 38358–
Landholding Agency: Army
Property Number: 21200520052
Status: Excess
Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 02107
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520053
Status: Unutilized
Reason: Extensive deterioration

3 Bldgs.
Fort Campbell
02133, 02427, 02556
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520054
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 02152, 02188
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520055
Status: Unutilized
Reason: Extensive deterioration

Bldg. 2440
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520056
Status: Unutilized
Reason: Extensive deterioration

3 Bldgs.
Fort Campbell
2529, 2534, 2536
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520057
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 02537, 02539
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520058
Status: Unutilized
Reason: Extensive deterioration

3 Bldgs.
Fort Campbell
2625, 2627, 2746
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520059
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 02625, 02627
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520060
Status: Unutilized
Reason: Extensive deterioration

Bldg. 05613
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520061
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 07352, 07814
Fort Campbell
Montgomery Co: TN 42223–
Landholding Agency: Army
Property Number: 21200520062
Status: Unutilized
Reason: Extensive deterioration

Quarters 240
Natchez Trace Pkwy
Hohenwald Co: Lewis TN 38462–
Landholding Agency: Interior
Property Number: 61200520006
Status: Excess
Reason: Extensive deterioration

Tract 01–167
National Military Park
Shiloh Co: Hardin TN 38376–
Landholding Agency: Interior
Property Number: 61200520007
Status: Excess
Reason: Extensive deterioration

Tract 01–168
National Military Park
Shiloh Co: Hardin TN 38376–
Landholding Agency: Interior
Property Number: 61200520008
Status: Excess
Reason: Extensive deterioration

Texas

Bldgs. 05110, 06088
Fort Sam Houston
Camp Bullis Co: Bexar TX –
Landholding Agency: Army
Property Number: 21200520063
Status: Excess
Reason: Extensive deterioration

Virginia

Bldg. 03509
Fort Lee
Prince George Co: VA 23801–
Landholding Agency: Army
Property Number: 21200520064
Status: Unutilized
Reason: Extensive deterioration

Bldg. 12401
Fort Lee
Prince George Co: VA 23801–
Landholding Agency: Army
Property Number: 21200520065
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00607
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520066
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00612
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520067
Status: Unutilized
Reason: Extensive deterioration

Bldg. 00678
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520068
Status: Unutilized
Reason: Extensive deterioration

Bldgs. 00772–00773
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520069
Status: Unutilized
Reason: Extensive deterioration

Bldg. 01084
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520070
Status: Unutilized
Reason: Extensive deterioration

Bldg. 01930
Fort Belvoir
Fairfax Co: VA 22060–
Landholding Agency: Army
Property Number: 21200520071
Status: Unutilized
Reason: Extensive deterioration

Washington

Bldg. 1101
N. Cascades Natl Park
Whatcom Co: WA
Landholding Agency: Interior
Property Number: 61200520009
Status: Unutilized
Reason: Extensive deterioration

[FR Doc. 05–8335 Filed 4–28–05; 8:45 am]
BILLING CODE 4210–29–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–050–1610–DQ–018E]

Notice of Availability of the Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS) for the Dillon Field Office, Montana

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: Under the authority of the Federal Land Policy and Management Act (FLPMA) of 1976 and in accordance with the National Environmental Policy Act (NEPA) of 1969, the Bureau of Land Management (BLM) has prepared a Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS) for public lands and resources administered by the BLM's Dillon Field Office. The PRMP/FEIS provides direction and guidance for the management of approximately

900,000 acres of public land and 1.3 million acres of Federal mineral estate located in Beaverhead and Madison Counties in southwestern Montana and replaces the Dillon Management Framework Plan approved in September 1979.

DATES: BLM Planning Regulations (43 CFR 1610.5–2) state that any person who participated in the planning process, and has an interest that may be adversely affected, may protest. The protest must be filed within 30 days of the date that the Environmental Protection Agency publishes this notice in the **Federal Register**. Instructions for filing a protest are described in the ''Dear Reader'' letter in the PRMP/FEIS and are also included in the **SUPPLEMENTARY INFORMATION** section of this notice. The date ending the protest period will be announced through public notices, media news releases, newsletter mailings, and on the Dillon RMP Web site at *http://www.mt.blm.gov/dfo/rmp* after publication of the Notice of Availability by the Environmental Protection Agency. No extensions will be granted.

ADDRESSES: Documents pertinent to the PRMP/FEIS will be available for public inspection at the Dillon Field Office, 1005 Selway Drive, Dillon, Montana during regular business hours, 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays. Interested persons may also review the PRMP/FEIS on the Internet at *http://www.mt.blm.gov/dfo/rmp* and at locations in and near the planning area as detailed in the **SUPPLEMENTARY INFORMATION** section.

Protests must be submitted in writing and sent by regular mail to: Director (210), Bureau of Land Management, Attention: Brenda Williams, P.O. Box 66538, Washington, DC 20035, or by overnight mail (*i.e.,* Federal Express) to: Director (210), Bureau of Land Management, Attention: Brenda Williams, 1620 L Street, NW., Suite 1075, Washington, DC 20036. *See* the **SUPPLEMENTARY INFORMATION** section for additional information on filing protests.

FOR FOR FURTHER INFORMATION CONTACT: Renee Johnson, RMP Project Manager, 1005 Selway Drive, Dillon, Montana, 59725, telephone (406–683–8016), fax (406–683–2970), or e-mail (*MT_Dillon_RMP@blm.gov*). Do not send protests to these addresses—*see* the **SUPPLEMENTARY INFORMATION** section for instructions on submitting a protest.

SUPPLEMENTARY INFORMATION: The Dillon Field Office planning area is located in the southwestern portion of Montana in Beaverhead and Madison Counties. The area addressed in the plan contains 901,226 acres of public surface estate and 1,354,710 acres of Federal mineral estate administered by the BLM Dillon Field Office. The PRMP/FEIS focuses on the principles of multiple use and sustained yield as prescribed by Section 202 of the FLPMA. Beaverhead and Madison Counties participated in development of the plan as cooperating agencies with special expertise.

The Draft Resource Management Plan and Environmental Impact Statement (DRMP/EIS) made available for review on April 9, 2004, addressed four alternatives: Alternative A (No Action/Continuation of Current Management), Alternative B (Agency Preferred), and two other alternatives (Alternatives C and D) that provide for variable levels of resource protection, commodity production, and land and resource allocations and uses. These alternatives were developed based on extensive public input and internal BLM discussions. The public involvement and collaboration process implemented for this planning effort began with a situation assessment conducted prior to scoping to identify public involvement strategies, and continued with five open houses in September and October 2001, an Information Fair in April 2002 to discuss and gather data to be used in the plan, release of reports on Wild and Scenic River and Area of Critical Environmental Concern (ACEC) findings in 2002 and 2003, respectively, release of an RMP Digest document in January 2003 describing the current situation followed by nine alternative development workshops in February 2003, incorporation of recommendations from three Western Montana RAC subgroups, five open houses in May 2004 after release of the DRMP/EIS, two oral comment meetings, and additional RAC review.

The major issues addressed in the alternatives include upland and riparian management, forest and woodland management, noxious weeds, sage grouse and westslope cutthroat trout conservation, commercial uses (including livestock grazing, mineral development, oil and gas leasing, right-of-ways and communication use areas), Areas of Critical Environmental Concern (ACECs), Wild and Scenic Rivers, and travel management.

Adjustments and clarifications have been made to Alternative B, the Preferred Alternative in the DRMP/EIS, after careful consideration of both public and internal comments received on the draft. As modified, Alternative B is now the Proposed Plan as presented in the PRMP/FEIS, providing a balance of resource uses and protections. These adjustments did not result in any significant change to the plan outside the range of alternatives detailed in the draft. The Proposed Plan will help BLM meet its mandate of multiple use and sustained yield, and recommends the designation of eight new ACECs. Restrictions on uses or activities in ACECs will only occur to the degree necessary to prevent degradation of relevant and important values for which an area is designated.

Documents pertinent to the PRMP/FEIS are available for public inspection at the Dillon Field Office, 1005 Selway Drive, Dillon, Montana during regular business hours, 7:45 a.m. to 4:30 p.m., Monday through Friday, except holidays. Copies of the PRMP/FEIS have been sent to individuals, agencies, and groups as requested or as required by regulation or policy. Interested persons may also view the PRMP/FEIS on the Internet at *http://www.mt.blm.gov/dfo/rmp* or at one of the following locations in and near the planning area:

Beaverhead County Courthouse, Commissioner's Office, Dillon
BLM Butte Field Office
BLM Dillon Field Office
BLM Ennis Field Station
BLM Missoula Field Office
Bozeman Public Library
Dillon Public Library
Ennis Public Library
Lima Town Hall
Madison County Courthouse, Commissioner's Office, Virginia City
Red Rocks Refuge, Lakeview
Sheridan Forest Service Office
Twin Bridges Public Library
Whitehall Public Library
Wisdom Forest Service Office
Wise River Forest Service Office

The resource management planning process provides an opportunity for public, administrative review of proposed land use plan decisions contained in the PRMP/FEIS during a 30-day protest period. Any person who participated in the planning process for this PRMP/FEIS that has an interest which is or may be adversely affected may protest approval of the land use plan decisions contained within the PRMP/FEIS during this 30-day period. Instructions for filing a protest with the Director of the BLM regarding the PRMP/FEIS may be found at 43 CFR 1610.5. A protest may only raise those issues that were submitted for the record during the planning process. E-mail and faxed protests will not be accepted as valid protests unless the protesting party also provides the original letter by either regular or overnight mail postmarked by the close of the protest period. Under these conditions, BLM will consider the e-

mail or faxed protest as an advance copy and it will receive full consideration. If you wish to provide BLM with such advance notification, please direct faxed protests to the attention of the BLM protest coordinator at 202–452–5112 and e-mails to *Brenda_Hudgens-Williams@blm.gov.* Please direct the follow-up letter to the appropriate address provided below. To be considered complete, your protest must contain (at a minimum) the following information:

(1) Name, mailing address, telephone number and the affected interest of the person filing the protest(s);

(2) A statement of the issue or issues being protested;

(3) A statement of the part or parts of the proposed plan being protested. To the extent possible, reference specific pages, paragraphs, and sections of the document;

(4) A copy of all documents addressing the issue or issues that were submitted during the planning process or an indication of the date the issue or issues were discussed with the BLM for the record;

(5) A concise statement explaining why the proposed decision is believed to be incorrect. This is a critical part of your protest. Document all relevant facts, as much as possible. A protest merely expressing disagreement with the State Director's proposed decision without providing any supporting data will not be considered a valid protest. All protests must be in writing and mailed to the following address: Regular Mail: Director (210), Bureau of Land Management, Attn: Brenda Williams, P.O. Box 66538, Washington DC, 20035. Overnight Mail: Director (210), Bureau of Land Management, Attn: Brenda Williams, 1620 L Street, NW., Suite 1075, Washington, DC 20036. To be considered timely, your protest must be postmarked no later than the last day of the protest period. The date ending the protest period will be announced through public notices, media news releases, newsletter mailings, and on the Dillon RMP Web site at *http://www.mt.blm.gov/dfo/rmp* after publication of the Notice of Availability by the Environmental Protection Agency. No extensions will be granted. Though not a requirement, we suggest you send your protest by certified mail, return receipt requested.

The Director will promptly render a decision on the protest. This decision will be in writing and will be sent to the protesting party by certified mail, return receipt requested. The decision of the Director shall be the final decision of the Department of the Interior. An Approved Plan/Record of Decision will be made available to the public following the resolution of any protests. Approval will be withheld on any portion of the PRMP/FEIS under protest until final action has been completed on such protest.

Please note that protests and comments, including names and street addresses, are available for public review and/or release under the Freedom of Information Act (FOIA). Individual respondents may request confidentiality. Respondents who wish to withhold name and/or street address from public review or from disclosure under FOIA must state this prominently at the beginning of the written comment. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or official organizations or business, will be made available for public inspection in their entirety.

Dated: January 21, 2005.

Martin C. Ott,

State Director.

[FR Doc. 05–8541 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–$$–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK–910–02–1410–PG]

Notice of Availability of the Draft East Alaska Resource Management Plan and Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: In accordance with the National Environmental Policy Act (NEPA), the Federal Land Policy and Management Act (FLPMA), and Bureau of Land Management (BLM) management policies, a Draft East Alaska Resource Management Plan and Environmental Impact Statement (Draft EARMP/EIS) has been prepared for public lands and resources administered by the Bureau of Land Management's Glennallen Field Office. The public is invited to review and comment on the range and adequacy of the draft alternatives and associated environmental effects. For comments to be most helpful, they should relate to specific concerns or conflicts that are within the legal responsibilities of the BLM and can be resolved in this planning process. The Draft EARMP/EIS will provide the management guidance for resource decisions on 7.1 million acres of BLM-administered lands in East Alaska. The EARMP/EIS will replace the Southcentral Management Framework Plan approved in 1980.

ADDRESSES: Written comments should be addressed or hand delivered to the BLM Glennallen Field Office, EARMP, P.O. Box 147, Mile 186.5 Glenn Highway, Glennallen, AK 99588. Comments can also be sent via e-mail to *ak_earmp@ak.blm.gov* or can be submitted at the project Web site: *http://www.glennallen.ak.blm.gov/landplan/index.html.* The Draft EARMP/EIS is also available for download on the project Web site. To request a CD or hard copy of the document or to be included on the mailing list, contact Tammy Larzelere, *tammy_larzelere@ak.blm.gov*, or via mail/phone at the above address. Comments, including names and street addresses of respondents, will be available to the Glennallen Field Office during regular business hours 7:30 a.m. to 4:30 p.m., Monday through Friday, except holidays, and may be published as part of the Proposed Resource Management Plan/Final Environmental Impact Statement. Individual respondents may request confidentiality. If you wish to withhold your name or street address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your written comments. Such requests will be honored to the extent allowed by the law. All submissions from organizations and business, and from individuals identifying themselves as representatives or officials or organizations or businesses, will be available for public inspection in their entirety. Section 810 of the Alaska National Lands Conservation Act requires the BLM to evaluate the effects of the alternative plans presented in this RMP/EIS on subsistence activities in the planning area, and to hold public hearings if it finds that any alternative might significantly restrict subsistence activities. Appendix V of the document indicates that Alternative B may significantly restrict subsistence; therefore, the BLM is holding a public hearing in conjunction with the public meetings discussed below.

DATES: Comments on the Draft EARMP/EIS will be accepted for 90 days following the date the Environmental Protection Agency publishes this Notice of Availability in the **Federal Register**. Comments on the Draft EARMP/EIS must be received on or before the end of the comment period at one of the addresses listed above. Public meetings will be held at Fairbanks, Glennallen,

Anchorage, Delta Junction, and Chistochina. Hearings will be held in Glennallen, Delta Junction, and Chistochina in conjunction with the public meeting. Meetings, hearings, and any other public involvement activities will be announced at least 15 days in advance through public notices, media news releases, and/or mailings.

FOR FURTHER INFORMATION CONTACT: Bruce Rogers (*bruce_rogers@ak.blm.gov*) or Tammy Larzelere (*tammy_larzelere@ak.blm.gov*) at (907) 822–3217.

SUPPLEMENTARY INFORMATION: The East Alaska RMP planning area covers 7.1 million acres of BLM-administered lands. The Draft EARMP/EIS focuses on the principles of multiple use and sustained yield as prescribed by Section 202 of the FLPMA. The Draft EARMP/EIS considers and analyzes four alternatives, including a No Action and a Preferred Alternative. The alternatives provide for an array of variable levels of commodity production and resource protection and restoration. The alternatives were developed based on extensive public scoping and involvement.

There are seven main issues addressed through this planning process. Issue 1, Travel Management, addresses management of access, roads, and the use of off-highway vehicles for various purposes, including recreation, commercial uses, subsistence activities, and the general enjoyment of public lands while protecting natural and cultural resources. Issue 2, Recreation, examines how recreation should be managed to provide a diversity of experiences on BLM-managed lands. The document analyzes what measures are necessary to ensure that a diversity of recreational opportunities is maintained and what level of commercial recreational use is appropriate to maintain a diversity of recreational opportunities. Issue 3, Special Resource Values, focuses on those unique, special values located within the planning area that were identified by resource specialists and the public, and includes discussions on wildlife, fisheries, soil, water, air, and vegetation. Issue 4, Lands and Realty, addresses the need to determine the appropriate mix of lands and realty actions needed to provide a balance between land use and resource protection. Special attention is paid to the Slana Settlement area, and the establishment of conditions that would make the area available for disposal while considering the effects of disposal on the social and environmental conditions of the area. Issue 5, Vegetation Management, examines management to provide for forest health, personal and commercial wood products, and fish and wildlife habitat. The role of fire is also explored. Issue 6, Leasable and Locatable Minerals, addresses the need to determine which areas should be made available for mineral exploration and development. Issue 7, Subsistence/Social and Economic Conditions, examines the need to maintain and protect subsistence opportunities and resources, as well as how the management actions, guidelines, and allowable uses described under the other issues will affect subsistence opportunities and resources. Social and economic effects are also addressed as part of this discussion.

The public involvement and collaboration process implemented for this effort included 30 public scoping meetings, 17 alternative development meetings, and meetings with Native and Village Corporations. The State of Alaska is participating in the planning effort as an informal cooperator.

After comments on the Draft EARMP/EIS are reviewed and any adjustments to the document are made, a Proposed RMP and Final Environmental Impact Statement are expected to be available in the fall of 2005.

Henri R. Bisson,

State Director.

[FR Doc. 05–8540 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–JA–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–100–05–1310–DB]

Notice of Meeting of the Pinedale Anticline Working Group's Socioeconomic Task Group

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (1976) and the Federal Advisory Committee Act (1972), the U.S. Department of the Interior, Bureau of Land Management (BLM) Pinedale Anticline Working Group (PAWG) Socioeconomic Task Group (subcommittee) will meet in Pinedale, Wyoming, for a business meeting. Task Group meetings are open to the public.

DATES: The PAWG Socioeconomic Task Group will meet May 26, 2005, June 28, 2005 and July 28, 2005. All meetings are from 10 a.m. until 2 p.m.

ADDRESSES: The May 26 and June 28 meetings of the PAWG Socioeconomic Task Group will be held in the Lovatt room of the Pinedale Library at 155 S. Tyler Ave., Pinedale, WY. The July 28 meeting will be held at the BLM Pinedale Field Office at 432 E. Mill St.

FOR FURTHER INFORMATION CONTACT: Roy Allen, BLM/Socioeconomic TG Liaison, Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Rd., Cheyenne, WY, 82009 or P.O. Box 1828, Cheyenne, WY 82003; 307–775–6031.

SUPPLEMENTARY INFORMATION: The Pinedale Anticline Working Group (PAWG) was authorized and established with release of the Record of Decision (ROD) for the Pinedale Anticline Oil and Gas Exploration and Development Project on July 27, 2000. The PAWG's charter is to advise the BLM on development and implementation of monitoring plans and adaptive management decisions for the life of the Pinedale Anticline natural gas field. The PAWG subsequently established seven resource- or activity-specific Task Groups, including one for Socioeconomics.

The agenda for these meetings will include information gathering and discussion related to implementation and funding of the socioeconomic monitoring plan to assess impacts of development in the Pinedale Anticline gas field. At a minimum, public comments will be heard just prior to adjournment of the meeting.

Dated: April 19, 2005.

Priscilla E. Mecham,

Field Manager.

[FR Doc. 05–8590 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–100–05–1310–DB]

Notice of Meeting of the Pinedale Anticline Working Group's Air Quality Task Group

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Land Policy and Management Act (1976) and the Federal Advisory Committee Act (1972), the U.S. Department of the Interior, Bureau of Land Management (BLM) Pinedale Anticline Working Group (PAWG) Air Quality Task Group (subcommittee) will meet in Pinedale, Wyoming, for a

business meeting. Task Group meetings are open to the public.

DATES: A PAWG Air Quality Task Group meeting is scheduled for June 16, 2005 from 8 a.m. until 5 p.m.

ADDRESSES: The meeting will be held at the U.S. Forest Service office at 29 E. Fremont Lake Rd., Pinedale, WY.

FOR FURTHER INFORMATION CONTACT: Susan Caplan, BLM/Air Quality TG Liaison, Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Rd., Cheyenne, WY 82009, or P.O. Box 1828, Cheyenne, WY 82003; 307–775–6031.

SUPPLEMENTARY INFORMATION: The Pinedale Anticline Working Group (PAWG) was authorized and established with release of the Record of Decision (ROD) for the Pinedale Anticline Oil and Gas Exploration and Development Project on July 27, 2000. The PAWG's charter is to advise the BLM on development and implementation of monitoring plans and adaptive management decisions for the life of the Pinedale Anticline natural gas field. The PAWG subsequently established seven resource- or activity-specific Task Groups, including one for Air Quality.

The agenda for this meeting will include information gathering and discussion related to implementation and funding of the air quality monitoring plan for the Pinedale Anticline gas field. At a minimum, public comments will be heard just prior to adjournment of the meeting.

Dated: April 19, 2005.

Priscilla E. Mecham,

Field Manager.

[FR Doc. 05–8591 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

National Park Service

National Capital Memorial Advisory Commission; Notice of Public Meeting

AGENCY: Department of the Interior, National Park Service, National Capital Memorial Advisory Commission.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given that a meeting of the National Capital Memorial Advisory Commission (the Commission) will be held on Wednesday, May 11, 2005, at 1:30 p.m., at the National Building Museum, Room 312, 401 F Street, NW., Washington, DC.

The purpose of the meeting will be to discuss currently authorized and proposed memorials in the District of Columbia and its environs. In addition to discussing general matters and conducting routine business, the Commission will review the status of legislative proposals introduced in the 108th Congress to establish memorials in the District of Columbia and its environs, as follows:

Action Items

(1) Site Selection Study, Vietnam Veterans Memorial Education Center (continued from March 15, 2005).

(2) Legislation currently under consideration by the 109th Congress.

Informational Items

(1) Congressional actions taken on bills previously reviewed by the Commission.

Other Business

(1) General matters and routine business.

The meeting will be open to the public. Any person may file with the Commission a written statement concerning the matters to be discussed. Persons who wish to file a written statement or testify at the meeting or who want further information concerning the meeting may contact Ms. Nancy Young, Secretary to the Commission, at (202) 619–7097.

DATES: May 11, 2005, at 1:30 p.m.

ADDRESSES: National Building Museum, Room 312, 401 F Street, NW., Washington, DC 20001.

FOR FURTHER INFORMATION CONTACT: Ms. Nancy Young, Secretary to the Commission, 202–619–7097.

SUPPLEMENTARY INFORMATION: The Commission was established by Public Law 99–652, the Commemorative Works Act (40 U.S.C. Chapter 89 *et seq.*), to advise the Secretary of the Interior (the Secretary) and the Administrator, General Services Administration, (the Administrator) on policy and procedures for establishment of, and proposals to establish, commemorative works in the District of Columbia and its environs, as well as such other matters as it may deem appropriate concerning commemorative works.

The Commission examines each memorial proposal for conformance to the Commemorative Works Act, and makes recommendations to the Secretary and the Administrator and to Members and Committees of Congress. The Commission also serves as a source of information for persons seeking to establish memorials in Washington, DC, and its environs.

The members of the Commission are as follows:

Director, National Park Service
Administrator, General Services Administration
Chairman, National Capital Planning Commission
Chairman, Commission of Fine Arts
Mayor of the District of Columbia
Architect of the Capitol
Chairman, American Battle Monuments Commission
Secretary of Defense

Dated: March 29, 2005.

Joseph M. Lawler,

Regional Director, National Capital Region.

[FR Doc. 05–8534 Filed 4–28–05; 8:45 am]

BILLING CODE 4312–JK–P

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

Pick-Sloan Missouri Basin Program, Eastern and Western Division Proposed Project Use Power Rate

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of proposed Pick-Sloan Missouri Basin Program, Eastern and Western divisions, Project Use Power Rate Adjustment.

SUMMARY: The Bureau of Reclamation (Reclamation) is proposing a rate adjustment (proposed rate) for Project Use Power for the Pick-Sloan Missouri Basin Program (P–SMBP), Eastern and Western Division. The proposed rate for Project Use Power is to recover all annual operating, maintenance, and replacement expenses. The analysis of the proposed Project Use Rate is included in a booklet available upon request. The proposed rate for Project Use Power will become effective August 1, 2005.

This notice provides the opportunity for public comment. After review of comments received, Reclamation will consider them, revise the rates if necessary, and recommend a proposed rate for approval to the Secretary of the Interior's Office.

DATES: The comment period will begin with publication of this notice in the **Federal Register**. To be assured consideration, please submit comments on or before June 6, 2005.

ADDRESSES: Written comments should be sent to Kerry McCalman, GP–2020, Power O&M Administrator, Bureau of Reclamation, P.O. Box 36900, Billings, MT 59107–6900.

All booklets, studies, comments, letters, memoranda, and other documents made or kept by Reclamation for the purpose of developing the proposed rate for Project Use Power will be made available for inspection and copying at the Great Plains Regional Office, located at 316

North 26th Street, Billings, Montana 59107–6900.

FOR FURTHER INFORMATION CONTACT: Kerry McCalman, Bureau of Reclamation, Great Plains Regional Office, at (406) 247–7705 or by e-mail at *kmccalman@gp.usbr.gov*.

SUPPLEMENTARY INFORMATION:

Proposed Rate Adjustment

Power rates for the P–SMBP are established pursuant to the Reclamation Act of 1902 (43 U.S.C. 371 *et seq.*), as amended and supplemented by subsequent enactments, particularly section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)) and the Flood Control Act of 1944 (58 Stat. 887).

Beginning August 1, 2005, Reclamation proposes to:

(a) Increase the energy charge from 10.76 mills/kWh to 12.55 mills/kWh.

(b) The monthly demand charge will remain at zero.

The Project Use Power rate will be reviewed each time Western Area Power Administration (Western) adjusts the P–SMBP Firm power rate. Western will conduct the necessary studies and use the methodology identified in this rate proposal to determine a new rate.

The existing rate schedule MRB–P11 placed into effect on March 22, 2002, will be replaced by rate schedule MRB–P12. The new rate schedule will include a penalty for exceeding the contract rate of delivery (CROD). Energy usage in excess of the CROD will be billed at a rate 10 times the project use power rate. This will be calculated on a prorated basis. The customer will also be billed for any increased capacity and transmission charges incurred as a result of exceeding the CROD.

In compliance with the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321 *et seq.*; Council on Environmental Quality Regulations (40 CFR parts 1500–1508); and Reclamation's Regulations (10 CFR part 1021), Reclamation has determined that this action is categorically excluded from the preparation of an Environmental Assessment or Environmental Impact Statement.

Our practice is to make comments, including names and home addresses of respondents, available for public review. Individual respondents may request that we withhold their home address from public disclosure, which we will honor to the extent allowable by law. There also may be circumstances in which we would withhold a respondent's identity from public disclosure, as allowable by law. If you wish us to withhold your name and/or address, you must state this prominently at the beginning of your comment. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, available for public disclosure in their entirety.

Dated: March 15, 2005.

Donald E. Moomaw,

Acting Regional Director.

[FR Doc. 05–8579 Filed 4–28–05; 8:45 am]

BILLING CODE 4310–MN–P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

April 19, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) 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). A copy of this ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on (202) 693–4129 (this is not a toll-free number) or e-mail: *king.darrin@dol.gov.*

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Bureau of Labor Statistics (BLS), Office of Management and Budget, Room 10235, Washington, DC 20503, 202–395–7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register.**

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 agency, 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 submission of responses.

Agency: Bureau of Labor Statistics.

Type of Review: Extension of a currently approved collection.

Title: CPS Volunteer Supplement.

OMB Number: 1220–0176.

Frequency: Annually.

Type of Response: Reporting.

Affected Public: Individuals or households.

Number of Respondents: 112,000.

Number of Annual Responses: 112,000.

Estimated Time Per Response: 4 minutes.

Total Burden Hours: 7,467.

Total Annualized capital/startup costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $0.

Description: The Volunteer Supplement provides information on the total number of individuals in the U.S. involved in unpaid volunteer activities, measures of the frequency or intensity with which individuals volunteer, types of organizations that facilitate volunteerism, activities in which volunteers participate, the prevalence of going abroad to do volunteer work, and reasons why former volunteers no longer do volunteer work.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 05–8542 Filed 4–28–05; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

April 22, 2005.

The Department of Labor (DOL) 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). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202–693–4129 (this is not a toll-free number) or e-mail: *king.darrin@dol.gov.*

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202–395–7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

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 agency, 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 submission of responses.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension of currently approved collection.

Title: Occupational Exposure to Hazardous Chemicals in Laboratories.

OMB Number: 1218–0131.

Frequency: On occasion; quarterly; semi-annually; monthly; and annually.

Type of Response: Recordkeeping and third party disclosure.

Affected Public: Business or other for-profit; not-for-profit institutions; Federal government; and State, local, or tribal government.

Number of Respondents: 43,300.

Number of Annual Responses: 874,984.

Estimated Time Per Response: Varies from 5 minutes for a variety of requirements (*e.g.*, for an office clerk to develop and post exposure-monitoring results) to 8 hours for an employer to develop a Chemical Hygiene Plan.

Total Burden Hours: 270,636.

Total Annualized capital/startup costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $32,615,952.

Description: 29 CFR 1910.1450 requires that employers monitor employee exposure to hazardous chemicals in laboratories, to provide medical consultation and examinations, to train employees about the hazards of chemicals in their working areas, and to establish and maintain accurate records of employee exposure to hazardous chemicals. These requirements help to protect workers from occupational illnesses resulting from exposure to hazardous chemicals in laboratories.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension of currently approved collection.

Title: Subpart R Steel Erection (29 CFR 1926.750 through 1926.761).

OMB Number: 1218–0241.

Frequency: On occasion.

Type of Response: Recordkeeping and third party disclosure.

Affected Public: Business or other for-profit; Federal government; and State, local, or tribal government.

Number of Respondents: 20,787.

Number of Annual Responses: 87,956.

Estimated Time Per Response: Varies from one minute for a controlling contractor to inform a steel erector to leave fall protection at the jobsite to three hours for controlling contractors to obtain approval from the project structural engineer of record before modifying anchor bolts.

Total Burden Hours: 30,339.

Total Annualized capital/startup costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $0.

Description: 29 CFR part 1926, Subpart R contains information-collection requirements that: Notify designated parties, especially steel erectors, that building materials, components, steel structures, and fall-protection equipment are safe for specific uses; and ensure that employees exposed to fall hazards receive specified training in the recognition and control of fall hazards.

Darrin A. King,

Acting Departmental Clearance Officer.

[FR Doc. 05–8543 Filed 4–28–05; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

April 20, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) 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). A copy of this ICR, with applicable supporting documentation, may be obtained by contacting the Darrin King on 202–693–4129 (this is not a toll-free number) or e-mail: *king.darrin@dol.gov.*

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202–395–7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register.**

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 agency, 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 submission of responses.

Agency: Employee Benefits Security Administration.

Type of Review: Extension of currently approved collection.

Title: Alternative Method of Compliance for Certain Simplified Employee Pensions.

OMB Number: 1210–0034.

Frequency: On occasion.

Type of Response: Third party disclosure.

Affected Public: Business or other for-profit; not-for-profit institutions; and individuals or households.

Number of Respondents: 35,660.

Number of Annual Responses: 103,590.

Estimated Time Per Response: 30 minutes to prepare a disclosure statement and 3 minutes to distribute a disclosure statement.

Total Burden Hours: 21,227.

Total Annualized capital/startup costs: $0.

Total Annual Costs (operating/maintaining systems or purchasing services): $25,813.

Description: Section 110 of ERISA authorizes the Secretary to prescribe alternative methods of compliance with the reporting and disclosure requirements of Title I of the Employee Retirement Income Security Act of 1974 (ERISA) for pension plans. Simplified Employee Pensions (SEPs) are established in section 408(k) of the Internal Revenue Code of 1986 (the Code). Although SEPs are primarily a

development of the Code subject to its requirements, SEPs are also pension plans subject to the reporting and disclosure requirements of Title I of ERISA.

The regulation at 29 CFR 2520.104–49 provides relief to sponsors of certain SEPs from ERISA's Title I reporting and disclosure requirements by prescribing an alternative method of compliance. These SEPs are, for purposes of this information collection, referred to as ''non-model SEPs'' because they exclude those SEPs which are created through use of Internal Revenue Service (IRS) Form 5305–SEP, and those SEPs in which the employer influences the employees as to their choice of IRAs to which employer contributions will be made, and that also prohibits withdrawals by participants. The alternative disclosure arrangement provided through this regulation relieves sponsors of non-model SEPs of most of the reporting and disclosure requirements under Title I of ERISA. Also, the disclosure requirements set forth in the regulation ensure that administrators of non-model SEPs provide participants with specific written information concerning SEPs. This information collection requirement generally requires timely written disclosure to employees eligible to participate in non-model SEPs, including specific information concerning: participation requirements; allocation formulas for employer contributions; designated contact persons for further information; and, for employer recommended IRAs, specific terms of the IRAs such as rates of return and any restrictions on withdrawals. Moreover, general information is required that provides a clear explanation of: the operation of the non-model SEP; participation requirements and any withdrawal restrictions; and the tax treatment of the SEP-related IRA. Furthermore, statements must be provided that inform participants of: any other IRAs under the non-model SEP other than that to which employer contributions are made; any options regarding rollovers and contributions to other IRAs; descriptions of IRS disclosure requirements to participants and information regarding social security integration (if applicable); and timely notification of any amendments to the terms of the non-model SEP.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 05–8544 Filed 4–28–05; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Employment Standards Administration Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that seciton, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersede as decisions thereto, contain no expiration dates and are effective from the date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration be the Department. Further information and self-explanatory forms for the purpose of Submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determination, 200 Constitution Avenue, NW., Room S–3014, Washington, DC 20210.

Modification to General Wage Determination Decisions

The number of decisions enlisted to the Government Printing Office document entitled ''General Wage Determination Issued Under the Davis-Bacon and Related Acts'' being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decision being modified.

Volume I

Connecticut
CT20030001 (Jun. 13, 2003)
CT20030003 (Jun. 13, 2003)
CT20030004 (Jun. 13, 2003)
CT20030006 (Jun. 13, 2003)

Volume II

Delaware
DE20030002 (Jun. 13, 2003)
DE20030009 (Jun. 13, 2003)
Virginia
VA20030055 (Jun. 13, 2003)

Volume III

Georgia
GA20030006 (Jun. 13, 2003)
GA20030032 (Jun. 13, 2003)
GA20030041 (Jun. 13, 2003)
GA20030053 (Jun. 13, 2003)
GA20030058 (Jun. 13, 2003)
GA20030066 (Jun. 13, 2003)

Volume IV

Michigan
MI20030001 (Jun. 13, 2003)

MI20030002 (Jun. 13, 2003)
MI20030003 (Jun. 13, 2003)
MI20030004 (Jun. 13, 2003)
MI20030005 (Jun. 13, 2003)
MI20030007 (Jun. 13, 2003)
MI20030013 (Jun. 13, 2003)
MI20030027 (Jun. 13, 2003)
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MI20030098 (Jun. 13, 2003)
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MI20030100 (Jun. 13, 2003)
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Arkansas
AR20030008 (Jun. 13, 2003)
Missouri
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NORTH DAKOTA
ND20030001 (Jun. 13, 2003)
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ND20030016 (Jun. 13, 2003)
ND20030019 (Jun. 13, 2003)

Volume VII

CALIFORNIA
CA20030009 (Jun. 13, 2003)
CA20030028 (Jun. 13, 2003)
CA20030029 (Jun. 13, 2003)
CA20030030 (Jun. 13, 2003)

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts''. This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at *http://www.access.gpo.gov/davisbacon*. They are also available electronically by subscription to the Davis-Bacon Online Service (*http://davisbacon.fedworld.gov*) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1–800–363–2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help Desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512–1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 21st day of April 2005.

John Frank,

Acting Chief, Branch of Construction Wage Determinations.

[FR Doc. 05–8355 Filed 4–28–05; 8:45 am]

BILLING CODE 4510–27–M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

1. Spartan Mining Company

[Docket No. M–2005–026–C]

Spartan Mining Company, HC78 Box 1800, Madison, West Virginia 25130 has filed a petition to modify the application of 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility) to its Scotch Pine Mine (MSHA I.D. No. 46–09095) and Midway Mine (MSHA I.D. No. 46–09045) located in Boone County, West Virginia. The petitioner proposes to use a 2400-volt power center to power a continuous miner with high-voltage trailing cables inby the last open crosscut and within 150 feet of pillar workings. The petitioner has outlined in this petition specific procedures that will be followed when the proposed alternative method is implemented. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

2. Aracoma Coal Company

[Docket No. M–2005–027–C]

Aracoma Coal Company, P.O. Box 1120, Holden, West Virginia 25625 has filed a petition to modify the application of 30 CFR 75.1909(b)(6) (Nonpermissible diesel-powered equipment; design and performance requirements) to its Alma #1 Mine (MSHA I.D. No. 46–08801) located in Logan County, West Virginia. The petitioner proposes to operate the one (1) six-wheel Getman Roadbuilder grader, model RDG–1504A, serial number 6782, as it was originally designed without front brakes. The petitioner states that the Getman Roadbuilder has dual brake systems on the four (4) rear wheels and is designed to prevent loss of braking due to a single component failure. The petitioner will provide training for the grader operators to lower the moldboard for additional stopping capability in emergency situations; to recognize the appropriate speeds to use on different roadway conditions; and to limit the maximum speed of the grader to 10 miles per hour. The petitioner asserts that the proposed alternative method will not result in a diminution of safety to the miners.

3. Genesis, Inc.

[Docket No. M–2005–028-C]

Genesis, Inc., P.O. Box 552, Somerset, Pennsylvania 15501–0552 has filed a petition to modify the application of 30 CFR 75.1100–2(e)(2) (Quantity and location of firefighting equipment) to its Genesis #17 Mine (MSHA I.D. No. 36–08980) located in Somerset County, Pennsylvania. The petitioner requests a modification of the existing standard to permit the use of an alternative method of compliance for firefighting equipment at temporary electrical installations. The petitioner proposes to use two (2) fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations in lieu of one fire extinguisher and 240 pounds of rock dust. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

4. Parkwood Resources, Inc.

[Docket No. M–2005–029–C]

Parkwood Resources, Inc., P.O. Box 552, Somerset, Pennsylvania 15501–0552 has filed a petition to modify the

application of 30 CFR 75.1100–2(e)(2) (Quantity and location of firefighting equipment) to its Cherry Tree Mine (MSHA I.D. No. 36–09224) located in Clearfield County, Pennsylvania. The petitioner requests a modification of the existing standard to permit the use of an alternative method of compliance for firefighting equipment at temporary electrical installations. The petitioner proposes to use two (2) fire extinguishers or one fire extinguisher of twice the required capacity at all temporary electrical installations in lieu of one fire extinguisher and 240 pounds of rock dust. The petitioner asserts that the proposed alternative method would provide at least the same measure of protection as the existing standard.

5. FMC Corporation

[Docket No. M–2005–001–M]

FMC Corporation, Box 872, Green River, Wyoming 82935 has filed a petition to modify the application of 30 CFR 57.22305 (Approved equipment (III mines)) to its FMC Trona Mine (MSHA I.D. No. 48–00152) located in Sweetwater County, Wyoming. The petitioner requests a modification of the existing standard to permit the use of a portable Leica DISTO laser distance meter inby the last open bread or face areas of the mine. The petitioner requests the use of an alternative method so that the equipment in areas covered by 30 CFR 57.22305 can be used safely. The petitioner states that examinations for methane in the mine atmosphere will be conducted prior to utilizing the laser distance meter and at a minimum every ten minutes during use; employees will complete a training form and will be instructed in the requirements for using the equipment; and that the equipment will not be operated in 1.0% or more methane. The petitioner asserts that the safety of the miners will not be reduced because ergonomic safety will be increased since the surveys will be better able to determine mining distances to the face that cannot safely be measured due to the roof being unbolted.

Request for Comments

Persons interested in these petitions are encouraged to submit comments via Federal eRulemaking Portal: *http://www.regulations.gov*; e-mail: *zzMSHA-Comments@dol.gov*; Fax: (202) 693–9441; or Regular Mail/Hand Delivery/Courier: Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209. All comments must be postmarked or received in that office on or before May 31, 2005. Copies of these petitions are available for inspection at that address.

Dated in Arlington, Virginia, this 22nd day of April 2005.

Rebecca J. Smith,

Acting Director, Office of Standards, Regulations, and Variances.

[FR Doc. 05–8573 Filed 4–28–05; 8:45 am]

BILLING CODE 4510–43–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–317 and 50–318]

Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2; Notice of Withdrawal of Application for Amendment to Renewed Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) has granted the request of Calvert Cliffs Nuclear Power Plant, Inc. (the licensee) to withdraw its June 7, 2004, application for proposed amendment to Renewed Facility Operating License No. DPR–53 and No. DPR–69, for the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, located in Lusby, MD.

The proposed amendment would have revised Technical Specification 3.9.4, ''Shutdown Cooling and Coolant Circulation-High Water Level,'' to incorporate the use of an alternate cooling method to function as a path for decay heat removal when in Mode 6 with the refueling pool fully flooded.

The Commission had previously issued a Notice of Consideration of Issuance of Amendment published in the **Federal Register** on November 29, 2004 (69 FR 69417). However, by letter dated March 30, 2005, the licensee withdrew the proposed change.

For further details with respect to this action, see the application for amendment dated June 7, 2004, and the licensee's letter dated March 30, 2005, which withdrew the application for license amendment. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the internet at the NRC Web site, *http://www.nrc.gov/reading-rm/adams/html.* Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1–800–397–4209, or 301–415–4737 or by e-mail to *pdr@nrc.gov.*

Dated at Rockville, Maryland, this 25th day of April 2005.

For the Nuclear Regulatory Commission.

Richard V. Guzman,

Project Manager, Section 1,Project Directorate I, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. E5–2052 Filed 4–28–05; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–11]

Notice of Issuance of Amendment to Materials License No. SNM–2510; Sacramento Municipal Utility District; Rancho SECO Independent Spent Fuel Storage Installation

AGENCY: Nuclear Regulatory Commission.

ACTION: License Amendment.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC or Commission) has issued Amendment 2 to Materials License SNM–2510 held by Sacramento Municipal Utility District (SMUD) for the receipt, possession, transfer, and storage of spent fuel at the Rancho Seco Independent Spent Fuel Storage Installation (ISFSI), located on the site of the Rancho Seco Nuclear Generating Station located in Sacramento County, California. The amendment is effective as of the date of issuance.

FOR FURTHER INFORMATION CONTACT: James R. Hall, Senior Project Manager, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 415–1336; fax number: (301) 415–8555; email: *jrh@nrc.gov*.

SUPPLEMENTARY INFORMATION: By application dated July 29, 2004, SMUD submitted a request to the NRC, in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 72.56, ''Application for amendment of license,'' to amend the License for the Rancho Seco ISFSI to allow for the storage of Greater than Class C (GTCC) waste. This requested change does not affect the design, operation, or surveillance of the ISFSI.

This amendment complies with the requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in

10 CFR Chapter I, which are set forth in the license amendment.

In accordance with 10 CFR 72.46(b)(2), a determination has been made that the amendment does not present a genuine issue as to whether public health and safety will be significantly affected. Therefore, the publication of a notice of proposed action and an opportunity for hearing or a notice of hearing is not warranted. Notice is hereby given of the right of interested persons to request a hearing on whether the action should be rescinded or modified.

The NRC staff has determined that the proposed action will not have a significant impact on the environment. For this action, an Environmental Assessment and Finding of No Significant Impact was prepared and published in the **Federal Register** (70 FR 16881, April 1, 2005). The request for amendment was docketed under 10 CFR Part 72, Docket 72–11. For further details with respect to this action, see the amendment request dated July 29, 2004, and December 2, 2004, supplement. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at: *http://www.nrc.gov/reading-rm/adams.html*. Copies of the referenced documents will also be available for review at the NRC Public Document Room (PDR), located at 11555 Rockville Pike, Rockville, MD 20852. PDR reference staff can be contacted at 1–800–397–4209, 301–415–4737 or by e-mail to *pdr@nrc.gov*. The PDR reproduction contractor will copy documents for a fee.

Dated at Rockville, Maryland, this 18th day of April, 2005.

For the Nuclear Regulatory Commission.

James R. Hall,

Senior Project Manager Licensing Section, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

[FR Doc. E5–2051 Filed 4–28–05; 8:45 am]

BILLING CODE 7590–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33–8571; 34–51610; File No. 265–23]

Summary of Proposed Committee Agenda of Advisory Committee on Smaller Public Companies

AGENCY: Securities and Exchange Commission.

ACTION: Request for comments.

SUMMARY: The Advisory Committee is soliciting public comment on a summary of its proposed Committee Agenda. The Committee Agenda sets forth the specific issues that the Committee proposes to address in connection with its evaluation of the current securities regulatory system for smaller public companies, including the impact of the Sarbanes-Oxley Act of 2002 on areas under consideration.

DATES: Comments should be received on or before May 31, 2005.

ADDRESSES: Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet submission form (*http://www.sec.gov/info/smallbus/acspc.shtml*); or
- Send an e-mail to *rule-comments@sec.gov.* Please include File Number 265–23 on the subject line; or
- Use the Federal eRulemaking Portal (*http://www.regulations.gov*). Follow the instructions for submitting comments.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Committee Management Officer, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609.

All submissions should refer to File Number 265–23. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/info/smallbus/acspc.shtml*). Comments are also available for public inspection and copying in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20002. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT: Questions about this release should be referred to Kevin M. O'Neill, Special Counsel, at (202) 551–3260, or William A. Hines, Special Counsel, at (202) 551–3320, Office of Small Business Policy, Division of Corporation Finance, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0310.

SUPPLEMENTARY INFORMATION: At the request of the SEC Advisory Committee on Smaller Public Companies, the Commission is publishing this release soliciting public comments on the issues that the Committee proposes to address. The Commission announced the establishment of the Advisory Committee on December 16, 2004.

The Committee was officially established on March 23, 2005, with the filing of its Charter with Congress. The Charter provides that the Committee's objective is to assess the current regulatory system for smaller public companies under the securities laws and make recommendations for changes. The Charter directs the Committee to consider the following areas of inquiry, including the impact in each area of the Sarbanes-Oxley Act of 2002, Pub. L. 107–204, 116 Stat. 745 (July 30, 2002): (1) Frameworks for internal control over financial reporting applicable to smaller public companies, methods for management's assessment of such internal control, and standards for auditing such internal control; (2) corporate disclosure and reporting requirements and federally-imposed corporate governance requirements for smaller public companies; (3) accounting standards and financial reporting requirements applicable to smaller public companies; and (4) the process, requirements and exemptions relating to offerings of securities by smaller public companies, particularly public offerings.

In accordance with these Charter directives, the Committee approved a proposed Committee Agenda at a public meeting held on April 12, 2005. A summary of the Committee Agenda is set forth below. The full text of the Committee Agenda may be found on the Committee's Web page at *http://www.sec.gov/info/smallbus/acspc.shtml*. The Committee Agenda identifies in general terms the subjects that the Committee proposes to address. All interested parties are invited to submit their views, in writing, on any or all of the subjects identified, or on any other matter relating to the current regulatory system for smaller public companies under the securities laws that the Committee should consider addressing. The Committee specifically seeks public comment on the following questions relating to the proposed summary of the Committee Agenda:

Question 1: Are the subjects identified in the summary of the Committee Agenda the right subjects for the Committee to consider?

Question 2: Should the Committee consider subjects not identified in the summary of the Committee Agenda in order to properly fulfill its mandate?

Question 3: Should the Committee not consider some subjects identified in the

summary of the Committee Agenda for any reason, such as to conserve resources, to focus resources on other, more critical subjects, or because of the limited length of the Committee's 13-month term?

The Committee is interested in receiving comments identifying problems, but is most interested in receiving comments proposing solutions to problems.

Summary of Committee Agenda

1. Definition of ''Smaller Public Company''

1.1. Develop preliminary observations to be used for analysis of each substantive area under items 2 through 7 below.

1.2. Examine appropriateness of existing definitions.

1.3. How do existing definitions work? Are they meaningful and effective? Are they practical? Is it possible to develop risk-based or other definitions? Seek economic analysis.

2. Internal Control—Section 404 of Sarbanes-Oxley; S–K Item 308, S–X Reg. § 210.2–02(e)

2.1. Evaluate first quarter 2005 reports.

2.1.1. Effective control.

- Size/characteristics of company.

2.1.2. Ineffective control.

- Size/characteristics of company.
- Reasons for failure.
- Materiality of failure.

2.2. Evaluate benefits and costs/burdens for smaller public companies, including disproportionate costs/burdens, competitive disadvantages and effectiveness in preventing fraud.

2.2.1. Seek economic input.

2.2.2. Consider impact on ''tone at the top.''

2.2.3. Versus private companies and foreign companies.

2.3. Evaluate procedures used in first quarter reports.

2.3.1. Company procedures.

2.3.2. Auditor procedures.

2.3.3. What worked well.

2.3.4. What worked less well or did not work.

2.4. Mechanisms to evaluate.

2.4.1. Questionnaires prepared by FEI, NASDAQ and others.

2.4.2. One or more roundtables held by SEC and PCAOB.

2.4.3. Other written or oral input.

3. Corporate Governance Standards

3.1. Review and catalog.

3.2. Evaluate impact of requiring independent directors for smaller public companies.

3.2.1. Boards themselves and Committees.

3.2.2. Impact on controlling families or other controlling shareholders.

3.2.3. Impact on other stakeholders.

3.2.4. Impact of stakeholders on effectiveness of independent directors.

3.2.5. Loss of market and company knowledge and experience.

3.3. Evaluate impact of independence definitions.

3.3.1. Boards themselves and Committee.

3.3.2. Adequate supply of competent directors.

3.3.3. How are boards/committees performing?

3.3.4. Cost of board operation.

3.3.5. Other.

3.4. Evaluate impact of special requirements on audit committee make-up and operation.

3.4.1. Special independence requirements.

3.4.2. Financial expertise requirements and disclosure requirements.

3.4.3. Loss of operational knowledge, experience and depth.

3.5. Recommendations.

4. Effects of other Statutory Requirements and Commission Regulations, including under Sarbanes-Oxley, on Smaller Public Companies

4.1. Officers' certifications.

4.2. Auditing firm's standards and requirements.

4.3. Prohibition of loans to executive officers and directors.

4.4. Other.

4.5. Recommendations.

5. Disclosure Requirements

5.1. How do disclosure requirements affect smaller public companies?

5.2. Analyze Regulation S–B (including seeking economic input).

5.3. Analyze forms and requirements.

5.3.1. Exchange Act periodic reporting forms (10–K, 10–KSB, 10–Q, 10–QSB).

5.3.2. Special Securities Act forms (SB–1, SB–2).

5.3.3. Are S–B forms helpful, beneficial, effective or negative, both for the issuer and the investor market?

5.4. Identify other aspects of disclosure regime that might be modified for smaller public companies.

5.5. Identify other possible scaling standards.

5.5.1. Is size the most appropriate standard or is risk?

5.5.2. Are revenues a better scaling standard for some disclosure rules and other regulations?

5.5.3. Should other alternatives be considered?

5.6. Liability concerns.

5.7. Consider issues of delinquent and deficient micro-cap disclosure.

5.8. Evaluate the balance of disclosure to protect investors with the competitive needs of smaller public companies.

5.9. Recommendations.

6. Accounting Principles

6.1. Evaluate ''one size fits all'' vs. ''Big GAAP-Little GAAP.''

6.2. Identify priority accounting principles, if any, where modifications might be considered for smaller public companies.

6.3. Emphasize importance of cash in many smaller companies.

6.4. Analyze overlay and impact of other regulatory schemes (financial institutions, insurance, government contractors, *etc.*).

6.5. Analyze role of outside audit firms with respect to smaller companies, *e.g.*, environmental shift in role of auditors, communications with outside auditors, concentration of Big Four accounting firms, difficulty in switching audit firms.

6.6. Analyze whether extended effective dates for smaller companies are appropriate for future accounting principles.

6.7. Recommend changes, if any.

7. Capital Formation

7.1. Analyze existing structure.

7.2. Analyze selected exemptions from registration and subsequent reporting.

7.3. Evaluate Regulation A.

7.4. Analyze investment banker roles.

7.5. Analyze analysts' coverage.

7.6. Costs and timing to get access to markets.

7.6.1. Broader access to capital, including foreign markets.

7.6.2. Possible roles of capital formation specialists, including brokers and ''finders.''

7.7. Cost of and ability to exit the markets.

7.8. Possible improvements in interaction and interplay between federal law or SEC, state laws or state regulators, and self-regulatory organizations and rules (*e.g.*, Rule 15c2–11).

7.9. Liability issues.

7.10. Recommendations.

8. Small Business Forums and Related Issues

8.1. Analyze recommendations from recent SEC Small Business Forums.

8.2. Review small business statutes (Regulatory Flexibility Act and 1980 Small Business Investment Incentive Act).

General Request for Comment: Any interested person wishing to submit written comments on any aspect of the summary of the Committee Agenda, as

well as on other matters relating to this release, is requested to do so.

Authority: In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 1, § 10(a), Gerald J. Laporte, Designated Federal Officer of the Committee, has approved publication of this release at the request of the Committee. The solicitation of comments is being made solely by the Committee and not by the Commission. The Commission is merely providing its facilities to assist the Committee in soliciting public comment from the widest possible audience.

Dated: April 26, 2005.

Jonathan G. Katz,

Committee Management Officer.

[FR Doc. 05–8622 Filed 4–26–05; 3:07 pm]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of May 2, 2005:

A Closed Meeting will be held on Tuesday, May 3, 2005 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Atkins, as duty officer, voted to consider the items listed for the closed meeting in closed session that no earlier notice thereof was possible.

The subject matter of the Closed Meeting scheduled for Tuesday, May 3, 2005, will be: Formal orders of investigations; Institution and settlement of injunctive actions; and Settlement of administrative proceedings of an enforcement nature.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942–7070.

Dated: April 27, 2005.

Jonathan G. Katz,

Secretary.

[FR Doc. 05–8670 Filed 4–27–05; 11:18 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

Order of Suspension of Trading

April 27, 2005.

In the Matter of Active Link Communications, Inc., Affinity International Travel Systems, Inc., BIFS Technologies Corp., Brandmakers, Inc., Consolidated General Corp., ePhone Telecom, Inc., E-Rex, Inc., IEMI, MPTV, Inc., National Institute Companies of America, Inc., Read-Rite Corp., and Upgrade International Corp.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Active Link Communications, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending June 30, 2003.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Affinity International Travel Systems, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending March 31, 2001.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of BIFS Technologies Corp., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending September 30, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Brandmakers, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending March 31, 2003.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Consolidated General Corp. (f/k/a Java Group, Inc.), because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending December 31, 1996.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of ePhone Telecom, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending June 30, 2003.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of E-Rex, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending September 30, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of IEMI, because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending September 30, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of MPTV, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending September 30, 2002.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of National Institute Companies of America, Inc., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having never filed a periodic report since its June 23, 2000 initial registration.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Read-Rite Corp., because it is delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending March 30, 2003.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Upgrade International Corp., because it is

delinquent in its periodic filing obligations under Section 13(a) of the Securities Exchange Act of 1934, having not filed a periodic report since the period ending June 30, 2002.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed companies.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the above-listed companies is suspended for the period from 9:30 a.m. EDT on April 27, 2005, through 11:59 p.m. EDT on May 10, 2005.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 05–8671 Filed 4–27–05; 12:01 pm]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–51596; File No. SR–Phlx–2005–19]

Self-Regulatory Organizations; Philadelphia Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change and Amendment No. 1 Relating to Fees Relating to Merger Spreads and Dividend Spreads

April 21, 2005.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on March 23, 2005, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') 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 by the Exchange. The Phlx submitted Amendment No. 1 to the proposal on April 19, 2005.[3] The proposed rule change, as amended, has been filed by the Phlx as establishing or changing a due, fee, or other charge, pursuant to Section 19(b)(3)(A)(ii) of the Act[4] and Rule 19b–4(f)(2)[5] thereunder, which renders the proposal effective upon filing with the Commission. 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 Phlx proposes to amend its schedule of fees to provide a rebate for certain trades executed pursuant to a merger spread strategy.[6] Specifically, the Exchange proposes to rebate $0.08 per contract side for Registered Options Trader (''ROTs'') executions and $0.07 per contract side for specialist executions made pursuant to a merger spread strategy on the business day prior to the date on which shareholders of record are required to elect their respective form of consideration (*i.e.*, cash or stock).

In addition, the Exchange proposes to adopt a fee cap on equity option transaction and comparison charges on both dividend spread transactions[7] and merger spread transactions. ROTs' and specialists' equity option transaction and comparison charges will be capped at $1,750 for transactions effected pursuant to a dividend spread strategy or merger spread strategy executed on the same trading day in the same options class. The cap will be implemented after any applicable rebates are applied to ROT and specialist equity option transaction and comparison charges. The proposed rebate and cap would be effective for trades settling on or after March 24, 2005.

The proposed fee cap will be in effect as a pilot program that will expire on September 1, 2005.

The Exchange also proposes to delete a reference from its Summary of Equity Option Charges to the Exchange's Specialist Unit Fixed Monthly Fee (''fixed monthly fee''), as that fee is no longer in effect.[8]

The text of the proposed rule change is available on the Phlx's Web site (*http://www.phlx.com*), at the Phlx's Office of the Secretary, and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Phlx included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Phlx has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of the proposed rule change, as amended, is to adopt a rebate for contracts executed in trades occurring as part of a merger spread strategy to create a cost effective environment for these types of transactions to be executed.

The Exchange provides a rebate for certain contracts executed in trades occurring as part of a dividend spread strategy. Specifically, for those options contracts executed pursuant to a dividend spread strategy, the Exchange rebates $0.08 per contract side for ROTs executions and $0.07 per side for specialist executions on the business day before the underlying stock's ex-date.[9] Because the Exchange believes that merger spread transactions have similar economic risks and are executed in similar ways as dividend spread transactions, the Exchange believes that adopting these fees will encourage specialists and ROTs to provide liquidity for these types of financial strategies and should permit the Exchange to remain competitive.

Similar to the dividend spread strategy rebate process, the Exchange's billing system is unable at this time to distinguish between merger spread transactions and other types of trades. The Exchange has therefore developed a manual procedure to implement the

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Amendment No. 1 made clarifying and minor technical changes to the text of the proposal and specified that the proposed fee cap will be in effect as a pilot program that will expire on September 1, 2005.

[4] 15 U.S.C. 78s(b)(3)(A)(ii).

[5] 17 CFR 240.19b–4(f)(2).

[6] For purposes of this proposal the Exchange defines a ''merger spread'' transaction as a transaction executed pursuant to a merger spread strategy involving the simultaneous purchase and sale of options of the same class and expiration date, but different strike prices, followed by the exercise of the resulting long options position, each executed prior to the date on which shareholders of record are required to elect their respective form of consideration, *i.e.*, cash or stock.

[7] For purposes of this proposal, a ''dividend spread'' transaction is any trade done within a defined time frame pursuant to a strategy in which a dividend arbitrage can be achieved between any two deep-in-the-money options.

[8] The fixed monthly fee was in effect for transactions settling through August 31, 2004. *See* Securities Exchange Act Release Nos. 49467 (March 24, 2004), 69 FR 17017 (March 31, 2004) (SR–Phlx–2004–17); 49693 (May 12, 2004), 69 FR 28974 (May 19, 2004) (SR–Phlx–2004–30); and 50229 (August 23, 2004), 69 FR 52953 (August 30, 2004) (SR–Phlx–2004–42). The Exchange previously deleted references to the Exchange's fixed monthly fee from its fee schedule, but inadvertently omitted this reference. *See* Securities Exchange Act Release No. 50676 (November 16, 2004), 69 FR 68206 (November 23, 2004) (SR–Phlx–2004–67).

[9] The ex-date is the date on or after which a security is traded without a previously declared dividend or distribution. After the ex-date, a stock is said to trade ex-dividend.

proposed rebate. Thus, to qualify a transaction for the rebate process, a written rebate request, along with supporting documentation, must be submitted to the Exchange.[10]

The purpose of capping the ROT and specialist transaction and comparison fees for merger spread and dividend spread transactions at $1,750 is to attract additional liquidity to the Exchange.[11] The purpose of deleting the reference to the fixed monthly fee is to update the Exchange's fee schedule to eliminate a reference to a fee that is no longer in effect.

2. Statutory Basis

The Exchange believes that its proposal to amend its schedule of fees is consistent with section 6(b) of the Act,[12] in general, and furthers the objectives of section 6(b)(4) of the Act,[13] in particular, in that it is an equitable allocation of reasonable fees among Exchange members.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change, as amended, will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change, as amended, has become effective pursuant to section 19(b)(3)(A)(ii) of the Act[14] and Rule 19b–4(f)(2)[15] thereunder, because it changes a fee imposed by the Exchange. At any time within 60 days of the filing of the proposed rule change, as amended, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.[16]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (*http://www.sec.gov/rules/sro.shtml*); or
- Send an E-mail to *rule-comments@sec.gov*. Please include File Number SR–Phlx–2005–19 on the subject line.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609.

All submissions should refer to File Number SR–Phlx–2005–19. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (*http://www.sec.gov/rules/sro.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of the Phlx. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR–Phlx–2005–19 and should be submitted on or before May 20, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[17]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5–2050 Filed 4–28–05; 8:45 am]

BILLING CODE 8010–01–P

[10] Specifically, within 30 calendar days of the billing period (*i.e.*, within thirty days from the issue date of the invoice) for these transactions, a written request, along with the appropriate documentation, must be completed and submitted to the Exchange. After the appropriate verification and subsequent acceptance, the Exchange would credit the appropriate member's account for the amount of the rebate (*i.e.*, either $0.08 or $0.07 per contract side) on contracts executed in trades occurring as part of a merger-acquisition strategy.

[11] Similar to the rebate process described above, members who wish to benefit from the proposed fee cap will be required to submit to the Exchange a written rebate request with supporting documentation.

[12] 15 U.S.C. 78f(b).

[13] 15 U.S.C. 78f(b)(4).

[14] 15 U.S.C. 78(s)(b)(3)(A)(ii).

[15] 17 CFR 240.19b–4(f)(2).

[16] *See* 15 U.S.C. 78s(b)(3)(C). For purposes of calculation the 60-day abrogation period, the Commission considers the period to commence on April 19, 2005, the date the Phlx filed Amendment No. 1.

[17] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Region IV Small Business Regulatory Fairness Board; Public Federal Regulatory Enforcement Fairness Hearing

The U.S. Small Business Administration, Region IV Small Business Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a public hearing on Thursday, May 26, 2005, at 8:30 a.m., at the Mobile Chamber of Commerce, McGowin Room, 451 Government Street, Mobile AL 36602–2319, phone (251) 433–6951, to receive comments and testimony from small business owners, small government entities, and small non-profit organizations concerning regulatory enforcement and compliance actions taken by Federal agencies.

Anyone wishing to attend or to make a presentation must contact L.D. Ralph in writing or by fax, in order to be put on the agenda. L.D. Ralph, Loan Specialist, SBA Alabama District Office, 801 Tom Martin Drive, Suite 201, Birmingham, AL 35211, phone (205) 290–7101, Ext. 237, fax (202) 481–4009, e-mail: *lafero.ralph@sba.gov.*

For more information, please see our Web site at *http://www.sba.gov/ombudsman.*

Matthew K. Becker,

Committee Management Officer.

[FR Doc. 05–8566 Filed 4–28–05; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF STATE

[Public Notice 5059]

Notice of Availability of Environmental Assessment and Finding of No Significant Impact for International Bridge at Calais, ME

AGENCY: Office of Canadian Affairs, Department of State.

ACTION: Notice.

SUMMARY: The proposed action is to issue a Presidential Permit to the State of Maine to authorize it to construct, connect, operate and maintain an international bridge between the City of Calais, Maine, and Canada. The Department of State (the ''Department'') has reviewed the potential environmental impacts and determined that the proposal will not have a significant effect on the quality of the human environment. Therefore, the Department of State has issued its Environmental Assessment and Finding of No Significant Impact.

SUPPLEMENTARY INFORMATION: The Department of Transportation of the State of Maine has filed with the Office of Canadian Affairs of the Department of State an application for a Presidential permit to permit the construction of a new international bridge across the St. Croix River and a new international border crossing facility between the city of Calais, Maine (ME), and the town of St. Stephen, New Brunswick (NB). That application was accompanied by a draft environmental assessment dated December 2001 (2001 Draft EA), submitted by the Federal Highway Administration of the U.S. Department of Transportation and the Maine Department of Transportation, in cooperation with the General Services Administration, and in conjunction with the New Brunswick Department of Transportation.

Notice of the application was published in the **Federal Register**, Vol 68, No. 146, pages 44833 *et seq.*, on July 30, 2003. No formal written public comments were received by the Department of State on the Presidential permit application or the 2001 Draft EA provided as part of the application for a Presidential permit.

Comments were received from the Federal and State agencies concerning the application and were either responded to directly, or are addressed in the analysis contained in this review set forth below. In addition to inclusion in the analyses of impacts and risks, the comments received were used to develop measures to be undertaken by the Sponsor as commitments to prevent or mitigate potentially adverse environmental impacts.

This summary environmental assessment, the comments submitted by the Federal and State agencies, any responses to those comments, and the 2001 Draft EA submitted by the project sponsor together constitute the Final Environmental Assessment of the proposed action by the Department of State.

I. The Proposed Project

The U.S. Department of State (the ''Department'') is charged with the issuance of Presidential permits for the certain cross-border facilities under Executive Order 11423 of August 16, 1968, 33 FR 11741, as amended by Executive Order 12847 of May 17, 1993 (58 FR 29511), Executive Order 13284 of January 23, 2002 (68 FR 4075), and Executive Order 13337 of April 30, 2004 (69 Fed. Reg. 25299), as well as under the International Bridge Act of 1972, 33 U.S.C. 535, *et seq.*

The Department of Transportation of the State of Maine (''MDOT,'' the ''Sponsor'') has filed an application (''the application'') for a Presidential Permit to permit the construction of a new international bridge across the St. Croix River and a new international border crossing facility between the city of Calais, ME, and the town of St. Stephen, NB, to supplement two small existing crossings: The ''Ferry Point Crossing,'' which connects the downtown areas of both Calais and St. Stephen; and the ''Milltown Crossing,'' which connects Calais and St. Stephen about ½ mile upstream from the Ferry Point Crossing.

In January 2001, the Sponsor, in cooperation with the United States General Services Administration and the Federal Highway Administration of the U.S. Department of Transportation, and with the assistance of Gannett Fleming, Inc., initiated preparation of an environmental assessment of the potential environmental effects of the proposed International Bridge. The ''Draft Environmental Assessment Calais-St. Stephen Area International Border Crossing Study'' (2001 Draft EA) was completed in December 2001. The 2001 Draft EA was reviewed by the Federal Highway Administration, which issued a Finding of No Significant Impact (FONSI) on July 31, 2002. That FONSI, and its supporting documentation, are herein incorporated by reference.

The Department has engaged in follow-up inquiries concerning various issues raised with respect to a ''Calais-St. Stephen Area International Border Crossing Study,'' conducted by the Maine Department of Transportation in conjunction with the New Brunswick Department of Transportation, the Federal Highway Administration, and the U.S. General Services Administration (the study can be found on the Internet at *http://www.nbdot-mdot-bordercross.com/*). A discussion of those issues is found below, in Section IV. In addition, the Department, acting in a manner consistent with its regulations for the implementation of the National Environmental Policy Act (''NEPA'') in the context of its responsibilities with respect to Presidential Permits, has conducted its own, independent review of the 2001 Draft EA provided by the Sponsor. The 2001 Draft EA has also been reviewed by numerous Federal, State, and local agencies. Each such ''cooperating agency'' has approved or accepted the 2001 Draft EA, provided, in certain cases, that mitigation recommendations proposed in the application itself or by those agencies are followed. These cooperating agencies are:

- U.S. Government: The Department of State; the Department of Defense; the Department of Transportation; the Department of the Interior, U.S. Fish and Wildlife Service; the Department of Justice; the Department of Agriculture, including the Animal and Plant Health Inspection Service's Office of Veterinary Services; the Environmental Protection Agency; the Food and Drug Administration; the Department of Commerce; the Council on Environmental Quality; the General Services Administration; the U.S. Office of the International Boundary Commission; the U.S. Office of the International Joint Commission; and, within the Department of Homeland Security: The Federal Emergency Management Agency; the Bureau of Customs and Border Protection; the Bureau of Immigration and Customs Enforcement; and the U.S. Coast Guard.
- State of Maine: The Department of Transportation, the City of Calais.

Based on the 2001 Draft EA, information developed by the Department during its review of the Sponsor's application and all comments received, and its own review of this information, the Department has completed its Final Environmental Assessment (Final EA). On the basis of the Final EA, the Department has concluded that the issuance of the permit will not have a significant impact on the quality of the human environment within the United States. Therefore, an environmental impact statement (''EIS'') need not be prepared.

II. Factors Considered

A. The Need for the Proposed Action

Over the last ten-plus years, a number of studies have been made of traffic flow in the vicinity of the Ferry Point crossing, which is located in and connects the central business districts of Calais, ME, and St. Stephen, NB. Those studies, including one completed in August 1999, revealed that the Ferry Point crossing is characterized by: poor

highway system linkage; inefficient GSA-owned inspection facilities; traffic congestion; safety hazards; and freight delays.

A second border bridge, at Milltown, is also undersized and is used primarily by non-commercial, local traffic. Both the Milltown and the Ferry Point crossings were built in the 1930s. The traffic load statistics gathered in the 1999 traffic count do not clearly distinguish between the two crossings, and general references herein to ''Calais-St. Stephen'' should be construed as referring to both the Milltown and Ferry Point crossings.

According to the U.S. Department of Transportation, Calais-St. Stephen is the eighth busiest northern border crossing in the United States for commercial vehicles (trucks) and the fifth busiest for passenger vehicles.

Traffic crossing the current, two-lane Ferry Point bridge has overwhelmed the processing capacity at the border station. Congestion has deteriorated quality of life and commercial activity for nearby homes and businesses. Oversized trucks must be re-routed around the commercial vehicle area, for which they are too big, and into the oncoming traffic lane to navigate the inspection facility. Inspections of such loads must be undertaken while the trucks are parked in the travel lane, leading to significant delays and traffic jams, as well as unsafe working conditions for the inspection staffs. Secondary inspections are carried out in the public streets. In similar vein, outbound inspections are also carried out in the travel lane, limiting the number of such inspections that can be conducted.

A 1999 traffic survey conducted by the Sponsor found that about 6,700 vehicles per day were using the Ferry Point Crossing, with another 2,500 or so using the Milltown Crossing. According to information provided by the Province of New Brunswick, the St. Stephen/Milltown border crossings combined ranked as the ninth busiest in Canada in 2002, with 6,000 vehicles a day, including close to 600 trucks. Whether using the 1999 U.S., or the 2002 Canadian figures, it appears that a substantial amount of traffic uses the St. Croix River crossings, and traffic congestion in the downtown areas of both communities is serious.

The General Services Administration contracted for an extensive study of potential traffic volumes with and without a new crossing in the Spring of 2004. The study was based on actual incoming traffic data provided by the office of the Port Director for the region. The data showed that traffic volumes through the existing crossings at Ferry Point and Milltown have been in flux over the last ten years, and that the busiest months could see at least 50%—in some years as much as 70%—greater than average traffic volumes, leading the GSA contractor to conclude that a simple projection of past growth figures would not be an adequate basis for assessing the effectiveness of the proposed design for the inspection facility or the impacts of a new crossing on the existing entry points. GSA's contractor therefore ran a number of simulations at a substantially higher rate of growth than studies done previously, using both a low range of 7% annual growth over a period of ten years, and a high range of doubling current traffic volumes over the same ten-year period.

GSA's study determined that there is a slight tendency for more commercial vehicles and fewer passenger vehicles to use the Ferry Point crossing, while the reverse is the case at Milltown. Despite this readjustment, however, delays at both crossings are significant. At certain times of the day, commercial vehicles at Milltown may wait as long as 70 minutes to cross the border, while passenger vehicles can wait longer than 60 minutes. At Ferry Point, the wait time for commercial vehicles regularly exceeds 80 minutes at certain times (morning rush) of the day, while passenger vehicles may wait as long as 60 minutes or more at the same times.

Delays and traffic congestion affect the economic and physical environments locally, and increase safety risks as well. Also, a number of trucks carry hazardous materials, and local residents are concerned about the possibility of a hazardous materials spill.

U.S. and Canadian traffic surveys from 1999 and 2000 also indicated that between 27% and 32% of passenger vehicles and approximately 77% of truck traffic at the Ferry Point and Milltown crossings are non-local.

Calais serves as the primary coastal-area crossing point; traffic moves between northeastern Maine and the Maritime Provinces of New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland-Labrador. The nearest alternate border crossing facility for commercial vehicles is located at Houlton, ME, approximately 75 miles distant.

B. The Goals of the Proposed Action

A new crossing would improve traffic flow in the immediate area, reduce traffic congestion, and speed through-travel time. It is also clear that a new crossing would furnish greater flexibility for handling traffic flows and greatly improve border security by expanding the capacity of inspection services to carry out their work. According to project documents, the new crossing is also intended to create a gateway between Maine and the Maritime Provinces as part of an overall east-west transportation corridor. The route through Calais is the shortest between Bangor and points in eastern New Brunswick, the Bay of Fundy, and Nova Scotia.

III. Alternatives Considered

A. Initial Options

1. Transportation System Management. This would involve small changes such as signal timing improvements and/or minor traffic flow reconstruction at principal intersections in downtown Calais. The restricted space on the ground limits the ability to make substantial improvements. This alternative was rejected by the study committee.

2. Travel Demand Management. This consists of a number of strategies to reduce demand through such mechanisms as rideshare and transit networks to remove vehicles or to encourage local employers to offer flextime hours to shift the times that vehicles would be on the roads. Success depends on a high proportion of commuter traffic versus recreational or commercial traffic, which is not the case at Calais. This alternative was rejected by the study committee.

3. Intelligent Transportation Systems(ITS)/Commercial Vehicle Operations. ITS uses traffic monitoring technology and signage to apprise vehicle operators and inspection agencies of conditions at the border crossing, with the idea that operators can decide whether/how to proceed and inspectors can increase staffing to meet increased demand. This alternative was not considered by the study committee, because there is no flexibility to expand operations at the existing crossing, nor are there workable alternatives for vehicle operators to avoid the delays.

4. No-Build Alternative. This alternative would not address the problems that exist at the current border crossing facilities, while those conditions would worsen over time. This alternative was rejected by the study committee.

5. Alternative 1—Upgrades at the Ferry Point Crossing. Upgrades would include reconstruction of a portion of Union Street and the intersection with Main Street and North Street, reconstruction of the intersection with U.S. Route 1 east of the Milltown Bridge to define a right-turn lane, and

reconstruction of the intersection of Route 1 with Charlotte Street at the entrance to Moosehorn National Wildlife Refuge (NWR) to provide longer acceleration and deceleration lanes on Route 1. This alternative was rejected because it failed to meet the needs for system linkage and safety.

6. Alternatives 2 and 2A—Baileyville Crossing, Connection to Maine Route 9. A new bridge would be built at a site approximately eight miles from Calais' city center near the intersection between U.S. Route 1 and Maine Route 9. This location is favored by some international truckers and by some officials and residents of Baileyville, who believe this route would cut down travel time and/or bring more economic options to Baileyville itself. According to the 2001 Draft EA, this routing would disturb more wetlands, undeveloped lands, and good agricultural soil than the Calais Industrial Park site. The design was altered slightly (creating Alternative 2A) to move a connecting road further away from residences than originally proposed. This route would also remove a substantial amount of traffic from Route 1 as it passes through the Moosehorn NWR, thus reducing the risk of accidents or hazardous material (hazmat) spills in the Refuge. Alternative 2A was one of the two proactive alternatives placed before the public and the agencies reviewing the project. However, it was not ultimately selected as the preferred alternative.

7. Alternative 3—Calais Industrial Park. This alternative was selected as the preferred alternative. See fuller discussion below, at item III B.

8. Alternative 4, 4A—Bypass East of Calais. This alternative envisioned construction of a new bridge over the St. Croix River and Route 1 east of Calais center, between a church and a golf course. The area available for inspection services was only 21.4 hectares, well below the area needed by the U.S. Government for border inspection facilities. This alternative was rejected because it failed to meet the needs for system linkage and safety and because it did not satisfy system linkage needs on the New Brunswick side. In addition, there would be greater impacts to water resources.

9. Stud Mill Road Alternative. Stud Mill Road is a private logging road, used by paper companies, that runs from near the study area (Princeton, north of Baileyville) to the Old Town area just north of Bangor. Using this road would necessitate upgrading approximately 56 miles (90 km) and the construction of a new crossing of the Penobscot River north of Bangor and a new interchange to connect it with Interstate 95. This alternative was rejected because it failed to meet the needs for system linkage and safety and because of expense.

10. Foley Road Alternative. This alternative is similar to Alternative 2, albeit longer, located slightly north of the intersection of Routes 1 and 9. This alternative was rejected because Alternative 2A would accomplish the identified Purpose and Needs at a lower cost and with fewer adverse environmental impacts.

11. Calais Branch Alternative. This alternative, suggested at public meeting, would involve the rehabilitation of the existing rail bridge and the substitution of rail traffic for truck traffic. This alternative was rejected as providing insufficient freight movement capacity, and as failing to meet security requirements.

B. The Preferred Alternative

The project Sponsor studied a number of alternative sites and approaches, in addition to the no-action alternative, as outlined above. Finding that the other alternatives either did not satisfy the Purpose and Needs identified in the study, the 2001 Draft EA focused its analysis on two of the alternatives: Alternative 2A at Baileyville (featuring a connection between shared U.S. Routes 1 and 9 and New Brunswick Routes 1 and 3); and Alternative 3, in the Calais Industrial Park, with access to U.S. Route 1.

From among these, the Sponsor, New Brunswick, and several of the commenting agencies have all concurred in recommending adoption of Alternative 3, which is located in an undeveloped portion of the Calais Industrial Park and situated approximately 1.5 miles upstream of the Ferry Point Crossing in close proximity to U.S. Route 1 between the Town of Baring and the City of Calais.

The selection of Alternative 3 as the Preferred Alternative was made primarily because the Calais Industrial Park site is already zoned commercial, whereas the Baileyville site (Alternative 2A) is zoned rural and economic impacts will be less if the crossing is closer to the Calais business district. On the other hand, construction at the Baileyville site would disturb less wildlife habitat (10.8 hectares, versus 16.7 ha at the Calais site) but the same amount of wetlands and floodplain areas (2.6 acres in both locations).

C. The Canadian Project

The Governments of Canada and New Brunswick announced on November 20, 2003, that funding for the Canadian portion of the project—a connector route to NB Routes 1 and 3 and the Canadian portion of the bridge—had been secured. Road construction has begun to connect the proposed new bridge to existing roads on the Canadian side.

IV. Concerns and Comments

A. Environmental Impacts During Construction and Normal Operation

Some concerns have been raised with respect to the potential environmental impact on the Moosehorn National Wildlife Refuge, and in particular, with continued or potential expansion of truck traffic passing through the Refuge to or from a crossing at Calais Industrial Park. Both during the public outreach process conducted by Sponsor and subsequent to release of the 2001 Draft EA, some commenters suggested that the new crossing should be built at the intersection of Routes 9 and 1, in the vicinity of Baileyville, Maine (*i.e.*, Alternative 2A), in order to reduce area noise and air pollution and the risks that could be posed to the Refuge by a traffic accident involving a truck carrying hazardous materials.

Traffic volume along Route 1 from Calais to the junction with Route 9, including through Moosehorn National Wildlife Refuge, will be higher under Alternative 3 than it would be under Alternative 2A at Baileyville and as compared to the No-Build Alternative. (Information on traffic growth projections is provided below.) The new crossing is also expected to attract higher traffic volumes than the No-Build Alternative, as it will offer greater transportation efficiency for destinations along the coastal areas of New Brunswick and Maine. However, as discussed in more detail below, these traffic increases are not expected to have a significant impact on the environment of the Moosehorn National Wildlife Refuge or its surrounding area. Furthermore, Alternative 3 will better safeguard the economic health of Calais businesses and improve the ambient air quality in the business district of Calais without appreciably altering the economic well-being of Baileyville businesses. Alternative 3 also attracted overwhelming public support.

In response to a request from the U.S. Department of Transportation, MDOT has developed updated traffic projections for the new crossing and for Route 1 between the junction with Route 9 in Baileyville and Calais, including the section passing through Moosehorn National Wildlife Refuge (NWR), that reflect an estimated traffic growth of approximately 20 percent over twenty years. Current traffic volumes, according to figures obtained

from MDOT in April 2004, indicate a ''design hourly traffic volume'' of 872 vehicles on this stretch of highway, and a projected value of 1,094 by 2024. The design hourly traffic volume is a measure of the highest number of vehicles (usually during rush hour) over a typical 24-hour period.

The majority of commercial vehicles now crossing at Ferry Point are expected to move to the new crossing; this switch is most likely for non-local truck traffic. Given the distance between Calais and the nearest alternative crossing point at Houlton, we conclude it is unlikely that substantial traffic will divert from Houlton to Calais and therefore overall traffic volumes are unlikely to diverge significantly from current growth projections of between 1.5 and 2 percent per year. However, the GSA traffic study team considered a possible shift to Calais of from one-quarter to one-third of combined passenger and commercial vehicle traffic that presently uses the border crossing at Houlton, Maine. In the absolute worst-case scenario (*i.e.,* the highest potential traffic volume at Calais), this would mean 330,000 commercial vehicles and 1,324,000 passenger vehicles passing through the port on an annual basis—an average of just under 190 vehicles per hour.

According to MDOT, this number is well within the design hourly volume for Route 1 in its current configuration and would not be expected to have a significant impact on the local environment.

The U.S. Environmental Protection Agency requested information regarding the possible widening of Route 1 to accommodate larger traffic volumes in future, and cautioned that its acceptance of the project was predicated on no disturbance of a bald eagle nesting platform near Route 1. Two raised platforms were installed to provide nesting sites for osprey. One is occupied by ospreys, the other by bald eagles. MDOT has stated that it does not currently foresee the need to expand Route 1 to four lanes from the present two. MDOT's two-, six-, and twenty-year plans do not include a widening or expansion of Route 1 at this location. MDOT also has committed to not disturb the two existing bald eagle nesting platforms, which are located approximately 100 yards south of—but within sight of—Route 1. EPA has requested that should the State of Maine change its plans, it notify and work with the EPA to address any agency concerns at that time.

There is a 100-foot wide right-of-way for U.S. Route 1 as it traverses the northwest corner of the Baring Division of Moosehorn National Wildlife Refuge. The length of Route 1 through the NWR is approximately 7,000 feet. The total right-of-way area occupied by Route 1 is therefore 700,000 square feet or about 16 acres. Widening the road to four lanes (two in each direction) would not require widening the right-of-way or take any additional land from the Refuge. However, there are no current plans to widen the road, as noted above.

B. U.S. Agency Comments

1. The U.S. Coast Guard stated it has no objection to the proposed project. A Coast Guard permit will be required before construction may commence.

2. The Environmental Protection Agency, as noted above, expressed a concern with the potential for widening Route 1 through the Moosehorn NWR, referring to a draft of the environmental assessment prepared in December 2001, and requested clarification from MDOT regarding potential future expansion plans for Route 1. MDOT has responded by noting there are no plans to widen Route 1 in the 2, 6, or 20-year Maine transportation plan. The Environmental Protection Agency has accepted this statement as responsive to its concerns, and has no further objection to the project.

3. The Office of the Under Secretary of Defense for Installations and Environment noted no objections to the proposed project, subject to the issuance of a permit by the U.S. Army Corps of Engineers. The issuance of such a permit is not a prerequisite to issuance of a Presidential Permit; however, it is a prerequisite to construction of the project.

4. The Federal Emergency Management Agency (FEMA) of the Department of Homeland Security requested that the Sponsor provide a study of the hydraulic and hydrologic impacts of the project to the St. Croix River. FEMA also requires verification that the project will meet the requirements of 44 CFR 60.3(d)(3) (2003) with respect to flood plain protection and flood prevention measures. Sponsor has responded that these matters will be addressed during the design phase. FEMA has not approved the project pending receipt of the verification. FEMA approval is not a prerequisite for issuance of a Presidential Permit; however, FEMA approval is a prerequisite for construction.

5. The General Services Administration (GSA) raised the following environmental issues:

a. GSA requested that responsibilities regarding storm water management, a spill response plan, and groundwater monitoring be made clear. GSA and the Sponsor have agreed to work together to apportion responsibilities appropriately.

b. Noise levels on the site will exceed highway noise abatement criteria during construction. GSA seeks assurance from the Sponsor that GSA will not have to deal with noise reduction in the geometry and grading of the proposed border crossing facility. The issue was addressed in the Federal Highway Administration's NEPA process, which determined that noise abatement is not feasible and therefore no commitments on noise abatement exist. GSA has indicated to the Department of State that it is satisfied with this conclusion. No agency expressed environmental concerns about the anticipated level of noise.

6. The Department of Transportation, Federal Highway Administration raised the following issues:

a. FHWA expressed a concern that a substantial period of time had elapsed since the last MDOT traffic survey of the area was performed in 1999 and, along with the Department of Homeland Security, requested that updated traffic statistics and projections be provided. Working with the Department of Homeland Security and MDOT, the GSA conducted a new study in Spring 2004, the results of which are summarized above. FHWA has accepted this measure as satisfying its concerns and has no further concerns about the project.

7. The Bureau of Customs and Border Protection (CBP) of the Department of Homeland Security requested:

a. Updated traffic statistics and projections. This information has been provided as noted above.

b. Provision for special lanes for bi-national programs (*e.g.*, NEXUS, FAST) be included in the project design for the highway and bridge connection. MDOT has agreed to work with CBP to incorporate any specific traffic design measures that may be required.

c. Information on flood plain, utilities, easements, rights-of-way, and aerial photographs of the construction site. MDOT has agreed to provide this information.

d. Information on the location of Calais City water wells, which adjoin the proposed site, and about the mitigation plans to ensure that the wells will not be contaminated during construction or operation of the border crossing and inspection facilities. GSA has assured the project sponsor it will address storm water runoff concerns throughout design development and construction of the inspection facilities. GSA has also pledged in a letter to the Department of State to design for spill containment and remedial or mitigation action as it relates to the port and port

traffic. The City of Calais will continue its ongoing monitoring and maintenance of the wells.

The Bureau of Customs and Border Protection of the Department of Homeland Security has accepted these measures as satisfying its environmental concerns.

8. The U.S. Section of the U.S.-Canada International Joint Commission (IJC) noted that IJC permission is required to build a new bridge. IJC permission is not a prerequisite for issuance of a Presidential permit; however it is a prerequisite to construction.

9. The following agencies noted no objection to the proposed project: The Food and Drug Administration, the Animal and Plant Health Inspection Service of the U.S. Department of Agriculture, the Council on Environmental Quality, the Department of Interior, the Department of Justice, and the Department of Commerce, the Food and Drug Administration, and, within the Department of Homeland Security (DHS), the Bureau of Immigration and Customs Enforcement and that portion of the Animal and Plant Health Inspection Service under DHS jurisdiction.

C. Economic Impacts

Economic impacts were an overriding concern to many residents of the Calais-Baileyville region. A small survey of area businesses and customers indicated that most expected that economic losses stemming from a decline in traffic volume in downtown Calais would likely be higher for the Baileyville crossing site (Alternative 2A) than for the Calais Industrial Park site (Alternative 3). Most business owners believed that it would be quite difficult to attract potential customers to drive the six miles from Baileyville into Calais in order to shop.

D. Environmental Justice

In accordance with the requirements of Executive Order 12898 of February 11, 1994, as amended by E.O. 12948 of February 1, 1995, on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, the Department has examined whether the selection by the Sponsor of Alternative 3 will have a disproportionately high and adverse impact on minority or low-income populations. After examination of information provided by the Sponsor in its submission as to the population and income demographics of the proposed site and its environs, the Department is satisfied that any impacts attendant on the project will not disproportionately affect any minority or low-income populations.

E. Other Impacts

At a public hearing held in Calais on February 8, 2002, several other points were made. Putting the crossing at the Calais Industrial Park would help control unconstrained growth, as the Industrial Park itself provides plenty of appropriately zoned space for businesses and services. Many business owners believe that a crossing at Baileyville will discourage tourists from visiting downtown Calais due to the greater distance they would have to drive. One commenter pointed out that with the selection of Alternative 3, the Moosehorn NWR could receive more visitors as well.

V. Commitments and Conditions Relevant To Issuance of a Finding of No Significant Impact

The sponsor, Maine Department of Transportation, has undertaken the following commitments in response to issues identified during the interagency project review:

A. Sponsor will adopt Alternative 3 as its preferred alternative. Sponsor will work with the General Services Administration and other bodies to ensure that adequate space for the GSA-owned inspection facility will be provided and made available (approximately 40 acres) to GSA and the Federal inspection agencies, under terms agreed between the GSA and Sponsor.

B. Sponsor will perform hydrologic and hydraulic analyses and prepare a report based on those analyses in relation to the design of the bridge in order to verify that the project complies with the requirements of 44 CFR 60.3(d)(3) (2003). A copy of the report, containing said analyses, shall be supplied to the Department of State and to the Federal Emergency Management Agency of the Department of Homeland Security.

C. There will be no disturbance of bald eagle nests in the adjacent Moosehorn National Wildlife Refuge (NWR) and all reasonable efforts will be made to avoid disturbance of other wildlife or migratory bird species and their nests. The Department notes that there are no proposed construction activities within the Refuge.

The Department will condition issuance of the permit on the following measures in order to minimize negative environmental impacts:

A. The sponsor would be required to apply for and obtain a permit from the International Joint Commission and the International Boundary Commission for construction and operation of the bridge.

B. The following environmental provisions would also apply to the Presidential permit:

1. All reasonable efforts will be made to minimize particulate matter, lighting and noise that might affect wildlife.

2. A biologist will do a pre-construction survey to identify and protect any wildlife in the project area. Construction activities should be conducted in such a way as to avoid as much as reasonably possible migratory bird species and their nests.

3. Injured wildlife will be reported and/or taken to the proper authorities for rehabilitation.

4. In the event of unexpected discovery of archaeological or historical cultural resources, all activity shall cease in the area of discovery. Immediate telephone notification of the discovery shall be made to an appropriate responsible state or federal official, as provided in the Section 105.9 of the State of Maine Department of Transportation General Conditions, Supplemental Specifications, and Supplemental Standard Details for Construction, dated February 1, 2002, and the National Historic Preservation Act of 1966. In addition, reasonable efforts to protect the cultural resources discovered shall be made. The activity may resume only after the appropriate federal and state agency officials have authorized a continuance.

5. Reasonable measures will be taken to prevent conveyed materials, including soil and rock, from being dropped into the river or other bodies of water in order to avoid adverse effects on the current water quality.

6. Petroleum, oils, and lubricants (POL) will be properly contained. Waste POLs and other articles, such as batteries, will not be burned, dumped in trash containers, deposited in landfills, buried, left on the ground or dumped in ditches. All materials brought on site will be disposed of in a proper manner.

7. Spills of POLs or hazardous wastes will be properly contained and the contamination cleaned up and disposed of in accordance with current applicable regulations. Spills of hazardous materials will be immediately reported to the appropriate state and federal authorities.

8. The area will be watered during construction and site operations as needed to protect plants and wildlife and minimize blowing dust.

9. There will be a short-term increase in noise levels during construction. All personnel working in the area will use proper ear protection.

10. A berm and fence shall be erected along the property line separating any aggregate receiving/distribution site from the St. Croix River or other watercourses. Fencing material should be such as will act as a dust transport barrier.

11. Herbicides used in landscape maintenance will be properly approved and applied in accordance with all regulations.

Conclusion: Finding of No Significant Impact

Based on the Department's independent review of the Final Environmental Assessment, comments received by the Department from Federal, and state and local agencies in response to the Notice of Application, published in the **Federal Register**, Vol. 68, No. 146, dated Wednesday, July 30, 2003, page 44833 *et seq.*, as well as measures which the Sponsor has committed to take to prevent potentially adverse environmental impacts, the Department has concluded that issuance of a Presidential Permit authorizing construction of the proposed Calais-St. Stephen International Bridge and Border Crossing Facilities, as proposed to be constructed in Alternative No. 3 as set forth in the Environmental Assessment, would not have a significant impact on the quality of the human environment within the United States. Accordingly a Finding of No Significant Impact is adopted and an environmental impact statement will not be prepared.

The Final Environmental Assessment addressing this action is incorporated by reference and is on file and may be reviewed by interested parties at the Department of State, 2201 C Street NW., Room 3917, Washington DC 20520 (attention: Ms. Evelyn Wheeler, Tel 202–647–3135).

For the Department of State.

Terry A. Breese,

Director, Office of Canadian Affairs, Department of State.

[FR Doc. 05–8592 Filed 4–28–05; 8:45 am]

BILLING CODE 4710–29–P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. OST–2005–21074]

Notice of Request for Extension of a Previously Approved Collection

AGENCY: Office of the Secretary.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Department of Transportation's (DOT) intention to request extension of a previously approved information collection.

DATES: Comments on this notice must be received June 28, 2005.

ADDRESSES: You may submit comments identified by Docket No. OST–2005–21074 by any of the following methods.

- Web site: *http://dms.dot.gov*. Follow the instructions for submitting comments on the DOT electronic docket site.
- Fax: 1–202–493–2251.
- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL–401, Washington, DC 20590–0001.
- Hand Delivery: Room PL–401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.
- Federal eRulemaking Portal: Go to *http://www.regulations.gov.* Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this information collection. For detailed instructions on submitting comments and additional information, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to *http://dms.dot.gov* including any personal information provided. Please see the Privacy Act heading under Regulatory Notes.

Docket: For access to the docket to read background documents or comments received, go to *http://dms.dot.gov* at any time or to Room PL–401, on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m. Monday through Friday, except on Federal holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Torlanda Archer, Office of the Secretary, Office of International Aviation, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366–1037.

SUPPLEMENTARY INFORMATION:

Title: Aviation Charter Rules.

OMB Control Number: 2106–0005.

Expiration Date: January 31, 2006.

Type of Request: Extension of a previously approved information collection.

Abstract: In 14 CFR part 380 (adopted in 1979) of its Special Regulations, the Department established the terms and conditions governing the furnishing of Public Charters in air transportation by direct air carriers and Public Charter operators. Public Charter operators arrange transportation for groups of persons on aircraft chartered from direct air carriers. This arrangement is less expensive for the travelers than individually buying a ticket. Further, the charter operator books hotel rooms, tours, etc., at the destination for the convenience of the traveler. Part 380 exempts charter operators from certain provisions of the U.S. code in order that they may provide this service. A primary goal of part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus) with the Department for each charter program certifying that it has entered into a binding contract with a direct air carrier to provide air transportation and that it has also entered into agreements with Department-approved financial institutions for the protection of charter participants' funds. The prospectus must be approved by the Department prior to the operator's advertising, selling or operating the charter. The forms (OST Forms 4532, 4533, 4535 and 4535) that comprise the operator's filing are the information collections at issue here. The collection involved here under 14 CFR part 380 requests general information about the charter operator and direct air carrier that will provide a Public Charter and requires each to certify that it has contracted with the other to provide air transportation. The routing, charter price and tour itinerary of the proposed charter are also identified. The collection also requires the charter operator, direct air carrier and financial institution(s) involved to certify that proper financial instruments are in place or other arrangements have been made to protect the charter participants' funds and that all parties will abide by the Department's Public Charter regulations.

Respondents: Public Charter operators.

Estimated Total Burden on Respondents: 1,343 hours.

Estimated Number of Respondents: 316.

Comments are invited on: (a) Whether the continued collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the current information collection; (c) ways to enhance the quality, utility and clarity of the information being

collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

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.

Issued in Washington, DC on April 22, 2005.

Charles W. McGuire,

Chief, Special Authorities.

[FR Doc. 05–8617 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–62–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Policy Statement Number PS–ACE100–2004–10030]

Policy on Substantiation of Secondary Composite Structures

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of issuance of policy statement.

SUMMARY: This notice announces the issuance of a Federal Aviation Administration (FAA) policy to provide some guidelines for certifying secondary structures made from composite materials. This notice is necessary to advise the public, especially manufacturers of normal, utility, and acrobatic category airplanes, and commuter category airplanes and their suppliers, that the FAA has adopted a policy on composite applications that range from secondary structures to non-structural parts such as interiors.

DATES: Policy statement PS–ACE100–2004–10030 was issued by the Manager of the Small Airplane Directorate on April 19, 2005.

How to Obtain Copies: A paper copy of policy statement may be obtained by writing to the following: Small Airplane Directorate, Standards Office (ACE–110), Aircraft Certification Service, Federal Aviation Administration, 901 Locust Street, Room 301, Kansas City, MO 64106. The policy statement will also be available on the Internet at the following address *http://www.airweb.faa.gov/policy.*

FOR FURTHER INFORMATION CONTACT: Lester Cheng, Federal Aviation Administration, Small Airplane Directorate, Regulations & Policy, ACE–111, 901 Locust Street, Room 301, Kansas City, Missouri 64106; telephone: (316) 946–4111; fax: 816–329–4090; e-mail: *lester.cheng@faa.gov.*

SUPPLEMENTARY INFORMATION:

Background

We announced the availability of the policy statement on August 16, 2004 (69 FR 50438). No comments were received, and the policy has been adopted as proposed.

Issued in Kansas City, Missouri on April 19, 2005.

Patrick R. Mullen,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05–8537 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: City of San Diego, CA

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in the City of San Diego, California.

FOR FURTHER INFORMATION CONTACT: Cesar Perez, Team Leader South Region, Federal Highway Administration, 650 Capitol Mall Suite 4–100, Sacramento, California 95815, Telephone (916) 498–5065, or Jason A. Reynolds, Chief—Environmental Analysis Branch A, California Department of Transportation District 11, 2829 Juan Street, MS 46, San Diego, California 92110, Telephone (858) 616–6609.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation and the City of San Diego, will prepare an environmental impact statement (EIS) on a proposal to provide connection between southbound U.S. Interstate 5 to eastbound State Route 56, and between westbound State Route 56 to northbound U.S. Interstate 5. The project may include new connector ramps, interchange improvements, surface street improvements, and/or auxiliary lanes on State Route 56 between Interstate 5 and Carmel Country Road. One auxiliary lane in each direction on Interstate 5 may also be added from State Route 56 to Del Mar Heights Road. Truck bypass lanes may be extended to Del Mar Heights Road on each side of Interstate 5.

Improvements to the corridor are considered necessary to provide for projected traffic demand. Alternatives under consideration include (1) taking no action (2) direct freeway-to-freeway connector ramps; (3) freeway-to-freeway connector ramps with loop; (4) local street improvements; and (5) local street improvements with west to north direct freeway-to-freeway connector ramp.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. State and local interests have already been involved with initiation of the project and coordination is already being conducted. At least one new scoping meeting is anticipated with the specific date, time, and location to be determined. In addition, a public hearing will be held after publication of the draft EIS. Public notice will be given of the time and place of the hearing. The draft EIS will be available for public and agency review and comment prior to the public hearing.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address 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.)

Dated: April 20, 2005.

Cesar Perez,

Team Leader South Region, Sacramento, California.

[FR Doc. 05–8589 Filed 4–28–05; 8:45 am]

BILLING CODE 4910–22–M

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Ex Parte No. 333]

Sunshine Act Meeting

TIME AND DATE: 10 a.m., May 3, 2005.

PLACE: The Board's Hearing Room, Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423.

STATUS: The Board will meet to discuss among themselves the following agenda items. Although the conference is open for public observation, no public participation is permitted.

MATTERS TO BE CONSIDERED: STB Finance Docket No. 34662, *CSX*

Transportation, Inc.—Petition for Declaratory Order.

STB Finance Docket No. 34391, *New England Transrail, LLC, d/b/a Wilmington and Woburn Terminal Railroad Co.—Construction, Acquisition, and Operation Exemption—in Wilmington and Woburn, MA.*

STB Finance Docket No. 34509, *Kaw River Railroad, Inc.—Acquisition and Operation Exemption—The Kansas City Southern Railway Company.*

STB Docket No. AB–55 (Sub-No. 631X), *CSX Transportation, Inc.—Abandonment Exemption—in Summit County, OH.*

Embraced Case: STB Docket No. 42086, *Terminal Warehouse, Inc.* v. *CSX Transportation, Inc.*

STB Docket No. 42057, *Public Service Company of Colorado d/b/a Xcel Energy* v. *BNSF Railway Company.*

STB Docket No. AB–33 (Sub-No. 132X), *Union Pacific Railroad Company—Abandonment Exemption—in Rio Grande and Mineral Counties, CO.*

STB Finance Docket No. 34376, *City of Creede, CO—Petition for Declaratory Order.*

STB Docket No. AB–290 (Sub-No. 168X), *Norfolk and Western Railway Company—Abandonment Exemption—Between Kokomo and Rochester in Howard, Miami, and Fulton Counties, IN.*

STB Finance Docket No. 34609, *State of Washington, Department of Transportation—Acquisition Exemption—Palouse River and Coulee City Railroad, Inc.*

CONTACT PERSON FOR MORE INFORMATION: A. Dennis Watson, Office of Congressional and Public Services, Telephone: (202) 565–1596 FIRS: 1–800–877–8339.

Dated: April 26, 2005.

Vernon A. Williams,

Secretary.

[FR Doc. 05–8668 Filed 4–27–05; 10:58 am]

BILLING CODE 4915–01–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. AB–933X]

Dakota, Missouri Valley & Western Railroad, Inc.—Abandonment Exemption—in Burleigh and Emmons Counties, ND

Dakota, Missouri Valley & Western Railroad, Inc. (DMVW) has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon an approximately 32.3-mile portion of the McKenzie-Linton Line between milepost 13.0, a point south of Moffitt, Burleigh County, ND, and milepost 45.3, in Linton, Emmons County, ND.[1] The line traverses United States Postal Service Zip Codes 58524, 58544, 58552 and 58560.

DMVW has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a state or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Board or with any U.S. District Court or has been decided in favor of complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (environmental reports), 49 CFR 1105.8 (historic reports), 49 CFR 1105.11 (transmittal letter), 49 CFR 1105.12 (newspaper publication), and 49 CFR 1152.50(d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10502(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance (OFA) has been received, this exemption will be effective on May 31, 2005, unless stayed pending reconsideration. Petitions to stay that do not involve environmental issues,[2] formal expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[3] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by May 9, 2005. Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 19, 2005, with the Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423–0001.

A copy of any petition filed with the Board should be sent to DMVW's representative: Janie Sheng, Kirkpatrick & Lockhart Nicholson Graham LLP, 1800 Massachusetts Ave., NW., Washington, DC 20036.

If the verified notice contains false or misleading information, the exemption is void *ab initio.*

DMVW has filed an environmental and historic report which addresses the effects, if any, of the abandonment on the environment and historic resources. SEA will issue an environmental assessment (EA) by May 6, 2005. Interested persons may obtain a copy of the EA by writing to SEA (Room 500, Surface Transportation Board, Washington, DC 20423–0001) or by calling SEA, at (202) 565–1539. [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1–800–877–8339.] Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Pursuant to the provisions of 49 CFR 1152.29(e)(2), DMVW shall file a notice of consummation with the Board to signify that it has exercised the authority granted and fully abandoned the line. If consummation has not been effected by DMVW's filing of a notice of consummation by April 29, 2006, and there are no legal or regulatory barriers to consummation, the authority to abandon will automatically expire.

Board decisions and notices are available on our Web site at "*http://www.stb.dot.gov.*"

Decided: April 22, 2005.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 05–8581 Filed 4–28–05; 8:45 am]

BILLING CODE 4915–01–P

[1] DMVW acquired by purchase, a permanent and exclusive rail service easement over the line from The Burlington Northern and Santa Fe Railway Company, now BNSF Railway Company. *See Dakota, Missouri Valley & Western Railroad, Inc.—Acquisition and Operation Exemption—A Line of The Burlington Northern and Santa Fe Railway Company,* STB Finance Docket No. 33639 (STB served Sept. 1, 1998).

[2] The Board will grant a stay if an informed decision on environmental issues (whether raised by a party or by the Board's Section of Environmental Analysis (SEA) in its independent investigation) cannot be made before the exemption's effective date. *See Exemption of Out-of-Service Rail Lines,* 5 I.C.C.2d 377 (1989). Any request for a stay should be filed as soon as possible so that the Board may take appropriate action before the exemption's effective date.

[3] Each OFA must be accompanied by the filing fee, which currently is set at $1,200. *See* 49 CFR 1002.2(f)(25).

DEPARTMENT OF THE TREASURY

Office of the Assistant Secretary for International Affairs

Survey of Foreign Ownership of U.S. Securities

AGENCY: Departmental Offices, Department of the Treasury.

ACTION: Notice of reporting requirements.

SUMMARY: By this Notice, the Department of the Treasury is informing the public that it is conducting a mandatory survey of foreign ownership of U.S. securities as of June 30, 2005. This Notice constitutes legal notification to all United States persons (defined below) who meet the reporting requirements set forth in this Notice that they must respond to, and comply with, this survey. Additional copies of the reporting forms SHLA (2005) and instructions may be printed from the Internet at: *http://www.treas.gov/tic/forms.htm.*

Definition: A U.S. person is any individual, branch, partnership, associated group, association, estate, trust, corporation, or other organization (whether or not organized under the laws of any State), and any government (including a foreign government, the United States Government, a state, provincial, or local government, and any agency, corporation, financial institution, or other entity or instrumentality thereof, including a government-sponsored agency), who resides in the United States or is subject to the jurisdiction of the United States.

Who Must Report: The panel for this survey is based upon the level of foreign holdings of U.S. securities reported on the June 2004 benchmark survey of foreign holdings of U.S. securities, and will consist of the largest reporters on that survey. Entities required to report will be contacted individually by the Federal Reserve Bank of New York. Entities not contacted by the Federal Reserve Bank of New York have no reporting responsibilities.

What To Report: This report will collect information on foreign resident holdings of U.S. securities, including equities, short-term debt securities (including selected money market instruments), and long-term debt securities.

How To Report: Copies of the survey forms and instructions, which contain complete information on reporting procedures and definitions, can be obtained by contacting the survey staff of the Federal Reserve Bank of New York at (212) 720–6300, e-mail: *SHLA.help@ny.frb.org.* The mailing address is: Federal Reserve Bank of New York, Statistics Function, 4th Floor, 33 Liberty Street, New York, NY 10045–0001. Inquiries can also be made to Mr. William L. Griever, Federal Reserve Board of Governors, at (202) 452–2924, e-mail: *william.l.griever@frb.gov;* or to Dwight Wolkow at (202) 622–1276, e-mail: *wolkowd@do.treas.gov.*

When To Report: Data should be submitted to the Federal Reserve Bank of New York, acting as fiscal agent for the Department of the Treasury, by August 31, 2005.

Paperwork Reduction Act Notice: This data collection has been approved by the Office of Management and Budget (OMB) in accordance with the Paperwork Reduction Act and assigned control number 1505–0123. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB. The estimated average annual burden associated with this collection of information is 486 hours per report for the largest custodians of securities, and 110 hours per report for the largest issuers of securities that have data to report and are not custodians. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Department of the Treasury, Attention Administrator, International Portfolio Investment Data Reporting Systems, Room 4410@1440NYA, Washington, DC 20220, and to OMB, Attention Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503.

Dwight Wolkow,

Administrator, International Portfolio Investment Data Reporting Systems.

[FR Doc. 05–8558 Filed 4–28–05; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0556]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Veterans Health Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Veterans Health Administration (VHA) is announcing an opportunity for public comment on the proposed collection of certain information used by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to record patient's specific instructions about health care decisions in the event he or she no longer has decision-making capability.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before June 28, 2005.

ADDRESSES: Submit written comments on the collection of information to Ann Bickoff, Veterans Health Administration (193E1), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 or e-mail: *ann.bickoff@hq.med.va.gov.* Please refer to ''OMB Control No. 2900–0556'' in any correspondence.

FOR FURTHER INFORMATION CONTACT: Ann Bickoff at (202) 273–8310.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VHA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VHA's functions, including whether the information will have practical utility; (2) the accuracy of VHA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: VA Advance Directive: Living Will and Durable Power of Attorney for Health Care, VA Form 10–0137.

OMB Control Number: 2900–0556.

Type of Review: Extension of a currently approved collection.

Abstract: Claimants admitted to a VA medical facility complete VA Form 10–0137 to appoint a health care agent to make decision about his or her medical treatment and to record specific instructions about their treatment preferences in the event they no longer can express their preferred treatment. VA's health care professionals use the data to carry out the claimant's wish.

Affected Public: Individuals or households.

Estimated Total Annual Burden: 106,772 hours.

Estimated Average Burden Per Respondent: 25 minutes.

Frequency of Response: One time.

Estimated Number of Respondents: 256,253.

Dated: April 15, 2005.

By direction of the Secretary.

Loise Russell,

Director, Records Management Service.

[FR Doc. E5–2056 Filed 4–28–05; 8:45 am]

BILLING CODE 8320–01–P

DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0009]

Agency Information Collection Activities Under OMB Review

AGENCY: Veterans Benefits Administration, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501–21), this notice announces that the Veterans Benefits Administration (VBA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and includes the actual data collection instrument.

DATES: Comments must be submitted on or before May 31, 2005.

FOR FURTHER INFORMATION CONTACT: Denise McLamb, Records Management Service (005E3), Department of Veterans Affairs, 810 Vermont Avenue, NW., or e-mail *denise.mclamb@mail.va.gov*. Please refer to ''OMB Control No. 2900–0009.'' Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503, (202) 395–7316. Please refer to ''OMB Control No. 2900–0009'' in any correspondence.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Disabled Veterans Application For Vocational Rehabilitation (Chapter 31, Title 38 U.S.C.), VA Form 28–1900.

OMB Control Number: 2900–0009.

Type of Review: Revision of a currently approved collection.

Abstract: Veterans with a combined service-connected disability rating of ten percent or more and are awaiting discharge for such disability use VA Form 28–1900 to apply for vocational rehabilitation benefits. VA provides services and assistance to veterans with disabilities, who have an entitlement determination, to gain and keep suitable employment. Vocational rehabilitation also provides services to support veterans with disabilities to achieve maximum independence in their daily living activities if employment is not reasonably feasible. VA use the information collected to determine the claimant's eligibility for vocational rehabilitation benefits.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The **Federal Register** Notice with a 60-day comment period soliciting comments on this collection of information was published on December 1, 2004, at pages 69991–69992.

Affected Public: Individuals or households.

Estimated Annual Burden: 16,961 hours.

Estimated Average Burden per Respondent: 15 minutes.

Frequency of Response: Annually.

Estimated Number of Respondents: 67,844.

Dated: April 15, 2005.

By direction of the Secretary.

Loise Russell,

Director, Records Management Service.

[FR Doc. E5–2057 Filed 4–28–05; 8:45 am]

BILLING CODE 8320–01–P

Federal Register

Friday,
April 29, 2005

Part II

Department of Health and Human Services

Centers for Medicare & Medicaid Services

42 CFR Part 418

Medicare Program; Proposed Hospice Wage Index for Fiscal Year 2006; Proposed Rule

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

42 CFR Part 418

[CMS–1286–P]

RIN 0938–AN89

Medicare Program; Proposed Hospice Wage Index for Fiscal Year 2006

AGENCY: Centers for Medicare & Medicaid Services (CMS), HHS.

ACTION: Proposed rule.

SUMMARY: This proposed rule would set forth the hospice wage index for fiscal year 2006 and identifies the revised labor market and metropolitan statistical areas. This proposed rule would also codify provisions of sections 408 and 946 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

DATES: To be assured consideration, comments must be received at one of the addresses provided below, no later than 5 p.m. on June 28, 2005.

ADDRESSES: In commenting, please refer to file code CMS–1286–P. Because of staff and resource limitations, we cannot accept comments by facsimile (FAX) transmission.

You may submit comments in one of three ways (no duplicates, please):

1. *Electronically.* You may submit electronic comments on specific issues in this regulation to *http://www.cms.hhs.gov/regulations/ecomments.* (Attachments should be in Microsoft Word, WordPerfect, or Excel; however, we prefer Microsoft Word.)

2. *By mail.* You may mail written comments (one original and two copies) to the following address ONLY: Centers for Medicare & Medicaid Services, Department of Health and Human Services, Attention: CMS–1286–P, P.O. Box 8012, Baltimore, MD 21244–8012.

Please allow sufficient time for mailed comments to be received before the close of the comment period.

3. *By hand or courier.* If you prefer, you may deliver (by hand or courier) your written comments (one original and two copies) before the close of the comment period to one of the following addresses. If you intend to deliver your comments to the Baltimore address, please call telephone number (410) 786–9994 in advance to schedule your arrival with one of our staff members.

Room 445–G, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201; or 7500 Security Boulevard, Baltimore, MD 21244–1850.

(Because access to the interior of the HHH Building is not readily available to persons without Federal Government identification, commenters are encouraged to leave their comments in the CMS drop slots located in the main lobby of the building. A stamp-in clock is available for persons wishing to retain a proof of filing by stamping in and retaining an extra copy of the comments being filed.)

Comments mailed to the addresses indicated as appropriate for hand or courier delivery may be delayed and received after the comment period.

Submission of comments on paperwork requirements. You may submit comments on this document's paperwork requirements by mailing your comments to the addresses provided at the end of the ''Collection of Information Requirements'' section in this document.

For information on viewing public comments, see the beginning of the **SUPPLEMENTARY INFORMATION** section.

FOR FURTHER INFORMATION CONTACT: Terri Deutsch, (410) 786–9462.

SUPPLEMENTARY INFORMATION:

Submitting Comments: We welcome comments from the public on all issues set forth in this rule to assist us in fully considering issues and developing policies. You can assist us by referencing the file code CMS–1286–P and the specific ''issue identifier'' that precedes the section on which you choose to comment.

Inspection of Public Comments: All comments received before the close of the comment period are available for viewing by the public, including any personally identifiable or confidential business information that is included in a comment. CMS posts all electronic comments received before the close of the comment period on its public website as soon as possible after they have been received. Hard copy comments received timely will be available for public inspection as they are received, generally beginning approximately 3 weeks after publication of a document, at the headquarters of the Centers for Medicare & Medicaid Services, 7500 Security Boulevard, Baltimore, Maryland 21244, Monday through Friday of each week from 8:30 a.m. to 4 p.m. To schedule an appointment to view public comments, phone 1–800–743–3951.

I. Background

A. General

1. Hospice Care

Hospice care is an approach to treatment that recognizes that the impending death of an individual warrants a change in the focus from curative care to palliative care for relief of pain and for symptom management. The goal of hospice care is to help terminally ill individuals continue life with minimal disruption to normal activities while remaining primarily in the home environment. A hospice uses an interdisciplinary approach to deliver medical, social, psychological, emotional, and spiritual services through use of a broad spectrum of professional and other caregivers, with the goal of making the individual as physically and emotionally comfortable as possible. Counseling services and inpatient respite services are available to the family of the hospice patient. Hospice programs consider both the patient and the family as a unit of care.

Section 1861(dd) of the Social Security Act (the Act) provides for coverage of hospice care for terminally ill Medicare beneficiaries who elect to receive care from a participating hospice. Section 1824(i) of the Act provides payment for Medicare-participating hospices.

2. Medicare Payment for Hospice Care

Our regulations at 42 CFR part 418 establish eligibility requirements, payment standards and procedures, define covered services, and delineate the conditions a hospice must meet to be approved for participation in the Medicare program. Part 418 subpart G provides for payment in one of four prospectively-determined rate categories (routine home care, continuous home care, inpatient respite care, and general inpatient care) to hospices based on each day a qualified Medicare beneficiary is under a hospice election.

B. Hospice Wage Index

The hospice wage index is used to adjust payment rates for hospice agencies under the Medicare program to reflect local differences in area wage levels. The original hospice wage index was based on the 1981 Bureau of Labor Statistics hospital data and had not been updated since 1983. In 1994, because of disparity in wages from one geographical location to another, a committee was formulated to negotiate a wage index methodology that could be accepted by the industry and the government. This committee, functioning under a process established by the Negotiated Rulemaking Act of 1990, was comprised of national hospice associations; rural, urban, large, and small hospices; multisite hospices; consumer groups; and a government representative. On April 13, 1995, the Hospice Wage Index Negotiated

Rulemaking Committee signed an agreement for the methodology to be used for updating the hospice wage index.

1. Updates to the Hospice Wage Index

In the August 8, 1997 **Federal Register** (62 FR 42860), we published a final rule implementing a new methodology for calculating the hospice wage index based on the recommendations of the negotiated rulemaking committee. The committee statement was included in the appendix of that final rule (62 FR 42883). The provisions of the final rule specified that the revised hospice wage index was to be— (1) calculated using the most current available hospital wage data; and (2) phased in over a 3-year transition period. For the first year of the transition period, October 1, 1997 through September 30, 1998, a blended index was calculated by adding two-thirds of the 1983 index value for an area to one-third of the revised wage index value for that area. During the second year of the transition period, October 1, 1998 through September 30, 1999, the calculation was similar, except that the blend was one-third of the 1983 index value and two-thirds of the revised wage index value for that area. The revised wage index was fully implemented during the third year of the transition period, October 1, 1999 through September 30, 2000.

The annual update to the hospice wage index is published in the **Federal Register** and is based on the most current available hospital wage data, as well as any changes by the Office of Management and Budget (OMB) to the definitions of Metropolitan Statistical Areas (MSAs). Raw wage index values (inpatient hospital pre-floor and pre-reclassified wage index values) (as described in the August 8, 1997 hospice wage index final rule (62 FR 42860)) are subject to either a budget neutrality adjustment or application of the wage index floor. Raw wage index values of 0.8 or greater are adjusted by the budget neutrality adjustment factor. Budget neutrality means that, in a given year, estimated aggregate payments for Medicare hospice services using the updated wage index values will equal estimated payments that would have been made for these services if the 1983 wage index values had remained in effect. To achieve this budget neutrality, the raw wage index is multiplied by a budget neutrality adjustment factor. The budget neutrality adjustment factor is computed and applied annually. The budget neutrality adjustment factor is calculated by comparing what we would have paid using current rates and the 1983 wage index to what would be paid using current rates and new wage index.

Raw wage index values below 0.8 are adjusted by the greater of: (1) The hospice budget neutrality adjustment factor; or (2) the hospice wage index floor (a 15 percent increase) subject to a maximum wage index value of 0.8.

C. Hospice Provisions of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003

On December 8, 2003, the Congress enacted the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 (Pub. L. 108–173). This legislation provided for the following provisions affecting hospice services:

- Section 408, Recognition of Attending Nurse Practitioners as Attending Physicians to Serve Hospice Patients.
- Section 512, Coverage of Hospice Consultation Services.
- Section 946, Authorizing Use of Arrangements to Provide Core Hospice Services in Certain Circumstances.

Section 408 of the MMA amended sections 1861(dd)(3)(B) and 1814(a)(7) of the Act to add nurse practitioners (NPs) to the definition of an attending physician for beneficiaries who have elected the hospice benefit. In other words, if a beneficiary's primary care provider before the determination of the terminal illness and election of the hospice benefit is an NP, the NP can remain as the attending physician, if the beneficiary chooses, after a hospice election. If the beneficiary does not have an attending physician or NP at the time of the terminal diagnosis, the beneficiary may choose to designate either a physician or an NP as his or her attending physician when electing the hospice benefit. Section 408 of the MMA was implemented through an administrative issuance (Change Request (CR) 3226, Transmittals 22 and 304, September 24, 2004).

Section 512 of the MMA provides for a one-time evaluation and consultation to Medicare beneficiaries who have been determined to have a 6-month prognosis if the disease runs its normal course, and who require the expertise of the medical director or physician employed by a hospice in order to be able to make end-of-life decisions. This provision was implemented in the CY 2005 Physician Fee Schedule final rule published in the November 15, 2004 **Federal Register** (69 FR 66335) and is incorporated in our regulations at § 418.205 and § 418.304(d).

Section 946(a) of the MMA allows a hospice program ''in extraordinary, exigent, or other non-routine circumstances, such as unanticipated period of high patient loads, staffing shortages due to illness or other events, or temporary travel of a patient outside a hospice program's service area, * * * ''to enter into arrangements with another hospice program to provide services to beneficiaries. Section 946(b) of the MMA provides that ''in the case of hospice care provided by a hospice program under arrangement under section 1861(dd)(5)(D) made by another hospice program, the hospice program that made the arrangements shall bill and be paid for the hospice care.'' In section II.B.2 of this proposed rule, we discuss our proposal to revise the regulations to implement payment for hospice services made under arrangements. We will address the implementation of section 946(a) of the MMA in a future rulemaking document.

II. Provisions of the Proposed Rule

A. Hospice Wage Index for FY 2006

1. Revised OMB Definition for Geographical Statistical Areas

As required by § 418.306(c), each hospice's labor market is established using the MSA definitions issued by OMB. In the September 4, 1996 hospice wage index proposed rule (61 FR 46579), we explained that the MSA definitions were issued by OMB on December 28, 1992, based on the 1990 census, and updated by OMB based on the decennial census. In accordance with our regulations, changes to the MSA definitions are announced in a **Federal Register** notice.

In the August 27, 2004 **Federal Register** (69 FR 52710), we published a notice with respect to the hospice wage index for FY 2005. In that notice, we acknowledged that on June 6, 2003, OMB issued OMB Bulletin No. 03–04 announcing revised definitions for MSAs, new definitions for Micropolitan Statistical Areas and Combined Statistical Areas, and guidance on using the statistical definitions. (A copy of the Bulletin may be obtained at the following Internet address: *http://www.whitehouse.gov/omb/bulletins/b03–04.html.*) In addition, we noted that we would not address the new OMB definitions because the wage data used to calculate the FY 2005 hospice wage index (FY 2004 hospital wage data) did not reflect revisions based on the new definitions. We indicated that the new OMB definitions would be addressed in the FY 2006 wage index update.

a. Background

In general, OMB defines an urban area as a Metropolitan Statistical Area (MSA) or New England County Metropolitan Area (NECMA). A rural area is defined

as any area outside of the urban area. Any area not included in an MSA is considered to be nonurban and receives the statewide rural rate.

Under the hospital inpatient prospective payment system (IPPS), the wage index is calculated and assigned to hospitals on the basis of the labor market area in which the hospital is located or geographically reclassified under sections 1886(d)(8) and (d)(10) of the Act. In accordance with our regulations for hospice payment, we also use MSAs to define labor market areas, but the application differs from IPPS. Section 1814(i)(2)(D) of the Act requires Medicare to pay for hospice services based on the geographic location where the service is furnished. The wage index value used is based upon the location of the beneficiary's home for routine home care and continuous home care and the location of the hospice agency for general inpatient and respite care.

In this proposed rule, we will address the new OMB definitions and their application to the hospice wage index. Since our regulations require the use of the IPPS wage data as the basis for determining the hospice wage index, we are providing the following summary of the revised geographical statistical areas adopted in the FY 2005 IPPS final rule. (For a more detailed discussion of the changes in the hospital wage index based on the new OMB definitions see the FY 2005 IPPS proposed and final rules published May 18, 2004 (69 FR 28196) and August 11, 2004 (69 FR 48916).)

b. Current Labor Market Areas Based on MSAs

As discussed in the FY 2005 IPPS final rule, ''the [hospital] wage index is calculated and assigned to hospitals on the basis of the labor market area in which the hospital is located.'' In addition, the IPPS final rule (69 FR 49026) defined hospital labor markets as follows:

> We currently define hospital labor market areas based on the definitions of Metropolitan Statistical Areas (MSAs), Primary MSAs (PMSAs), and New England County Metropolitan Areas (NECMAs) issued by OMB. OMB also designates Consolidated MSAs (CMSAs). A CMSA is a metropolitan area with a population of one million or more, comprising two or more PMSAs (identified by their separate economic and social character). For purposes of the hospital wage index, we use the PMSAs rather than CMSAs because they allow a more precise breakdown of labor costs. If a metropolitan area is not designated as part of a PMSA, we use the applicable MSA.
>
> These different designations use counties as the building blocks upon which they are based. Therefore, hospitals are assigned to either an MSA, PMSA, or NECMA based on whether the county in which the hospital is located is part of that area. For purposes of the IPPS wage index, we combine all of the counties in a State outside a designated MSA, PMSA, or NECMA together to calculate a statewide rural wage index.

c. Core-Based Statistical Areas

In the December 27, 2000 **Federal Register** (65 FR 82228 through 82238), OMB announced its new standards and in that notice, OMB defined a Core-Based Statistical Area (CBSA), beginning in 2003, as ''a geographic entity associated with at least one core of 10,000 or more population, plus adjacent territory that has a high degree of social and economic integration with the core as measured by commuting ties.'' The standards designate and define two categories of CBSAs: MSAs and Micropolitan Statistical Areas (65 FR 82235).

According to OMB, MSAs are based on urbanized areas of 50,000 or more population, and Micropolitan Statistical Areas (referred to in further discussion as Micropolitan Areas) are based on urban clusters of at least 10,000 population but less than 50,000 population. Counties that do not fall within CBSA (either MSA or Micropolitan Areas) are deemed ''Outside CBSAs.'' In the past, OMB defined MSAs around areas with a minimum core population of 50,000, and smaller areas were ''Outside MSAs.''

In its June 6, 2003 bulletin, OMB announced the new CBSAs, comprised of MSAs and the new Micropolitan Areas based on Census 2000 data. The new CBSA designations recognize 49 new (urban) MSAs and 565 new Micropolitan Areas, and revised the composition of many of the existing (urban) MSAs. There are 1,090 counties in MSAs under these new CBSA designations compared with 848 counties in the previous MSAs. Of these 1,090 counties, 737 are in the same MSA as they were before the changes, 65 are in different MSAs, and 288 were not previously designated to any MSA. There are 674 counties in Micropolitan Areas. Of these, 41 were previously in an MSA, while 633 were not previously designated to an MSA.

d. Revised Labor Market Areas

As discussed in the FY 2005 IPPS final rule (69 FR 49027), alternatives to the use of MSAs for the purpose of establishing labor market areas for the Medicare wage index were examined. In the May 27, 1994, IPPS proposed rule (59 FR 27724), the latest research concerning possible future refinements to the labor market areas was presented. Public comments received on the May 27, 1994 proposed rule were described in the June 2, 1995 proposed rule (60 FR 29219). In that rule, it was noted that there was no consensus among commenters on the choice for new labor market areas. Consequently, MSAs have continued to be used to define labor market areas for purposes of the wage index by many Medicare payment systems as noted in previous discussion.

(1) New England County Metropolitan Areas

NECMAs are currently used to define labor markets areas in New England, ''* * * because these are county-based designations rather than the 1990 MSA definitions for New England which used minor civil divisions such as cities and towns.'' Under the CBSA definition, ''OMB has defined the MSAs and Micropolitan Areas in New England on the basis of counties. OMB also established New England City and Town Areas, which are similar to the previous New England MSAs.'' Therefore, to maintain consistency in the definition of labor market areas between New England and the rest of the country, IPPS decided to use the New England MSAs under the new CBSA definition.

(2) Metropolitan Divisions

Under OMB's new CBSA designations, a Metropolitan Division is a county or group of counties within a CBSA that contains a core population of at least 2.5 million, representing an employment center, plus adjacent counties associated with the main county or counties through commuting lines. For the hospital wage index the PMSAs are used rather than CMSA to define labor market areas ''because they comprise a smaller geographic area with potentially varying labor costs due to different local economies.''

(3) Micropolitan Areas

The IPPS final rule noted the following regarding the use of Micropolitan Areas to define labor markets (69 FR 49029):

> One of the major issues with respect to the new definitions is whether to use Micropolitan Areas to define labor market areas for the purpose of the IPPS wage index. Because the new Micropolitan Areas are essentially a third area definition made up mostly of currently rural areas, but also some or all of current MSAs, how these areas are treated will have significant impacts on the calculation and application of the wage index. Treating Micropolitan Areas as separate and distinct labor market areas would affect both the wage indexes of the hospitals in the Micropolitan Areas and the

hospitals in the labor market areas where those hospitals are currently located (both positively and negatively).

Because we currently use MSAs to define urban labor market areas and we group all the hospitals in counties within each State that are not assigned to an MSA together into a statewide rural labor market area, we have used the terms ''urban'' and ''rural'' wage indexes in the past for ease of reference. However, the introduction of Micropolitan Areas complicates this terminology because these areas include so many hospitals that are currently included in the statewide rural labor market areas. In order to facilitate the discussion below, we use the term ''rural'' hospitals to describe hospitals in counties that are not assigned to either an MSA or a Micropolitan Area. This should not be taken to indicate that hospitals in Micropolitan Areas are no longer ''rural'' hospitals. In fact, we proposed that hospitals in Micropolitan Areas are included in the statewide rural labor market areas, for the reasons outlined below.

2. Annual Update to the Hospice Wage Index

(If you choose to comment on issues in this section, please include the caption ''Annual Update to the Hospice Wage Index'' at the beginning of your comments)

a. Background

Section 418.306(c) requires that we issue annually in the **Federal Register**, hospice wage index based on our most current available hospital wage data, including any changes to the definitions of MSAs.

Section 4441(a) of the Balanced Budget Act of 1997 (BBA) amended section 1814(i)(1)(C)(ii) of the Act to establish updates to hospice rates for FYs 1998 through 2002. Hospice rates were to be updated by a factor equal to the hospital market basket index, minus 1 percentage point. However, neither the BBA nor subsequent legislation specified the hospital market basket adjustment to be used to compute payment for FY 2006. Therefore, payment rates for FY 2006 will be updated according to section 1814(i)(1)(C)(ii)(VII) of the Act, which specifies that the update to the payment rates after FY 2002 will be the hospital market basket percentage increase for the fiscal year. This rate update is implemented via administrative issuance to be published July 2005 to provide adequate time to implement system change requirements and is not part of this proposed rule.

The hospice wage index presented in this proposed rule would be effective October 1, 2005 through September 30, 2006. We note that we are not proposing any modifications to the hospice wage index methodology. In accordance with the our regulations and the agreement signed with other members of the Hospice Wage Index Negotiated Rulemaking Committee, we will continue to use the most current hospital data available to adjust for area wage differences. For this proposed rule, the FY 2005 hospital wage index was the most current hospital wage data available when the FY 2006 wage index values were calculated. We continue to use the pre-reclassified and prefloor hospital area wage index data. Payment rates for each of the four levels of care (routine home care, continuous home care, respite care, and general inpatient care) are adjusted annually based upon the hospital market basket for that year and are promulgated administratively to allow for sufficient time for system changes and provider notification. Due to the need to ensure appropriate time for implementing changes, we have not incorporated these payment rates into this proposed rule.

The payment rates are divided into the labor and nonlabor portions. The appropriate wage index value is applied to the labor portion of the hospice rate based on the geographic area in which the beneficiary resides when receiving routine home care or continuous home care. The appropriate wage index value is applied to the labor portion of the hospice rate based on the geographic area of the hospice agency for beneficiaries receiving general inpatient or respite level of care.

We use the previous fiscal year's hospital wage index data to calculate the hospice wage index values. For FY 2006 proposed hospice wage index, we use the FY 2005 hospital prefloor and pre-reclassified hospital wage data. This means that the hospital wage data used for the hospice wage index is not adjusted to take into account the geographic reclassification of hospitals in accordance with sections 1886(d)(8)(B) and 1886 (D)(10) of the Act. All wage index values for FY 2006 would be adjusted by either by the proposed FY 2006 budget neutrality adjustment factor, 1.063479, or the wage index floor adjustment. This means, that for wage index values 0.8 or greater, the value is multiplied by the budget neutrality adjustment factor. For wage index values that are below 0.8, either the budget neutrality adjustment factor or the wage index floor, not to exceed 0.8, is applied. In other words, the floor adjustment is the greater of the raw wage index value multiplied by the proposed budget neutrality adjustment factor (1.063479 for FY 2006) or the raw wage index value for that area is multiplied by 15 percent subject to a maximum value of 0.8. Budget neutrality means that, in a given year, estimated aggregate payments for Medicare hospice services using the updated wage index will equal estimated payments that would have been made for the same services if the wage index adopted for hospices in 1983 had remained in effect. (For a detailed discussion of the methodology used to compute the hospice wage index see the September 4, 1996 proposed rule (61 FR 46579) and the August 8, 1997 final rule (62 FR 42860)). The proposed FY 2006 hospice wage indexes for urban and rural areas are listed in Tables A and B of the Addendum.

b. Implementation of the Revised Labor Market Designations

(If you choose to comment on issues in this section, please include the caption ''Implementation of Revised Labor Market Designations'' at the beginning of your comments)

For the hospice payment system, § 418.306(c) requires that the hospice wage index be ''based on the most current available CMS hospital wage index, including any changes to the definitions of Metropolitan Statistical Areas.'' We continue to believe MSAs are a reasonable and appropriate proxy for developing geographic areas for purposes of adjusting for wage differences in hospice. We also note that MSAs are used to define labor market areas for purposes of the wage index for many of the other Medicare payment systems (for example, long term care hospital (LTCH) prospective payment system (PPS), inpatient rehabilitation facility (IRF) PPS, home health agency (HHA) PPS, skilled nursing facility (SNF) PPS, Outpatient PPS and inpatient psychiatric facility (IPF) PPS.

First, historically, Medicare prospective payment systems have used metropolitan area (MA) definitions developed by OMB. For example, in adopting the MSA designation for the IPPS area labor adjustment, the Secretary stated:

> [i]n administering a national payment system, we must have a national classification system built on clear, objective standards. Otherwise the program becomes increasingly difficult to administer because the distinction between rural and urban hospitals is blurred. We believe that the MSA system is the only one that currently meets the requirements for use as a classification system in a national payment program. The MSA classification system is a statistical standard developed for use by Federal agencies in the production, analysis, and publication of data on metropolitan areas. The standards have been developed with the aim of producing definitions that will be consistent as possible for all MSAs nationwide.'' (49 FR 27426).

In addition, in numerous instances, the Congress has recognized that the areas developed by OMB may be used for differentiating among geographic areas for Medicare payment purposes. For example, in the IPPS statutory section, section 1886(d)(2)(D) of the Act, the Congress defines an ''urban area'' as ''an area within a Metropolitan Statistical Area (as defined by the Office of Management and Budget) or within such similar area as the Secretary has recognized.'' Similarly, in the sections of the statute governing the guidelines to be used by the Medicare Geographic Classification Review Board for purposes of reclassification, sections 1886(d)(10)(A) and (D)(i)(II) of the Act, the Congress directed the Secretary to create guidelines for ''determining whether the county in which the hospital is located should be treated as being part of a particular [MSA].'' Thus, the Congress has accepted and ratified the use of MSAs as an inherently rational manner of dividing up labor-market areas for purposes of Medicare payments.

The process used by OMB to develop the MSAs creates geographic areas that are based upon characteristics we believe also generally reflect the characteristics of unified labor market areas. For example, the CBSAs reflect a core population plus an adjacent territory that reflects a high degree of social and economic integration. This integration is measured by commuting ties, thus demonstrating that these areas may draw workers from the same general areas. In addition, the most recent CBSAs reflect the most up to date information. OMB reviews its MA definitions preceding each decennial census to reflect recent population changes, and the CBSAs are based on the Census 2000 data. Finally, in the context of the inpatient prospective payment system, we have reviewed alternative methods for determining geographic areas for purposes of the wage index, and in each case, have determined to remain with the OMB designations rather than replace these designations with alternatives.

As stated previously, § 418.306(c) requires the hospice wage index to reflect changes to the definitions of MSA. Therefore, we are proposing to adopt the revised labor market area designations based on OMB's CBSA designations.

For the proposed FY 2006 hospice wage index, we would adopt the CBSA designations as finalized in the FY 2005 IPPS. We believe that OMB's CBSA designations, based on Census 2000 data reflect the most recent available geographic classifications (MA definitions). We are not proposing to change at this time, the methodology derived as a result of the negotiated rulemaking committee. We believe that there are factors which require evaluation to determine if the hospice methodology supports the cost of providing hospice services and if the methodology requires modification.

As discussed in the IPPS final rule (69 FR 49032), when the IPPS adopted the revised labor market areas based on OMB's new CBSA designations on October 1, 2004, IPPS established a transition to the new designations to mitigate the resulting adverse impact on certain hospitals. Section 1814(i)(1)(A) of the Act requires hospice payment to be based on ''costs which are reasonable and related to the cost of providing hospice care or which are based on such other tests of reasonableness the Secretary may prescribe in regulations * * *.'' Our regulations at § 418.306(c) require us to issue annually in the **Federal Register** ''a hospice wage index based on the most current available CMS hospital data wage data, including any changes to the definitions of Metropolitan Statistical Areas.'' This language would not seem to permit us to establish a transition to the new CBSA designations. In addition, unlike IPPS and other payment systems where each entity uses a single MSA (CBSA), hospice agencies may use various wage indices to compute their payments based upon the location of the beneficiary for routine and continuous home care or the MSA (CBSA) for the location of the agency for respite and general inpatient care. The methodology for applying the hospice floor (15 percent) to wage index values below 0.8 is used to leverage areas where there are significantly low wage index values. Moreover, we do not believe that in the aggregate, hospice agencies would be impacted negatively by the new CBSA designations. The existing methodology of computing the hospice wage index, the annual calculation of the hospice payment rates based upon the market basket index, and the variability of CBSAs that may be attributed to different hospice agencies are sufficient to mitigate adverse effects on individual hospice agencies. While we understand that there are CBSAs that decrease based upon the new definitions, there are those that are positively affected. For example, many counties that have been included in the rural definitions under the MSA designations are now designated as urban areas under the CBSA will generally receive an increase in their wage index. We believe that adjustments made to CBSAs because of negative impact would necessitate adjustment to CBSAs that are positively impacted. Variability and changes in wage indices both positively and negatively have occurred under the MSA designations and occur as a result of geographic differences. As a result, we propose to adopt the CBSA definitions and resulting wage indices without transitions. The impact of the CBSA designations is discussed in section V of this proposed rule.

In adopting the CBSA designations, we identified that there were no IPPS hospitals and thus no hospital wage index data on which to base the calculation of the FY 2006 hospice wage index for rural Massachusetts. Because there is no reasonable proxy for more recent rural data within Massachusetts, we are proposing to use the prefloor, preclassified hospital wage index data for FY 2005 and apply the FY 2006 proposed budget neutrality factor of 1.063479. In the event that future rural areas do not have hospital wage index data to derive a hospice wage index, we propose to use a comparable methodology to derive a wage index. Similarly, if there urban areas without hospital wage index data, we propose to use all of the urban areas within the State as a reasonable proxy. We are soliciting comment on these approaches to calculating the wage index value for areas without hospital wage data for FY 2006 and subsequent years.

To facilitate an understanding of the policies related to the proposed changes in the hospice wage index discussed in section II.A of this proposed rule, we are providing the following tables in the Addendum to this proposed rule:

- Table A—Proposed Hospice Wage Index for Urban Areas by CBSA.
- Table B—Proposed Hospice Wage Index for Rural Areas by CBSA.
- Table C—Comparison of Hospice Wage Index for Urban Areas by MSA and CBSA. This table lists the counties by MSA designation and the wage index if we had retained the use of MSAs. It also presents the CBSA designation for these counties and the corresponding wage index using the CBSA designations. The MSA designations include those counties that were classified as rural and indicated the State rural MSA code and the corresponding CBSA for these counties which under the CBSA designation are now urban. We note that some counties that are classified as rural under the MSA designation would become rural under the new CBSA designation and vice versa.
- Table D—Comparison of the Hospice Wage Index for Rural Areas by MSA and CBSA. This table compares

the State rural MSA designations and their corresponding wage indices to the CBSA designations and their respective wage indices.

• Table E—Rural Counties Converting to Urban Counties by State. This table presents the rural counties that under the CBSA designations convert to urban counties. The list includes the county name, State county code, MSA designation, MSA name, CBSA name, and CBSA designation. Please note that these conversions are based on the OMB designations.

• Table F—Crosswalk of Counties by State from MSA to CBSA. This table crosswalks all counties in each State from MSA to CBSA and includes the State, State county code, MSA designation, MSA name, CBSA designation, and CBSA name. These tables will assist providers in identifying their location and their catchment area(s) by their previous designations and their CBSA designation as well as the wage indices for those areas based upon the previous MSA designations as well as the CBSA designations.

3. Labeling Error in the Hospice Wage Index

We have discovered an error in the labeling of the wage index tables that we have been publishing in the annual hospice wage index update. That labeling error is the listing of Stanly County, North Carolina as one of the areas under MSA 1520 when, in fact, we consider Stanly County, NC to be a rural area in North Carolina. Stanly County wage data have always been correctly treated as rural in the actual creation of the hospice wage index values, and it has only been the listing of Stanly County under MSA 1520 that was in error. Consequently, we are correcting our labeling error from past notices for the hospice and have removed Stanly County from the list of areas that fall under the MSA 1520 wage index. Since this is strictly a ministerial correction that does not affect the actual computation of the wage index values, hospice providers in and beneficiaries who reside in Stanly County and receive routine home and continuous home care in Stanly County will continue to fall under, and use, the wage index for rural North Carolina.

B. Proposed Changes To Implement Hospice-Related Provisions of the MMA

(If you choose to comment on issues in this section, please include the caption ''MMA Provisions'' at the beginning of your comments)

In section I.C of this proposed rule, we note that section 408 of the MMA was effective upon enactment and initially implemented through administrative issuances. This proposed rule would incorporate the provisions in regulation.

1. Coverage of Nurse Practitioner as Attending Physician in Hospice (Section 408 of the MMA)

Section 408 of the MMA amended sections 1861(dd)(3)(B) and 1814(a)(7) of the Act to add nurse practitioners (NPs) to the definition of an attending physician, for beneficiaries who have elected the hospice benefit. In other words, if a beneficiary's primary care provider is an NP, before the determination of the terminal illness and election of the hospice benefit, the NP can remain as the attending physician, if chosen by the beneficiary. If the beneficiary does not have an attending physician or NP, the beneficiary must be provided with an option of either a physician or an NP (if available and if allowed by State law) to serve as the attending physician. An NP is defined as a registered nurse who performs such services as he or she is legally authorized to perform (in the State in which the services are performed) in accordance with State law (or State regulatory mechanism provided by State law) and who meets the training, education, and experience requirements as the Secretary may prescribe.

As discussed in Change Request 3226 (Transmittals 22 and 304, September 24, 2004), beginning December 8, 2003, Medicare pays for medically reasonable and necessary services provided by NPs to Medicare beneficiaries who have elected the hospice benefit and who have selected a nurse practitioner as their attending physician. Nurse practitioners are paid 85 percent of the fee schedule amount for their services as attending physicians. Services for the terminal and related conditions provided by an NP—

• Serving as the attending physician that are medical in nature must be reasonable and necessary and must be services that, in the absence of an NP, would be performed by a physician; and

• May not be separately billed if the—

++ Services would not be reasonable and necessary if provided by an attending physician;

++ NP is not the patient's attending physician; or

++ Services would be performed by a registered or licensed nurse in the absence of a physician or nurse practitioner.

Since NPs are not physicians, as defined in 1861(r)(1) of the Act, they may not act as medical directors or physicians of the hospice or certify the beneficiary's terminal illness and hospices may not contract for their attending physician services as described in 1861(dd)(2)(B)(i)(III) of the Act. All of these provisions apply to NPs without regard to whether they are hospice employees.

We are proposing to revise § 418.3, 418.22(c)(1)(ii), and § 418.304 to implement the provisions of section 408 of the MMA.

2. Payment for Authorizing Use of Arrangements To Provide Hospice Service Under Certain Circumstances (Section 946 of the MMA)

Section 946(a) of the MMA amended section 1861(dd)(5) of the Act by adding the following: ''(D) In extraordinary, exigent, or other non-routine circumstances, such as unanticipated periods of high patient loads, staffing shortages due to illness or other events, or temporary travel of a patient outside a hospice program's service area, a hospice program may enter into arrangements with another hospice program for the provision by that other program of services described in paragraph (2)(A)(ii)(I).'' Section 946(a) of the MMA is discussed in this proposed rule to assist the reader in understanding how hospices will be reimbursed for these types of arrangements. We will issue more specific regulations regarding section 946(a) of the MMA in future rulemaking.

Section 946(b) of the MMA amended section 1814(i) of the Act to add the following: ''(5) In the case of hospice care provided by a hospice program under arrangements under section 1861(dd)(5)(D) made by another hospice program, the hospice program that made the arrangements shall bill and be paid for the hospice care.'' This means that the hospice that establishes the contractual arrangement with the hospice that will be providing services to the beneficiary, continues to bill for and receive payment during the hospice election.

Section 4442 of the BBA amended section 1814(i)(2) of the Act, effective for services furnished on or after October 1, 1997, to require hospice agencies to submit claims for payment for hospice services furnished in an individual's home on the basis of the geographic location at which the service is furnished. Therefore, the methodology for applying the wage index to the labor portion of the payment rates remains the same. This means that the wage index for routine and continuous home care would reflect the place where the service is provided,

which may be outside of the hospice program's service area during periods of temporary travel. We do not propose in this rule to define ''temporary travel'' since this would depend upon individual needs and abilities determined by the interdisciplinary group, the beneficiary, and his or her family. The wage index for general inpatient care would reflect the MSA for the hospice agency that retains management responsibility. Payment will continue to be made to the hospice agency for which the beneficiary has made the election. We are proposing to revise § 418.302(d) to implement this provision.

III. Collection of Information Requirements

Under the Paperwork Reduction Act of 1995, we are required to provide 30-day notice in the **Federal Register** and solicit public comment before a collection of information requirement is submitted to the Office of Management and Budget (OMB) for review and approval. In order to fairly evaluate whether an information collection should be approved by OMB, section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 requires that we solicit comment on the following issues:

- The need for the information collection and its usefulness in carrying out the proper functions of our agency.
- The accuracy of our estimate of the information collection burden.
- The quality, utility, and clarity of the information to be collected.
- Recommendations to minimize the information collection burden on the affected public, including automated collection techniques.

Section 418.22(c)(1) requires for the initial 90-day period, the hospice must obtain written certification statements (and oral certification statements if required under paragraph (a)(3) of this section) from the individual's attending physician, if the individual has an attending physician, that meets the definition of physician specified in § 410.20 of this subchapter.

While this requirement is subject to the PRA it is currently approved by OMB under control number 0938–0302, ''ICRs in Hospice Care Regulation and Supporting Regulations'', with a current expiration date of September 30, 2006.

IV. Response to Comments

Because of the large number of public comments we normally receive on **Federal Register** documents, we are not able to acknowledge or respond to them individually. We will consider all comments we receive by the date and time specified in the **DATES** section of this preamble, and, when we proceed with a subsequent document, we will respond to the comments in the preamble to that document.

V. Regulatory Impact Analysis

(If you choose to comment on issues in this section, please include the caption ''Impact Analysis'' at the beginning of your comments)

A. Overall Impact

We have examined the impacts of this proposed rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), the Regulatory Flexibility Act (RFA) (September 19, 1980, Pub. L. 96–354), section 1102(b) of the Act, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), and Executive Order 13132. We estimated the impact on hospices, as a result of the proposed changes to the FY 2006 hospice wage index. As discussed previously, the methodology for computing the wage index was determined through a negotiated rulemaking committee and implemented in the August 8, 1997 final rule (62 FR 42860). This proposed rule updates the hospice wage index in accordance with our regulation and that methodology, incorporating the adoption of the CBSA designations used in the hospital wage index data. Table I reflects the proposed hospice wage index impact using the CBSA designations. Table II indicates the proposed wage index impact using the hospice wage indices under the MSA designations as well as the CBSA designations.

In addition, section 1102(b) of the Act requires us to prepare a regulatory impact analysis if a rule may have a significant impact on the operations of a substantial number of small rural hospitals. This analysis must conform to the provisions of section 603 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital that is located outside an MSA and has fewer than 100 beds. We have determined that this proposed rule would not have a significant impact on the operations of a substantial number of small rural hospitals.

Section 202 of the Unfunded Mandates Reform Act of 1995 also requires that agencies assess anticipated costs and benefits before issuing any rule that may result in expenditure in any 1 year by State, local, and tribal governments, in the aggregate, or by the private sector, of $110 million or more. This proposed rule would have no substantial effect on State, local, or tribal governments or on the private sector.

Executive Order 13132 establishes certain requirements that an agency must meet when it promulgates a proposed rule (and subsequent final rule) that imposes substantial direct requirement costs on State and local governments, preempts State law, or otherwise has Federalism implications. We have reviewed this proposed rule under the threshold criteria of Executive Order 13132, Federalism, and have determined that it would not have an impact on the rights, roles, and responsibilities of State, local, or tribal governments.

In accordance with the provisions of Executive Order 12866, this regulation was reviewed by the Office of Management and Budget.

1. Hospice Size

The impact of hospice wage index changes have been analyzed according to type of hospice, geographic location, type of ownership, hospice base, and hospice size. Hospice size was determined by the number of routine home care days (RHC). Since routine home care days account for over 70 percent of the services provided by a hospice, we used RHC days as a proxy for the size of the hospice agency. In the past, we had, designated the size by four categories: (1) 0 to 1,754 RHC days representing small agencies; (2) 1,754 to 4,373 RHC days or (3) 4,373 to 9,681 RHC days representing medium-sized agencies; and (4) 9,681 RHC days or more representing large agencies.

To determine the statistical distribution of RHC days, based upon the total number of hospice agencies and their respective RHC days using FY 2003 claims processed through March 2004, were used. In determining the statistical distribution, we deleted data for four hospice agencies with RHC days that greatly exceeded the total number of RHC days of other agencies. However, these data have been included in the impact analysis since we recognize that the skewness existed in the ''large'' agency size distribution using four size categories and does not change with the use of three size categories.

Based upon this analysis, we are using only three size designations to present the impact analyses. We believe that these three designations better describe the size of the hospice. The three categories are: Small agencies having 0 to 3,499 RHC days; medium agencies having 3,500 to 19,999 RHC days; and large agencies having 20,000 or more RHC days.

2. Impact on Hospices

Our discussions for this proposed rule will focus on the impact of adopting the

CBSA designations. Table I indicates the impact of using the proposed CBSA designations. Table II provides a comparison between impact using the MSA and CBSA designations. As discussed above, we use the latest claims file available to us to develop the impact table when we issue the annual yearly wage index update. For the purposes of this proposed rule, we used the 2003 claims that were processed through June 2004 since this was the latest file available. Thus the projections or anticipated payments indicated in Table I do not represent the expenditures that we anticipate for FY 2006. We anticipate that the final rule will more accurately project payment for FY 2006. For the purposes of this proposed rule, we compared estimated payments using the FY 1983 hospice wage index to estimated payments using the FY 2006 wage index and determined the proposed hospice wage index to be budget neutral. Budget neutrality means that, in a given year, estimated aggregate payments for Medicare hospice services using the proposed FY 2006 wage index would equal estimated aggregate payments that would have been made for the same services if the 1983 wage index had remained in effect. Budget neutrality to 1983 does not imply that estimated payments would not increase since the budget neutrality applies only to the wage index portion and not the total payment rate, which accommodates inflation.

Executive Order 12866 (as amended by Executive Order 13258, which merely reassigns responsibility of duties) directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects ($100 million or more in any 1 year). We have determined that this proposed rule is not an economically significant rule under this Executive Order.

The RFA requires agencies to analyze options for regulatory relief of small businesses. For purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies. Most hospices and most other providers and suppliers are small entities, either by nonprofit status or by having revenues of $6 million to $29 million in any 1 year (for details, see the Small Business Administration's regulation at 65 FR 69432, that sets forth size standards for health care industries). For purposes of the RFA, most hospices are small entities. As indicated in Table I below, there are 2,435 hospices. Approximately 70 percent of Medicare certified hospices are identified as voluntary, government, or other agencies and, therefore, are considered small entities. Because the National Hospice and Palliative Care Organization estimates that approximately 79 percent of hospice patients are Medicare beneficiaries, we have not considered other sources of revenue in this analysis. Furthermore, the wage index methodology was previously determined by consensus, through a negotiated rulemaking committee that included representatives of national hospice associations; rural, urban, large, and small hospices; multisite hospices; and consumer groups. Based on all of the options considered, the committee agreed on the methodology described in the committee statement, and it was adopted into regulation in the August 8, 1997 final rule. In developing the process for updating the wage index in the 1997 final rule, we considered the impact of this methodology on small entities and attempted to mitigate any potential negative effects.

As stated previously, the following discussions are limited to demonstrating trends rather than projected dollars if the subsequent final rule to this proposed rule were implemented for FY 2006. We used the CBSA designations and wage indices as well as the data from FY 2003 claims processed through June 2004 in developing the impact analysis. We will recalculate the impacts for the final rule using the FY 2004 claims file. We will discuss the estimated payments for FY 2006 at that time. Since the impact tables are intended to reflect the implementation of the CBSA in contrast with the current MSA designations, the introduction of the wage indices is the only variable used in the computation. It is important to note that the payment rates used reflect the FY 2005 rates. The FY 2006 payment rates will be adjusted to reflect the full FY 2006 hospital market basket, as required by section 1814(i)(1)(C)(ii)(VII) of the Act. As previously noted, we publish these rates through administrative issuances. As discussed in section II.A.1.a. of this proposed rule, hospice agencies may various wage indices to compute their payments based on the geographic location of the beneficiary for routine and continuous home care or the MSA (CBSA) or the location of the hospice agency for respite and general inpatient care. Therefore, we analyze the impact on hospices using the following parameters: geographic location; hospice size; type of ownership; and hospice base).

Our analysis demonstrates that, under this proposed rule, rural hospices would experience an increase in payment that is greater than that of urban hospices. Rural hospices are anticipated to experience a modest increase of 0.8 percent and urban hospices a slight decrease of 0.2 percent. However, the impact overall is anticipated to remain unchanged if the CBSA designations are adopted. This flat trend is also evident when contrasting the findings with projections using the MSA designations. However, the projections using the MSA designations remain flat for urban areas and decrease slightly by 0.1 percent for rural areas.

Of the urban hospices, we anticipate that most of the regions would experience decreases ranging from a 1.4 for the urban New England region to 0.1 decrease for the South Atlantic. A slight increase is anticipated for the West North Central, West South Central, and Pacific urban regions of 0.1, 0.2, and 0.1, respectively. In contrast, the rural regions are expected to receive an increase for all regions ranging from a substantial increase of 21.7 percent for rural Puerto Rico to a 1 percent increase for East North Central. We believe that that aberration for Puerto Rico can be attributed to the increase in the hospital wage indices in the region as well as the large number of rural counties under the MSA designations in Puerto Rico that have been designated as urban counties under the CBSA designations. Rural New England and West North Central regions are expected to remain flat. Only one rural region, the Mid-Atlantic, is anticipated to experience a decrease of 1.5 percent. The anticipated increase for the rural regions using the MSA designations is in contrast, more modest with increases ranging from 0.1 to 0.3 and decreases anticipated for the rural South Atlantic, East North Central, East South Central, and Middle Atlantic of 0.2, 0.3, 0.6, and 0.7, respectively.

As discussed previously, we have designated three hospice sizes based on routine home care days. Under the Medicare hospice benefit, hospices can provide four different levels of care days. The majority of the days provided by a hospice are routine home care days. Therefore, the number of routine home care days can be used as a proxy for the size of the hospice, that is, the more days of care provided, the larger the hospice. Using routine home care days as a proxy for size, our analysis indicates that the impact of the wage index update on small hospices (those

that provide up to 3,499 days of routine home care) will experience a 0.1 percent increase in both the CBSA and MSA projections. The impact remains virtually the same for both the CBSA and MSA designations for all three sizes. As indicated above, a 0.1 percent increase is anticipated for small agencies and remains unchanged for large agencies. There is a scant decrease of 0.1 percent for medium sized agencies (with 3,500 to 19,999 RHC days) using the CBSA designations while it remains unchanged for MSA designations. The lack of variability by agency size indicates that this proposed rule would have no impact on a small number of small entities. Rural Puerto Rico with 6 hospice agencies and 184,000 routine care days, representing the smallest number of hospices and second lowest routine home care days in the rural region, is anticipated to experience a substantial increase of 21.7 percent while rural South Atlantic with 138 hospices and 1,394,000 routine home care days, which represents the highest number of routine home days, will have an increase of 0.6 percent. The rural Mid-Atlantic region with 39 hospices and 280,000 routine home care days is anticipated to decrease by 1.5 percent. Rural New England with 27 hospices representing the second lowest number of agencies with 112,000 routine home care days, and representing the lowest number of rural days, is anticipated to remain unchanged.

Urban Puerto Rico region with 30 hospice agencies with 428,000 routine home care days, representing the lowest number of urban agencies and routine home care days, is anticipated to experience a decrease of 0.5 percent using the CBSA designations in contrast to a 0.2 percent increase using the MSA designation. Urban East North Central with 244 hospice agencies representing the largest number of urban hospice agencies with 5,275,000 routine home care days is anticipated to experience a decrease of 0.3 percent using the CBSA designation and would remain unchanged using the MSA designation. Urban West South Central with the largest number of routine home care days of 5,765,000 is anticipated to experience a 0.2 percent increase using the CBSA designations and 0.4 percent increase using the MSA designations. Based upon these comparisons, the urban regions would expect a slightly larger increase in payment using the MSA designations while the rural areas are anticipated to experience a substantially larger increase using the CBSA designations. However, as indicated above, in the aggregate, hospice agencies overall are anticipated to remain unchanged using either the CBSA or MSA designations.

By type of ownership, proprietary hospice agencies are anticipated to increase by 0.2 percent while voluntary agencies with the largest number of agencies and routine home care days of 1,309 and 23,696,000, respectively, are anticipated to decrease by 0.2 percent and government by 0.3. Since we are unable to determine the ownership type for the unknown category, we are unable to determine the impact of the anticipated decrease of 1.1 percent. By MSA designation, in contrast, voluntary and proprietary hospice agencies are anticipated to remain unchanged with government agencies anticipated to decrease by 0.1 percent.

Freestanding hospice agencies with the largest number of agencies of 1,188 and routine home care days of 29,277,000 are anticipated to remain unchanged when using MSA as well as CBSA designations. Home health-based hospice agencies are anticipated to remain unchanged with the MSA designations but are anticipated to increase by 0.2 percent with CBSA designation. Hospital-based hospice agencies are anticipated to decrease slightly with both MSA and CBSA designations at 0.1 and 0.3 respectively. SNF-based hospice agencies with the lowest number of agencies and routine home care days of 15 and 174,000, respectively, are also anticipated to experience a decrease with both MSA and CBSA designations of 0.6 and 0.9, respectively.

As discussed above, the overall impact for hospice agencies remain unchanged using the CBSA designations with a slight decrease in urban and an increase in rural hospice agencies. While there are more decreases in urban hospice agencies, there is overall increase in the rural agencies. Hospice size remains virtually unchanged when comparing MSA to CBSA designations. Type of ownership and hospice base appear similar between the two designations. As a result, there is no compelling reason to maintain the use of the MSA designations as opposed to the CBSA designations based upon overall hospice agency impact.

3. Anticipated Effects

We have compared estimated payments using the FY 1983 hospice wage index to estimated payments using the proposed FY 2006 wage index and determined the current hospice wage index to be budget neutral. This impact analysis compares hospice payments using the FY 2005 hospice wage index to the estimated payments using the proposed FY 2006 wage index. The data used in developing the quantitative analysis for this proposed rule were obtained from the June 2004 update of the national claims history file of all FY 2003 claims processed through June 2004. We deleted bills from hospices that have since closed. As discussed above, for the purposes of this proposed rule, this file is adequate to demonstrate the impact of using the MSA and proposed CBSA designations and is not intended to project the anticipated expenditures for FY 2006. We will be using an updated file for the final rule which will more accurately indicate the expected expenditures for FY 2006.

Table I demonstrates the results of our analysis. In column 2 of Table I, we indicate the number of routine home care days that were included in our analysis, although the analysis was performed on all types of hospice care. Column 3 indicates payments that were made using the FY 2005 wage index. Column 4 is based on claims (for hospices in business during that time period) and estimates payments (with the caveat as discussed above) to be made to hospices using proposed CBSA designations and FY 2006 wage index. The final column, which compares columns 3 and 4, shows the percent change in estimated hospice payments made based on the category of the hospice.

Table I categorizes hospices by various geographic and provider characteristics. The first row displays the results of the impact analysis for all Medicare-certified hospices. The second and third rows of the table categorize hospices according to their geographic location (urban and rural). Our analysis indicted that there are 1,494 hospices located in urban areas and 941 hospices located in rural areas. The next two groupings in the table indicate the number of hospices by census region, also broken down by urban and rural hospices. The sixth grouping shows the impact on hospices based on the size of the hospice's program. We determined that the majority of hospice payments are made at the routine home care rate. Therefore, we based the size of each individual hospice's program on the number of routine home care days provided in 2004. The next grouping shows the impact on hospices by type of ownership. The final grouping shows the impact on hospices defined by whether they are provider-based or freestanding.

Table II demonstrates the estimated payments using the CBSA and MSA designations. The groupings as well as columns 1 and 2 are the same as in

Table I. Columns 3 and 4 represent the estimated payments using the CBSA and MSA designations, respectively. Column 5 represents the percentage change in the estimated payments using CBSA designations compared with the estimated payments using the MSA designations.

Our analysis shows that the majority of hospices are in urban areas and provide the vast majority of routine home care days. However, rural hospices are anticipated to receive a larger percent increase in payment of 0.8 percent in contrast to a decrease of 0.2 percent for urban hospices if CBSA designations were used in the proposed FY 2006 wage index. However, overall, there is no anticipated change using the CBSA designations.

Since the impact tables are intended to reflect the implementation of the CBSA as opposed to the current MSA designations, the introduction of the wage indices is the only variable used in the computation. It is important to note that the payment rates used reflect the FY2005 rates. The FY 2006 payment rates would be adjusted to reflect the full FY 2006 hospital market basket, as required by section 1814(i)(1)(C)(ii)(VII) of the Act. We publish these rates through administrative issuances.

TABLE I.—IMPACT OF HOSPICE WAGE INDEX CHANGES BASED ON USE OF CBSA DESIGNATIONS

	Number of hospices (1)	Number of routine home care days in thousands (2)	Payments using FY 2005 wage index in thousands (3)	Estimated payments using FY 2006 wage index in thousands (CBSA designations) (4)	Percent change in hospice payments (CBSA designations) (5)
By Geographic Location:					
All Hospices	2,435	43,232	6,086,726	6,084,194	0.0
Urban Hospices	1,494	35,877	5,225,240	5,215,515	−0.2
Rural Hospices	941	7,355	861,486	868,680	0.8
By Region—Urban:					
New England	93	1,051	179,129	176,671	−1.4
Middle Atlantic	173	3,573	551,587	549,856	−0.3
South Atlantic	209	7,442	1,164,758	1,163,315	−0.1
East North Central	244	5,275	765,379	762,940	−0.3
East South Central	109	2,644	346,632	345,627	−0.3
West North Central	109	2,442	316,698	316,938	0.1
West South Central	228	5,765	740,895	742,569	0.2
Mountain	107	2,821	439,997	437,091	−0.7
Pacific	192	4,436	683,956	684,476	0.1
Puerto Rico	30	428	36,208	36,031	−0.5
By Region—Rural:					
New England	27	112	14,835	14,832	0.0
Middle Atlantic	39	280	29,000	28,572	−1.5
South Atlantic	138	1,394	170,695	171,752	0.6
East North Central	142	940	113,436	113,541	0.1
East South Central	114	1,571	179,805	180,434	0.3
West North Central	184	889	105,953	105,995	0.0
West South Central	126	1,096	119,455	121,527	1.7
Mountain	106	534	65,696	65,872	0.3
Pacific	59	355	47,512	47,772	0.5
Puerto Rico	6	184	15,098	18,381	21.7
Routine Home Care Days:					
0–3499 DAYS (Small)	629	997	125,214	125,330	0.1
3500–19,999 DAYS (Medium)	1,192	11,623	1,531,060	1,529,182	−0.1
20,000+ DAYS (Large)	614	30,612	4,430,452	4,429,683	0.0
Type Of Ownership:					
Voluntary	1,309	23,696	3,417,506	3,411,195	−0.2
Proprietary	840	17,843	2,444,369	2,449,666	0.2
Government	185	874	116,914	116,593	−0.3
Unknown	101	819	107,937	106,741	−1.1
Hospice Base:					
Freestanding	1,188	29,277	4,137,979	4,136,404	0.0
Home Health Agency	623	7,802	1,107,707	1,110,134	0.2
Hospital	550	5,470	751,268	749,156	−0.3
Skilled Nursing Facility	15	174	28,536	28,273	−0.9
Unknown	59	509	61,237	60,227	−1.6

Note: For purposes of comparing the proposed CBSA designations with the current MSA designations, hospice listings are based on the MSA designations.

FY 2005 payment rates were used for estimated payments for FY 2006. FY 2006 payment rates will be adjusted to reflect the full hospital market basket.

TABLE II.—COMPARISON OF IMPACT OF THE HOSPICE WAGE INDEX USING CBSA AND MSA DESIGNATIONS

	Number of hospices (1)	Number of routine home care days (in thousands) (2)	Estimated Payments using FY 2006 wage index and CBSA designations (in thousands) (4)	Estimated payments using FY 2006 wage index and MSA designations (in thousands) (6)	Percent change in hospice payments (CBSA vs. MSA designations) (7)
By Geographic Location:					
All Hospices	2,435	43,232	6,084,194	6,086,314	0.0
Urban Hospices	1,494	35,877	5,215,515	5,224,948	−0.2
Rural Hospices	941	7,355	868,680	860,366	1.0
By Region—Urban:					
New England	93	1,051	176,671	178,262	−0.9
Middle Atlantic	173	3,573	549,856	548,915	0.2
South Atlantic	209	7,442	1,163,315	1,165,203	−0.2
East North Central	244	5,275	762,940	765,293	−0.3
East South Central	109	2,644	345,627	346,797	−0.3
West North Central	109	2,442	316,938	317,338	−0.1
West South Central	228	5,765	742,569	744,193	−0.2
Mountain	107	2,821	437,091	437,836	−0.2
Pacific	192	4,436	684,476	684,819	−0.1
Puerto Rico	30	428	36,031	36,292	−0.7
By Region—Rural:					
New England	27	112	14,832	14,846	−0.1
Middle Atlantic	39	280	28,572	28,811	−0.8
South Atlantic	138	1,394	171,752	170,429	0.8
East North Central	142	940	113,541	113,151	0.3
East South Central	114	1,571	180,434	178,743	0.9
West North Central	184	889	105,995	106,186	−0.2
West South Central	126	1,096	121,527	119,706	1.5
Mountain	106	534	65,872	65,695	0.3
Pacific	59	355	47,772	47,661	0.2
Puerto Rico	6	184	18,381	15,140	17.6
Routine Home Care Days:					
0–3499 DAYS (Small)	629	997	125,330	125,398	−0.1
3500–19,999 DAYS (Medium)	1,192	11,623	1,529,182	1,531,330	−0.1
20,000+ DAYS (Large)	614	30,612	4,429,683	4,428,586	0.0
Type of Ownership					
Voluntary	1,309	23,696	3,411,195	3,415,970	−0.1
Proprietary	840	17,843	2,449,666	2,445,117	0.2
Government	185	874	116,593	116,753	−0.1
Unknown	101	819	106,741	107,476	−0.7
Hospice Base:					
Freestanding	1,188	29,277	4,136,404	4,137,689	0.0
Home Health Agency	623	7,802	1,110,134	1,108,210	0.2
Hospital	550	5,470	749,156	750,172	−0.1
Skilled Nursing Facility	15	174	28,273	28,351	−0.3
Unknown	59	509	60,227	60,892	−1.1

Note: For purposes of comparing the proposed CBSA designations with the current MSA designations, hospice listings are based on the MSA designations.

FY 2005 payment rates were used for estimated payments for FY 2006. FY 2006 payment rates will be adjusted to reflect the full hospital market basket.

List of Subjects for 42 CFR Part 418

Health facilities, Hospice care, Medicare, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Centers for Medicare & Medicaid Services would amend 42 CFR part 418 as set forth below:

PART 418—HOSPICE CARE

1. The authority citation for part 418 continues to read as follows:

Authority: Secs. 1102 and 1871 of the Social Security Act (42 U.S.C. 1302 and 1395hh).

2. Section 418.3 is amended by revising the definition of *Attending physician* to read as follows:

§ 418.3 Definitions.

* * * * *

Attending physician means a—(1)(i) Doctor of medicine or osteopathy legally authorized to practice medicine and surgery by the State in which he or she performs an action; or

(ii) Nurse practitioner who meets the training, education, and experience requirements as the Secretary may prescribe; and

(2) Is identified by the individual, at the time he or she elects to receive hospice care, as having the most significant role in the determination and delivery of the individual's medical care.

* * * * *

3. Section 418.22 is amended by—

A. Republishing the heading of paragraph (c) and paragraph (c)(1).

B. Revising paragraph (c)(1)(ii).

The republication and revisions read as follows:

§ 418.22 Certification of terminal illness.

* * * * *

(c) *Sources of certification.* (1) For the initial 90-day period, the hospice must obtain written certification statements (and oral certification statements if required under paragraph (a)(3) of this section) from—

(i) * * *

(ii) The individual's attending physician, if the individual has an attending physician. The attending physician must meet the definition of physician specified in § 410.20 of this subchapter.

* * * * *

4. Section 418.302 is amended by revising paragraph (d) to read as follows:

§ 418.302 Payment procedures for hospice care.

* * * * *

(d)(1) The intermediary reimburses the hospice its appropriate payment amount for each day for which an eligible Medicare beneficiary is under the hospice's care.

(2) Effective December 8, 2003, if a hospice makes arrangements with another hospice to provide services under the circumstances specified in section 1861(dd)(5)(D) of the Act, the intermediary reimburses the hospice for which the beneficiary has made an election as described in paragraph (d)(1) of this section.

* * * * *

5. Section 418.304 is amended by—

A. Revising the section heading.

B. Revising the introductory text of paragraph (a).

C. Adding a new paragraph (e).

The revisions and additions read as follows:

§ 418.304 Payment for physician and nurse practitioner services.

(a) The following services performed by hospice physicians and nurse practitioners are included in the rates described in § 418.302:

* * * * *

(e)(1) Effective December 8, 2003, Medicare pays for attending physician services provided by nurse practitioners to Medicare beneficiaries who have elected the hospice benefit and who have selected a nurse practitioner as their attending physician. This applies to nurse practitioners without regard to whether they are hospice employees.

(2) Nurse practitioners may bill and receive payment for services only if the—

(i) Nurse practitioner is the beneficiary's attending physician as defined in § 418.3;

(ii) Services are medically reasonable and necessary; and

(iii) Services are performed by a physician in the absence of the nurse practitioner; and

(iv) Services are not related to the certification of terminal illness specified in § 418.22.

(3) Payment for nurse practitioner services are made at 85 percent of the physician fee schedule amount.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: April 7, 2005.

Mark B. McClellan,

Administrator, Centers for Medicare & Medicaid Services.

Approved: April 15, 2005.

Michael O. Leavitt,

Secretary.

Addendum

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
10180	Abilene, TX	0.8348
	Callahan County, TX.	
	Jones County, TX.	
	Taylor County, TX.	
10380	Aguadilla-Isabela-San Sebastian, PR	0.4922
	Aguada Municipio, PR.	
	Aguadilla Municipio, PR.	
	Anasco Municipio, PR.	
	Isabela Municipio, PR.	
	Lares Municipio, PR.	
	Moca Muncipio, PR.	
	Rincón Municipio, PR.	
	San Sebastián Municipio, PR.	
10420	Akron, OH	0.9630
	Portage County, OH.	
	Summit County, OH.	
10500	Albany, GA	1.1981
	Baker County, GA.	
	Dougherty County, GA.	
	Lee County, GA.	
	Terrell County, GA.	
	Worth County, GA.	
10580	Albany-Schenectady-Troy, NY	0.9199
	Albany County, NY.	
	Rensselaer County, NY.	
	Saratoga County, NY.	
	Schenectady County, NY.	
	Schoharie County, NY.	
10740	Albuquerque, NM	1.1151
	Bernalillo County, NM.	
	Sandoval County, NM.	
	Torrance County, NM.	
	Valencia County, NM.	
10780	Alexandria, LA	0.8690
	Grant Parrish.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Rapides Parish, LA.	
10900	Allentown-Bethlehem-Easton, PA-NJ	1.0104
	Warren County, NJ.	
	Carbon County, PA.	
	Lehigh County, PA.	
	Northampton County, PA.	
11020	Altoona, PA	0.8999
	Blair County, PA.	
11100	Amarillo, TX	0.9761
	Armstrong County, TX.	
	Carson County, TX.	
	Potter County, TX.	
	Randall County, TX.	
11180	Ames, IA	1.0081
	Story County, IA.	
11260	Anchorage, AK	1.2937
	Anchorage Municipality, AK.	
	Matanuska-Susitna Borough, AK.	
11300	Anderson, IN	0.9266
	Madison County, IN.	
11340	Anderson, SC	0.9220
	Anderson County, SC.	
11460	Ann Arbor, MI	1.1722
	Washtenaw County, MI.	
11500	Anniston-Oxford, AL	0.8381
	Calhoun County, AL.	
11540	Appleton, WI	0.9711
	Calumet County, WI.	
	Outagamie County, WI.	
11700	Asheville, NC	0.9774
	Buncombe County, NC.	
	Haywood County, NC.	
	Henderson County, NC.	
	Madison County, NC.	
12020	Athens-Clarke County, GA	1.0850
	Clarke County, GA.	
	Madison County, GA.	
	Oconee County, GA.	
	Oglethorpe County, GA.	
12060	Atlanta-Sandy Springs-Marietta, GA	1.0604
	Barrow County, GA.	
	Bartow County, GA.	
	Butts County.	
	Carroll County, GA.	
	Cherokee County, GA.	
	Clayton County, GA.	
	Cobb County, GA.	
	Coweta County, GA.	
	Dawson County, GA.	
	DeKalb County, GA.	
	Douglas County, GA.	
	Fayette County, GA.	
	Forsyth County, GA.	
	Fulton County, GA.	
	Gwinnett County, GA.	
	Haralson County, GA.	
	Heard County, GA.	
	Henry County, GA.	
	Jasper County, GA.	
	Lamar County, GA.	
	Meriwether County, GA.	
	Newton County, GA.	
	Paulding County, GA.	
	Pickens County, GA.	
	Pike County, GA.	
	Rockdale County, GA.	
	Spalding County, GA.	
	Walton County, GA.	
12100	Atlantic City, NJ	1.1625
	Atlantic County, NJ.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
12220	Auburn-Opelika, AL	0.8736
	Lee County, AL.	
12260	Augusta-Richmond County, GA-SC	0.9735
	Burke County, GA.	
	Columbia County, GA.	
	McDuffie County, GA.	
	Richmond County, GA.	
	Aiken County, SC.	
	Edgefield County, SC.	
12420	Austin-Round Rock, TX	1.0204
	Bastrop County, TX.	
	Caldwell County, TX.	
	Hays County, TX.	
	Travis County, TX.	
	Williamson County, TX.	
12540	Bakersfield, CA	1.0673
	Kern County, CA.	
12580	Baltimore-Towson, MD	1.0536
	Anne Arundel County, MD.	
	Baltimore City, MD.	
	Baltimore County, MD.	
	Carroll County, MD.	
	Harford County, MD.	
	Howard County, MD.	
	Queen Anne's County, MD.	
12620	Bangor, ME	1.0587
	Penobscot County, ME.	
12700	Barnstable Town, MA	1.3118
	Barnstable County, MA.	
12940	Baton Rouge, LA	0.8847
	Ascension Parish, LA.	
	East Baton Rouge Parish, LA.	
	East Feliciana Parish, LA.	
	Iberville Parish, LA.	
	Livingston Parish, LA.	
	Pointe Coupee Parish, LA.	
	St. Helena Parish, LA.	
	West Baton Rouge Parish, LA.	
	West Feliciana Parish, LA.	
12980	Battle Creek, MI	0.9961
	Calhoun County, MI.	
13020	Bay City, MI	1.0182
	Bay County, MI.	
13140	Beaumont-Port Arthur, TX	0.9163
	Hardin County, TX.	
	Jefferson County, TX.	
	Orange County, TX.	
13380	Bellingham, WA	1.2381
	Whatcom County, WA.	
13460	Bend, OR	1.1276
	Deschutes County, OR.	
13644	Bethesda-Frederick-Gaithersburg, MD	1.1651
	Frederick County, MD.	
	Montgomery County, MD.	
13740	Billings, MT	0.9530
	Carbon County, MT.	
	Yellowstone County, MT.	
13780	Binghamton, NY	0.8983
	Broome County, NY.	
	Tioga County, NY.	
13820	Birmingham-Hoover, AL	0.9738
	Bibb County, AL.	
	Blount County, AL.	
	Chilton County, AL.	
	Jefferson County, AL.	
	St. Clair County, AL.	
	Shelby County, AL.	
13900	Bismarck, ND	0.8000
	Burleigh County, ND.	
	Morton County, ND.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
13980	Blacksburg-Christiansburg-Radford, VA	0.8456
	Giles County, VA.	
	Montgomery County, VA.	
	Pulaski County, VA.	
	Radford City, VA.	
14020	Bloomington, IN	0.9132
	Greene County, IN.	
	Monroe County, IN.	
	Owen County, IN.	
14060	Bloomington-Normal, IL	0.9689
	McLean County, IL.	
14260	Boise City, ID	0.9946
	Ada County, ID.	
	Boise County, ID.	
	Canyon County, ID.	
	Gem County, ID.	
	Owyhee, County, ID.	
14484	Boston-Quincy, MA	1.2518
	Norfolk County, MA.	
	Plymouth County, MA.	
	Suffolk County, MA.	
14500	Boulder, CO	1.0684
	Boulder County, CO.	
14540	Bowling Green, KY	0.8657
	Edmonson County, KY.	
	Warren County, KY.	
14740	Bremerton-Silverdale, WA	1.1288
	Kitsap County, WA.	
14860	Bridgeport-Stamford-Norwalk, CT	1.3650
	Fairfield County, CT.	
15180	Brownsville-Harlingen, TX	1.0768
	Cameron County, TX.	
15260	Brunswick, GA	1.2690
	Brantley County, GA.	
	Glynn County, GA.	
	McIntosh County, GA.	
15380	Buffalo-Niagara Falls, NY	0.9932
	Erie County, NY.	
	Niagara County, NY.	
15500	Burlington, NC	0.9536
	Alamance County, NC.	
15540	Burlington-South Burlington, VT	0.9914
	Chittenden County, VT.	
	Franklin County, VT.	
	Grand Isle County, VT.	
15764	Cambridge-Newton-Framingham, MA	1.1899
	Middlesex County, MA.	
15804	Camden, NJ	1.1353
	Burlington County, NJ.	
	Camden County, NJ.	
	Gloucester County, NJ.	
15940	Canton-Massillon, OH	0.9460
	Carroll County, OH.	
	Stark County, OH.	
15980	Cape Coral-Fort Myers, FL	0.9966
	Lee County, FL.	
16180	Carson City, NV	1.1009
	Carson City, NV.	
16220	Casper, WY	0.9830
	Natrona County, WY.	
16300	Cedar Rapids, IA	0.9545
	Benton County, IA.	
	Jones County, IA.	
	Linn County, IA.	
16580	Champaign-Urbana, IL	1.0132
	Champaign County, IL.	
	Ford County, IL.	
	Piatt County, IL.	
16620	Charleston, WV	0.9439
	Boone County, WV.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Clay County, WV.	
	Kanawha County, WV.	
	Lincoln County, WV.	
	Putnam County, WV.	
16700	Charleston-North Charleston, SC	1.0018
	Berkeley County, SC.	
	Charleston County, SC.	
	Dorchester County, SC.	
16740	Charlotte-Gastonia-Concord, NC-SC	1.0361
	Anson County, NC.	
	Cabarrus County, NC.	
	Gaston County, NC.	
	Mecklenburg County, NC.	
	Union County, NC.	
	York County, SC.	
16820	Charlottesville, VA	1.0947
	Albemarle County, VA.	
	Fluvanna County, VA.	
	Greene County, VA.	
	Nelson County, VA.	
	Charlottesville City, VA.	
16860	Chattanooga, TN-GA	0.9791
	Catoosa County, GA.	
	Dade County, GA.	
	Walker County, GA.	
	Hamilton County, TN.	
	Marion County, TN.	
	Sequatchie County, TN.	
16940	Cheyenne, WY	0.9550
	Laramie County, WY.	
16974	Chicago-Naperville-Joliet, IL	1.1558
	Cook County, IL.	
	DeKalb County, IL.	
	Du Page County, IL.	
	Grundy County, IL.	
	Kane County, IL.	
	Kendall County, IL.	
	McHenry County, IL.	
	Will County, IL.	
17020	Chico-Paradise, CA	1.1211
	Butte County, CA.	
17140	Cincinnati-Middletown, OH-KY-IN	1.0120
	Dearborn County, IN.	
	Franklin County, IN.	
	Ohio County, IN.	
	Boone County, KY.	
	Bracken County, KY.	
	Campbell County, KY.	
	Gallatin County , KY.	
	Grant County, KY.	
	Kenton County, KY.	
	Pendleton County, KY.	
	Brown County, OH.	
	Butler County, OH.	
	Clermont County, OH.	
	Hamilton County, OH.	
	Warren County, OH.	
17300	Clarksville, TN-KY	0.8531
	Christian County, KY.	
	Trigg County, KY.	
	Montgomery County, TN.	
	Stewart County, TN.	
17420	Cleveland, TN	0.8342
	Bradley County, TN.	
	Polk County, TN.	
17460	Cleveland-Elyria-Mentor, OH	1.0263
	Cuyahoga County, OH.	
	Geauga County, OH.	
	Lake County, OH.	
	Lorain County, OH.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Medina County, OH.	
17660	Coeur d'Alene, ID	0.9932
	Kootenai County, ID.	
17780	College Station-Bryan, TX	0.9830
	Brazos County, TX.	
	Burleson County, TX.	
	Robertson County, TX.	
17820	Colorado Springs, CO	1.0414
	El Paso County, CO.	
	Teller County, CO.	
17860	Columbia, MO	0.8929
	Boone County, MO.	
	Howard County, MO.	
17900	Columbia, SC	0.9988
	Calhoun County, SC.	
	Fairfield County, SC.	
	Kershaw County, SC.	
	Lexington County, SC.	
	Richland County, SC.	
	Saluda County, SC.	
17980	Columbus, GA-AL	0.9242
	Russell County, AL.	
	Chattahoochee County, GA.	
	Harris County, GA.	
	Marion County, GA.	
	Muscogee County, GA.	
18020	Columbus, IN	0.9984
	Bartholomew County, IN.	
18140	Columbus, OH	1.0355
	Delaware County, OH.	
	Fairfield County, OH.	
	Franklin County, OH.	
	Licking County, OH.	
	Madison County, OH.	
	Morrow County, OH.	
	Pickaway County, OH.	
	Union County, OH.	
18580	Corpus Christi, TX	0.9196
	Aransas, TX.	
	Nueces County, TX.	
	San Patricio County, TX.	
18700	Corvallis, Oregon	1.1214
	Benton County, OR.	
19060	Cumberland, MD-WV	0.9212
	Allegany County, MD.	
	Mineral County, WV.	
19124	Dallas-Plano-Irving TX	1.0713
	Collin County, TX.	
	Dallas County, TX.	
	Delta County, TX.	
	Denton County, TX.	
	Ellis County, TX.	
	Hunt County, TX.	
	Kaufman County, TX.	
	Rockwall County, TX.	
19140	Dalton, GA	1.0165
	Murray County, GA.	
	Whitfield County, GA.	
19180	Danville, IL	0.8925
	Vermilion, County, IL.	
19260	Danville, VA	0.9192
	Danville City, VA.	
	Pittsylvania County, VA.	
19340	Davenport-Moline-Rock Island, IA-IL	0.9330
	Henry County, IL.	
	Mercer County, IL.	
	Rock Island County, IL.	
	Scott County, IA.	
19380	Dayton, OH	0.9894
	Greene County, OH.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Miami County, OH.	
	Montgomery County, OH.	
	Preble County, OH.	
19460	Decatur, AL	0.9459
	Lawrence County, AL.	
	Morgan County, AL.	
19500	Decatur, IL	0.8638
	Macon County, IL.	
19660	Deltona-Daytona Beach-Ormond Beach, FL	0.9463
	Volusia County, FL.	
19740	Denver-Aurora, CO	1.1596
	Adams County, CO.	
	Arapahoe County, CO.	
	Broomfield County, CO.	
	Clear Creek County, CO.	
	Denver County, CO.	
	Douglas County, CO.	
	Elbert County, CO.	
	Jefferson County, CO.	
	Park County, CO.	
19780	Des Moines, IA	0.9854
	Dallas County, IA.	
	Guthrie County, IA.	
	Madison County, IA.	
	Polk County, IA.	
	Warren County, IA.	
19804	Detroit-Livonia-Dearborn, MI	1.1006
	Wayne County, MI.	
20020	Dothan, AL	0.8015
	Geneva County, AL.	
	Henry County, AL.	
	Houston County, AL.	
20100	Dover, DE	1.0449
	Kent County, DE.	
20220	Dubuque, IA	0.9303
	Dubuque County, IA.	
20260	Duluth, MN-WI	1.0996
	Carlton County, MN.	
	St. Louis County, MN.	
	Douglas County, WI.	
20500	Durham, NC	1.1021
	Chatham County, NC.	
	Durham County, NC.	
	Orange County, NC.	
	Person County, NC.	
20740	Eau Claire, WI	0.9719
	Chippewa County, WI.	
	Eau Claire County, WI.	
20764	Edison, NJ	1.1843
	Middlesex County, NJ.	
	Monmouth County, NJ.	
	Ocean County, NJ.	
	Somerset County, NJ.	
20940	El Centro, CA	0.9418
	Imperial County, CA.	
21060	Elizabethtown, KY	0.9235
	Hardin County, KY.	
	Larue County, KY.	
21140	Elkhart-Goshen, IN	0.9867
	Elkhart County, IN.	
21300	Elmira, NY	0.8981
	Chemung County, NY.	
21340	El Paso, TX	0.9764
	El Paso County, TX.	
21500	Erie, PA	0.9251
	Erie County, PA.	
21604	Essex County, MA	1.1339
	Essex County, MA.	
21660	Eugene-Springfield, OR	1.1635
	Lane County, OR.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
21780	Evansville, IN-KY	0.8903
	Gibson County, IN.	
	Posey County, IN.	
	Vanderburgh County, IN.	
	Warrick County, IN.	
	Henderson County, KY.	
	Webster County, KY.	
21820	Fairbanks, AK	1.1854
	Fairbanks North Star Borough, AK.	
21940	Fajardo, PR	0.4530
	Ceiba Municipio, PR.	
	Fajardo Municipio, PR.	
	Luquillo Municipio, PR.	
22020	Fargo, ND-MN	0.9693
	Clay County, MN.	
	Cass County, ND.	
22140	Farmington, NM	0.8560
	San Juan County, NM.	
22180	Fayetteville, NC	0.9957
	Cumberland County, NC.	
	Hoke County, NC.	
22220	Fayetteville-Springdale-Rogers, AR-MO	0.9184
	Benton County, AR.	
	Madison County, AR.	
	Washington County, AR.	
	McDonald County, MO.	
22380	Flagstaff, AZ	1.1472
	Coconino County, AZ.	
22420	Flint, MI	1.1888
	Genesee County, MI.	
22500	Florence, SC	0.9394
	Darlington County, SC.	
	Florence County, SC.	
22520	Florence-Muscle Shoals, AL	0.8383
	Colbert County, AL.	
	Lauderdale County, AL.	
22540	Fond du Lac, WI	1.0525
	Fond du Lac County, WI.	
22660	Fort Collins-Loveland, CO	1.0867
	Larimer County, CO.	
22744	Ft. Lauderdale-Pompano Beach-Deerfield Beach, FL	1.0810
	Broward County, FL.	
22900	Fort Smith, AR-OK	0.8809
	Crawford County, AR.	
	Franklin County, AR.	
	Sebastian County, AR.	
	Le Flore County, OK.	
	Sequoyah County, OK.	
23020	Fort Walton Beach-Crestview-Destin, FL	0.9344
	Okaloosa County, FL.	
23060	Fort Wayne, IN	1.0430
	Allen County, IN.	
	Wells County, IN.	
	Whitley County, IN.	
23104	Forth Worth-Arlington, TX	1.0073
	Johnson County, TX.	
	Parker County, TX.	
	Tarrant County, TX.	
	Wise County, TX.	
23420	Fresno, CA	1.1205
	Fresno County, CA.	
23460	Gadsden, AL	0.8560
	Etowah County, AL.	
23540	Gainesville, FL	1.0059
	Alachua County, FL.	
	Gilchrist County, FL.	
23580	Gainesville, GA	1.0164
	Hall County, GA.	
23844	Gary, IN	0.9901
	Jasper County, IN.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Lake County, IN.	
	Newton County, IN.	
	Porter County, IN.	
24020	Glens Falls, NY	0.9004
	Warren County, NY.	
	Washington County, NY.	
24140	Goldsboro, NC	0.9335
	Wayne County, NC.	
24220	Grand Forks, ND-MN	0.9668
	Grand Forks County, ND.	
	Polk County, MN.	
24300	Grand Junction, CO	1.0528
	Mesa County, CO.	
24340	Grand Rapids-Wyoming, MI	1.0018
	Barry County, MI.	
	Ionia County, MI.	
	Kent County, MI.	
	Newaygo County, MI.	
24500	Great Falls, MT	0.9369
	Cascade County, MT.	
24540	Greeley, CO	1.0043
	Weld County, CO.	
24580	Green Bay, WI	1.0199
	Brown County, WI.	
	Kewaunee County, WI.	
	Oconto County, WI.	
24660	Greensboro-High Point, NC	0.9773
	Guilford County, NC.	
	Randolph County, NC.	
	Rockingham County, NC.	
24780	Greenville, NC	0.9766
	Green County, NC.	
	Pitt County, NC.	
24860	Greenville, SC	1.0164
	Greenville County, SC.	
	Laurens County, SC.	
	Pickens County, SC.	
25020	Guayama, PR	0.4606
	Arroyo Municipio, PR.	
	Guayama Municipio, PR.	
	Patillas Municipio, PR.	
25060	Gulfport-Biloxi, MS	0.9518
	Hancock County, MS.	
	Harrison County, MS.	
	Stone County, MS.	
25180	Hagerstown-Martinsburg, MD-WV	1.0332
	Washington County, MD.	
	Berkeley County, WV.	
	Morgan County, WV.	
25260	Hanford-Corcoran, CA	0.9886
	Kings County, CA.	
25420	Harrisburg—Carlisle, PA	0.9953
	Cumberland County, PA.	
	Dauphin County, PA.	
	Perry County, PA.	
25500	Harrisonburg, VA	0.9864
	Rockingham County, VA.	
	Harrisonburg City, VA.	
25540	Hartford-West Hartford-East Hartford, CT	1.1756
	Hartford County, CT.	
	Middlesex County, CT.	
	Tolland County, CT.	
25620	Hattiesburg, MS	0.8000
	Forrest County, MS.	
	Lamar County, MS.	
	Perry County, MS.	
25860	Hickory-Morganton-Lenoir, NC	1.0105
	Alexander County, NC.	
	Burke County, NC.	
	Caldwell County, NC.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Catawba County, NC.	
25980	Hinesville-Fort Stewart, GA	0.8205
	Liberty County, GA.	
	Long County, GA.	
26100	Holland-Grand Haven, MI	0.9984
	Ottawa County, MI.	
26180	Honolulu, HI	1.1712
	Honolulu County, HI.	
26300	Hot Springs, AR	0.9836
	Garland County, AR.	
26380	Houma-Bayou Cane-Thibodaux, LA	0.8211
	Lafourche Parish, LA.	
	Terrebonne Parish, LA.	
26420	Houston-Baytown-Sugar Land, TX	1.0606
	Austin County, TX.	
	Brazoria County, TX.	
	Chambers County, TX.	
	Fort Bend County, TX.	
	Galveston County, TX.	
	Harris County, TX.	
	Liberty County, TX.	
	Montgomery County, TX.	
	San Jacinto County, TX.	
	Waller County, TX.	
26580	Huntington-Ashland, WV-KY-OH	1.0171
	Boyd County, KY.	
	Greenup County, KY.	
	Lawrence County, OH.	
	Cabell County, WV.	
	Wayne County, WV.	
26620	Huntsville, AL	0.9413
	Limestone County, AL.	
	Madison County, AL.	
26820	Idaho Falls, ID	0.9634
	Bonneville County, ID.	
	Jefferson County, ID.	
26900	Indianapolis, IN	1.0755
	Boone County, IN.	
	Brown County, IN.	
	Hamilton County, IN.	
	Hancock County, IN.	
	Hendricks County, IN.	
	Johnson County, IN.	
	Marion County, IN.	
	Morgan County, IN.	
	Putnam County, IN.	
	Shelby County, IN.	
26980	Iowa City, IA	1.0267
	Johnson County, IA.	
	Washington County, IA.	
27060	Ithaca, NY	1.0198
	Tompkins County, NY.	
27100	Jackson, MI	0.9727
	Jackson County, MI.	
27140	Jackson, MS	0.8817
	Copiah County, MS.	
	Hinds County, MS.	
	Madison County, MS.	
	Rankin County, MS.	
	Simpson County, MS.	
27180	Jackson, TN	0.9465
	Chester County, TN.	
	Madison County, TN.	
27260	Jacksonville, FL	1.0142
	Baker County, FL.	
	Clay County, FL.	
	Duval County, FL.	
	Nassau County, FL.	
	St. Johns County, FL.	
27340	Jacksonville, NC	0.8934

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Onslow County, NC.	
27500	Janesville, WI	1.0191
	Rock County, WI.	
27620	Jefferson City, MO	0.8867
	Callaway County, MO.	
	Cole County, MO.	
	Moniteau County, MO.	
	Osage County, MO.	
27740	Johnson City, TN	0.8663
	Carter County, TN.	
	Unicoi County, TN.	
	Washington County, TN.	
27780	Johnstown, PA	0.8912
	Cambria County, PA.	
27860	Jonesboro, AR	0.8661
	Craighead County, AR.	
	Poinsett County, AR.	
27900	Joplin, MO	0.9275
	Jasper County, MO.	
	Newton County, MO.	
28020	Kalamazoo-Portage, MI	1.1354
	Kalamazoo County, MI.	
	Van Buren County, MI.	
28100	Kankakee-Bradley, IL	1.1276
	Kankakee County, IL.	
28140	Kansas City, KS-MO	1.0240
	Franklin County, KS.	
	Johnson County, KS.	
	Leavenworth County, KS.	
	Linn County, KS.	
	Miami County, KS.	
	Wyandotte County, KS.	
	Bates County, MO.	
	Caldwell County, MO.	
	Cass County, MO.	
	Clay County, MO.	
	Clinton County, MO.	
	Jackson County, MO.	
	Lafayette County, MO.	
	Platte County, MO.	
	Ray County, MO.	
28420	Kennewick-Richland-Pasco, WA	1.1188
	Benton County, WA.	
	Franklin County, WA.	
28660	Killeen-Temple-Fort Hood, TX	0.9829
	Bell County, TX.	
	Coryell County, TX.	
	Lampasas County, TX.	
28700	Kingsport-Bristol, TN-VA	0.8763
	Hawkins County, TN.	
	Sullivan County, TN.	
	Bristol City, VA.	
	Scott County, VA.	
	Washington County, VA.	
28740	Kingston, NY	0.9571
	Ulster County, NY.	
28940	Knoxville, TN	0.9091
	Anderson County, TN.	
	Blount County, TN.	
	Knox County, TN.	
	Loudon County, TN.	
	Union County, TN.	
29020	Kokomo, IN	0.9556
	Howard County, IN.	
	Tipton County, IN.	
29100	La Crosse, WI-MN	0.9879
	Houston County, MN.	
	La Crosse County, WI.	
29140	Lafayette, IN	0.9643
	Benton County, IN.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Carroll County, IN.	
	Tippecanoe, IN.	
29180	Lafayette, LA	0.8833
	Lafayette County, LA.	
	St. Martin County, LA.	
29340	Lake Charles, LA	0.8439
	Calcasieu Parish, LA.	
	Cameron Parish.	
29404	Lake County-Kenosha County, IL-WI	1.0998
	Lake County, IL.	
	Kenosha County, WI.	
29460	Lakeland, FL	0.9497
	Polk County, FL.	
29540	Lancaster, PA	1.0510
	Lancaster County, PA.	
29620	Lansing-East Lansing, MI	1.0271
	Clinton County, MI.	
	Eaton County, MI.	
	Ingham County, MI.	
29700	Laredo, TX	0.9302
	Webb County, TX.	
29740	Las Cruces, NM	0.9342
	Dona Ana County, NM.	
29820	Las Vegas-Paradise, NV	1.2100
	Clarke County, NV.	
29940	Lawrence, KS	0.9193
	Douglas County, KS.	
30020	Lawton, OK	0.8733
	Comanche County, OK.	
30140	Lebanon, PA	0.9114
	Lebanon County, PA.	
30300	Lewiston, ID-WA	0.9905
	Nez Perce County, ID.	
	Asotin County, WA.	
30340	Lewiston-Auburn, ME	1.0169
	Androscoggin County, ME.	
30460	Lexington-Fayette, KY	0.9953
	Bourbon County, KY.	
	Clark County, KY.	
	Fayette County, KY.	
	Jessamine County, KY.	
	Scott County, KY.	
	Woodford County, KY.	
30620	Lima, OH	0.9922
	Allen County, OH.	
30700	Lincoln, NE	1.0856
	Lancaster County, NE.	
30780	Little Rock-North Little Rock, AR	0.9386
	Faulkner County, AR.	
	Grant County, AR.	
	Lonoke County, AR.	
	Perry County, AR.	
	Pulaski County, AR.	
	Saline County, AR.	
30860	Logan, UT-ID	0.9671
	Franklin County, ID.	
	Cache County, UT.	
30980	Longview, TX	0.9360
	Gregg County, TX.	
	Rusk County, TX.	
	Upshur County, TX.	
31020	Longview, WA	1.0873
	Cowlitz County, WA.	
31084	Los Angeles-Long Beach-Glendale-Santa Ana, CA	1.2477
	Los Angeles County, CA.	
31140	Louisville, KY-IN	0.9701
	Clark County, IN.	
	Floyd County, IN.	
	Harrison County, IN.	
	Washington County, IN.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Bullitt County, KY.	
	Henry County, KY.	
	Jefferson County, KY.	
	Meade County, KY.	
	Nelson County, KY.	
	Oldham County, KY.	
	Shelby County, KY.	
	Spencer County, KY.	
	Trimble County, KY.	
31180	Lubbock, TX	0.9334
	Crosby County, TX.	
	Lubbock County, TX.	
31340	Lynchburg, VA	0.9589
	Amherst County, VA.	
	Appomattox County, VA.	
	Bedford County, VA.	
	Campbell County, VA.	
	Bedford City, VA.	
	Lynchburg City, VA.	
31420	Macon, GA	1.0515
	Bibb County, GA.	
	Crawford County, GA.	
	Jones County, GA.	
	Monroe County, GA.	
	Twiggs County, GA.	
31460	Madera, CA	0.9062
	Madera County, CA.	
31540	Madison, WI	1.0960
	Columbia County, WI.	
	Dane County, WI.	
	Iowa County, WI.	
31700	Manchester-Nashua, NH	1.1318
	Hillsborough County, NI.	
31900	Mansfield, OH	0.9772
	Richland County, OH.	
32420	Mayagüez, PR	0.5167
	Hormigueros Municipio, PR.	
	Mayagüez, PR.	
32580	McAllen-Edinburg-Pharr, TX	0.9148
	Hidalgo County, TX.	
32780	Medford, OR	1.1203
	Jackson County, OR.	
32820	Memphis, TN-AR-MS	0.9802
	Crittenden County, AR.	
	DeSoto County, MS.	
	Marshall County, MS.	
	Tate County, MS.	
	Tunica, County, MS.	
	Fayette County, TN.	
	Shelby County, TN.	
	Tipton County, TN.	
32900	Merced, CA	1.1246
	Merced County, CA.	
33124	Miami-Miami Beach-Kendall, FL	1.0497
	Miami-Dade County, FL.	
33140	Michigan City-La Porte, IN	0.9924
	La Porte County, IN.	
33260	Midland TX	0.9980
	Midland County, TX.	
33340	Milwaukee-Waukesha-West Allis, WI	1.0716
	Milwaukee County, WI.	
	Ozaukee County, WI.	
	Washington County, WI.	
	Waukesha County, WI.	
33460	Minneapolis-St. Paul-Bloomington, MN-WI	1.1768
	Anoka County, MN.	
	Carver County, MN.	
	Chisago County, MN.	
	Dakota County, MN.	
	Hennepin County, MN.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Isanti County, MN.	
	Ramsey County, MN.	
	Scott County, MN.	
	Sherburne County, MN.	
	Washington County, MN.	
	Wright County, MN.	
	Pierce County, WI.	
	St. Croix County, WI.	
33540	Missoula, MT	1.0229
	Missoula County, MT.	
33660	Mobile, AL	0.8503
	Mobile County, AL.	
33700	Modesto, CA	1.2726
	Stanislaus County, CA.	
33740	Monroe, LA	0.8405
	Ouachita Parish, LA.	
	Union Parish, LA.	
33780	Monroe, MI	1.0109
	Monroe County, MI.	
33860	Montgomery, AL	0.8827
	Autauga County, AL.	
	Elmore County, AL.	
	Lowndes County, AL.	
	Montgomery County, AL.	
34060	Morgantown, WV	0.9284
	Monongalia County, WV.	
	Preston County, WV.	
34100	Morristown, TN	0.8285
	Grainger County, TN.	
	Hamblen County, TN.	
	Jefferson County, TN.	
34580	Mount Vernon-Anacortes, WA	1.1247
	Skagit County, WA.	
34620	Muncie, IN	0.9125
	Delaware County, IN.	
34740	Muskegon-Norton Shores, MI	1.0359
	Muskegon County, MI.	
34820	Myrtle Beach-Conway-North Myrtle Beach, SC	0.9595
	Horry County, SC.	
34900	Napa, CA	1.3326
	Napa County, CA.	
34940	Naples-Marco Island, FL	1.1228
	Collier County, FL.	
34980	Nashville-Davidson-Murfreesboro, TN	1.0726
	Cannon County, TN.	
	Cheatham County, TN.	
	Davidson County, TN.	
	Dickson County, TN.	
	Hickman County, TN.	
	Macon County, TN.	
	Robertson County, TN.	
	Rutherford County, TN.	
	Sumner County, TN.	
	Trousdale County, TN.	
	Williamson County, TN.	
	Wilson County, TN.	
35004	Nassau-Suffolk, NY	1.3726
	Nassau County, NY.	
	Suffolk County, NY.	
35084	Newark-Union, NJ-PA	1.2429
	Essex County, NJ.	
	Hunterdon County, NJ.	
	Morris County, NJ.	
	Sussex County, NJ.	
	Union County, NJ.	
	Pike County, PA.	
35300	New Haven-Milford, CT	1.2556
	New Haven County, CT.	
35380	New Orleans-Metairie-Kenner, LA	0.9681
	Jefferson Parish, LA.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Orleans Parish, LA.	
	Plaquemines Parish, LA.	
	St. Bernard Parish, LA.	
	St. Charles Parish, LA.	
	St. John The Baptist Parish, LA.	
	St. Tammany Parish, LA.	
35644	New York-Wayne-White Plains, NY-NJ	1.4156
	Bergen County, NJ.	
	Hudson County, NJ.	
	Passaic County, NJ.	
	Bronx County, NY.	
	Kings County, NY.	
	New York County, NY.	
	Putnam County, NY.	
	Queens County, NY.	
	Richmond County, NY.	
	Rockland County, NY.	
	Westchester County, NY.	
35660	Niles-Benton Harbor, MI	0.9409
	Berrien County, MI.	
35980	Norwich-New London Ct	1.2332
	New London County, CT.	
36084	Oakland-Fremont-Hayward, CA	1.6186
	Alameda County, CA.	
	Contra Costa County, CA.	
36100	Ocala, FL	0.9734
	Marion County, FL.	
36140	Ocean City, NJ	1.1496
	Cape May County, NJ.	
36220	Odessa, TX	1.0420
	Ector County, TX.	
36260	Ogden-Clearfield, UT	0.9801
	Davis County, UT.	
	Morgan County, UT.	
	Weber County, UT.	
36420	Oklahoma City, OK	0.9552
	Canadian County, OK.	
	Cleveland County, OK.	
	Grady County, OK.	
	Lincoln County, OK.	
	Logan County, OK.	
	McClain County, OK.	
	Oklahoma County, OK.	
36500	Olympia, WA	1.1705
	Thurston County, WA.	
36540	Omaha-Council Bluffs, NE-IA	1.0373
	Harrison County, IA.	
	Mills County, IA.	
	Pottawattamie County, IA.	
	Cass County, NE.	
	Douglas County, NE.	
	Sarpy County, NE.	
	Saunders County, NE.	
	Washington County, NE.	
36740	Orlando, FL	1.0360
	Lake County, FL.	
	Orange County, FL.	
	Osceola County, FL.	
	Seminole County, FL.	
36780	Oshkosh-Neenah, WI	0.9677
	Winnebago County, WI.	
36980	Owensboro, KY	0.8969
	Daviess County, KY.	
	Hancock County, KY.	
	McLean County, KY.	
37100	Oxnard-Thousand Oaks-Ventura, CA	1.1810
	Ventura County, CA.	
37340	Palm Bay-Melbourne-Titusville, FL	1.0244
	Brevard County, FL.	
37460	Panama City-Lynn Haven, FL	0.8640

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Bay County, FL.	
37620	Parkersburg-Marietta, WV-OH	0.8814
	Washington County, OH.	
	Pleasants County, WV.	
	Wirt County, WV.	
	Wood County, WV.	
37700	Pascagoula, MS	0.8480
	George County, MS.	
	Jackson County, MS.	
37860	Pensacola-Ferry Pass-Brent, FL	0.8833
	Escambia County, FL.	
	Santa Rosa County, FL.	
37900	Peoria, IL	0.9450
	Marshall County, IL.	
	Peoria County, IL.	
	Stark County, IL.	
	Tazewell County, IL.	
	Woodford County, IL.	
37964	Philadelphia, PA	1.1555
	Bucks County, PA.	
	Chester County, PA.	
	Delaware County, PA.	
	Montgomery County, PA.	
	Philadelphia County, PA.	
38060	Phoenix-Mesa-Scottsdale, AZ	1.0616
	Maricopa County, AZ.	
	Pinal County, AZ.	
38220	Pine Bluff, AR	0.9224
	Cleveland County, AR.	
	Jefferson County, AR.	
	Lincoln County, AR.	
38300	Pittsburgh, PA	0.9291
	Allegheny County, PA.	
	Armstrong County, PA.	
	Beaver County, PA.	
	Butler County, PA.	
	Fayette County, PA.	
	Washington County, PA.	
	Westmoreland County, PA.	
38340	Pittsfield, MA	1.1102
	Berkshire County, MA.	
38540	Pocatello, ID	1.0210
	Bannock County, ID.	
	Power County, ID.	
38660	Ponce, PR	0.5757
	Juana Diaz Municipio, PR.	
	Ponce Municipio, PR.	
	Villalba Municipio, PR.	
38860	Portland-South Portland-Biddeford, ME	1.0754
	Cumberland County, ME.	
	Sagadahoc County, ME.	
	York County, ME.	
38900	Portland-Vancouver-Beaverton, OR-WA	1.2127
	Clackamas County, OR.	
	Columbia County, OR.	
	Multnomah County, OR.	
	Washington County, OR.	
	Yamhill County, OR.	
	Clark County, WA.	
	Skamania County, WA.	
38940	Port St. Lucie-Fort Pierce, FL	1.0684
	Martin County, FL.	
	St. Lucie County, FL.	
39100	Poughkeepsie-Newburgh-Middletown, NY	1.2084
	Duchess County, NY.	
	Orange County, NY.	
39140	Prescott, AZ	1.0520
	Yavapai County, AZ.	
39300	Providence-New Bedford-Fall River, RI-MA	1.1623
	Bristol County, MA.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Bristol County, RI.	
	Kent County, RI.	
	Newport County, RI.	
	Providence County, RI.	
	Washington County, RI.	
39340	Provo-Orem, UT	1.0197
	Juab County, UT.	
	Utah County, UT.	
39380	Pueblo, CO	0.9308
	Pueblo County, CO.	
39460	Punta Gorda, FL	1.0040
	Charlotte County, FL.	
39540	Racine, WI	0.9619
	Racine County, WI.	
39580	Raleigh-Cary, NC	1.0695
	Franklin County, NC.	
	Johnston County, NC.	
	Wake County, NC.	
39660	Rapid City, SD	0.9478
	Meade County, SD.	
	Pennington County, SD.	
39740	Reading, PA	0.9800
	Berks County, PA.	
39820	Redding, CA	1.2586
	Shasta County, CA.	
39900	Reno-Sparks, NV	1.1120
	Storey County, NV.	
	Washoe County, NV.	
40060	Richmond, VA	0.9994
	Amelia County, VA.	
	Caroline County, VA.	
	Charles City County, VA.	
	Chesterfield County, VA.	
	Cumberland County, VA.	
	Dinwiddie County, VA.	
	Goochland County, VA.	
	Hanover County, VA.	
	Henrico County, VA.	
	King and Queen County, VA.	
	King William County, VA.	
	Louisa County, VA.	
	New Kent County, VA.	
	Powhatan County, VA.	
	Prince George County, VA.	
	Sussex County, VA.	
	Colonial Heights City, VA.	
	Hopewell City, VA.	
	Petersburg City, VA.	
	Richmond City, VA.	
40140	Riverside-San Bernardino-Ontario, CA	1.1666
	Riverside County, CA.	
	San Bernardino County, CA.	
40220	Roanoke, VA	0.8949
	Botetourt County, VA.	
	Craig County, VA.	
	Franklin County, VA.	
	Roanoke County, VA.	
	Roanoke City, VA.	
	Salem City, VA.	
40340	Rochester, MN	1.2234
	Dodge County, MN.	
	Olmsted County, MN.	
	Wabasha County, MN.	
40380	Rochester, NY	0.9870
	Livingston County, NY.	
	Monroe County, NY.	
	Ontario County, NY.	
	Orleans County, NY.	
	Wayne County, NY.	
40420	Rockford, IL	1.0237

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Boone County, IL.	
	Winnebago County, IL.	
40484	Rockingham County, NH	1.0870
	Rockingham County, NH.	
	Stafford County, NH.	
40580	Rocky Mount, NC	0.9569
	Edgecombe County, NC.	
	Nash County, NC.	
40660	Rome, Georgia	0.9442
	Floyd County, GA.	
40900	Sacramento-Arden-Arcade-Roseville, CA	1.2443
	El Dorado County, CA.	
	Placer County, CA.	
	Sacramento County, CA.	
	Yolo County, CA.	
40980	Saginaw-Saginaw Township North, MI	1.0437
	Saginaw County, MI.	
41060	St. Cloud, MN	1.0863
	Benton County, MN.	
	Stearns County, MN.	
41100	St. George, UT	1.0058
	Washington County, UT.	
41140	St. Joseph, MO-KS	1.0649
	Doniphan County, KS.	
	Andrew County, MO.	
	Buchanan County, MO.	
	DeKalb County, MO.	
41180	St. Louis, MO-IL	0.9652
	Bond County, IL.	
	Calhoun County, IL.	
	Clinton County, IL.	
	Jersey County, IL.	
	Macoupin County, IL.	
	Madison County, IL.	
	Monroe County, IL.	
	St. Clair County, IL.	
	Crawford County, MO.	
	Franklin County, MO.	
	Jefferson County, MO.	
	Lincoln County, MO.	
	St. Charles County, MO.	
	St. Louis County, MO.	
	St. Louis City, MO.	
	Warren County, MO.	
	Washington County, MO.	
41420	Salem, OR	1.1226
	Marion County, OR.	
	Polk County, OR.	
41500	Salinas, CA	1.4700
	Monterey County, CA.	
41540	Salisbury, MD	0.9702
	Somerset County, MD.	
	Wicomico County, MD.	
41620	Salt Lake City, UT	1.0168
	Salt Lake County, UT.	
	Summit County, UT.	
	Tooele County, UT.	
41660	San Angelo, TX	0.8685
	Irion County, TX.	
	Tom Green County, TX.	
41700	San Antonio, TX	0.9575
	Atascosa County, TX.	
	Bandera County, TX.	
	Bexar County, TX.	
	Comal County, TX.	
	Guadalupe County, TX.	
	Kendall County, TX.	
	Medina County, TX.	
	Wilson County, TX.	
41740	San Diego-Carlsbad-San Marcos, CA	1.1982

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	San Diego County, CA.	
41780	Sandusky, OH	0.9589
	Erie County, OH.	
41884	San Francisco-San Mateo-Redwood City, CA	1.5646
	Marin County, CA.	
	San Francisco County, CA.	
	San Mateo County, CA.	
41900	San Germán-Cabo Rojo, PR	0.6026
	Cabo Rojo Municipio, PR.	
	Lajas Municipio, PR.	
	Sabana Grande Municipio, PR.	
	San Germán-Cabo Rojo Municipio, PR.	
41940	San Jose-Sunnyvale-Santa Clara, CA	1.5657
	San Benito County, CA.	
	Santa Clara County, CA.	
41980	San Juan-Caguas-Guaynabo, PR	0.5342
	Aguas Buenas Municipio, PR.	
	Aibonito Municipio, PR.	
	Arecibo Municipio, PR.	
	Barceloneta Municipio, PR.	
	Barranquitas Municipio, PR.	
	Bayamón Municipio, PR.	
	Caguas Municipio, PR.	
	Camuy Municipio, PR.	
	Canóvanas Municipio, PR.	
	Carolina Municipio, PR.	
	Cataño Municipio, PR.	
	Cayey, Municipio PR.	
	Ciales Municipio, PR.	
	Cidra Municipio, PR.	
	Comerio Municipio, PR.	
	Corozal Municipio, PR.	
	Dorado Municipio, PR.	
	Florida Municipio, PR.	
	Guaynabo Municipio, PR.	
	Gurabo Municipiobo, PR.	
	Hatillo Municipio, PR.	
	Humacao Municipio, PR.	
	Juncos Municipio, PR.	
	Las Piedras Municipio, PR.	
	Loiza Municipio, PR.	
	Manatí Municipio, PR.	
	Maunabo Municipio, PR.	
	Morovis Municipio, PR.	
	Naguabo Municipio, PR.	
	Naranjito Municipio, PR.	
	Orocovis Municipio, PR.	
	Quebradillas Municipio, PR.	
	Rio Grande Municipio, PR.	
	San Juan Municipio, PR.	
	San Lorenzo Municipio, PR.	
	Toa Alta Municipio, PR.	
	Toa Baja Municipio, PR.	
	Trujillo Alto Municipio, PR.	
	Vega Alta Municipio, PR.	
	Vega Baja Municipio, PR.	
	Yabucoa Municipio, PR.	
42020	San Luis Obispo-Paso Robles, CA	1.1824
	San Luis Obispo County, CA.	
42044	Santa Ana-Anaheim-Irvine, CA	1.2348
	Orange County, CA.	
42060	Santa Barbara-Santa Maria-Goleta, CA	1.1455
	Santa Barbara County, CA.	
42100	Santa Cruz-Watsonville, CA	1.5717
	Santa Cruz County, CA.	
42140	Santa Fe, NM	1.1601
	Santa Fe County, NM.	
42220	Santa Rosa-Petaluma, CA	1.3784
	Sonoma County, CA.	
42260	Sarasota-Bradenton-Venice, FL	1.0240

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Manatee County, FL.	
	Sarasota County, FL.	
42340	Savannah, GA	1.0061
	Bryan County, GA.	
	Chatham County, GA.	
	Effingham County, GA.	
42540	Scranton—Wilkes-Barre, PA	0.9085
	Lackawanna County, PA.	
	Luzerne County, PA.	
	Wyoming County, PA.	
42644	Seattle-Bellevue-Everett, WA	1.2222
	King County, WA.	
	Snohomish County, WA.	
43100	Sheboygan, WI	0.9516
	Sheboygan County, WI.	
43300	Sherman-Denison, TX	1.0227
	Grayson County, TX.	
43340	Shreveport-Bossier City, LA	0.9712
	Bossier Parish, LA.	
	Caddo Parish, LA.	
	De Soto Parish, LA.	
43580	Sioux City, IA-NE-SD	0.9646
	Woodbury County, IA.	
	Dakota County, NE.	
	Dixon County, NE.	
	Union County, SD.	
43620	Sioux Falls, SD	1.0040
	Lincoln County, SD.	
	McCook County, SD.	
	Minnehaha County, SD.	
	Turner County, SD.	
43780	South Bend-Mishawaka, IN-MI	1.0047
	St. Joseph County, IN.	
	Cass County, MI.	
43900	Spartanburg, SC	1.0123
	Spartanburg, SC.	
44060	Spokane, WA	1.1337
	Spokane County, WA.	
44100	Springfield, IL	0.9293
	Menard County, IL.	
	Sangamon County, IL.	
44140	Springfield, MA	1.0822
	Franklin County, MA.	
	Hampden County, MA.	
	Hampshire County, MA.	
44180	Springfield, MO	0.9100
	Christian County, MO.	
	Dallas County, MO.	
	Greene County, MO.	
	Polk County, MO.	
	Webster County, MO.	
44220	Springfield, OH	0.9303
	Clark County, OH.	
44300	State College, PA	0.8998
	Centre County, PA.	
44700	Stockton, CA	1.1235
	San Joaquin County, CA.	
44940	Sumter, SC	0.9061
	Sumter County, SC.	
45060	Syracuse, NY	1.0069
	Madison County, NY.	
	Onondaga County, NY.	
	Oswego County, NY.	
45104	Tacoma, WA	1.1781
	Pierce County, WA.	
45220	Tallahassee, FL	0.9204
	Gadsden County, FL.	
	Jefferson County, FL.	
	Leon County, FL.	
	Wakulla County, FL.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
45300	Tampa-St. Petersburg-Clearwater, FL	0.9597
	Hernando County, FL.	
	Hillsborough County, FL.	
	Pasco County, FL.	
	Pinellas County, FL.	
45460	Terre Haute, IN	0.9058
	Clay County, IN.	
	Sullivan County, IN.	
	Vermillion County, IN.	
	Vigo County, IN.	
45500	Texarkana, AR-Texarkana, TX	0.8947
	Miller County, AR.	
	Bowie County, TX.	
45780	Toledo, OH	1.0129
	Fulton County, OH.	
	Lucas County, OH.	
	Ottawa County, OH.	
	Wood County, OH.	
45820	Topeka, KS	0.9469
	Jackson County, KS.	
	Jefferson County, KS.	
	Osage County, KS.	
	Shawnee County, KS.	
	Wabaunsee County, KS.	
45940	Trenton-Ewing, NJ	1.0928
	Mercer County, NJ.	
46060	Tucson, AZ	0.9493
	Pima County, AZ.	
46140	Tulsa, OK	0.9242
	Creek County, OK.	
	Okmulgee County, OK.	
	Osage County, OK.	
	Pawnee County, OK.	
	Rogers County, OK.	
	Tulsa County, OK.	
	Wagoner County, OK.	
46220	Tuscaloosa, AL	0.8865
	Greene County, AL.	
	Hale County, AL.	
	Tuscaloosa County, AL.	
46340	Tyler, TX	1.0105
	Smith County, TX.	
46540	Utica-Rome, NY	0.8822
	Herkimer County, NY.	
	Oneida County, NY.	
46660	Valdosta, GA	0.8870
	Brooks County, GA.	
	Echols County, GA.	
	Lanier County, GA.	
	Lowndes County, GA.	
46700	Vallejo-Fairfield, CA	1.5185
	Solano County, CA.	
46940	Vero Beach, FL	1.0079
	Indian River County, FL.	
47020	Victoria, TX	0.9008
	Calhoun County, TX.	
	Goliad County, TX.	
	Victoria County, TX.	
47220	Vineland-Millville-Bridgeton, NJ	1.1244
	Cumberland County, NJ.	
47260	Virginia Beach-Norfolk-Newport News, VA-NC	0.9459
	Currituck County, NC.	
	Gloucester County, VA.	
	Isle of Wight County, VA.	
	James City County, VA.	
	Mathews County, VA.	
	Surry County, VA.	
	York County, VA.	
	Chesapeake City, VA.	
	Hampton City, VA.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
	Newport News City, VA.	
	Norfolk City, VA.	
	Poquoson City, VA.	
	Portsmouth City, VA.	
	Suffolk City, VA.	
	Virginia Beach City, VA.	
	Williamsburg City, VA.	
47300	Visalia-Tulare-Porterville, CA	1.0608
	Tulare County, CA.	
47380	Waco, TX	0.8663
	McLennan County, TX.	
47580	Warner Robins, GA	0.9028
	Houston County, GA.	
47644	Warren-Farmington Hills-Troy, MI	1.0754
	Lapeer County, MI.	
	Livingston County, MI.	
	Macomb County, MI.	
	Oakland County, MI.	
	St. Clair County, MI.	
47894	Washington-Arlington-Alexandria, DC-VA	1.1723
	District of Columbia, DC.	
	Calvert County, MD.	
	Charles County, MD.	
	Prince George's County, MD.	
	Alexandria City, VA.	
	Arlington County, VA.	
	Clarke County, VA.	
	Fairfax City, VA.	
	Fairfax County, VA.	
	Falls Church City, VA.	
	Fauquier County, VA.	
	Fredericksburg City, VA.	
	Loudoun County, VA.	
	Manassas City, VA.	
	Manassas Park City, VA.	
	Prince William County, VA.	
	Spotsylvania County, VA.	
	Stafford County, VA.	
	Warren County, VA.	
	Jefferson County, WV.	
47940	Waterloo-Cedar Falls, IA	0.9181
	Black Hawk County, IA.	
	Bremer County, IA.	
	Grundy County, IA.	
48140	Wausau, WI	1.0177
	Marathon County, WI.	
48260	Weirton-Steubenville, WV-OH	0.8806
	Jefferson County, OH.	
	Brooke County, WV.	
	Hancock County, WV.	
48300	Wenatchee, WA	1.0025
	Chelan County, WA.	
	Douglas County, WA.	
48424	West Palm Beach-Boca Raton-Boynton Beach, FL	1.1020
	Palm Beach County, FL.	
48540	Wheeling, WV-OH	0.8000
	Belmont County, OH.	
	Marshall County, WV.	
	Ohio County, WV.	
48620	Wichita, KS	1.0057
	Butler County, KS.	
	Harvey County, KS.	
	Sedgwick County, KS.	
	Sumner County, KS.	
48660	Wichita Falls, TX	0.8861
	Archer County, TX.	
	Clay County, TX.	
	Wichita County, TX.	
48700	Williamsport, PA	0.9024
	Lycoming County, PA.	

TABLE A.—HOSPICE WAGE INDEX FOR URBAN AREAS BY CBSA—Continued

CBSA code number	Urban area (Constituent counties or county equivalents) [1]	Wage index [2]
48864	Wilmington, DE-MD-NJ	1.1750
	New Castle County, DE.	
	Cecil County, MD.	
	Salem County, NJ.	
48900	Wilmington, NC	0.9823
	Brunswick County, NC.	
	New Hanover County, NC.	
	Pender County, NC.	
49020	Winchester, VA-WV	1.1162
	Frederick County, VA.	
	Winchester City, VA.	
	Hampshire County, WV.	
49180	Winston-Salem, NC	0.9998
	Davie County, NC.	
	Forsyth County, NC.	
	Stokes County, NC.	
	Yadkin County, NC.	
49340	Worcester, MA	1.1694
	Worcester County, MA.	
49420	Yakima, WA	1.0977
	Yakima County, WA.	
49500	Yauco, PR	0.5167
	Guánica Municipio, PR.	
	Guayanilla Municipio, PR.	
	Peñuelas Municipio, PR.	
	Yauco Municipio, PR.	
49620	York-Hanover, PA	0.9731
	York County, PA.	
49660	Youngstown-Warren-Boardman, OH-PA	0.9823
	Mahoning County, OH.	
	Trumbull County, OH.	
	Mercer County, PA.	
49700	Yuba City, CA	1.1021
	Sutter County, CA.	
	Yuba County, CA.	
49740	Yuma, AZ	0.9434
	Yuma County, AZ.	

[1] This column lists each CBSA area name and each county or county equivalent, in the CBSA area. Counties not listed in this Table are considered to be rural areas. Wage Index values for these areas are found in Table B.

[2] Wage index values are based on FY 2000 hospital cost report data before reclassification. This wage index is further adjusted. Wage index values greater than 0.8 are subject to a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the proposed budget neutrality factor of 1.063479. Wage index values below 0.8 are adjusted to be the greater of a 15-percent increase, subject to a maximum wage index value of 0.8, or a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the budget neutrality factor. We have completed all of these adjustments and included them in the wage index values reflected in this table.

TABLE B.—HOSPICE WAGE INDEX FOR RURAL AREAS BY CBSA

CBSA code number	Nonurban area	Wage index [3]
01	Alabama	0.8112
02	Alaska	1.2492
03	Arizona	0.9503
04	Arkansas	0.8000
05	California	1.1192
06	Colorado	0.9963
07	Connecticut	1.2673
08	Delaware	1.0106
10	Florida	0.9118
11	Georgia	0.8224
12	Hawaii	1.1190
13	Idaho	0.8749
14	Illinois	0.8868
15	Indiana	0.9202
16	Iowa	0.9013
17	Kansas	0.8592
18	Kentucky	0.8247
19	Louisiana	0.8000

TABLE B.—HOSPICE WAGE INDEX FOR RURAL AREAS BY CBSA—Continued

CBSA code number	Nonurban area	Wage index [3]
20	Maine	0.9613
21	Maryland	0.9805
22	Massachusetts [5]	1.0865
23	Michigan	0.9344
24	Minnesota	0.9922
25	Mississippi	0.8120
26	Missouri	0.8255
27	Montana	0.9253
28	Nebraska	0.9609
29	Nevada	0.9869
30	New Hampshire	1.0571
31	New Jersey [4]	
32	New Mexico	0.9231
33	New York	0.8668
34	North Carolina	0.9107
35	North Dakota	0.8235
36	Ohio	0.9245
37	Oklahoma	0.8174

TABLE B.—HOSPICE WAGE INDEX FOR RURAL AREAS BY CBSA—Continued

CBSA code number	Nonurban area	Wage index [3]
38	Oregon	1.0543
39	Pennsylvania	0.8838
40	Puerto Rico	0.8000
41	Rhode Island [4]	
42	South Carolina	0.9234
43	South Dakota	0.8931
44	Tennessee	0.8369
45	Texas	0.8472
46	Utah	0.8813
47	Vermont	0.9970
48	Virgin Islands	0.8000
49	Virginia	0.8560
50	Washington	1.0967
51	West Virginia	0.8364
52	Wisconsin	1.0095
53	Wyoming	0.9765

TABLE B.—HOSPICE WAGE INDEX FOR RURAL AREAS BY CBSA—Continued

CBSA code number	Nonurban area	Wage index [3]
65	Guam	1.0221

[3] Wage index values are based on FY 2000 hospital cost report data before reclassification. This wage index is further adjusted. Wage index values greater than 0.8 are subject to a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the proposed budget neutrality factor of 1.063479. Wage index values below 0.8 are adjusted to be the greater of a 15-percent increase, subject to a maximum wage index value of 0.8, or a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the budget neutrality factor. We have completed all of these adjustments and included them in the wage index values reflected in this table.

[4] All counties within the State are classified as urban. Massachusetts has areas designated as rural, however, no short-term, acute care hospitals are located in the area(s) for FY 2006. Because more recent data is not available for those areas, we are using last year's wage index value.

[5] *Based on CBSA designations* Massachusetts has areas designated as rural. *However,* no *IPPS* hospitals are located in *those rural* area(s) for FY 2006. Because more recent data is not available for those areas, we are using *the FY 2005 prefloor, preclassified hospital* wage index value, *for rural Massachusetts multiplied by the proposed FY 2006 budget neutrality factor of 1.063479.*

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
0040	0.8525	Abilene, TX	10180	0.8348
		Taylor, TX.		
0060	0.4938	Aguadilla, PR	10380	0.4922
		Aguada, PR.		
		Aguadilla, PR.		
		Moca, PR.		
0080	0.9638	Akron, OH	10420	0.9630
		Portage, OH.		
		Summit, OH.		
0120	1.1992	Albany, GA	10500	1.1981
		Dougherty, GA.		
		Lee, GA.		
0160	0.9122	Albany-Schenectady-Troy, NY	10580	0.9199
		Albany, NY.		
		Rensselaer, NY.		
		Saratoga, NY.		
		Schenectady, NY.		
		Schoharie, NY.		
0160	0.9122	Albany-Schenectady-Troy, NY	10580	0.9199
		Montgomery, NY	Rural	0.8668
0200	1.1161	Albuquerque, NM	10740	1.1151
		Bernalillo, NM.		
		Sandoval, NM.		
		Valencia, NM.		
0220	0.8697	Alexandria, LA	10780	0.8690
		Rapides, LA.		
0240	1.0150	Allentown-Bethlehem-Easton, PA	10900	1.0104
		Carbon, PA.		
		Lehigh, PA.		
		Northampton, PA.		
0280	0.9007	Altoona, PA	11020	0.8999
		Blair, PA.		
0320	0.9769	Amarillo, TX	11100	0.9761
		Potter, TX.		
		Randall, TX.		
0380	1.2889	Anchorage, AK	11260	1.2937
		Anchorage, AK.		
0440	1.1513	Ann Arbor, MI.		
		Lenawee, MI	Rural	0.9344
		Livingston, MI	47644	1.0754
0440	1.1513	Ann Arbor, MI	11460	1.1722
		Washtenaw, MI.		
0450	0.8389	Anniston, AL	11500	0.8381
		Calhoun, AL.		
0460	0.9702	Oshkosh-Neenah, WI	36780	0.9677

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Winnebago, WI.		
0460	0.9702	Appleton, WI	11540	0.9711
		Calumet, WI.		
		Outagamie, WI.		
0470	0.4321	Arecibo, PR	41980	0.5342
		Arecibo, PR.		
		Camuy, PR.		
		Hatillo, PR.		
0480	1.0113	Asheville, NC	11700	0.9774
		Buncombe, NC.		
		Madison, NC.		
0500	1.0859	Athens, GA	12020	1.0850
		Clarke, GA.		
		Madison, GA.		
		Oconee, GA.		
0520	1.0613	Atlanta, GA	12060	1.0604
		Barrow, GA.		
		Bartow, GA.		
		Carroll, GA.		
		Cherokee, GA.		
		Clayton, GA.		
		Cobb, GA.		
		Coweta, GA.		
		DeKalb, GA.		
		Douglas, GA.		
		Fayette, GA.		
		Forsyth, GA.		
		Fulton, GA.		
		Gwinnett, GA.		
		Henry, GA.		
		Newton, GA.		
		Paulding, GA.		
		Pickens, GA.		
		Rockdale, GA.		
		Spalding, GA.		
		Walton, GA.		
0560	1.1610	Cape May, NJ	36140	1.1496
		Cape May, NJ.		
0560	1.1610	Atlantic, NJ	12100	1.1625
		Atlantic, NJ.		
0580	0.8744	Aubrn-Opelika, AL	12220	0.8736
		Lee, AL.		
0600	0.9801	Augusta-Aiken, GA-SC	12260	0.9735
		Columbia, GA.		
		McDuffie, GA.		
		Richmond, GA.		
		Aiken, SC.		
		Edgefield, SC.		
0640	1.0213	Austin-San Marcos, TX	12420	1.0204
		Bastrop, TX.		
		Caldwell, TX.		
		Hays, TX.		
		Travis, TX.		
		Williamson, TX.		
0680	1.0683	Bakersfield, CA	12540	1.0673
		Kern, CA.		
0720	1.0545	Baltimore, MD	12580	1.0536
		Anne Arundel, MD.		
		Baltimore, MD.		
		Baltimore City, MD.		
		Carroll, MD.		
		Harford, MD.		
		Howard, MD.		
		Queen Anne's, MD.		
0733	1.0596	Bangor, ME	12620	1.0587
		Penobscot, ME.		
0743	1.3130	Barnstable-Yarmouth, MA	12700	1.3118
		Barnstable, MA.		
0760	0.8892	Baton Rouge, LA	12940	0.8847
		Ascension, LA.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		East Baton Rouge, LA.		
		Livingston, LA.		
		West Baton Rouge, LA.		
0840	0.9171	Beaumont-Port Arthur, TX	13140	0.9163
		Hardin, TX.		
		Jefferson, TX.		
		Orange, TX.		
0860	1.2392	Bellingham, WA	13380	1.2381
		Whatcom, WA.		
0870	0.9417	Benton Harbor, MI	35660	0.9409
		Berrien, MI.		
0875	1.2738	Bergen-Passaic, NJ	35644	1.4156
		Bergen, NJ.		
		Passaic, NJ.		
0880	0.9538	Billings, MT	13740	0.9530
		Yellowstone, MT.		
0920	0.9206	Biloxi-Gulfport, MS	25060	0.9518
		Hancock, MS.		
		Harrison, MS.		
0920	0.9206	Pascagoula, MS	37700	0.8480
		Jackson, MS.		
0960	0.8991	Binghamton, NY	13780	0.8983
		Broome, NY.		
		Tioga, NY.		
1000	0.9791	Birmingham, AL	13820	0.9738
		Blount, AL.		
		Jefferson, AL.		
		St. Clair, AL.		
		Shelby, AL.		
1010	0.8000	Bismarck, ND	13900	0.8000
		Burleigh, ND.		
		Morton, ND.		
1020	0.9140	Bloomington, IN	14020	0.9132
		Monroe, IN.		
1040	0.9698	Bloomington-Normal, IL	14060	0.9689
		McLean, IL.		
1080	0.9955	Boise City, ID	14260	0.9946
		Ada, ID.		
		Canyon, ID.		
1123	1.2017	Boston, MA	14484	1.2518
		Norfolk, MA.		
		Plymouth, MA.		
		Suffolk, MA.		
1123	1.2017	Worcester-Lawrence-Lowell-Brockton, MA-NH.		
		Bristol, MA.		
		Essex, MA	39300	1.1623
		Middlesex, MA	21604	1.1339
		Worcester, MA	15764	1.1899
		Hillsborough, NH	49340	1.1694
		Merrimack, NH	31700	1.1318
		Rockingham, NH	31700	1.1318
		Strafford, NH	31700	1.1318
			40484	1.0870
1125	1.0693	Boulder, CO	14500	1.0684
		Boulder, CO.		
1125	1.0693	Longmont, CO	14500	1.0684
		Boulder, CO.		
1145	0.9073	Brazoria, TX	26420	1.0606
		Brazoria, TX.		
1150	1.1298	Bremerton, WA	14740	1.1288
		Kitsap, WA.		
1240	1.0777	Brownsville-Harlingeno, TX	15180	1.0768
		Cameron, TX.		
1240	1.0777	San Benito, TX	15180	1.0768
		Cameron, TX.		
1260	0.9839	Bryan-College Station, TX	17780	0.9830
		Brazos, TX.		
1280	0.9941	Buffalo-Niagara Falls, NY	15380	0.9932
		Erie, NY.		
		Niagara, NY.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
1303	0.9923	Burlington, VT	15540	0.9914
		Chittenden, VT.		
		Franklin, VT.		
		Grand Isle, VT.		
1310	0.4670	Caguas, PR	41980	0.5342
		Caguas, PR.		
		Cayey, PR.		
		Cidra, PR.		
		Gurabo, PR.		
		San Lorenzo, PR.		
1320	0.9468	Canton-Massillon, OH	15940	0.9460
		Carroll, OH.		
		Stark, OH.		
1350	0.9839	Casper, WY	16220	0.9830
		Natrona, WY.		
1360	0.9553	Cedar Rapids, IA	16300	0.9545
		Linn, IA.		
1400	1.0141	Champaign-Urbana, IL	16580	1.0132
		Champaign, IL.		
1440	1.0027	Charleston-North Charleston, SC	16700	1.0018
		Berkeley, SC.		
		Charleston, SC.		
		Dorchester, SC.		
1480	0.9448	Charleston, WV	16620	0.9439
		Kanawha, WV.		
		Putnam, WV.		
1520	1.0337	Charlotte-Gastonia-Rock Hill, NC-SC.		
		Cabarrus, NC.		
		Gaston, NC	16740	1.0361
		Mecklenburg, NC.		
		Union, NC.		
		York, SC.		
1520	1.0337	Charlotte-Gastonia-Rock Hill, NC-SC.		
		Lincoln, NC.		
		Rowan, NC	34	0.9107
1540	1.0957	Charlottesville, VA	16820	1.0947
		Albemarle, VA.		
		Charlottesville City, VA.		
		Fluvanna, VA.		
		Greene, VA.		
1560	0.9800	Chattanooga, TN-GA	16860	0.9791
		Catoosa, GA.		
		Dade, GA.		
		Walker, GA.		
		Hamilton, TN.		
		Marion, TN.		
1580	0.9559	Cheyenne, WY	16940	0.9550
		Laramie, WY.		
1600	1.1550	Chicago, IL	16974	1.1558
		Cook, IL.		
		DeKalb, IL.		
		Du Page, IL.		
		Grundy, IL.		
		Kane, IL.		
		Kendall, IL.		
		McHenry, IL.		
		Will, IL.		
1600	1.1550	Chicago, IL	29404	1.0998
		Lake, IL.		
1620	1.1221	Chico-Paradise, CA	17020	1.1211
		Butte, CA.		
1640	1.0213	Cincinnati, OH-KY-IN	17140	1.0120
		Brown, OH.		
		Clermont, OH.		
		Hamilton, OH.		
		Warren, OH.		
		Boone, KY.		
		Campbell, KY.		
		Gallatin, KY.		
		Grant, KY.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Kenton, KY.		
		Pendleton, KY.		
		Dearborn, IN.		
		Ohio, IN.		
1660	0.8539	Clarksville, TN-KY	17300	0.8531
		Christian, KY.		
		Montgomery, TN.		
		Hopkinsville.		
1680	1.0246	Cleveland-Elyria, OH	17460	1.0263
		Cuyahoga, OH.		
		Geauga, OH.		
		Lake, OH.		
		Lorain, OH.		
		Medina, OH.		
1680	1.0246	Elyria, OH	36	0.9245
		Ashtabula, OH.		
1720	1.0423	Colorado Springs, CO	17820	1.0414
		El Paso, CO.		
1740	0.8937	Columbia, MO	17860	0.8929
		Boone, MO.		
1760	1.0059	Columbia, SC	17900	0.9988
		Lexington, SC.		
		Richland, SC.		
1800	0.9250	Columbus, GA-AL	17980	0.9242
		Chattahochee, GA.		
		Harris, GA.		
		Muscogee, GA.		
		Russell, AL.		
1840	1.0381	Columbus, OH	18140	1.0355
		Delaware, OH.		
		Fairfield, OH.		
		Franklin, OH.		
		Licking, OH.		
		Madison, OH.		
		Pickaway, OH.		
1880	0.9204	Corpus Christi, TX	18580	0.9196
		Nueces, TX.		
		San Patricio, TX.		
1890	1.1224	Corvallis, Oregon	18700	1.1214
		Benton, OR.		
1900	0.9220	Cumberland, MD-WV	19060	0.9212
		Allegany, MD.		
		Mineral, WV.		
1920	1.0702	Dallas, TX	19124	1.0713
		Collin, TX.		
		Dallas, TX.		
		Denton, TX.		
		Ellis, TX.		
		Hunt, TX.		
		Kaufman, TX.		
		Rockwall, TX.		
1920	1.0702	Dallas, TX.		
		Henderson, TX	45	0.8472
1950	0.9200	Danville, VA	19260	0.9192
		Danville City, VA.		
		Pittsylvania, VA.		
1960	0.9338	Davenport-Moline-Rock Island, IA-IL	19340	0.9330
		Scott, IA.		
		Henry, IL.		
		Rock Island, IL.		
2000	0.9826	Dayton, OH	19380	0.9894
		Greene, OH.		
		Miami, OH.		
		Montgomery, OH.		
2000	0.9826	Dayton-Springfield, OH	44220	0.9303
		Clark, OH.		
2020	0.9473	Daytona Beach, FL.		
		Flagler, FL	10	0.9118
		Volusia, FL	19660	0.9463
2030	0.9467	Decatur, AL	19460	0.9459

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Lawrence, AL.		
		Morgan, AL.		
2040	0.8645	Decatur, IL	19500	0.8638
		Macon, IL.		
2080	1.1607	Denver, CO	19740	1.1596
		Adams, CO.		
		Arapahoe, CO.		
		Denver, CO.		
		Douglas, CO.		
		Jefferson, CO.		
2120	0.9863	Des Moines, IA	19780	0.9854
		Dallas, IA.		
		Polk, IA.		
		Warren, IA.		
2160	1.0886	Detroit, MI	19804	1.1006
		Wayne, MI.		
2160	1.0886	Detroit, MI	47644	1.0754
		Lapeer, MI.		
		Macomb, MI.		
		Oakland, MI.		
		St. Clair, MI.		
2160	1.0886	Detroit, MI	33780	1.0109
		Monroe, MI.		
2180	0.8085	Dothan, AL	20020	0.8015
		Houston, AL.		
2180	0.8085	Dothan, AL	20020	0.8015
		Dale, AL.		
2190	1.0458	Dover, DE	20100	1.0449
		Kent, DE.		
2200	0.9312	Dubuque, IA	20220	0.9303
		Dubuque, IA.		
2240	1.1023	Dulut, MN-WI	20260	1.0996
		St. Louis, MN.		
		Douglas, WI.		
2240	1.1023	Superior, MN-WI	20260	1.0996
		St. Louis, MN.		
		Douglas, WI.		
2281	1.2408	Dutchess County, NY	39100	1.2084
		Dutchess, NY.		
2290	0.9728	Eau Claire, WI	20740	0.9719
		Chippewa, WI.		
		Eau Claire, WI.		
2320	0.9773	El Paso, TX	21340	0.9764
		El Paso, TX.		
2330	0.9876	Elkhart-Goshen, IN	21140	0.9867
		Elkhart, IN.		
2335	0.8989	Elmira, NY	21300	0.8981
		Chemung, NY.		
2340	0.9581	Enid, OK	37	0.8174
		Garfield, OK.		
2360	0.9260	Erie, PA	21500	0.9251
		Erie, PA.		
2400	1.1645	Eugene-Springfield, OR	21660	1.1634
		Lane, OR.		
2440	0.8936	Evansville, IN-KY	21780	0.8903
		Posey, IN.		
		Vanderburgh, IN.		
		Warrick, IN.		
		Henderson, KY.		
2440	0.8936	Henderson, IN-KY	21780	0.8903
		Posey, IN.		
		Vanderburgh, IN.		
		Warrick, IN.		
		Henderson, KY.		
2520	0.9701	Fargo, ND-MN	22020	0.9693
		Clay, MN.		
		Cass, ND.		
2520	0.9701	Moorhead, ND-MN	22020	0.9693
		Clay, MN.		
		Cass, ND.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
2560	0.9966	Fayetteville, NC	22180	0.9957
		Cumberland, NC.		
2580	0.9192	Fayetteville-Springdale-Rogers, AR	22220	0.9184
		Benton, AR.		
		Washington, AR.		
2620	1.1295	Flagstaff, AZ	22380	1.1472
		Coconino, AZ.		
2620	1.1295	Flagstaff, UT.		
		Kane, UT	46	0.8813
2640	1.1898	Flint, MI	22420	1.1888
		Genesee, MI.		
2650	0.8391	Florence, AL	22520	0.8383
		Colbert, AL.		
		Lauderdale, AL.		
2655	0.9537	Florence, SC	22500	0.9394
		Florence, SC.		
2670	1.0876	Fort Collins-Loveland, CO	22660	1.0867
		Larimer, CO.		
2680	1.0820	Ft. Lauderdale, FL	22744	1.0810
		Broward, FL.		
2700	0.9975	Fort Myers-Cape Coral, FL	15980	0.9966
		Lee, FL.		
2710	1.0693	Fort Pierce-Port St. Lucie, FL	38940	1.0684
		Martin, FL.		
		St. Lucie, FL.		
2720	0.8838	Fort Smith, AR-OK	22900	0.8809
		Crawford, AR.		
		Sebastian, AR.		
		Sequoyah, OK.		
2750	0.9352	Fort Walton Beach, FL	23020	0.9344
		Okaloosa, FL.		
2760	1.0364	Allen, IN	23060	1.0430
		Wells, IN.		
		Whitley, IN.		
2760	1.0364	Fort Wayne, IN	15	0.9202
		Adams, IN.		
		De Kalb, IN.		
		Huntington, IN.		
2800	1.0133	Forth Worth-Arlington, TX	23104	1.0073
		Johnson, TX.		
		Parker, TX.		
		Tarrant, TX.		
2800	1.0133	Hood, TX	45	0.8472
2840	1.1078	Fresno, CA	23420	1.1205
		Fresno, CA.		
2840	1.1078	Madera, CA	31460	0.9062
2880	0.8568	Gadsden, AL	23460	0.8560
		Etowah, AL.		
2900	1.0068	Gainesville, FL	23540	1.0059
		Alachua, FL.		
2920	1.0009	Galveston-Texas City, TX	26420	1.0606
		Galveston, TX.		
2960	0.9944	Gary, IN	23844	0.9901
		Lake, IN.		
		Porter, IN.		
2975	0.9013	Glens Falls, NY	24020	0.9004
		Warren, NY.		
		Washington, NY.		
2980	0.9344	Goldsboro, NC	24140	0.9335
		Wayne, NC.		
2985	0.9677	Grand Forks, ND-MN	24220	0.9668
		Grand Forks, ND.		
		Polk, MN.		
2995	1.0538	Grand Junction, CO	24300	1.0528
		Mesa, CO.		
3000	1.0132	Grand Rapids-Muskegon-Holland, MI.		
		Allegan, MI.		
		Kent, MI	23	0.9344
		Muskegon, MI	24340	1.0018
		Ottawa, MI	34740	1.0359

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
			26100	0.9984
3040	0.9378	Great Falls, MT	24500	0.9369
		Cascade, MT.		
3060	1.0053	Greeley, CO	24540	1.0043
		Weld, CO.		
3080	1.0204	Green Bay, WI	24580	1.0199
		Brown, WI.		
3120	0.9912	Greensboro-Winston-Salem-High Point, NC.		
		Alamance, NC.		
		Davidson, NC	15500	0.9536
		Davie, NC	34	0.9107
		Forsyth, NC	49180	0.9998
		Guilford, NC	49180	0.9998
		Randolph, NC	24660	0.9773
		Stokes, NC	24660	0.9773
		Yadkin, NC	49180	0.9998
			49180	0.9998
3150	0.9775	Greenville, NC	24780	0.9766
		Pitt, NC.		
3160	1.0006	Greenville-Spartanburg-Anderson, SC.		
		Anderson, SC.		
		Cherokee, SC	11340	0.9220
		Greenville, SC	42	0.9234
		Pickens, SC	24860	1.0164
		Spartanburg, SC	24860	1.0164
			43900	1.0123
3180	1.0580	Hagerstown, MD	25180	1.0332
		Washington, MD.		
3200	0.9650	Hamilton-Middletown, OH	17140	1.0120
		Butler, OH.		
3240	0.9884	Harrisburg-Carlisle, PA	25420	0.9953
		Cumberland, PA.		
		Dauphin, PA.		
		Perry, PA.		
3240	0.9884	Lebanon, PA	30140	0.9114
		Lebanon, PA.		
3283	1.1766	Hartford, CT	25540	1.1756
		Hartford, CT.		
		Litchfield, CT.		
		Middlesex, CT.		
		Tolland, CT.		
3285	0.8000	Hattiesburg, MS	25620	0.8000
		Forrest, MS.		
		Lamar, MS.		
3290	1.0114	Hickory-Morganton-Lenoir, NC	25860	1.0105
		Alexander, NC.		
		Burke, NC.		
		Caldwell, NC.		
		Catawba, NC.		
3320	1.1723	Honolulu, HI	26180	1.1712
		Honolulu, HI.		
3350	0.8219	Houma, LA	26380	0.8211
		Lafourche, LA.		
		Terrebonne, LA.		
3360	1.0769	Houston, TX	26420	1.0606
		Chambers, TX.		
		Fort Bend, TX.		
		Harris, TX.		
		Liberty, TX.		
		Montgomery, TX.		
		Waller, TX.		
3400	1.0180	Huntington-Ashland, WV-KY-OH	26580	1.0171
		Boyd, KY.		
		Greenup, KY.		
		Lawrence, OH.		
		Cabell, WV.		
		Wayne, WV.		
3400	1.0180	Carter, KY	18	0.8247
3440	0.9421	Huntsville, AL	26620	0.9413
		Limestone, AL.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Madison, AL.		
3480	1.0686	Indianapolis, IN	26900	1.0755
		Boone, IN.		
		Hamilton, IN.		
		Hancock, IN.		
		Hendricks, IN.		
		Johnson, IN.		
		Marion, IN.		
		Morgan, IN.		
		Shelby, IN.		
3480	1.0686	Indianapolis, IN	11300	0.9266
		Madison, IN.		
3500	1.0276	Iowa City, IA	26980	1.0267
		Johnson, IA.		
3520	0.9735	Jackson, MI	27100	0.9727
		Jackson, MI.		
3560	0.8948	Jackson, MS	27140	0.8817
		Hinds, MS.		
		Madison, MS.		
		Rankin, MS.		
3580	0.9473	Jackson, TN	27180	0.9465
		Madison, TN.		
		Chester, TN.		
3600	1.0163	Jacksonville, FL	27260	1.0142
		Clay, FL.		
		Duval, FL.		
		Nassau, FL.		
		St. Johns, FL.		
3605	0.8942	Jacksonville, NC	27340	0.8934
		Onslow, NC.		
3610	0.8078	Jamestown, NY	33	0.8668
		Chautauqua, NY.		
3620	1.0200	Janesville-Beloit, WI	27500	1.0191
		Rock, WI.		
3640	1.1627	Jersey City, NJ	35644	1.4156
		Hudson, NJ.		
3660	0.8730	Johnson City-Kingsport-Bristol, TN-VA	34980	1.0726
		Carter, TN.		
3660	0.8730	Kingsport-Bristol, TN-VA	28700	0.8763
		Hawkins, TN.		
		Sullivan, TN.		
		Bristol City, VA.		
		Scott, VA.		
		Washington, VA.		
3660	0.8730	Johnson City, TN	27740	0.8663
		Unicoi, TN.		
		Washington, TN.		
3680	0.8494	Johnstown, PA.		
		Cambria, PA	27780	0.8912
		Somerset, PA	39	0.8838
3700	0.8669	Jonesboro, AR.		
		Craighead, AR	27860	0.8661
3710	0.9283	Joplin, MO	27900	0.9275
		Jasper, MO.		
		Newton, MO.		
3720	1.1017	Kalamazoo-Battlecreek, MI.		
		Calhoun, MI	12980	0.9961
		Kalamazoo, MI	28020	1.1354
		Van Buren, MI	28020	1.1354
3740	1.1286	Kankakee, IL	28100	1.1276
		Kankakee, IL.		
3760	1.0262	Kansas City, KS-MO	28140	1.0240
		Johnson, KS.		
		Leavenworth, KS.		
		Miami, KS.		
		Wyandotte, KS.		
		Cass, MO.		
		Clay, MO.		
		Clinton, MO.		
		Jackson, MO.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Lafayette, MO.		
		Platte, MO.		
		Ray, MO.		
3800	1.0402	Kenosha, WI	29404	1.0998
		Kenosha, WI.		
3810	0.9838	Killeen-Temple, TX	28660	0.9829
		Bell, TX.		
		Coryell, TX.		
3840	0.9056	Knoxville, TN	28940	0.9091
		Anderson, TN.		
		Blount, TN.		
		Knox, TN.		
		Loudon, TN.		
		Union, TN.		
3840	0.9056	Sevier, TN	44	0.8369
3850	0.9565	Kokomo, IN	29020	0.9556
		Howard, IN.		
		Tipton, IN.		
3870	0.9888	La Crosse, WI-MN	29100	0.9879
		Houston, MN.		
		La Crosse, WI.		
3880	0.8627	Lafayette, LA	19	0.8000
		Acadia, LA.		
		St. Landry, LA.		
3880	0.8627	Lafayette, LA	29180	0.8833
		Lafayette, LA.		
		St. Martin, LA.		
3920	0.9651	Lafayette, IN.		
		Clinton, IN	15	0.9202
		Tippecanoe, IN	29140	0.9643
3960	0.8486	Lake Charles, LA	29340	0.8439
		Calcasieu, LA.		
3980	0.9505	Lakeland-Winter Haven, FL	29460	0.9497
		Polk, FL.		
4000	1.0520	Lancaster, PA	29540	1.0510
		Lancaster, PA.		
4040	1.0280	Lansing-East Lansing, MI	29620	1.0271
		Clinton, MI.		
		Eaton, MI.		
		Ingham, MI.		
4080	0.9311	Laredo, TX	29700	0.9302
		Webb, TX.		
4100	0.9350	Las Cruces, NM	29740	0.9342
		Dona Ana, NM.		
4120	1.1838	Las Vegas, NV-AZ.		
		Mohave, AZ	03	0.9503
		Clarke, NV	29820	1.2100
		Nye, NV	29	0.9869
4150	0.9201	Lawrence, KS	29940	0.9193
		Douglas, KS.		
4200	0.8741	Lawton, OK	30020	0.8733
		Comanche, OK.		
4243	1.0178	Lewiston-Auburn, ME	30340	1.0169
		Androscoggin, ME.		
4280	0.9813	Lexington, KY	30460	0.9953
		Bourbon, KY.		
		Clark, KY.		
		Fayette, KY.		
		Jessamine, KY.		
		Scott, KY.		
		Woodford, KY.		
4280	0.9813	Madison, KY	18	0.8247
4320	0.9855	Lima, OH.		
		Allen, OH	30620	0.9922
		Auglaize, OH	36	0.9245
4360	1.0866	Lincoln, NE	30700	1.0856
		Lancaster, NE.		
4400	0.9395	Little Rock-North Little Rock, AR	30780	0.9386
		Faulkner, AR.		
		Lonoke, AR.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Pulaski, AR.		
		Saline, AR.		
4420	0.9302	Longview-Marshall, TX	30980	0.9360
		Gregg, TX.		
		Upshur, TX.		
4420	0.9302	Harrison, TX	45	0.9245
4480	1.2488	Los Angeles-Long Beach, CA	1.2477	
		Los Angeles, CA	31084	
4520	0.9752	Louisville, KY-IN	31140	0.9701
		Clark, IN.		
		Floyd, IN.		
		Harrison, IN.		
		Bullitt, KY.		
		Jefferson, KY.		
		Oldham, KY.		
4520	0.9752	Louisville, KY-IN	19340	0.9330
		Scott, IN.		
4600	0.9343	Lubbock, TX	31180	0.9334
		Lubbock, TX.		
4640	0.9598	Lynchburg, VA	31340	0.9589
		Amherst, VA.		
		Bedford, VA.		
		Bedford City, VA.		
		Campbell, VA.		
		Lynchburg City, VA.		
4680	1.0214	Macon, GA	31420	1.0515
		Bibb, GA.		
		Jones, GA.		
		Twiggs, GA.		
4680	1.0214	Macon, GA.		
		Houston, GA	47580	0.9028
		Peach, GA	11	0.8224
4720	1.1065	Madison, WI	31540	1.0960
		Dane, WI.		
4800	0.9692	Mansfield, OH.		
		Crawford, OH	36	0.9245
		Richland, OH	31900	0.9772
4840	0.5484	Mayaguez, PR	41900	0.6026
		Anasco, PR.		
		Cabo Rojo, PR.		
		Sabana Grande, PR.		
		San German, PR.		
4840	0.5484	Mayaguez, PR	32420	0.5167
		Hormigueros, PR.		
		Mayaguez, PR.		
4880	0.9156	McAllen-Edinburg-Mission, TX	32580	0.9148
		Hidalgo, TX.		
4890	1.1213	Medford-Ashland, OR	32780	1.1203
		Jackson, OR.		
4900	1.0254	Melbourne-Titusville-Palm Bay, FL	37340	1.0244
		Brevard, Fl.		
4920	0.9829	Memphis, TN-AR-MS	32820	0.9802
		Crittenden, AR.		
		DeSoto, MS.		
		Fayette, TN.		
		Shelby, TN.		
		Tipton, TN.		
4940	1.1256	Merced, CA	32900	1.1246
		Merced, CA.		
5000	1.0506	Miami, FL	33124	1.0497
		Dade, FL.		
5015	1.2092	Hunterdon, NJ	35084	1.2429
		Hunterdon, NJ.		
5015	1.2092	Middlesex-Somerset, NJ	20764	1.1843
		Middlesex, NJ.		
		Somerset, NJ.		
5080	1.0725	Milwaukee-Waukesha, WI	33340	1.0716
		Milwaukee, WI.		
		Ozaukee, WI.		
		Washington, WI.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Waukesha, WI.		
5120	1.1779	Minneapolis-St. Paul, MN-WI	33460	1.1768
		Anoka, MN.		
		Carver, MN.		
		Chisago, MN.		
		Dakota, MN.		
		Hennepin, MN.		
		Isanti, MN.		
		Ramsey, MN.		
		Scott, MN.		
		Sherbune, MN.		
		Washington, MN.		
		Wright, MN.		
		Pierce, WI.		
		St. Croix, WI.		
5140	1.0238	Missoula, MT	33540	1.0229
		Missoula, MT.		
5160	0.8443	Mobile, AL.		
		Baldwin, AL	01	0.8112
		Mobile, AL	33660	0.8503
5170	1.2737	Modesto, CA	33700	1.2726
		Stanislaus, CA.		
5190	1.1590	Monmouth-Ocean, NJ	20764	1.1843
		Monmouth, NJ.		
		Ocean, NJ.		
5200	0.8423	Monroe, LA	33740	0.8405
		Ouachita, LA.		
5240	0.8835	Montgomery, AL	33860	0.8827
		Autauga, AL.		
		Elmore, AL.		
		Montgomery, AL.		
5280	0.9133	Muncie, IN	34620	0.9125
		Delaware, IN.		
5330	0.9603	Myrtle Beach, SC	34820	0.9595
		Horry, SC.		
5345	1.1238	Naples, FL	34940	1.1228
		Collier, FL.		
5360	1.0759	Nashville, TN	34980	1.0726
		Cheatham, TN.		
		Davidson, TN.		
		Dickson, TN.		
		Robertson, TN.		
		Rutherford TN.		
		Sumner, TN.		
		Williamson, TN.		
		Wilson, TN.		
5380	1.3739	Nassau-Suffolk, NY	35004	1.3726
		Nassau, NY.		
		Suffolk, NY.		
5483	1.3044	New Haven-Bridgeport-Stamford-Waterbury-Danbury, CT.		
		Fairfield, CT.		
		New Haven, CT	14860	1.3650
			35300	1.2556
5523	1.2343	New London-Norwich, CT	35980	1.2332
		New London, CT.		
5560	0.9690	New Orleans, LA	35380	0.9681
		Jefferson, LA.		
		Orleans, LA.		
		Plaquemines, LA.		
		St. Bernard, LA.		
		St. Charles, LA.		
		St. John The Baptist, LA.		
		St. Tammany, LA.		
5560	0.9690	St. James, LA	19	0.8000
5600	1.4461	New York, NY	35644	1.4156
		Bronx, NY.		
		Kings, NY.		
		New York, NY.		
		Putnam, NY.		
		Queens, NY.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Richmond, NY.		
		Rockland, NY.		
		Westchester, NY.		
5640	1.2374	Newark, NJ	35084	1.2429
		Essex, NJ.		
		Morris, NJ.		
		Sussex, NJ.		
		Union, NJ.		
5640	1.2374	Newark, NJ	10900	1.0104
		Warren, NJ.		
5660	1.1890	Newburgh, NY-PA.		
		Orange, NY	39100	1.2084
		Pike, PA	35084	1.2429
5720	0.9467	Norfolk-Virginia Beach-Newport News, VA-NC	47260	0.9459
		Currituck, NC.		
		Chesapeake City, VA.		
		Gloucester, VA.		
		Hampton City, VA.		
		James City, VA.		
		Isle of Wight, VA.		
		Mathews, VA.		
		Newport News City, VA.		
		Norfolk City, VA.		
		Poquoson City, VA.		
		Portsmouth City, VA.		
		Suffolk City, VA.		
		Virginia Beach City VA.		
		Williamsburg City, VA.		
		York, VA.		
5775	1.6201	Oakland, CA	36084	1.6186
		Alameda, CA.		
		Contra Costa, CA.		
5790	0.9743	Ocala, FL	36100	0.9734
		Marion, FL.		
5800	1.0253	Odessa-Midland, TX.		
		Ector, TX	36220	1.0420
		Midland, TX	33260	0.9980
5880	0.9544	Oklahoma City, OK	36420	0.9552
		Canadian, OK.		
		Cleveland, OK.		
		Logan, OK.		
		McClain, OK.		
		Oklahoma, OK.		
5880	0.9544	Pottawatomie, OK	37	0.8174
5910	1.1715	Olympia, WA	36500	1.1705
		Thurston, WA.		
5920	1.0382	Omaha, NE-IA	36540	1.0373
		Pottawattamie, IA.		
		Cass, NE.		
		Douglas, NE.		
		Sarpy, NE.		
		Washington, NE.		
5945	1.2359	Orange County, CA	42044	1.2348
		Orange, CA.		
5960	1.0370	Orlando, FL	36740	1.0360
		Lake, FL.		
		Orange, FL.		
		Osceola, FL.		
		Seminole, FL.		
5990	0.8977	Owensboro, KY	36980	0.8969
		Daviess, KY.		
6015	0.8647	Panama City, FL	37460	0.8640
		Bay, FL.		
6020	0.8822	Parkersburg-Marietta, WV-OH	37620	0.8814
		Washington, OH.		
		Wood, WV.		
6080	0.8841	Pensacola, FL	37860	0.8833
		Escambia, FL.		
		Santa Rosa, FL.		
6120	0.9459	Peoria-Pekin, IL	37900	0.9450

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Peoria, IL.		
		Tazewell, IL.		
		Woodford, IL.		
6160	1.1521	Philadelphia, NJ	15804	1.1353
		Burlington, NJ.		
		Camden, NJ.		
		Gloucester, NJ.		
		Salem, NJ.		
6160	1.1521	Philadelphia, PA	37964	1.1555
		Bucks, PA.		
		Chester, PA.		
		Delaware, PA.		
		Montgomery, PA.		
		Philadelphia, PA.		
6200	1.0625	Phoenix-Mesa, AZ	38060	1.0616
		Maricopa, AZ.		
		Pinal, AZ.		
6240	0.9232	Pine Bluff, AR	38220	0.9224
		Jefferson, AR.		
6280	0.9320	Pittsburgh, PA	38300	0.9291
		Allegheny, PA.		
		Beaver, PA.		
		Butler, PA.		
		Fayette, PA.		
		Washington, PA.		
		Westmoreland, PA.		
6323	1.1112	Pittsfield, MA	38340	1.1102
		Berkshire, MA.		
6340	1.0220	Pocatello, ID	38540	1.0210
		Bannock, ID.		
6360	0.5697	Ponce, PR	49500	0.5167
		Guayanilla, PR.		
		Juana Diaz, PR.		
		Penuelas, PR.		
		Yauco, PR.		
6360	0.5697	Ponce, PR	38660	0.5757
		Ponce, PR.		
		Villalba, PR.		
6403	1.0764	Portland, ME	38860	1.0754
		Cumberland, ME.		
		Sagadahoc, ME.		
		York, ME.		
6440	1.2138	Portland-Vancouver, OR-WA	38900	1.2127
		Clackamas, OR.		
		Columbia, OR.		
		Multnomah, OR.		
		Washington, OR.		
		Yamhill, OR.		
		Clark, WA.		
6483	1.1774	Providence-Warwick-Pawtucket, RI	39300	1.1623
		Bristol, RI.		
		Kent, RI.		
		Newport, RI.		
		Providence, RI.		
		Washington, RI.		
6520	1.0232	Provo-Orem, UT	39340	1.0197
		Utah, UT.		
6560	0.9316	Pueblo, CO	39380	0.9308
		Pueblo, CO.		
6580	1.0049	Punta Gorda, FL	39460	1.0040
		Charlotte, FL.		
6600	0.9628	Racine, WI	39540	0.9619
		Racine, WI.		
6640	1.0919	Durham-Chapel Hill, NC	20500	1.1021
		Chatham, NC.		
		Durham, NC.		
		Orange, NC.		
6640	1.0919	Raleigh, NC	39580	1.0695
		Franklin, NC.		
		Johnston, NC.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Wake, NC.		
6660	0.9486	Rapid City, SD	39660	0.9478
		Pennington, SD.		
6680	0.9809	Reading, PA	39740	0.9800
		Berks, PA.		
6690	1.2598	Redding, CA	39820	1.2586
		Shasta, CA.		
6720	1.1130	Reno, NV	39900	1.1120
		Washoe, NV.		
6740	1.1198	Richland-Kennewick-Pasco, WA Benton, WA	28420	1.1188
		Franklin, WA.		
6760	1.0002	Richmond-Petersburg, VA	40060	0.9994
		Charles City County, VA.		
		Chesterfield, VA.		
		Colonial Heights City, VA.		
		Dinwiddie, VA.		
		Goochland, VA.		
		Hanover, VA.		
		Henrico, VA.		
		Hopewell City, VA.		
		New Kent, VA.		
		Petersburg City, VA.		
		Powhatan, VA.		
		Prince George, VA.		
		Richmond City, VA.		
6780	1.1677	Riverside-San Bernardino, CA	40140	1.1666
		Riverside, CA.		
		San Bernardino, CA.		
6800	0.8971	Roanoke, VA	40220	0.8949
		Botetourt, VA.		
		Roanoke, VA.		
		Roanoke City, VA.		
		Salem City, VA.		
6820	1.2245	Rochester, MN	40340	1.2234
		Olmsted, MN.		
6840	0.9789	Rochester, NY	40380	0.9870
		Livingston, NY.		
		Monroe, NY.		
		Ontario, NY.		
		Orleans, NY.		
		Wayne, NY.		
6840	0.9789	Genesee, NY	33	0.8668
6880	1.0246	Rockford, IL	40420	1.0237
		Boone, IL.		
		Winnebago, IL.		
6880	1.0246	Ogle, IL	14	0.8868
6895	0.9578	Rocky Mount, NC	40580	0.9569
		Edgecombe, NC.		
		Nash, NC.		
6920	1.2611	Sacramento, CA	40900	1.2443
		El Dorado, CA.		
		Placer, CA.		
		Sacramento, CA.		
6960	1.0321	Saginaw-Bay City-Midland, MI.		
		Bay, MI.		
		Midland, MI	13020	1.0182
		Saginaw, MI	23	0.9344
			40980	1.0437
6980	1.0873	St. Cloud, MN	41060	1.0863
		Benton, MN.		
		Stearns, MN.		
7000	1.0658	St. Joseph, MO	41140	1.0649
		Andrew, MO.		
		Buchanan, MO.		
7040	0.9666	St. Louis, MO-IL	41180	0.9652
		Franklin, MO.		
		Jefferson, MO.		
		Lincoln, MO.		
		St. Charles, MO.		
		St. Louis, MO.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		St. Louis City, MO.		
		Warren, MO.		
		Clinton, IL.		
		Jersey, IL.		
		Madison, IL.		
		Monroe, IL.		
		St. Clair, IL.		
7080	1.1236	Salem, OR	41420	1.1226
		Marion, OR.		
		Polk, OR.		
7120	1.4714	Salinas, CA.		
		Monterey, CA	41500	1.4700
7160	1.0098	Ogden, UT	36260	0.9801
		Davis, UT.		
		Weber, UT.		
7160	1.0098	Salt Lake City, UT	41620	1.0168
		Salt Lake, UT.		
7200	0.8693	San Angelo, TX	41660	0.8685
		Tom Green, TX.		
7240	0.9604	San Antonio, TX	41700	0.9575
		Bexar, TX.		
		Comal, TX.		
		Guadalupe, TX.		
		Wilson, TX.		
7320	1.1993	San Diego, CA	41740	1.1982
		San Diego, CA.		
7360	1.5660	San Francisco, CA	41884	1.5646
		Marin, CA.		
		San Francisco, CA.		
		San Mateo, CA.		
7400	1.5694	San Jose, CA	41940	1.5657
		Santa Clara, CA.		
7440	0.5522	San Juan-Bayamon, PR	41980	0.5342
		Aguas Buenas, PR.		
		Barceloneta, PR.		
		Bayamon, PR.		
		Canovanas, PR.		
		Carolina, PR.		
		Catano, PR.		
		Comerio, PR.		
		Corozal, PR.		
		Dorado, PR.		
		Florida, PR.		
		Guaynabo, PR.		
		Humacao, PR.		
		Juncos, PR.		
		Los Piedras, PR.		
		Loiza, PR.		
		Manati, PR.		
		Morovis, PR.		
		Naguabo, PR.		
		Naranjito, PR.		
		Rio Grande, PR.		
		San Juan, PR.		
		Toa Alta, PR.		
		Toa Baja, PR.		
		Trujillo Alto, PR.		
		Vega Alta, PR.		
		Vega Baja, PR.		
		Yabucoa, PR.		
7440	0.5522	San Juan-Bayamon, PR	21940	0.4530
		Ceiba, PR.		
		Fajardo, PR.		
		Luguillo, PR.		
7460	1.1834	San Luis Obispo-Atascadero-Paso Robles, CA	42020	1.1824
		San Luis Obispo, CA.		
7480	1.1465	Santa Barbara-Santa Maria-Lompoc, CA	42060	1.1455
		Santa Barbara, CA.		
7485	1.5731	Santa Cruz-Watsonville, CA	42100	1.5717
		Santa Cruz, CA.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
7490	1.1272	Santa Fe, NM.		
		Los Alamos, NM	32	0.9231
		Santa Fe, NM	42140	1.1601
7500	1.3796	Santa Rosa, CA	42220	1.3784
		Sonoma, CA.		
7510	1.0249	Sarasota-Bradenton, FL	42260	1.0240
		Manatee, FL.		
		Sarasota, FL.		
7520	1.0070	Savannah, GA	42340	1.0061
		Bryan, GA.		
		Chatham, GA.		
		Effingham, GA.		
7560	0.9071	Scranton—Wilkes-Barre—Hazleton, PA	42540	0.9085
		Lackawanna, PA.		
		Luzerne, PA.		
		Wyoming, PA.		
7560	0.9071	Columbia, PA	39	0.8838
7600	1.2219	Seattle-Bellevue-Everett, WA	42644	1.2222
		King, WA.		
		Snohomish, WA.		
7600	1.2219	Island, WA	50	1.0967
7610	0.8389	Sharon, PA	49660	0.9823
		Mercer, PA.		
7620	0.9525	Sheboygan, WI	43100	0.9516
		Sheboygan, WI.		
7640	1.0237	Sherman-Denison, TX	43300	1.0227
		Grayson, TX.		
7680	0.9698	Shreveport-Bossier City, LA	43340	0.9712
		Bossier, LA.		
		Caddo, LA.		
7680	0.9698	Webster, LA	19	0.8000
7720	0.9680	Sioux City, IA-NE	43580	0.9646
		Woodbury, IA.		
		Dakota, NE.		
7760	1.0049	Sioux Falls, SD	43620	1.0040
		Lincoln, SD.		
		Minnehaha, SD.		
7800	1.0056	South Bend, IN	43780	1.0047
		St. Joseph, IN.		
7840	1.1347	Spokane, WA	44060	1.1337
		Spokane, WA.		
7880	0.9301	Springfield, IL	44100	0.9293
		Menard, IL.		
		Sangamon, IL.		
7920	0.9151	Springfield, MO	44180	0.9100
		Christian, MO.		
		Greene, MO.		
		Webster, MO.		
8003	1.0828	Springfield, MA	44140	1.0822
		Hampden, MA.		
		Hampshire, MA.		
8050	0.9006	State College, PA	44300	0.8998
		Centre, PA.		
8080	0.8814	Steubenville-Weirton, OH-WV	48260	0.8806
		Brooke, WV.		
		Hancock, WV.		
		Jefferson, OH.		
8120	1.1245	Stockton-Lodi, CA	44700	1.1235
		San Joaquin, CA.		
8140	0.9069	Sumter, SC	44940	0.9061
		Sumter, SC.		
8160	0.9999	Syracuse, NY	45060	1.0069
		Madison, NY.		
		Onondaga, NY.		
		Oswego, NY.		
8160	0.9999	Cayuga, NY	33	0.8668
8200	1.1792	Tacoma, WA	45104	1.1781
		Pierce, WA.		
8240	0.9213	Tallahassee, FL	45220	0.9204
		Gadsden, FL.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Leon, FL.		
8280	0.9605	Tampa-St. Petersburg-Clearwater, FL	45300	0.9597
		Hernando, FL.		
		Hillsborough, FL.		
		Pasco, FL.		
		Pinellas, FL.		
8320	0.9135	Terre Haute, IN	45460	0.9058
		Clay, IN.		
		Vermillion, IN.		
		Vigo, IN.		
8360	0.8955	Texarkana, AR-Texarkana, TX	45500	0.8947
		Miller, AR.		
		Bowie, TX.		
8400	1.0138	Toledo, OH	45780	1.0129
		Fulton, OH.		
		Lucas, OH.		
		Wood, OH.		
8440	0.9478	Topeka, KS	45820	0.9469
		Shawnee, KS.		
8480	1.0938	Trenton, NJ	45940	1.0928
		Mercer, NJ.		
8520	0.9501	Tucson, AZ	46060	0.9493
		Pima, AZ.		
8560	0.9291	Tulsa, OK	46140	0.9242
		Creek, OK.		
		Osage, OK.		
		Rogers, OK.		
		Tulsa, OK.		
		Wagoner, OK.		
8600	0.8984	Tuscaloosa, AL	46220	0.8865
		Tuscaloosa, AL.		
8640	1.0114	Tyler, TX	46340	1.0105
		Smith, TX.		
8680	0.8829	Utica-Rome, NY	46540	0.8822
		Herkimer, NY.		
		Oneida, NY.		
8720	1.4388	Vallejo-Fairfield-Napa, CA.		
		Napa, CA	34900	1.3326
		Solano, CA	46700	1.5185
8735	1.1821	Ventura, CA	37100	1.1810
		Ventura, CA.		
8750	0.9015	Victoria, TX	47020	0.9008
		Victoria, TX.		
8760	1.1254	Vineland-Millville-Bridgeton, NJ	47220	1.1244
		Cumberland, NJ.		
8780	1.0591	Visalia-Tulare-Porterville, CA	47300	1.0608
		Tulare, CA.		
8800	0.8671	Waco, TX	47380	0.8663
		McLennan, TX.		
8840	1.1678	Washington, DC-MD-VA-WV	47894	1.1723
		District of Columbia, DC.		
		Calvert, MD.		
		Charles, MD.		
		Prince Georges, MD.		
		Alexandria City, VA.		
		Arlington, VA.		
		Clarke, VA.		
		Fairfax, VA.		
		Fairfax City, VA.		
		Falls Church City, VA.		
		Fauquier, VA.		
		Fredericksburg City, VA.		
		Loudoun, VA.		
		Manassas City, VA.		
		Manassas Park City, VA.		
		Prince William, VA.		
		Spotsylvania, VA.		
		Stafford, VA.		
		Warren, VA.		
		Jefferson, WV.		

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
8840	1.1678	Washington, DC-MD-VA-WV	13644	1.1651
		Frederick, MD.		
		Montgomery, MD.		
8840	1.1678	Culpeper, VA	49	0.8560
		King George, VA.		
8840	1.1678	Washington, DC-MD-VA-WV	25180	1.0332
		Berkeley, WV.		
8920	0.9189	Waterloo-Cedar Falls, IA	47940	0.9181
		Black Hawk, IA.		
8940	1.0187	Wausau, WI	48140	1.0177
		Marathon, WI.		
8960	1.1030	West Palm Beach-Boca Raton, FL	48424	1.1020
		Palm Beach, FL.		
9000	0.8000	Wheeling, WV-OH	48540	0.8000
		Belmont, OH.		
		Marshall, WV.		
		Ohio, WV.		
9040	1.0097	Wichita, KS	48620	1.0057
		Butler, KS.		
		Harvey, KS.		
		Sedgwick, KS.		
9080	0.8936	Wichita Falls, TX	48660	0.8861
		Archer, TX.		
		Wichita, TX.		
9140	0.9032	Williamsport, PA	48700	0.9024
		Lycoming, PA.		
9160	1.1838	Wilmington-Newark, DE-MD	48864	1.1750
		New Castle, DE.		
		Cecil, MD.		
9200	0.9832	Wilmington, NC	48900	0.9823
		Brunswick, NC.		
		New Hanover, NC.		
9260	1.0987	Yakima, WA	49420	1.0977
		Yakima, WA.		
9270	0.9982	Yolo, CA	40900	1.2443
		Yolo, CA.		
9280	0.9740	York, PA	49620	0.9731
		York, PA.		
9320	1.0130	Youngstown-Warren, OH	49660	0.9823
		Mahoning, OH.		
		Trumbull, OH.		
9320	1.0130	Columbiana, OH	36	0.9245
9340	1.1031	Yuba City, CA	49700	1.1021
		Sutter, CA.		
		Yuba, CA.		
9360	0.9443	Yuma, AZ	49740	0.9434
		Yuma, AZ.		
01	0.8129	Bibb, AL	13820	0.9738
		Chilton, AL.		
		Walker, AL.		
01	0.8129	Geneva, AL	20020	0.8015
		Henry, AL.		
01	0.8129	Greene, AL	46220	0.8865
		Hale, AL.		
01	0.8129	Lowndes, AL	33860	0.8827
02	1.2387	Fairbanks North Star AK	21820	1.1854
		Matanuska-Susitna, AK	11260	1.2937
03	0.9729	Yavapai, AZ	39140	1.0520
04	0.8199	Cleveland, AR	38220	0.9224
		Franklin, AR	22900	0.8809
		Garland, AR	26300	0.9836
		Grant, AR	30780	0.9386
		Lincoln, AR	38220	0.9224
		Madison, AR	22220	0.9184
		Perry, AR	30780	0.9386
		Poinsett, AR	27860	0.8661
05	1.0960	Imperial, CA	20940	0.9418
		Kings, CA	25260	0.9886
		San Benito, CA	41940	1.5657
06	0.9972	Clear, Creek, CO	19740	1.1596

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Elbert, CO.		
		Gilpin, CO.		
		Park, CO.		
06	0.9972	Teller, CO	17820	1.0414
10	0.9283	Baker, FL	27260	1.0142
		Gilchrist, FL	23540	1.0059
		Indian River, FL	46940	1.0079
10	0.9283	Jefferson, FL	45220	0.9204
		Wakulla, FL.		
11	0.8778	Brooks, GA	46660	0.8870
		Echols, GA.		
		Lanier, GA.		
		Lowndes, GA.		
11	0.8778	Hall, GA	23580	1.0164
		Marion, GA	17980	0.9242
		Oglethorpe, GA	12020	1.0850
11	0.8778	Long, GA	25980	0.8205
		Liberty, GA.		
11	0.8778	Murray, GA	19140	1.0165
		Whitfield, GA.		
11	0.8778	Baker, GA	10500	1.1981
		Terrell, GA.		
		Worth, GA.		
11	0.8778	Crawford, GA	31420	1.0515
		Monroe, GA.		
11	0.8778	Brantley, GA	15260	1.2690
		Glynn, GA.		
		MCIntosh, GA.		
11	0.8778	Butts, GA	12060	1.0604
		Dawson, GA.		
		Haralson, GA.		
		Heard, GA.		
		Jasper, GA.		
		Lamar, GA.		
		Meriwether, GA.		
		Pike, GA.		
11	0.8778	Burke, GA	12260	0.9735
		Floyd, GA		0.9442
			40660	
13	0.9395	Boise, ID	14260	0.9946
		Gem, ID.		
		Owyhee, ID.		
13	0.9395	Bonneville, ID	26820	0.9634
		Jefferson, ID.		
13	0.9395	Franklin, ID	30860	0.9671
		Kootenai, ID	17660	0.9932
		Nez Perce, ID	30300	0.9905
		Power, ID	38540	1.0210
14	0.8877	Bond, IL	41180	0.9652
		Calhoun, IL.		
		Macoupin, IL.		
14	0.8877	Ford, IL	16580	1.0132
		Platt.		
14	0.8877	Marshall, IL	37900	0.9450
		Stark, IL	37900	
14	0.8877	Mercer	19340	0.9330
		Vermilion, IL	19180	0.8925
15	0.9299	Bartholomew, IN	18020	0.9984
		Franklin, IN	17140	1.0120
		Gibson, IN	21780	0.8903
		La Porte, IN	33140	0.9924
		Sullivan, IN	45460	0.9058
		Washington, IN	31140	0.9701
15	0.9299	Brown, IN	26900	1.0755
		Putnam, IN.		
15	0.9299	Benton, IN	29140	0.9643
		Carroll, IN.		
15	0.9299	Greene, IN	14020	0.9132
		Owen, IN.		
15	0.9299	Jasper, IN	23844	0.9901

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Newton, IN.		
16	0.9101	Benton, IA	16300	0.9545
		Jones, IA.		
16	0.9101	Bremer, IA	47940	0.9181
		Grundy, IA.		
16	0.9101	Guthrie, IA	19780	0.9854
		Madison, IA.		
16	0.9101	Harrison, IA	36540	1.0373
		Mills, IA.		
16	0.9101	Story, IA	11180	1.0081
		Washington, IA	26980	1.0267
17	0.8608	Doniphan, KS	41140	1.0649
		Sumner, KS	48620	1.0057
17	0.8608	Franklin, KS	28140	1.0240
		Linn, KS.		
17	0.8608	Jackson, KS	45820	0.9469
		Jefferson, KS.		
		Osage, KS.		
		Wabaunsee, KS.		
18	0.8349	Bracken, KY	17140	1.0120
		Trigg, KY	17300	0.8531
		Webster, KY	21780	0.8903
18	0.8349	Edmonson, KY	14540	0.8657
		Warren, KY.		
18	0.8349	Hancock, KY	36980	0.8969
		Mc Lean, KY.		
18	0.8349	Hardin, KY	21060	0.9235
		Larue, KY.		
18	0.8349	Henry, KY	31140	0.9701
		Meade, KY.		
		Nelson, KY.		
		Shelby, KY.		
		Spencer, KY.		
		Trimble, KY.		
19	0.8000	Cameron, LA	29340	0.8439
		DE Soto, LA	43340	0.9712
		Grant, LA	10780	0.8690
		Union, LA	33740	0.8405
19	0.8000	East Feliciana, LA	12940	0.8847
		Iberville, LA.		
		Pointe Coupee, LA.		
		St. Helena, LA.		
		West Feliciana, LA.		
21	0.9770	Somerset, MD	41540	0.9702
		Wicomico.		
22	1.0874	Franklin, MA	44140	1.0822
23	0.9303	Barry, MI	24340	1.0018
		Ionia, MI.		
		Newaygo, MI.		
23	0.9303	Cass, MI	43780	1.0047
24	0.9941	Carlton, MN	20260	1.0996
24	0.9941	Dodge, MN	40340	1.2234
		Wabasha, MN.		
25	0.8072	Copiah, MS	27140	0.8817
		Simpson, MS.		
25	0.8072	George, MS	37700	0.8480
		Perry, MS	25620	0.8000
		Stone, MS	25060	0.9518
25	0.8072	Marshall, MS	32820	0.9802
		Tate, MS.		
		Tunica, MS.		
26	0.8333	Bates, MO	28140	1.0240
		Caldwell, MO.		
26	0.8333	Callaway, MO	27620	0.8867
		Cole, MO.		
		Moniteau, MO.		
		Osage, MO.		
26	0.8333	Crawford, Mo	41180	0.9652
		Washington, MO.		
26	0.8333	Dallas, MO	44180	0.9100

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Polk, MO.		
26	0.8333	DeKalb, MO	41140	1.0649
		Howard, MO	17860	0.8929
		McDonald, MO	22220	0.9184
27	0.9262	Carbon, MT	13740	0.9530
28	0.9617	Dixon, NE	43580	0.9646
		Saunders, NE	36540	1.0373
		Seward, NE	30700	1.0856
29	1.0466	Storey, NV	39900	1.1120
		Carson City, NV	16180	1.1009
32	0.9079	San Juan, NM	22140	0.8560
		Torrance, NM	10740	1.1151
33	0.8944	Tompkins, NY	27060	1.0198
		Ulster, NY	28740	0.9571
34	0.9048	Anson, NC	16740	1.0361
		Greene, NC	24780	0.9766
		Hoke, NC	22180	0.9957
		Pender, NC	48900	0.9823
		Person, NC	20500	1.1021
		Rockingham, NC	24660	0.9773
34	0.9048	Haywood, NC	11700	0.9774
		Henderson, NC.		
36	0.9323	Erie, OH	41780	0.9589
		Ottawa, OH	45780	1.0129
		Preble, OH	19380	0.9894
36	0.9323	Morrow, OH	18140	1.0355
		Union, OH.		
37	0.8023	Grady, OK	36420	0.9552
		Lincoln, OK.		
37	0.8023	Le Flore, OK	22900	0.8809
37	0.8023	Okmulgee, OK	46140	0.9242
		Pawnee, OK.		
38	1.0697	Deschutes, OR	13460	1.1276
39	0.8886	Armstrong, PA	38300	0.9291
40	0.4654	Albonito, PR	41980	0.5342
		Barranquitas, PR.		
		Ciales, PR.		
		Maunabo, PR.		
		Orocovis, PR.		
		Quebradillas, PR.		
40	0.4654	Arroyo, PR	25020	0.4606
		Guayama, PR.		
		Patillas, PR.		
40	0.4654	Guanica, PR	49500	0.5167
		Lajas, PR	41900	0.6026
40	0.4654	Isabela, PR	10380	0.4922
		Lares, PR.		
		Rincon, PR.		
		San Sebastian, PR.		
42	0.9197	Calhoun, SC	17900	0.9988
		Fairfield, SC.		
		Kershaw, SC.		
		Saluda, SC.		
42	0.9197	Darlington, SC	22500	0.9394
		Laurens, SC	24860	1.0164
43	0.8934	Mc Cook, SD	43620	1.0040
		Turner, SD.		
43	0.8934	Meade, SD	39660	0.9478
		Union, SD	43580	0.9646
44	0.8383	Bradley, TN	17420	0.8342
		Polk, TN	1.0726	
44	0.8383	Cannon, TN	34980	1.0726
		Hickman, TN.		
		Macon, TN.		
		Smith, TN.		
		Trousdale, TN.		
44	0.8383	Grainger, TN	34100	0.8285
		Hamblen, TN.		
		Jefferson, TN.		
44	0.8383	Sequatchie, TN	16860	0.9791

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Stewart, TN	17300	0.8531
45	0.8420	Aransas, TX	18580	0.9196
		Calhoun, TX	47020	0.9008
		Clay, TX	48660	0.8861
		Crosby, TX	31180	0.9334
		Delta, TX	19124	1.0713
		Goliad, TX	47020	0.9008
		Irion, TX	41660	0.8685
		Lampasas, TX	28660	0.9829
		Rusk, TX	30980	0.9360
		Wise, TX	23104	1.0073
45	0.8420	Armstrong, TX	11100	0.9761
		Carson, TX.		
45	0.8420	Callahan, TX	10180	0.8348
		Jones, TX.		
45	0.8420	Atascosa, TX	41700	0.9575
		Bandera, TX.		
		Kendall, TX.		
		Medina, TX.		
45	0.8420	Austin, TX	26420	1.0606
		San Jacinto, TX.		
45	0.8420	Burleson, TX	17780	0.9830
		Robertson, TX.		
46	0.9413	Cache, UT	30860	0.9671
		Juab, UT	39340	1.0197
		Morgan, UT	36260	0.9801
		Washington, UT	41100	1.0058
46	0.9413	Summit, UT	41620	1.0168
		Tooele, UT.		
49	0.9025	Amelia, VA	40060	0.9994
		Caroline, VA.		
		Cumberland, VA.		
		King and Queen, VA.		
		King William, VA.		
		Louisa, VA.		
		Sussex, VA.		
49	0.9025	Appomattox, VA	31340	0.9589
		Nelson, VA	16820	1.0947
		Surry, VA	47260	0.9459
49	0.9025	Craig, VA	40220	0.8949
		Franklin, VA.		
49	0.9025	Frederick, VA	49020	1.1162
		Winchester City, VA.		
49	0.9025	Giles, VA	13980	0.8456
		Montgomery, VA.		
		Pulaski, VA.		
		Radford City, VA.		
49	0.9025	Rockingham, VA	25500	0.9864
		Harrisonburg City, VA.		
50	1.0721	Asotin, WA	30300	0.9905
		Cowlitz, WA	31020	1.0873
		Skagit, WA	34580	1.1247
		Skamania, WA	38900	1.2127
50	1.0721	Chelan, WA	48300	1.0025
		Douglas, WA.		
51	0.8604	Boone, WV	16620	0.9439
		Clay, WV.		
		Lincoln, WV.		
51	0.8604	Hampshire, WV	49020	1.1162
		Morgan, WV	25180	1.0332
51	0.8604	Monongalia, WV	34060	0.9284
		Preston, WV.		
51	0.8604	Pleasants, WV	37620	0.8814
		Wirt, WV.		
52	1.0110	Columbia, WI	31540	1.0960
		Iowa, WI.		
52	1.0110	Fund Du Lac	22540	1.0525
52	1.0110	Kewaunee, WI	24580	1.0199

TABLE C.—HOSPICE WAGE INDEX FOR URBAN AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [2]	MSA urban area designations (Constituent counties or county equivalents) [1]	CBSA code number	Wage index [2]
		Oconto, WI.		

[1] This column lists each MSA area name and each county or county equivalent, in the MSA area. Counties not listed in this Table are considered to be rural areas. Wage Index values for these areas are found in Table D.

[2] Wage index values are based on FY 2000 hospital cost report data before reclassification. This wage index is further adjusted. Wage index values greater than 0.8 are subject to a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by a budget neutrality factor of 1.064435 for wage indices based on MSA designations and 1.063479 for wage indices based on CBSA designations. Wage index values below 0.8 are adjusted to be the greater of a 15-percent increase, subject to a maximum wage index value of 0.8, or a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the budget neutrality factor. We have completed all of these adjustments and included them in the wage index values reflected in this table.

TABLE D.—COMPARISON WAGE INDEX FOR RURAL AREAS BY MSA AND CBSA

MSA code number	Wage index [3] MSA designation	Nonurban area	CBSA code number	Wage index [3] CBSA designation
9901	0.8129	Alabama	01	0.8112
9902	1.2387	Alaska	02	1.2492
9903	0.9729	Arizona	03	0.9503
9904	0.8199	Arkansas	04	0.8000
9905	1.0960	California	05	1.1192
9906	0.9972	Colorado	06	0.9963
9907	1.2685	Connecticut	07	1.2673
9908	1.0115	Delaware	08	1.0106
9910	0.9283	Florida	10	0.9118
9911	0.8778	Georgia	11	0.8224
9912	1.1200	Hawaii	12	1.1190
9913	0.9395	Idaho	13	0.8749
9914	0.8877	Illinois	14	0.8868
9915	0.9299	Indiana	15	0.9202
9916	0.9101	Iowa	16	0.9013
9917	0.8608	Kansas	17	0.8592
9918	0.8349	Kentucky	18	0.8247
9919	0.8000	Louisiana	19	0.8000
9920	0.9621	Maine	30	0.9613
9921	0.9770	Maryland	21	0.9805
9922	1.0874	Massachusetts [5]	22	1.0865
9923	0.9303	Michigan	23	0.9344
9924	0.9941	Minnesota	24	0.9922
9925	0.8072	Mississippi	25	0.8120
9926	0.8333	Missouri	26	0.8255
9927	0.9262	Montana	27	0.9253
9928	0.9617	Nebraska	28	0.9609
9929	TBD	Nevada	29	0.9869
9930	1.0580	New Hampshire	30	1.0571
9931		New Jersey [4]		
9932	0.9079	New Mexico	32	0.9231
9933	0.8944	New York	33	0.8668
9934	0.9048	North Carolina	34	0.9107
9935	0.8242	North Dakota	35	0.8235
9936	0.9323	Ohio	36	0.9245
9937	0.8023	Oklahoma	37	0.8174
9938	1.0697	Oregon	38	1.0543
9939	0.8886	Pennsylvania	39	0.8838
9940	0.4654	Puerto Rico	40	0.8000
9941		Rhode Island [4]		
9942	0.9197	South Carolina	42	0.9234
9943	0.8934	South Dakota	43	0.8931
9944	0.8383	Tennessee	44	0.8369
9945	0.8420	Texas	45	0.8472
9946	0.9413	Utah	46	0.8813
9947	0.9979	Vermont	47	0.9970
9948	0.8000	Virgin Islands	48	0.8000
9949	0.9025	Virginia	49	0.8560
9950	1.0721	Washington	50	1.0967
9951	0.8604	West Virginia	51	0.8364
9952	1.0110	Wisconsin	52	1.0095
9953	0.9774	Wyoming	53	0.9765

TABLE D.—COMPARISON WAGE INDEX FOR RURAL AREAS BY MSA AND CBSA—Continued

MSA code number	Wage index [3] MSA designation	Nonurban area	CBSA code number	Wage index [3] CBSA designation
9965	1.0230	Guam	54	1.0221

[3] Wage index values are based on FY 2000 hospital cost report data before reclassification. This wage index is further adjusted. Wage index values greater than 0.8 are subject to a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by a proposed budget neutrality factor of 1.064435 for wage indices based on MSA designations and 1.063479 for wage indices based on CBSA designations. Wage index values below 0.8 are adjusted to be the greater of a 15-percent increase, subject to a maximum wage index value of 0.8, or a budget neutrality adjustment calculated by multiplying the hospital wage index value for a given area by the budget neutrality factor. We have completed all of these adjustments and included them in the wage index values reflected in this table.

[4] All counties within the State are classified as urban.

[5] *Based on CBSA designations* Massachusetts has areas designated as rural. *However,* no *IPPS* hospitals are located in *those rural* area(s) for FY 2006. Because more recent data is not available for those areas, we are using *the FY 2005 prefloor, preclassified hospital* wage index value, *for rural Massachusetts multiplied by the proposed FY 2006 budget neutrality factor of 1.063479.*

TABLE E.—RURAL COUNTIES CONVERTING TO URBAN COUNTIES BY STATE

County name	State county code	MSA code	MSA name	CBSA code	CBSA name
BIBB	01030	01	ALABAMA	13820	Birmingham-Hoover, AL
CHILTON	01100	01	ALABAMA	13820	Birmingham-Hoover, AL
GENEVA	01300	01	ALABAMA	20020	Dothan, AL
GREENE	01310	01	ALABAMA	46220	Tuscaloosa, AL
HALE	01320	01	ALABAMA	46220	Tuscaloosa, AL
HENRY	01330	01	ALABAMA	20020	Dothan, AL
LOWNDES	01420	01	ALABAMA	33860	Montgomery, AL
WALKER	01630	01	ALABAMA	13820	Birmingham-Hoover, AL
FAIRBANKS NORTH STAR	02090	02	ALASKA	21820	Fairbanks, AK
MATANUSKA-SUSITNA	02170	02	ALASKA	11260	Anchorage, AK
YAVAPAI	03120	03	ARIZONA	39140	Prescott, AZ
CLEVELAND	04120	04	ARKANSAS	38220	Pine Bluff, AR
FRANKLIN	04230	04	ARKANSAS	22900	Fort Smith, AR-OK
GARLAND	04250	04	ARKANSAS	26300	Hot Springs, AR
GRANT	04260	04	ARKANSAS	30780	Little Rock-North Little Rock, AR
LINCOLN	04390	04	ARKANSAS	38220	Pine Bluff, AR
MADISON	04430	04	ARKANSAS	2220	Fayetteville-Springdale-Rogers, AR-MO
PERRY	04520	04	ARKANSAS	30780	Little Rock-North Little Rock, AR
POINSETT	04550	04	ARKANSAS	27860	Jonesboro, AR
IMPERIAL	05120	05	CALIFORNIA	20940	El Centro, CA
KINGS	05150	05	CALIFORNIA	25260	Hanford-Corcoran, CA
SAN BENITO	05450	05	CALIFORNIA	41940	San Jose-Sunnyvale-Santa Clara, CA
CLEAR CREEK	06090	06	COLORADO	19740	Denver-Aurora, CO
ELBERT	06190	06	COLORADO	19740	Denver-Aurora, CO
GILPIN	06230	06	COLORADO	19740	Denver-Aurora, CO
PARK	06460	06	COLORADO	19740	Denver-Aurora, CO
TELLER	06590	06	COLORADO	17820	Colorado Springs, CO
BAKER	10010	10	FLORIDA	27260	Jacksonville, FL
GILCHRIST	10200	10	FLORIDA	23540	Gainesville, FL
INDIAN RIVER	10300	10	FLORIDA	46940	Vero Beach, FL
JEFFERSON	10320	10	FLORIDA	45220	Tallahassee, FL
WAKULLA	10640	10	FLORIDA	45220	Tallahassee, FL
BAKER	11020	11	GEORGIA	10500	Albany, GA
BRANTLEY	11110	11	GEORGIA	15260	Brunswick, GA
BROOKS	11120	11	GEORGIA	46660	Valdosta, GA
BURKE	11150	11	GEORGIA	12260	Augusta-Richmond County, GA-SC
BUTTS	11160	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
CRAWFORD	11330	11	GEORGIA	31420	Macon, GA
DAWSON	11350	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
ECHOLS	11420	11	GEORGIA	46660	Valdosta, GA
FLOYD	11460	11	GEORGIA	40660	Rome, GA
GLYNN	11490	11	GEORGIA	15260	Brunswick, GA
HALL	11550	11	GEORGIA	23580	Gainesville, GA
HARALSON	11570	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
HEARD	11590	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA

TABLE E.—RURAL COUNTIES CONVERTING TO URBAN COUNTIES BY STATE—Continued

County name	State county code	MSA code	MSA name	CBSA code	CBSA name
JASPER	11611	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
LAMAR	11651	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
LANIER	11652	11	GEORGIA	46660	Valdosta, GA
LIBERTY	11680	11	GEORGIA	25980	Hinesville-Fort Stewart, GA
LONG	11691	11	GEORGIA	25980	Hinesville-Fort Stewart, GA
LOWNDES	11700	11	GEORGIA	46660	Valdosta, GA
MC INTOSH	11703	11	GEORGIA	15260	Brunswick, GA
MARION	11730	11	GEORGIA	17980	Columbus, GA-AL
MERIWETHER	11740	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
MONROE	11760	11	GEORGIA	31420	Macon, GA
MURRAY	11772	11	GEORGIA	19140	Dalton, GA
OGLETHORPE	11801	11	GEORGIA	12020	Athens-Clarke County, GA
PIKE	11821	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
TERRELL	11885	11	GEORGIA	10500	Albany, GA
WHITFIELD	11970	11	GEORGIA	19140	Dalton, GA
WORTH	11980	11	GEORGIA	10500	Albany, GA
BOISE	13070	13	IDAHO	14260	Boise City-Nampa, ID
BONNEVILLE	13090	13	IDAHO	26820	Idaho Falls, ID
FRANKLIN	13200	13	IDAHO	30860	Logan, UT-ID
GEM	13220	13	IDAHO	14260	Boise City-Nampa, ID
JEFFERSON	13250	13	IDAHO	26820	Idaho Falls, ID
KOOTENAI	13270	13	IDAHO	17660	Coeur d'Alene, ID
NEZ PERCE	13340	13	IDAHO	30300	Lewiston, ID-WA
OWYHEE	13360	13	IDAHO	14260	Boise City-Nampa, ID
POWER	13380	13	IDAHO	38540	Pocatello, ID
BOND	14020	14	ILLINOIS	41180	St. Louis, MO-IL
CALHOUN	14060	14	ILLINOIS	41180	St. Louis, MO-IL
FORD	14350	14	ILLINOIS	16580	Champaign-Urbana, IL
MACOUPIN	14670	14	ILLINOIS	41180	St. Louis, MO-IL
MARSHALL	14700	14	ILLINOIS	37900	Peoria, IL
MERCER	14740	14	ILLINOIS	19340	Davenport-Moline-Rock Island, IA-IL
PIATT	14820	14	ILLINOIS	16580	Champaign-Urbana, IL
STARK	14960	14	ILLINOIS	37900	Peoria, IL
VERMILION	14982	14	ILLINOIS	19180	Danville, IL
BARTHOLOMEW	15020	15	INDIANA	18020	Columbus, IN
BENTON	15030	15	INDIANA	29140	Lafayette, IN
BROWN	15060	15	INDIANA	26900	Indianapolis, IN
CARROLL	15070	15	INDIANA	29140	Lafayette, IN
FRANKLIN	15230	15	INDIANA	17140	Cincinnati-Middletown, OH-KY-IN
GIBSON	15250	15	INDIANA	21780	Evansville, IN-KY
GREENE	15270	15	INDIANA	14020	Bloomington, IN
JASPER	15360	15	INDIANA	23844	Gary, IN
LA PORTE	15450	15	INDIANA	33140	Michigan City-La Porte, IN
NEWTON	15550	15	INDIANA	23844	Gary, IN
OWEN	15590	15	INDIANA	14020	Bloomington, IN
PUTNAM	15660	15	INDIANA	26900	Indianapolis, IN
SULLIVAN	15760	15	INDIANA	45460	Terre Haute, IN
WASHINGTON	15870	15	INDIANA	31140	Louisville, KY-IN
BENTON	16050	16	IOWA	16300	Cedar Rapids, IA
BREMER	16080	16	IOWA	47940	Waterloo-Cedar Falls, IA
GRUNDY	16370	16	IOWA	47940	Waterloo-Cedar Falls, IA
GUTHRIE	16380	16	IOWA	19780	Des Moines, IA
HARRISON	16420	16	IOWA	36540	Omaha-Council Bluffs, NE-IA
JONES	16520	16	IOWA	16300	Cedar Rapids, IA
MADISON	16600	16	IOWA	19780	Des Moines, IA
MILLS	16640	16	IOWA	36540	Omaha-Council Bluffs, NE-IA
STORY	16840	16	IOWA	11180	Ames, IA
WASHINGTON	16910	16	IOWA	26980	Iowa City, IA
DONIPHAN	17210	17	KANSAS	41140	St. Joseph, MO-KS
FRANKLIN	17290	17	KANSAS	28140	Kansas City, MO-KS
JACKSON	17420	17	KANSAS	45820	Topeka, KS
JEFFERSON	17430	17	KANSAS	45820	Topeka, KS
LINN	17530	17	KANSAS	28140	Kansas City, MO-KS
OSAGE	17690	17	KANSAS	45820	Topeka, KS
SUMNER	17950	17	KANSAS	48620	Wichita, KS

TABLE E.—RURAL COUNTIES CONVERTING TO URBAN COUNTIES BY STATE—Continued

County name	State county code	MSA code	MSA name	CBSA code	CBSA name
WABAUNSEE	17980	17	KANSAS	45820	Topeka, KS
BRACKEN	18110	18	KENTUCKY	17140	Cincinnati-Middletown, OH-KY-IN
EDMONSON	18291	18	KENTUCKY	14540	Bowling Green, KY
HANCOCK	18450	18	KENTUCKY	36980	Owensboro, KY
HARDIN	18460	18	KENTUCKY	21060	Elizabethtown, KY
HENRY	18510	18	KENTUCKY	31140	Louisville, KY-IN
LARUE	18610	18	KENTUCKY	21060	Elizabethtown, KY
MC LEAN	18740	18	KENTUCKY	36980	Owensboro, KY
MEADE	18801	18	KENTUCKY	31140	Louisville, KY-IN
NELSON	18890	18	KENTUCKY	31140	Louisville, KY-IN
SHELBY	18978	18	KENTUCKY	31140	Louisville, KY-IN
SPENCER	18980	18	KENTUCKY	31140	Louisville, KY-IN
TRIGG	18983	18	KENTUCKY	17300	Clarksville, TN-KY
TRIMBLE	18984	18	KENTUCKY	31140	Louisville, KY-IN
WARREN	18986	18	KENTUCKY	14540	Bowling Green, KY
WEBSTER	18989	18	KENTUCKY	21780	Evansville, IN-KY
CAMERON	19110	19	LOUISIANA	29340	Lake Charles, LA
DE SOTO	19150	19	LOUISIANA	43340	Shreveport-Bossier City, LA
EAST FELICIANA	19180	19	LOUISIANA	12940	Baton Rouge, LA
GRANT	19210	19	LOUISIANA	10780	Alexandria, LA
IBERVILLE	19230	19	LOUISIANA	12940	Baton Rouge, LA
POINTE COUPEE	19380	19	LOUISIANA	12940	Baton Rouge, LA
ST. HELENA	19450	19	LOUISIANA	12940	Baton Rouge, LA
UNION	19550	19	LOUISIANA	33740	Monroe, LA
WEST FELICIANA	19620	19	LOUISIANA	12940	Baton Rouge, LA
SOMERSET	21190	21	MARYLAND	41540	Salisbury, MD
WICOMICO	21220	21	MARYLAND	41540	Salisbury, MD
FRANKLIN	22060	22	MASSACHUSETTS	44140	Springfield, MA
BARRY	23070	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
CASS	23130	23	MICHIGAN	43780	South Bend-Mishawaka, IN-MI
IONIA	23330	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
NEWAYGO	23610	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
CARLTON	24080	24	MINNESOTA	20260	Duluth, MN-WI
DODGE	24190	24	MINNESOTA	40340	Rochester, MN
WABASHA	24780	24	MINNESOTA	40340	Rochester, MN
COPIAH	25140	25	MISSISSIPPI	27140	Jackson, MS
GEORGE	25190	25	MISSISSIPPI	37700	Pascagoula, MS
MARSHALL	25460	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
PERRY	25550	25	MISSISSIPPI	25620	Hattiesburg, MS
SIMPSON	25630	25	MISSISSIPPI	27140	Jackson, MS
STONE	25650	25	MISSISSIPPI	25060	Gulfport-Biloxi, MS
TATE	25680	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
TUNICA	25710	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
BATES	26060	26	MISSOURI	28140	Kansas City, MO-KS
CALDWELL	26120	26	MISSOURI	28140	Kansas City, MO-KS
CALLAWAY	26130	26	MISSOURI	27620	Jefferson City, MO
COLE	26250	26	MISSOURI	27620	Jefferson City, MO
CRAWFORD	26270	26	MISSOURI	41180	St. Louis, MO-IL
DALLAS	26290	26	MISSOURI	44180	Springfield, MO
DE KALB	26310	26	MISSOURI	41140	St. Joseph, MO-KS
HOWARD	26440	26	MISSOURI	17860	Columbia, MO
MC DONALD	26590	26	MISSOURI	22220	Fayetteville-Springdale-Rogers, AR-MO
MONITEAU	26670	26	MISSOURI	27620	Jefferson City, MO
OSAGE	26750	26	MISSOURI	27620	Jefferson City, MO
POLK	26821	26	MISSOURI	44180	Springfield, MO
WASHINGTON	26992	26	MISSOURI	41180	St. Louis, MO-IL
CARBON	27040	27	MONTANA	13740	Billings, MT
DIXON	28250	28	NEBRASKA	43580	Sioux City, IA-NE-SD
SAUNDERS	28770	28	NEBRASKA	36540	Omaha-Council Bluffs, NE-IA
SEWARD	28790	28	NEBRASKA	30700	Lincoln, NE
STOREY	29140	29	NEVADA	39900	Reno-Sparks, NV
CARSON CITY	29120	29	NEVADA	16180	Carson City, NV
SAN JUAN	32220	32	NEW MEXICO	22140	Farmington, NM
TORRANCE	32280	32	NEW MEXICO	10740	Albuquerque, NM
TOMPKINS	33730	33	NEW YORK	27060	Ithaca, NY
ULSTER	33740	33	NEW YORK	28740	Kingston, NY
ANSON	34030	34	NORTH CAROLINA	16740	Charlotte-Gastonia-Concord, NC-SC
GREENE	34390	34	NORTH CAROLINA	24780	Greenville, NC

TABLE E.—RURAL COUNTIES CONVERTING TO URBAN COUNTIES BY STATE—Continued

County name	State county code	MSA code	MSA name	CBSA code	CBSA name
HAYWOOD	34430	34	NORTH CAROLINA	11700	Asheville, NC
HENDERSON	34440	34	NORTH CAROLINA	11700	Asheville, NC
HOKE	34460	34	NORTH CAROLINA	22180	Fayetteville, NC
PENDER	34700	34	NORTH CAROLINA	48900	Wilmington, NC
PERSON	34720	34	NORTH CAROLINA	20500	Durham, NC
ROCKINGHAM	34780	34	NORTH CAROLINA	24660	Greensboro-High Point, NC
ERIE	36220	36	OHIO	41780	Sandusky, OH
MORROW	36600	36	OHIO	18140	Columbus, OH
OTTAWA	36630	36	OHIO	45780	Toledo, OH
PREBLE	36690	36	OHIO	19380	Dayton, OH
UNION	36810	36	OHIO	18140	Columbus, OH
GRADY	37250	37	OKLAHOMA	36420	Oklahoma City, OK
LE FLORE	37390	37	OKLAHOMA	22900	Fort Smith, AR-OK
LINCOLN	37400	37	OKLAHOMA	36420	Oklahoma City, OK
OKMULGEE	37550	37	OKLAHOMA	46140	Tulsa, OK
PAWNEE	37580	37	OKLAHOMA	46140	Tulsa, OK
DESCHUTES	38080	38	OREGON	13460	Bend, OR
ARMSTRONG	39070	39	PENNSYLVANIA	38300	Pittsburgh, PA
CALHOUN	42080	42	SOUTH CAROLINA	17900	Columbia, SC
DARLINGTON	42150	42	SOUTH CAROLINA	22500	Florence, SC
FAIRFIELD	42190	42	SOUTH CAROLINA	17900	Columbia, SC
KERSHAW	42270	42	SOUTH CAROLINA	17900	Columbia, SC
LAURENS	42290	42	SOUTH CAROLINA	24860	Greenville, SC
SALUDA	42400	42	SOUTH CAROLINA	17900	Columbia, SC
MC COOK	43430	43	SOUTH DAKOTA	43620	Sioux Falls, SD
MEADE	43460	43	SOUTH DAKOTA	39660	Rapid City, SD
TURNER	43620	43	SOUTH DAKOTA	43620	Sioux Falls, SD
UNION	43630	43	SOUTH DAKOTA	43580	Sioux City, IA-NE-SD
BRADLEY	44050	44	TENNESSEE	17420	Cleveland, TN
CANNON	44070	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
GRAINGER	44280	44	TENNESSEE	34100	Morristown, TN
HAMBLEN	44310	44	TENNESSEE	34100	Morristown, TN
HICKMAN	44400	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
JEFFERSON	44440	44	TENNESSEE	34100	Morristown, TN
MACON	44550	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
POLK	44690	44	TENNESSEE	17420	Cleveland, TN
SEQUATCHIE	44760	44	TENNESSEE	16860	Chattanooga, TN-GA
SMITH	44790	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
STEWART	44800	44	TENNESSEE	17300	Clarksville, TN-KY
TROUSDALE	44840	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
ARANSAS	45030	45	TEXAS	18580	Corpus Christi, TX
ARMSTRONG	45050	45	TEXAS	11100	Amarillo, TX
ATASCOSA	45060	45	TEXAS	41700	San Antonio, TX
AUSTIN	45070	45	TEXAS	26420	Houston-Baytown-Sugar Land, TX
BANDERA	45090	45	TEXAS	41700	San Antonio, TX
BURLESON	45221	45	TEXAS	17780	College Station-Bryan, TX
CALHOUN	45224	45	TEXAS	47020	Victoria, TX
CALLAHAN	45230	45	TEXAS	10180	Abilene, TX
CARSON	45251	45	TEXAS	11100	Amarillo, TX
CLAY	45291	45	TEXAS	48660	Wichita Falls, TX
CROSBY	45362	45	TEXAS	31180	Lubbock, TX
DELTA	45400	45	TEXAS	19124	Dallas-Plano-Irving, TX
GOLIAD	45561	45	TEXAS	47020	Victoria, TX
IRION	45672	45	TEXAS	41660	San Angelo, TX
JONES	45721	45	TEXAS	10180	Abilene, TX
KENDALL	45731	45	TEXAS	41700	San Antonio, TX
LAMPASAS	45752	45	TEXAS	28660	Killeen-Temple-Fort Hood, TX
MEDINA	45792	45	TEXAS	41700	San Antonio, TX
ROBERTSON	45878	45	TEXAS	17780	College Station-Bryan, TX
RUSK	45881	45	TEXAS	30980	Longview, TX
SAN JACINTO	45884	45	TEXAS	26420	Houston-Baytown-Sugar Land, TX
WISE	45973	45	TEXAS	23104	Fort Worth-Arlington, TX
CACHE	46020	46	UTAH	30860	Logan, UT-ID
JUAB	46110	46	UTAH	39340	Provo-Orem, UT
MORGAN	46140	46	UTAH	36260	Ogden-Clearfield, UT

TABLE E.—RURAL COUNTIES CONVERTING TO URBAN COUNTIES BY STATE—Continued

County name	State county code	MSA code	MSA name	CBSA code	CBSA name
SUMMIT	46210	46	UTAH	41620	Salt Lake City, UT
TOOELE	46220	46	UTAH	41620	Salt Lake City, UT
WASHINGTON	46260	46	UTAH	41100	St. George, UT
AMELIA	49030	49	VIRGINIA	40060	Richmond, VA
APPOMATTOX	49050	49	VIRGINIA	31340	Lynchburg, VA
CAROLINE	49160	49	VIRGINIA	40060	Richmond, VA
CRAIG	49220	49	VIRGINIA	40220	Roanoke, VA
CUMBERLAND	49240	49	VIRGINIA	40060	Richmond, VA
FRANKLIN	49330	49	VIRGINIA	40220	Roanoke, VA
FREDERICK	49340	49	VIRGINIA	49020	Winchester, VA-WV
GILES	49350	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
KING AND QUEEN	49480	49	VIRGINIA	40060	Richmond, VA
KING WILLIAM	49500	49	VIRGINIA	40060	Richmond, VA
LOUISA	49540	49	VIRGINIA	40060	Richmond, VA
MONTGOMERY	49600	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
NELSON	49620	49	VIRGINIA	16820	Charlottesville, VA
PULASKI	49770	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
ROCKINGHAM	49820	49	VIRGINIA	25500	Harrisonburg, VA
SURRY	49900	49	VIRGINIA	47260	Virginia Beach-Norfolk-Newport News, VA
SUSSEX	49910	49	VIRGINIA	40060	Richmond, VA
HARRISONBURG CITY	49421	49	VIRGINIA	25500	Harrisonburg, VA
RADFORD CITY	49771	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
WINCHESTER CITY	49962	49	VIRGINIA	49020	Winchester, VA-WV
ASOTIN	50010	50	WASHINGTON	30300	Lewiston, ID-WA
CHELAN	50030	50	WASHINGTON	48300	Wenatchee, WA
COWLITZ	50070	50	WASHINGTON	31020	Longview, WA
DOUGLAS	50080	50	WASHINGTON	48300	Wenatchee, WA
SKAGIT	50280	50	WASHINGTON	34580	Mount Vernon-Anacortes, WA a
SKAMANIA	50290	50	WASHINGTON	38900	Portland-Vancouver-Beaverton, OR-WA
BOONE	51020	51	WEST VIRGINIA	16620	Charleston, WV
CLAY	51070	51	WEST VIRGINIA	16620	Charleston, WV
HAMPSHIRE	51130	51	WEST VIRGINIA	49020	Winchester, VA-WV
LINCOLN	51210	51	WEST VIRGINIA	16620	Charleston, WV
MONONGALIA	51300	51	WEST VIRGINIA	34060	Morgantown, WV
MORGAN	51320	51	WEST VIRGINIA	25180	Hagerstown-Martinsburg, MD-WV
PLEASANTS	51360	51	WEST VIRGINIA	37620	Parkersburg-Marietta, WV-OH
PRESTON	51380	51	WEST VIRGINIA	34060	Morgantown, WV
WIRT	51520	51	WEST VIRGINIA	37620	Parkersburg-Marietta, WV-OH
COLUMBIA	52100	52	WISCONSIN	31540	Madison, WI
FOND DU LAC	52190	52	WISCONSIN	22540	Fond du Lac, WI
IOWA	52240	52	WISCONSIN	31540	Madison, WI
KEWAUNEE	52300	52	WISCONSIN	24580	Green Bay, WI
OCONTO	52410	52	WISCONSIN	24580	Green Bay, WI
AIBONITO	40050	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
ARROYO	40080	40	PUERTO RICO	25020	Guayama, PR
BARRANQUITAS	40100	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
CIALES	40190	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
GUANICA	40270	40	PUERTO RICO	49500	Yauco, PR
GUAYAMA	40280	40	PUERTO RICO	25020	Guayama, PR
ISABELA	40350	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
LAJAS	40390	40	PUERTO RICO	41900	San German-Cabo Rojo, PR
LARES	40400	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
MAUNABO	40470	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
OROCOVIS	40530	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
PATILLAS	40540	40	PUERTO RICO	25020	Guayama, PR
QUEBRADILLAS	40570	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
RINCON	40580	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
SAN SEBASTIAN	40660	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
AUTAUGA	AL	01000	5240	MONTGOMERY, AL	33860	Montgomery, AL
BALDWIN	AL	01010	5160	MOBILE, AL	*	
BARBOUR	AL	01020	01	ALABAMA	*	
BIBB	AL	01030	01	ALABAMA	13820	Birmingham-Hoover, AL
BLOUNT	AL	01040	1000	BIRMINGHAM, AL	13820	Birmingham-Hoover, AL
BULLOCK	AL	01050	01	ALABAMA	*	
BUTLER	AL	01060	01	ALABAMA	*	
CALHOUN	AL	01070	0450	ANNISTON, AL	11500	Anniston-Oxford, AL
CHAMBERS	AL	01080	01	ALABAMA	*	
CHEROKEE	AL	01090	01	ALABAMA.		
CHILTON	AL	01100	01	ALABAMA	13820	Birmingham-Hoover, AL
CHOCTAW	AL	01110	01	ALABAMA	*	
CLARKE	AL	01120	01	ALABAMA	*	
CLAY	AL	01130	01	ALABAMA	*	
CLEBURNE	AL	01140	01	ALABAMA	*	
COFFEE	AL	01150	01	ALABAMA	*	
COLBERT	AL	01160	2650	FLORENCE, AL	22520	Florence-Muscle Shoals, AL
CONECUH	AL	01170	01	ALABAMA	*	
COOSA	AL	01180	01	ALABAMA	*	
COVINGTON	AL	01190	01	ALABAMA	*	
CRENSHAW	AL	01200	01	ALABAMA	*	
CULLMAN	AL	01210	01	ALABAMA	*	
DALE	AL	01220	2180	DOTHAN, AL	*	
DALLAS	AL	01230	01	ALABAMA	*	
DE KALB	AL	01240	01	ALABAMA	*	
ELMORE	AL	01250	5240	MONTGOMERY, AL	33860	Montgomery, AL
ESCAMBIA	AL	01260	01	ALABAMA	*	
ETOWAH	AL	01270	2880	GADSDEN, AL	23460	Gadsden, AL
FAYETTE	AL	01280	01	ALABAMA	*	
FRANKLIN	AL	01290	01	ALABAMA	*	
GENEVA	AL	01300	01	ALABAMA	20020	Dothan, AL
GREENE	AL	01310	01	ALABAMA	46220	Tuscaloosa, AL
HALE	AL	01320	01	ALABAMA	46220	Tuscaloosa, AL
HENRY	AL	01330	01	ALABAMA	20020	Dothan, AL
HOUSTON	AL	01340	2180	DOTHAN, AL	20020	Dothan, AL
JACKSON	AL	01350	01	ALABAMA	*	
JEFFERSON	AL	01360	1000	BIRMINGHAM, AL	13820	Birmingham-Hoover, AL
LAMAR	AL	01370	01	ALABAMA	*	
LAUDERDALE	AL	01380	2650	FLORENCE, AL	22520	Florence-Muscle Shoals, AL
LAWRENCE	AL	01390	2030	DECATUR, AL	19460	Decatur, AL
LEE	AL	01400	0580	AUBURN-OPELIKA, AL	12220	Auburn-Opelika, AL
LIMESTONE	AL	01410	3440	HUNTSVILLE, AL	26620	Huntsville, AL
LOWNDES	AL	01420	01	ALABAMA	33860	Montgomery, AL
MACON	AL	01430	01	ALABAMA	*	
MADISON	AL	01440	3440	HUNTSVILLE, AL	26620	Huntsville, AL
MARENGO	AL	01450	01	ALABAMA	*	
MARION	AL	01460	01	ALABAMA	*	
MARSHALL	AL	01470	01	ALABAMA	*	
MOBILE	AL	01480	5160	MOBILE, AL	33660	Mobile, AL
MONROE	AL	01490	01	ALABAMA	*	
MONTGOMERY	AL	01500	5240	MONTGOMERY, AL	33860	Montgomery, AL
MORGAN	AL	01510	2030	DECATUR, AL	19460	Decatur, AL
PERRY	AL	01520	01	ALABAMA	*	
PICKENS	AL	01530	01	ALABAMA	*	
PIKE	AL	01540	01	ALABAMA	*	
RANDOLPH	AL	01550	01	ALABAMA.		
RUSSELL	AL	01560	1800	COLUMBUS, GA-AL	17980	Columbus, GA-AL
ST. CLAIR	AL	01570	1000	BIRMINGHAM, AL	13820	Birmingham-Hoover, AL
SHELBY	AL	01580	1000	BIRMINGHAM, AL	13820	Birmingham-Hoover, AL
SUMTER	AL	01590	01	ALABAMA	*	
TALLADEGA	AL	01600	01	ALABAMA	*	
TALLAPOOSA	AL	01610	01	ALABAMA	*	
TUSCALOOSA	AL	01620	8600	TUSCALOOSA, AL	46220	Tuscaloosa, AL
WALKER	AL	01630	01	ALABAMA	13820	Birmingham-Hoover, AL
WASHINGTON	AL	01640	01	ALABAMA	*	
WILCOX	AL	01650	01	ALABAMA	*	
WINSTON	AL	01660	01	ALABAMA	*	
STATEWIDE	AL	01999	01	ALABAMA	*	
ALEUTIANS EAST	AK	02013	02	ALASKA	*	
ALEUTIANS WEST	AK	02016	02	ALASKA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
ANCHORAGE	AK	02020	0380	ANCHORAGE,AK	11260	Anchorage, AK
ANGOON	AK	02030	02	ALASKA	*	
BARROW-NORTH SLOPE	AK	02040	02	ALASKA	*	
BETHEL	AK	02050	02	ALASKA	*	
BRISTOL BAY BOROUGH	AK	02060	02	ALASKA	*	
DENALI	AK	02068	02	ALASKA	*	
DILLINGHAM	AK	02070	02	ALASKA	*	
CORDOVA-MCCARTHY	AK	02080	02	ALASKA	*	
FAIRBANKS NORTH STAR	AK	02090	02	ALASKA	21820	Fairbanks, AK
HAINES	AK	02100	02	ALASKA	*	
JUNEAU	AK	02110	02	ALASKA	*	
KENAI-COOK INLET	AK	02120	02	ALASKA	*	
KENAI PENINSULA	AK	02122	02	ALASKA	*	
KETCHIKAN GATEWAY	AK	02130	02	ALASKA	*	
KOBUK	AK	02140	02	ALASKA	*	
KODIAK ISLAND BOROUGH	AK	02150	02	ALASKA	*	
KSUKOKWIN	AK	02160	02	ALASKA	*	
LAKE AND PENINSULA	AK	02164	02	ALASKA	*	
MATANUSKA-SUSITNA	AK	02170	02	ALASKA	11260	Anchorage, AK
NOME	AK	02180	02	ALASKA	*	
NORTH SLOPE BOROUH	AK	02185	02	ALASKA	*	
NORTHWEST ARTIC BOROUGH.	AK	02188	02	ALASKA	*	
OUTER KETCHIKAN	AK	02190	02	ALASKA	*	
PR.OF WALES	AK	02200	02	ALASKA	*	
PR.OF WALES-OUT.KETCHIKAN.	AK	02201	02	ALASKA	*	
SEWARD	AK	02210	02	ALASKA	*	
SITKA BOROUGH	AK	02220	02	ALASKA	*	
SKAGWAY-YAKUTAT	AK	02230	02	ALASKA	*	
SKAGWAY-YAKUTAT-ANGOON.	AK	02231	02	ALASKA	*	
SKAGWAY-HOONAH-ANGOON.	AK	02232	02	ALASKA	*	
SOUTHEAST FAIRBANKS	AK	02240	02	ALASKA	*	
UPPER YUKON	AK	02250	02	ALASKA	*	
VALDEZ-CHITNA-WHITTIER	AK	02260	02	ALASKA	*	
VALDEZ-CORDOVA	AK	02261	02	ALASKA	*	
WADE HAMPTON	AK	02270	02	ALASKA	*	
WRANGELL-PETERSBURG	AK	02280	02	ALASKA	*	
YAKUTAT BOROUGH	AK	02282	02	ALASKA	*	
YUKON-KOYUKUK	AK	02290	02	ALASKA	*	
STATEWIDE	AK	02999	02	ALASKA	*	
APACHE	AZ	03000	03	ARIZONA	*	
COCHISE	AZ	03010	03	ARIZONA	*	
COCONINO	AZ	03020	2620	FLAGSTAFF, ARIZONA-UTAH	22380	Flagstaff, AZ
GILA	AZ	03030	03	ARIZONA	*	
GRAHAM	AZ	03040	03	ARIZONA	*	
GREENLEE	AZ	03050	03	ARIZONA	*	
LAPAZ	AZ	03055	03	ARIZONA	*	
MARICOPA	AZ	03060	6200	PHOENIX-MESA, AZ	38060	Phoenix-Mesa-Scottsdale, AZ
MOHAVE	AZ	03070	4120	LAS VEGAS, NV-AZ	*	
NAVAJO	AZ	03080	03	ARIZONA	*	
PIMA	AZ	03090	8520	TUCSON, AZ	46060	Tucson, AZ
PINAL	AZ	03100	6200	PHOENIX-MESA, AZ	38060	Phoenix-Mesa-Scottsdale, AZ
SANTA CRUZ	AZ	03110	03	ARIZONA	*	
YAVAPAI	AZ	03120	03	ARIZONA	39140	Prescott, AZ
YUMA	AZ	03130	9360	YUMA, AZ	49740	Yuma, AZ
STATEWIDE	AZ	03999	03	ARIZONA	*	
ARKANSAS	AR	04000	04	ARKANSAS	*	
ASHLEY	AR	04010	04	ARKANSAS	*	
BAXTER	AR	04020	04	ARKANSAS	*	
BENTON	AR	04030	2580	FAYETTEVILLE-SPRINGDALE-ROGERS, AR.	22220	Fayetteville-Springdale-Rogers, AR-MO
BOONE	AR	04040	04	ARKANSAS	*	
BRADLEY	AR	04050	04	ARKANSAS	*	
CALHOUN	AR	04060	04	ARKANSAS	*	
CARROLL	AR	04070	04	ARKANSAS	*	
CHICOT	AR	04080	04	ARKANSAS	*	
CLARK	AR	04090	04	ARKANSAS	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CLAY	AR	04100	04	ARKANSAS	*	
CLEBURNE	AR	04110	04	ARKANSAS	*	
CLEVELAND	AR	04120	04	ARKANSAS	38220	Pine Bluff, AR
COLUMBIA	AR	04130	04	ARKANSAS	*	
CONWAY	AR	04140	04	ARKANSAS	*	
CRAIGHEAD	AR	04150	3700	JONESBORO, AR	27860	Jonesboro, AR
CRAWFORD	AR	04160	2720	FORT SMITH, AR-OK	22900	Fort Smith, AR-OK
CRITTENDEN	AR	04170	4920	MEMPHIS, TN-AR-MS	32820	Memphis, TN-MS-AR
CROSS	AR	04180	04	ARKANSAS	*	
DALLAS	AR	04190	04	ARKANSAS	*	
DESHA	AR	04200	04	ARKANSAS	*	
DREW	AR	04210	04	ARKANSAS	*	
FAULKNER	AR	04220	4400	LITTLE ROCK-NORTH LITTLE ROCK, AR.	30780	Little Rock-North Little Rock, AR
FRANKLIN	AR	04230	04	ARKANSAS	22900	Fort Smith, AR-OK
FULTON	AR	04240	04	ARKANSAS.		
GARLAND	AR	04250	04	ARKANSAS	26300	Hot Springs, AR
GRANT	AR	04260	04	ARKANSAS	30780	Little Rock-North Little Rock, AR
GREENE	AR	04270	04	ARKANSAS	*	
HEMPSTEAD	AR	04280	04	ARKANSAS	*	
HOT SPRING	AR	04290	04	ARKANSAS	*	
HOWARD	AR	04300	04	ARKANSAS	*	
INDEPENDENCE	AR	04310	04	ARKANSAS	*	
IZARD	AR	04320	04	ARKANSAS	*	
JACKSON	AR	04330	04	ARKANSAS	*	
JEFFERSON	AR	04340	6240	PINE BLUFF, AR	38220	Pine Bluff, AR
JOHNSON	AR	04350	04	ARKANSAS	*	
LAFAYETTE	AR	04360	04	ARKANSAS	*	
LAWRENCE	AR	04370	04	ARKANSAS	*	
LEE	AR	04380	04	ARKANSAS	*	
LINCOLN	AR	04390	04	ARKANSAS	38220	Pine Bluff, AR
LITTLE RIVER	AR	04400	04	ARKANSAS	*	
LOGAN	AR	04410	04	ARKANSAS	*	
LONOKE	AR	04420	4400	LITTLE ROCK-NORTH LITTLE ROCK, AR.	30780	Little Rock-North Little Rock, AR
MADISON	AR	04430	04	ARKANSAS	22220	Fayetteville-Springdale-Rogers, AR-MO
MARION	AR	04440	04	ARKANSAS	*	
MILLER	AR	04450	8360	TEXARKANA, TX-TEX-ARKANA, AR.	45500	Texarkana, TX-Texarkana, AR
MISSISSIPPI	AR	04460	04	ARKANSAS	*	
MONROE	AR	04470	04	ARKANSAS	*	
MONTGOMERY	AR	04480	04	ARKANSAS	*	
NEVADA	AR	04490	04	ARKANSAS	*	
NEWTON	AR	04500	04	ARKANSAS	*	
OUACHITA	AR	04510	04	ARKANSAS	*	
PERRY	AR	04520	04	ARKANSAS	30780	Little Rock-North Little Rock, AR
PHILLIPS	AR	04530	04	ARKANSAS	*	
PIKE	AR	04540	04	ARKANSAS	*	
POINSETT	AR	04550	04	ARKANSAS	27860	Jonesboro, AR
POLK	AR	04560	04	ARKANSAS	*	
POPE	AR	04570	04	ARKANSAS	*	
PRAIRIE	AR	04580	04	ARKANSAS	*	
PULASKI	AR	04590	4400	LITTLE ROCK-NORTH LITTLE ROCK, AR.	30780	Little Rock-North Little Rock, AR
RANDOLPH	AR	04600	04	ARKANSAS	*	
ST. FRANCIS	AR	04610	04	ARKANSAS	*	
SALINE	AR	04620	4400	LITTLE ROCK-NORTH LITTLE ROCK, AR.	30780	Little Rock-North Little Rock, AR
SCOTT	AR	04630	04	ARKANSAS	*	
SEARCY	AR	04640	04	ARKANSAS	*	
SEBASTIAN	AR	04650	2720	FORT SMITH, AR-OK	22900	Fort Smith, AR-OK
SEVIER	AR	04660	04	ARKANSAS	*	
SHARP	AR	04670	04	ARKANSAS	*	
STONE	AR	04680	04	ARKANSAS	*	
UNION	AR	04690	04	ARKANSAS	*	
VAN BUREN	AR	04700	04	ARKANSAS	*	
WASHINGTON	AR	04710	2580	FAYETTEVILLE-SPRINGDALE-ROGERS, AR.	22220	Fayetteville-Springdale-Rogers, AR-MO

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WHITE	AR	04720	04	ARKANSAS	*	
WOODRUFF	AR	04730	04	ARKANSAS	*	
YELL	AR	04740	04	ARKANSAS	*	
STATEWIDE	AR	04999	04	ARKANSAS	*	
ALAMEDA	CA	05000	5775	OAKLAND, CA	36084	Oakland-Fremont-Hayward, CA
ALPINE	CA	05010	05	CALIFORNIA	*	
AMADOR	CA	05020	05	CALIFORNIA	*	
BUTTE	CA	05030	1620	CHICO-PARADISE, CA	17020	Chico, CA
CALAVERAS	CA	05040	05	CALIFORNIA	*	
COLUSA	CA	05050	05	CALIFORNIA	*	
CONTRA COSTA	CA	05060	5775	OAKLAND, CA	36084	Oakland-Fremont-Hayward, CA
DEL NORTE	CA	05070	05	CALIFORNIA	*	
EL DORADO	CA	05080	6920	SACRAMENTO, CA	40900	Sacramento-Arden-Arcade-Roseville, CA
FRESNO	CA	05090	2840	FRESNO, CA	23420	Fresno, CA
GLENN	CA	05100	05	CALIFORNIA	*	
HUMBOLDT	CA	05110	05	CALIFORNIA	*	
IMPERIAL	CA	05120	05	CALIFORNIA	20940	El Centro, CA
INYO	CA	05130	05	CALIFORNIA	*	
KERN	CA	05140	0680	BAKERSFIELD, CA	12540	Bakersfield, CA
KINGS	CA	05150	05	CALIFORNIA	25260	Hanford-Corcoran, CA
LAKE	CA	05160	05	CALIFORNIA	*	
LASSEN	CA	05170	05	CALIFORNIA	*	
LOS ANGELES	CA	05200	4480	LOS ANGELES-LONG BEACH, CA.	31084	Los Angeles-Long Beach-Santa Ana, CA
LOS ANGELES	CA	05210	4480	LOS ANGELES-LONG BEACH, CA.	31084	Los Angeles-Long Beach-Santa Ana, CA
MADERA	CA	05300	2840	FRESNO, CA	31460	Madera, CA
MARIN	CA	05310	7360	SAN FRANCISCO, CA	41884	San Francisco-San Mateo-Redwood City, CA
MARIPOSA	CA	05320	05	CALIFORNIA	*	
MENDOCINO	CA	05330	05	CALIFORNIA	*	
MERCED	CA	05340	4940	MERCED, CA	32900	Merced, CA
MODOC	CA	05350	05	CALIFORNIA	*	
MONO	CA	05360	05	CALIFORNIA	*	
MONTEREY	CA	05370	7120	SALINAS, CA	41500	Salinas, CA
NAPA	CA	05380	8720	VALLEJO-FAIRFIELD-NAPA, CA.	34900	Napa, CA
NEVADA	CA	05390	05	CALIFORNIA	*	
ORANGE	CA	05400	5945	ORANGE COUNTY, CA	42044	Santa Ana-Anaheim-Irvine, CA
PLACER	CA	05410	6920	SACRAMENTO, CA	40900	Sacramento—Arden-Arcade—Roseville, CA
PLUMAS	CA	05420	05	CALIFORNIA	*	
RIVERSIDE	CA	05430	6780	RIVERSIDE-SAN BERNARDINO, CA.	40140	Riverside-San Bernardino-Ontario, CA
SACRAMENTO	CA	05440	6920	SACRAMENTO, CA	40900	Sacramento—Arden-Arcade—Roseville, CA
SAN BENITO	CA	05450	05	CALIFORNIA	41940	San Jose-Sunnyvale-Santa Clara, CA
SAN BERNARDINO	CA	05460	6780	RIVERSIDE-SAN BERNARDINO, CA.	40140	Riverside-San Bernardino-Ontario, CA
SAN DIEGO	CA	05470	7320	SAN DIEGO, CA	41740	San Diego-Carlsbad-San Marcos, CA
SAN FRANCISCO	CA	05480	7360	SAN FRANCISCO, CA	41884	San Francisco-San Mateo-Redwood City, CA
SAN JOAQUIN	CA	05490	8120	STOCKTON-LODI, CA	44700	Stockton, CA
SAN LUIS OBISPO	CA	05500	7460	SAN LUIS OBISPO-ATASCADERO-PASO ROBLES, CA.	42020	San Luis Obispo-Paso Robles, CA
SAN MATEO	CA	05510	7360	SAN FRANCISCO, CA	41884	San Francisco-San Mateo-Redwood City, CA
SANTA BARBARA	CA	05520	7480	SANTA BARBARA-SANTA MARIA-LOMPOC, CA.	42060	Santa Barbara-Santa Maria-Goleta, CA
SANTA CLARA	CA	05530	7400	SAN JOSE, CA	41940	San Jose-Sunnyvale-Santa Clara, CA
SANTA CRUZ	CA	05540	7485	SANTA CRUZ-WATSONVILLE, CA.	42100	Santa Cruz-Watsonville, CA
SHASTA	CA	05550	6690	REDDING, CA	39820	Redding, CA
SIERRA	CA	05560	05	CALIFORNIA	*	
SISKIYOU	CA	05570	05	CALIFORNIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
SOLANO	CA	05580	8720	VALLEJO-FAIRFIELD-NAPA, CA.	46700	Vallejo-Fairfield, CA
SONOMA	CA	05590	7500	SANTA ROSA, CA	42220	Santa Rosa-Petaluma, CA
STANISLAUS	CA	05600	5170	MODESTO, CA	33700	Modesto, CA
SUTTER	CA	05610	340	YUBA CITY, CA	49700	Yuba City, CA
TEHAMA	CA	05620	05	CALIFORNIA	*	
TRINITY	CA	05630	05	CALIFORNIA	*	
TULARE	CA	05640	8780	VISALIA-TULARE-PORTERVILLE, CA.	47300	Visalia-Porterville, CA
TUOLUMNE	CA	05650	05	CALIFORNIA	*	
VENTURA	CA	05660	8735	VENTURA, CA	37100	Oxnard-Thousand Oaks-Ventura, CA
YOLO	CA	05670	9270	YOLO, CA	40900	Sacramento—Arden-Arcade—Roseville, CA
YUBA	CA	05680	9340	YUBA CITY, CA	49700	Yuba City, CA
STATEWIDE	CA	05999	05	CALIFORNIA	*	
ADAMS	CO	06000	2080	DENVER, CO	19740	Denver-Aurora, CO
ALAMOSA	CO	06010	06	COLORADO	*	
ARAPAHOE	CO	06020	2080	DENVER, CO	19740	Denver-Aurora, CO
ARCHULETA	CO	06030	06	COLORADO	*	
BACA	CO	06040	06	COLORADO	*	
BENT	CO	06050	06	COLORADO	*	
BOULDER	CO	06060	1125	BOULDER-LONGMONT, CO	14500	Boulder, CO
CHAFFEE	CO	06070	06	COLORADO	*	
CHEYENNE	CO	06080	06	COLORADO	*	
CLEAR CREEK	CO	06090	06	COLORADO	19740	Denver-Aurora, CO
CONEJOS	CO	06100	06	COLORADO	*	
COSTILLA	CO	06110	06	COLORADO	*	
CROWLEY	CO	06120	06	COLORADO	*	
CUSTER	CO	06130	06	COLORADO	*	
DELTA	CO	06140	06	COLORADO	*	
DENVER	CO	06150	2080	DENVER, CO	19740	Denver-Aurora, CO
DOLORES	CO	06160	06	COLORADO	*	
DOUGLAS	CO	06170	2080	DENVER, CO	19740	Denver-Aurora, CO
EAGLE	CO	06180	06	COLORADO	*	
ELBERT	CO	06190	06	COLORADO	19740	Denver-Aurora, CO
EL PASO	CO	06200	1720	COLORADO SPRINGS, CO	17820	Colorado Springs, CO
FREMONT	CO	06210	06	COLORADO	*	
GARFIELD	CO	06220	06	COLORADO	*	
GILPIN	CO	06230	06	COLORADO	19740	Denver-Aurora, CO
GRAND	CO	06240	06	COLORADO	*	
GUNNISON	CO	06250	06	COLORADO	*	
HINSDALE	CO	06260	06	COLORADO	*	
HUERFANO	CO	06270	06	COLORADO	*	
JACKSON	CO	06280	06	COLORADO	*	
JEFFERSON	CO	06290	2080	DENVER, CO	19740	Denver-Aurora, CO
KIOWA	CO	06300	06	COLORADO	*	
KIT CARSON	CO	06310	06	COLORADO	*	
LAKE	CO	06320	06	COLORADO	*	
LA PLATA	CO	06330	06	COLORADO	*	
LARIMER	CO	06340	2670	FORT COLLINS-LOVELAND, CO.	22660	Fort Collins-Loveland, CO
LAS ANIMAS	CO	06350	06	COLORADO	*	
LINCOLN	CO	06360	06	COLORADO	*	
LOGAN	CO	06370	06	COLORADO	*	
MESA	CO	06380	2995	GRAND JUNCTION, CO	24300	Grand Junction, CO
MINERAL	CO	06390	06	COLORADO	*	
MOFFAT	CO	06400	06	COLORADO	*	
MONTEZUMA	CO	06410	06	COLORADO	*	
MONTROSE	CO	06420	06	COLORADO	*	
MORGAN	CO	06430	06	COLORADO	*	
OTERO	CO	06440	06	COLORADO	*	
OURAY	CO	06450	06	COLORADO	*	
PARK	CO	06460	06	COLORADO	19740	Denver-Aurora, CO
PHILLIPS	CO	06470	06	COLORADO	*	
PITKIN	CO	06480	06	COLORADO	*	
PROWERS	CO	06490	06	COLORADO	*	
PUEBLO	CO	06500	6560	PUEBLO, CO	39380	Pueblo, CO
RIO BLANCO	CO	06510	06	COLORADO	*	
RIO GRANDE	CO	06520	06	COLORADO	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
ROUTT	CO	06530	06	COLORADO	*	
SAGUACHE	CO	06540	06	COLORADO	*	
SAN JUAN	CO	06550	06	COLORADO	*	
SAN MIGUEL	CO	06560	06	COLORADO	*	
SEDGWICK	CO	06570	06	COLORADO	*	
SUMMIT	CO	06580	06	COLORADO	*	
TELLER	CO	06590	06	COLORADO	17820	Colorado Springs, CO
WASHINGTON	CO	06600	06	COLORADO.		
WELD	CO	06610	3060	GREELEY, CO	24540	Greeley, CO
YUMA	CO	06620	06	COLORADO.		
BROOMFIELD	CO	06630	2080	DENVER, CO	19740	Denver-Aurora, CO
STATEWIDE	CO	06999	06	COLORADO	*	
FAIRFIELD	CT	07000	5483	NEW HAVEN-BRIDGEPORT-STAMFORD-WATERBURY-DANBURY, CT.	14860	Bridgeport-Stamford-Norwalk, CT
HARTFORD	CT	07010	3283	HARTFORD, CT	25540	Hartford-West Hartford-East Hartford, C
LITCHFIELD	CT	07020	3283	HARTFORD, CT	25540	Hartford-West Hartford-East Hartford, C
MIDDLESEX	CT	07030	3283	HARTFORD, CT	25540	Hartford-West Hartford-East Hartford, CT
EW HAVEN	CT	07040	5483	NEW HAVEN-BRIDGEPORT-STAMFORD-WATERBURY-DANBURY, CT.	35300	New Haven-Milford, CT
NEW LONDON	CT	07050	5523	NEW LONDON-NORWICH, CT	35980	Norwich-New London, CT
TOLLAND	CT	07060	3283	HARTFORD, CT	25540	Hartford-West Hartford-East Hartford, C
WINDHAM	CT	07070	07	CONNECTICUT	*	
STATEWIDE	CT	07999	07	CONNECTICUT	*	
KENT	DE	08000	2190	DOVER, DE	20100	Dover, DE
NEW CASTLE	DE	08010	9160	WILMINGTON-NEWARK, DE-MD.	48864	Wilmington, DE-MD-NJ
SUSSEX	DE	08020	08	DELAWARE	*	
STATEWIDE	DE	08999	08	DELAWARE	*	
THE DISTRICT	DC	09000	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
ALACHUA	FL	10000	2900	GAINESVILLE, FL	23540	Gainesville, FL
BAKER	FL	10010	10	FLORIDA	27260	Jacksonville, FL
BAY	FL	10020	6015	PANAMA CITY, FL	37460	Panama City-Lynn Haven, FL
BRADFORD	FL	10030	10	FLORIDA	*	
BREVARD	FL	10040	4900	MELBOURNE-TITUSVILLE-PALM BAY, FL.	37340	Palm Bay-Melbourne-Titusville, FL
BROWARD	FL	10050	2680	FORT LAUDERDALE, FL	22744	Ft Lauderdale-Pompano Beach-Deerfield
CALHOUN	FL	10060	10	FLORIDA	*	
CHARLOTTE	FL	10070	6580	PUNTA GORDA, FL	39460	Punta Gorda, FL
CITRUS	FL	10080	10	FLORIDA	*	
CLAY	FL	10090	3600	JACKSONVILLE, FL	27260	Jacksonville, FL
COLLIER	FL	10100	5345	NAPLES, FL	34940	Naples-Marco Island, FL
COLUMBIA	FL	10110	10	FLORIDA	*	
MIAMI-DADE	FL	10120	5000	MIAMI, FL	33124	Miami-Miami Beach-Kendall, FL
DE SOTO	FL	10130	10	FLORIDA	*	
DIXIE	FL	10140	10	FLORIDA	*	
DUVAL	FL	10150	3600	JACKSONVILLE, FL	27260	Jacksonville, FL
ESCAMBIA	FL	10160	6080	PENSACOLA, FL	37860	Pensacola-Ferry Pass-Brent, FL
FLAGLER	FL	10170	2020	DAYTONA BEACH, FL	*	
FRANKLIN	FL	10180	10	FLORIDA	*	
GADSDEN	FL	10190	8240	TALLAHASSEE, FL	45220	Tallahassee, FL
GILCHRIST	FL	10200	10	FLORIDA	23540	Gainesville, FL
GLADES	FL	10210	10	FLORIDA	*	
GULF	FL	10220	10	FLORIDA	*	
HAMILTON	FL	10230	10	FLORIDA	*	
HARDEE	FL	10240	10	FLORIDA	*	
HENDRY	FL	10250	10	FLORIDA	*	
HERNANDO	FL	10260	8280	TAMPA-ST. PETERSBURG-CLEARWATER, FL.	45300	Tampa-St. Petersburg-Clearwater, FL
HIGHLANDS	FL	10270	10	FLORIDA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HILLSBOROUGH	FL	10280	8280	TAMPA-ST. PETERSBURG-CLEARWATER, FL.	45300	Tampa-St. Petersburg-Clearwater, FL
HOLMES	FL	10290	10	FLORIDA	*	
INDIAN RIVER	FL	10300	10	FLORIDA	46940	Vero Beach, FL
JACKSON	FL	10310	10	FLORIDA	*	
JEFFERSON	FL	10320	10	FLORIDA	45220	Tallahassee, FL
LAFAYETTE	FL	10330	10	FLORIDA	*	
LAKE	FL	10340	5960	ORLANDO, FL	36740	Orlando, FL
LEE	FL	10350	2700	FORT MYERS-CAPE CORAL, FL.	15980	Cape Coral-Fort Myers, FL
LEON	FL	10360	8240	TALLAHASSEE, FL	45220	Tallahassee, FL
LEVY	FL	10370	10	FLORIDA	*	
LIBERTY	FL	10380	10	FLORIDA	*	
MADISON	FL	10390	10	FLORIDA	*	
MANATEE	FL	10400	7510	SARASOTA-BRADENTON, FL	42260	Sarasota-Bradenton-Venice, FL
MARION	FL	10410	5790	OCALA, FL	36100	Ocala, FL
MARTIN	FL	10420	2710	FORT PIERCE-PORT ST. LUCIE, FL.	38940	Port St. Lucie-Fort Pierce, FL
MONROE	FL	10430	10	FLORIDA	*	
NASSAU	FL	10440	3600	JACKSONVILLE, FL	27260	Jacksonville, FL
OKALOOSA	FL	10450	2750	FORT WALTON BEACH, FL	23020	Fort Walton Beach-Crestview-Destin, FL
OKEECHOBEE	FL	10460	10	FLORIDA	*	
ORANGE	FL	10470	5960	ORLANDO, FL	36740	Orlando, FL
OSCEOLA	FL	10480	5960	ORLANDO, FL	36740	Orlando, FL
PALM BEACH	FL	10490	8960	WEST PALM BEACH-BOCA RATON, FL.	48424	West Palm Beach-Boca Raton-Boynton FL
PASCO	FL	10500	8280	TAMPA-ST. PETERSBURG-CLEARWATER, FL.	45300	Tampa-St. Petersburg-Clearwater, FL
PINELLAS	FL	10510	8280	TAMPA-ST. PETERSBURG-CLEARWATER, FL.	45300	Tampa-St. Petersburg-Clearwater, FL
POLK	FL	10520	3980	LAKELAND-WINTER HAVEN, FL.	29460	Lakeland, FL
PUTNAM	FL	10530	10	FLORIDA.		
ST. JOHNS	FL	10540	3600	JACKSONVILLE, FL	27260	Jacksonville, FL
ST. LUCIE	FL	10550	2710	FORT PIERCE-PORT ST. LUCIE, FL.	38940	Port St. Lucie-Fort Pierce, FL
SANTA ROSA	FL	10560	6080	PENSACOLA, FL	37860	Pensacola-Ferry Pass-Brent, FL
SARASOTA	FL	10570	7510	SARASOTA-BRADENTON, FL	42260	Sarasota-Bradenton-Venice, FL
SEMINOLE	FL	10580	5960	ORLANDO, FL	36740	Orlando, FL
SUMTER	FL	10590	10	FLORIDA	*	
SUWANNEE	FL	10600	10	FLORIDA	*	
TAYLOR	FL	10610	10	FLORIDA	*	
UNION	FL	10620	10	FLORIDA	*	
VOLUSIA	FL	10630	2020	DAYTONA BEACH, FL	19660	Deltona-Daytona Beach-Ormond Beach, FL
WAKULLA	FL	10640	10	FLORIDA	45220	Tallahassee, FL
WALTON	FL	10650	10	FLORIDA	*	
WASHINGTON	FL	10660	10	FLORIDA	*	
STATEWIDE	FL	10999	10	FLORIDA	*	
APPLING	GA	11000	11	GEORGIA	*	
ATKINSON	GA	11010	11	GEORGIA	*	
BACON	GA	11011	11	GEORGIA	*	
BAKER	GA	11020	11	GEORGIA	10500	Albany, GA
BALDWIN	GA	11030	11	GEORGIA	*	
BANKS	GA	11040	11	GEORGIA	*	
BARROW	GA	11050	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
BARTOW	GA	11060	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
BEN HILL	GA	11070	11	GEORGIA	*	
BERRIEN	GA	11080	11	GEORGIA	*	
BIBB	GA	11090	4680	MACON, GA	31420	Macon, GA
BLECKLEY	GA	11100	11	GEORGIA	*	
BRANTLEY	GA	11110	11	GEORGIA	15260	Brunswick, GA
BROOKS	GA	11120	11	GEORGIA	46660	Valdosta, GA
BRYAN	GA	11130	7520	SAVANNAH, GA	42340	Savannah, GA
BULLOCH	GA	11140	11	GEORGIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
BURKE	GA	11150	11	GEORGIA	12260	Augusta-Richmond County, GA-SC
BUTTS	GA	11160	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
CALHOUN	GA	11161	11	GEORGIA	*	
CAMDEN	GA	11170	11	GEORGIA	*	
CANDLER	GA	11180	11	GEORGIA	*	
CARROLL	GA	11190	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
CATOOSA	GA	11200	1560	CHATTANOOGA, TN-GA	16860	Chattanooga, TN-GA
CHARLTON	GA	11210	11	GEORGIA.		
CHATHAM	GA	11220	7520	SAVANNAH, GA	42340	Savannah, GA
CHATTAHOOCHEE	GA	11230	1800	COLUMBUS, GA-AL	17980	Columbus, GA-AL
CHATTOOGA	GA	11240	11	GEORGIA	*	
CHEROKEE	GA	11250	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
CLARKE	GA	11260	0500	ATHENS, GA	12020	Athens-Clarke County, GA
CLAY	GA	11270	11	GEORGIA	*	
CLAYTON	GA	11280	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
CLINCH	GA	11281	11	GEORGIA	*	
COBB	GA	11290	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
COFFEE	GA	11291	11	GEORGIA	*	
COLQUITT	GA	11300	11	GEORGIA	*	
COLUMBIA	GA	11310	0600	AUGUSTA-AIKEN, GA-SC	12260	Augusta-Richmond County, GA-SC
COOK	GA	11311	11	GEORGIA	*	
COWETA	GA	11320	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
CRAWFORD	GA	11330	11	GEORGIA	31420	Macon, GA
CRISP	GA	11340	11	GEORGIA	*	
DADE	GA	11341	1560	CHATTANOOGA, TN-GA	16860	Chattanooga, TN-GA
DAWSON	GA	11350	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
DECATUR	GA	11360	11	GEORGIA	*	
DE KALB	GA	11370	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
DODGE	GA	11380	11	GEORGIA	*	
DOOLY	GA	11381	11	GEORGIA	*	
DOUGHERTY	GA	11390	0120	ALBANY, GA	10500	Albany, GA
DOUGLAS	GA	11400	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
EARLY	GA	11410	11	GEORGIA	*	
ECHOLS	GA	11420	11	GEORGIA	46660	Valdosta, GA
EFFINGHAM	GA	11421	7520	SAVANNAH, GA	42340	Savannah, GA
ELBERT	GA	11430	11	GEORGIA	*	
EMANUEL	GA	11440	11	GEORGIA	*	
EVANS	GA	11441	11	GEORGIA	*	
FANNIN	GA	11450	11	GEORGIA	*	
FAYETTE	GA	11451	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
FLOYD	GA	11460	11	GEORGIA	40660	Rome, GA
FORSYTH	GA	11461	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
FRANKLIN	GA	11462	11	GEORGIA	*	
FULTON	GA	11470	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
GILMER	GA	11471	11	GEORGIA	*	
GLASCOCK	GA	11480	11	GEORGIA	*	
GLYNN	GA	11490	11	GEORGIA	15260	Brunswick, GA
GORDON	GA	11500	11	GEORGIA	*	
GRADY	GA	11510	11	GEORGIA	*	
GREENE	GA	11520	11	GEORGIA	*	
GWINNETT	GA	11530	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
HABERSHAM	GA	11540	11	GEORGIA	*	
HALL	GA	11550	11	GEORGIA	23580	Gainesville, GA
HANCOCK	GA	11560	11	GEORGIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HARALSON	GA	11570	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
HARRIS	GA	11580	1800	COLUMBUS, GA-AL	17980	Columbus, GA-AL
HART	GA	11581	11	GEORGIA	*	
HEARD	GA	11590	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
HENRY	GA	11591	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
HOUSTON	GA	11600	4680	MACON, GA	47580	Warner Robins, GA
IRWIN	GA	11601	11	GEORGIA	*	
JACKSON	GA	11610	11	GEORGIA	*	
JASPER	GA	11611	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
JEFF DAVIS	GA	11612	11	GEORGIA	*	
JEFFERSON	GA	11620	11	GEORGIA	*	
JENKINS	GA	11630	11	GEORGIA	*	
JOHNSON	GA	11640	11	GEORGIA	*	
JONES	GA	11650	4680	MACON, GA	31420	Macon, GA
LAMAR	GA	11651	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
LANIER	GA	11652	11	GEORGIA	46660	Valdosta, GA
LAURENS	GA	11660	11	GEORGIA	*	
LEE	GA	11670	0120	ALBANY, GA	10500	Albany, GA
LIBERTY	GA	11680	11	GEORGIA	25980	Hinesville-Fort Stewart, GA
LINCOLN	GA	11690	11	GEORGIA.		
LONG	GA	11691	11	GEORGIA	25980	Hinesville-Fort Stewart, GA
LOWNDES	GA	11700	11	GEORGIA	46660	Valdosta, GA
LUMPKIN	GA	11701	11	GEORGIA	*	
MC DUFFIE	GA	11702	0600	AUGUSTA-AIKEN, GA-SC	12260	Augusta-Richmond County, GA-SC
MC INTOSH	GA	11703	11	GEORGIA	15260	Brunswick, GA
MACON	GA	11710	11	GEORGIA	*	
MADISON	GA	11720	0500	ATHENS, GA	12020	Athens-Clarke County, GA
MARION	GA	11730	11	GEORGIA	17980	Columbus, GA-AL
MERIWETHER	GA	11740	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
MILLER	GA	11741	11	GEORGIA	*	
MITCHELL	GA	11750	11	GEORGIA	*	
MONROE	GA	11760	11	GEORGIA	31420	Macon, GA
MONTGOMERY	GA	11770	11	GEORGIA	*	
MORGAN	GA	11771	11	GEORGIA	*	
MURRAY	GA	11772	11	GEORGIA	19140	Dalton, GA
MUSCOGEE	GA	11780	1800	COLUMBUS, GA-AL	17980	Columbus, GA-AL
NEWTON	GA	11790	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
OCONEE	GA	11800	0500	ATHENS, GA	12020	Athens-Clarke County, GA
OGLETHORPE	GA	11801	11	GEORGIA	12020	Athens-Clarke County, GA
PAULDING	GA	11810	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
PEACH	GA	11811	4680	MACON, GA	*	
PICKENS	GA	11812	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
PIERCE	GA	11820	11	GEORGIA	*	
PIKE	GA	11821	11	GEORGIA	12060	Atlanta-Sandy Springs-Marietta, GA
POLK	GA	11830	11	GEORGIA	*	
PULASKI	GA	11831	11	GEORGIA	*	
PUTNAM	GA	11832	11	GEORGIA	*	
QUITMAN	GA	11833	11	GEORGIA	*	
RABUN	GA	11834	11	GEORGIA	*	
RANDOLPH	GA	11835	11	GEORGIA	*	
RICHMOND	GA	11840	0600	AUGUSTA-AIKEN, GA-SC	12260	Augusta-Richmond County, GA-SC
ROCKDALE	GA	11841	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
SCHLEY	GA	11842	11	GEORGIA	*	
SCREVEN	GA	11850	11	GEORGIA	*	
SEMINOLE	GA	11851	11	GEORGIA	*	
SPALDING	GA	11860	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
STEPHENS	GA	11861	11	GEORGIA	*	
STEWART	GA	11862	11	GEORGIA	*	
SUMTER	GA	11870	11	GEORGIA	*	
TALBOT	GA	11880	11	GEORGIA	*	
TALIAFERRO	GA	11881	11	GEORGIA	*	
TATTNALL	GA	11882	11	GEORGIA	*	
TAYLOR	GA	11883	11	GEORGIA	*	
TELFAIR	GA	11884	11	GEORGIA	*	
TERRELL	GA	11885	11	GEORGIA	10500	Albany, GA
THOMAS	GA	11890	11	GEORGIA	*	
TIFT	GA	11900	11	GEORGIA	*	
TOOMBS	GA	11901	11	GEORGIA	*	
TOWNS	GA	11902	11	GEORGIA	*	
TREUTLEN	GA	11903	11	GEORGIA	*	
TROUP	GA	11910	11	GEORGIA	*	
TURNER	GA	11911	11	GEORGIA	*	
TWIGGS	GA	11912	4680	MACON, GA	31420	Macon, GA
UNION	GA	11913	11	GEORGIA	*	
UPSON	GA	11920	11	GEORGIA	*	
WALKER	GA	11921	1560	CHATTANOOGA, TN-GA	16860	Chattanooga, TN-GA
WALTON	GA	11930	0520	ATLANTA, GA	12060	Atlanta-Sandy Springs-Marietta, GA
WARE	GA	11940	11	GEORGIA	*	
WARREN	GA	11941	11	GEORGIA	*	
WASHINGTON	GA	11950	11	GEORGIA	*	
WAYNE	GA	11960	11	GEORGIA	*	
WEBSTER	GA	11961	11	GEORGIA	*	
WHEELER	GA	11962	11	GEORGIA	*	
WHITE	GA	11963	11	GEORGIA	*	
WHITFIELD	GA	11970	11	GEORGIA	19140	Dalton, GA
WILCOX	GA	11971	11	GEORGIA	*	
WILKES	GA	11972	11	GEORGIA	*	
WILKINSON	GA	11973	11	GEORGIA	*	
WORTH	GA	11980	11	GEORGIA	10500	Albany, GA
STATEWIDE	GA	11999	11	GEORGIA	*	
KALAWAO	HI	12005	12	HAWAII	*	
HAWAII	HI	12010	12	HAWAII	*	
HONOLULU	HI	12020	3320	HONOLULU, HI	26180	Honolulu, HI
KAUAI	HI	12040	12	HAWAII	*	
MAUI	HI	12050	12	HAWAII	*	
STATEWIDE	HI	12999	12	HAWAII	*	
ADA	ID	13000	1080	BOISE CITY, ID	14260	Boise City-Nampa, ID
ADAMS	ID	13010	13	IDAHO	*	
BANNOCK	ID	13020	6340	POCATELLO, ID	38540	Pocatello, ID
BEAR LAKE	ID	13030	13	IDAHO	*	
BENEWAH	ID	13040	13	IDAHO	*	
BINGHAM	ID	13050	13	IDAHO	*	
BLAINE	ID	13060	13	IDAHO	*	
BOISE	ID	13070	13	IDAHO	14260	Boise City-Nampa, ID
BONNER	ID	13080	13	IDAHO	*	
BONNEVILLE	ID	13090	13	IDAHO	26820	Idaho Falls, ID
BOUNDARY	ID	13100	13	IDAHO	*	
BUTTE	ID	13110	13	IDAHO	*	
CAMAS	ID	13120	13	IDAHO	*	
CANYON	ID	13130	1080	BOISE CITY, ID	14260	Boise City-Nampa, ID
CARIBOU	ID	13140	13	IDAHO	*	
CASSIA	ID	13150	13	IDAHO	*	
CLARK	ID	13160	13	IDAHO	*	
CLEARWATER	ID	13170	13	IDAHO	*	
CUSTER	ID	13180	13	IDAHO	*	
ELMORE	ID	13190	13	IDAHO	*	
FRANKLIN	ID	13200	13	IDAHO	30860	Logan, UT-ID
FREMONT	ID	13210	13	IDAHO	*	
GEM	ID	13220	13	IDAHO	14260	Boise City-Nampa, ID
GOODING	ID	13230	13	IDAHO	*	
IDAHO	ID	13240	13	IDAHO	*	
JEFFERSON	ID	13250	13	IDAHO	26820	Idaho Falls, ID
JEROME	ID	13260	13	IDAHO	*	
KOOTENAI	ID	13270	13	IDAHO	17660	Coeur d'Alene, ID
LATAH	ID	13280	13	IDAHO	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LEMHI	ID	13290	13	IDAHO	*	
LEWIS	ID	13300	13	IDAHO	*	
LINCOLN	ID	13310	13	IDAHO	*	
MADISON	ID	13320	13	IDAHO	*	
MINIDOKA	ID	13330	13	IDAHO	*	
NEZ PERCE	ID	13340	13	IDAHO	30300	Lewiston, ID-WA
ONEIDA	ID	13350	13	IDAHO	*	
OWYHEE	ID	13360	13	IDAHO	14260	Boise City-Nampa, ID
PAYETTE	ID	13370	13	IDAHO	*	
POWER	ID	13380	13	IDAHO	38540	Pocatello, ID
SHOSHONE	ID	13390	13	IDAHO	*	
TETON	ID	13400	13	IDAHO	*	
TWIN FALLS	ID	13410	13	IDAHO	*	
VALLEY	ID	13420	13	IDAHO	*	
WASHINGTON	ID	13430	13	IDAHO	*	
STATEWIDE	ID	13999	13	IDAHO	*	
ADAMS	IL	14000	14	ILLINOIS	*	
ALEXANDER	IL	14010	14	ILLINOIS	*	
BOND	IL	14020	14	ILLINOIS	41180	St. Louis, MO-IL
BOONE	IL	14030	6880	ROCKFORD, IL	40420	Rockford, IL
BROWN	IL	14040	14	ILLINOIS	*	
BUREAU	IL	14050	14	ILLINOIS	*	
CALHOUN	IL	14060	14	ILLINOIS	41180	St. Louis, MO-IL
CARROLL	IL	14070	14	ILLINOIS	*	
CASS	IL	14080	14	ILLINOIS	*	
CHAMPAIGN	IL	14090	1400	CHAMPAIGN-URBANA, IL	16580	Champaign-Urbana, IL
CHRISTIAN	IL	14100	14	ILLINOIS	*	
CLARK	IL	14110	14	ILLINOIS	*	
CLAY	IL	14120	14	ILLINOIS	*	
CLINTON	IL	14130	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
COLES	IL	14140	14	ILLINOIS	*	
COOK	IL	14141	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
CRAWFORD	IL	14150	14	ILLINOIS	*	
CUMBERLAND	IL	14160	14	ILLINOIS	*	
DE KALB	IL	14170	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
DE WITT	IL	14180	14	ILLINOIS	*	
DOUGLAS	IL	14190	14	ILLINOIS	*	
DU PAGE	IL	14250	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
EDGAR	IL	14310	14	ILLINOIS	*	
EDWARDS	IL	14320	14	ILLINOIS	*	
EFFINGHAM	IL	14330	14	ILLINOIS	*	
FAYETTE	IL	14340	14	ILLINOIS	*	
FORD	IL	14350	14	ILLINOIS	16580	Champaign-Urbana, IL
FRANKLIN	IL	14360	14	ILLINOIS	*	
FULTON	IL	14370	14	ILLINOIS	*	
GALLATIN	IL	14380	14	ILLINOIS	*	
GREENE	IL	14390	14	ILLINOIS	*	
GRUNDY	IL	14400	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
HAMILTON	IL	14410	14	ILLINOIS	*	
HANCOCK	IL	14420	14	ILLINOIS	*	
HARDIN	IL	14421	14	ILLINOIS	*	
HENDERSON	IL	14440	14	ILLINOIS	*	
HENRY	IL	14450	1960	DAVENPORT-ROCK ISLAND-MOLINE, IA-IL.	19340	Davenport-Moline-Rock Island, IA-IL
IROQUOIS	IL	14460	14	ILLINOIS	*	
JACKSON	IL	14470	14	ILLINOIS	*	
JASPER	IL	14480	14	ILLINOIS	*	
JEFFERSON	IL	14490	14	ILLINOIS	*	
JERSEY	IL	14500	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
JO DAVIESS	IL	14510	14	ILLINOIS	*	
JOHNSON	IL	14520	14	ILLINOIS	*	
KANE	IL	14530	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
KANKAKEE	IL	14540	3740	KANKAKEE, IL	28100	Kankakee-Bradley, IL
KENDALL	IL	14550	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
KNOX	IL	14560	14	ILLINOIS	*	
LAKE	IL	14570	1600	CHICAGO, IL	29404	Lake County-Kenosha County, IL-WI
LA SALLE	IL	14580	14	ILLINOIS	*	
LAWRENCE	IL	14590	14	ILLINOIS	*	
LEE	IL	14600	14	ILLINOIS	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LIVINGSTON	IL	14610	14	ILLINOIS	*	
LOGAN	IL	14620	14	ILLINOIS	*	
MC DONOUGH	IL	14630	14	ILLINOIS	*	
MC HENRY	IL	14640	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
MC LEAN	IL	14650	1040	BLOOMINGTON-NORMAL, IL	14060	Bloomington-Normal, IL
MACON	IL	14660	2040	DECATUR, IL	19500	Decatur, IL
MACOUPIN	IL	14670	14	ILLINOIS	41180	St. Louis, MO-IL
MADISON	IL	14680	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
MARION	IL	14690	14	ILLINOIS	*	
MARSHALL	IL	14700	14	ILLINOIS	37900	Peoria, IL
MASON	IL	14710	14	ILLINOIS	*	
MASSAC	IL	14720	14	ILLINOIS	*	
MENARD	IL	14730	7880	SPRINGFIELD, IL	44100	Springfield, IL
MERCER	IL	14740	14	ILLINOIS	19340	Davenport-Moline-Rock Island, IA-IL
MONROE	IL	14750	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
MONTGOMERY	IL	14760	14	ILLINOIS	*	
MORGAN	IL	14770	14	ILLINOIS	*	
MOULTRIE	IL	14780	14	ILLINOIS	*	
OGLE	IL	14790	6880	ROCKFORD, IL	*	
PEORIA	IL	14800	6120	PEORIA-PEKIN, IL	37900	Peoria, IL
PERRY	IL	14810	14	ILLINOIS	*	
PIATT	IL	14820	14	ILLINOIS	16580	Champaign-Urbana, IL
PIKE	IL	14830	14	ILLINOIS	*	
POPE	IL	14831	14	ILLINOIS	*	
PULASKI	IL	14850	14	ILLINOIS	*	
PUTNAM	IL	14860	14	ILLINOIS	*	
RANDOLPH	IL	14870	14	ILLINOIS	*	
RICHLAND	IL	14880	14	ILLINOIS	*	
ROCK ISLAND	IL	14890	1960	DAVENPORT-ROCK ISLAND-MOLINE, IA-IL.	19340	Davenport-Moline-Rock Island, IA-IL
ST. CLAIR	IL	14900	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
SALINE	IL	14910	14	ILLINOIS	*	
SANGAMON	IL	14920	7880	SPRINGFIELD, IL	44100	Springfield, IL
SCHUYLER	IL	14921	14	ILLINOIS	*	
SCOTT	IL	14940	14	ILLINOIS	*	
SHELBY	IL	14950	14	ILLINOIS	*	
STARK	IL	14960	14	ILLINOIS	37900	Peoria, IL
STEPHENSON	IL	14970	14	ILLINOIS	*	
TAZEWELL	IL	14980	6120	PEORIA-PEKIN, IL	37900	Peoria, IL
UNION	IL	14981	14	ILLINOIS	*	
VERMILION	IL	14982	14	ILLINOIS	19180	Danville, IL
WABASH	IL	14983	14	ILLINOIS	*	
WARREN	IL	14984	14	ILLINOIS	*	
WASHINGTON	IL	14985	14	ILLINOIS	*	
WAYNE	IL	14986	14	ILLINOIS	*	
WHITE	IL	14987	14	ILLINOIS	*	
WHITESIDE	IL	14988	14	ILLINOIS	*	
WILL	IL	14989	1600	CHICAGO, IL	16974	Chicago-Naperville-Joliet, IL
WILLIAMSON	IL	14990	14	ILLINOIS	*	
WINNEBAGO	IL	14991	6880	ROCKFORD, IL	40420	Rockford, IL
WOODFORD	IL	14992	6120	PEORIA-PEKIN, IL	37900	Peoria, IL
STATEWIDE	IL	14999	14	ILLINOIS	*	
ADAMS	IN	15000	2760	FORT WAYNE, IN	*	
ALLEN	IN	15010	2760	FORT WAYNE, IN	23060	Fort Wayne, IN
BARTHOLOMEW	IN	15020	15	INDIANA	18020	Columbus, IN
BENTON	IN	15030	15	INDIANA	29140	Lafayette, IN
BLACKFORD	IN	15040	15	INDIANA	*	
BOONE	IN	15050	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
BROWN	IN	15060	15	INDIANA	26900	Indianapolis, IN
CARROLL	IN	15070	15	INDIANA	29140	Lafayette, IN
CASS	IN	15080	15	INDIANA	*	
CLARK	IN	15090	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
CLAY	IN	15100	8320	TERRE HAUTE, IN	45460	Terre Haute, IN
CLINTON	IN	15110	3920	LAFAYETTE, IN	*	
CRAWFORD	IN	15120	15	INDIANA	*	
DAVIESS	IN	15130	15	INDIANA	*	
DEARBORN	IN	15140	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
DECATUR	IN	15150	15	NDIANA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
DE KALB	IN	15160	2760	FORT WAYNE, IN	*	
DELAWARE	IN	15170	5280	MUNCIE, IN	34620	Muncie, IN
DUBOIS	IN	15180	15	INDIANA	*	
ELKHART	IN	15190	2330	ELKHART-GOSHEN, IN	21140	Elkhart-Goshen, IN
FAYETTE	IN	15200	15	INDIANA	*	
FLOYD	IN	15210	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
FOUNTAIN	IN	15220	15	INDIANA	*	
FRANKLIN	IN	15230	15	INDIANA	17140	Cincinnati-Middletown, OH-KY-IN
FULTON	IN	15240	15	INDIANA	*	
GIBSON	IN	15250	15	INDIANA	21780	Evansville, IN-KY
GRANT	IN	15260	15	INDIANA	*	
GREENE	IN	15270	15	INDIANA	14020	Bloomington, IN
HAMILTON	IN	15280	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
HANCOCK	IN	15290	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
HARRISON	IN	15300	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
HENDRICKS	IN	15310	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
HENRY	IN	15320	15	INDIANA	*	
HOWARD	IN	15330	3850	KOKOMO, IN	29020	Kokomo, IN
HUNTINGTON	IN	15340	2760	FORT WAYNE, IN	*	
JACKSON	IN	15350	15	INDIANA	*	
JASPER	IN	15360	15	INDIANA	23844	Gary, IN
JAY	IN	15370	15	INDIANA	*	
JEFFERSON	IN	15380	15	INDIANA	*	
JENNINGS	IN	15390	15	INDIANA	*	
JOHNSON	IN	15400	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
KNOX	IN	15410	15	INDIANA	*	
KOSCIUSKO	IN	15420	15	INDIANA	*	
LAGRANGE	IN	15430	15	INDIANA	*	
LAKE	IN	15440	2960	GARY, IN	23844	Gary, IN
LA PORTE	IN	15450	15	INDIANA	33140	Michigan City-La Porte, IN
LAWRENCE	IN	15460	15	INDIANA	*	
MADISON	IN	15470	3480	INDIANAPOLIS, IN	11300	Anderson, IN
MARION	IN	15480	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
MARSHALL	IN	15490	15	INDIANA	*	
MARTIN	IN	15500	15	INDIANA	*	
MIAMI	IN	15510	15	INDIANA	*	
MONROE	IN	15520	1020	BLOOMINGTON, IN	14020	Bloomington, IN
MONTGOMERY	IN	15530	15	INDIANA	*	
MORGAN	IN	15540	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
NEWTON	IN	15550	15	INDIANA	23844	Gary, IN
NOBLE	IN	15560	15	INDIANA	*	
OHIO	IN	15570	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
ORANGE	IN	15580	15	INDIANA	*	
OWEN	IN	15590	15	INDIANA	14020	Bloomington, IN
PARKE	IN	15600	15	INDIANA	*	
PERRY	IN	15610	15	INDIANA	*	
PIKE	IN	15620	15	INDIANA	*	
PORTER	IN	15630	2960	GARY, IN	23844	Gary, IN
POSEY	IN	15640	2440	EVANSVILLE-HENDERSON, IN-KY.	21780	Evansville, IN-KY
PULASKI	IN	15650	15	INDIANA	*	
PUTNAM	IN	15660	15	INDIANA	26900	Indianapolis, IN
RANDOLPH	IN	15670	15	INDIANA	*	
RIPLEY	IN	15680	15	INDIANA	*	
RUSH	IN	15690	15	INDIANA	*	
ST. JOSEPH	IN	15700	7800	SOUTH BEND, IN	43780	South Bend-Mishawaka, IN-MI
SCOTT	IN	15710	4520	LOUISVILLE, KY-IN	*	
SHELBY	IN	15720	3480	INDIANAPOLIS, IN	26900	Indianapolis, IN
SPENCER	IN	15730	15	INDIANA	*	
STARKE	IN	15740	15	INDIANA	*	
STEUBEN	IN	15750	15	INDIANA	*	
SULLIVAN	IN	15760	15	INDIANA	45460	Terre Haute, IN
SWITZERLAND	IN	15770	15	INDIANA	*	
TIPPECANOE	IN	15780	3920	LAFAYETTE, IN	29140	Lafayette, IN
TIPTON	IN	15790	3850	KOKOMO, IN	29020	Kokomo, IN
UNION	IN	15800	15	INDIANA	*	
VANDERBURGH	IN	15810	2440	EVANSVILLE-HENDERSON, IN-KY.	21780	Evansville, IN-KY

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
VERMILLION	IN	15820	8320	TERRE HAUTE, IN	45460	Terre Haute, IN
VIGO	IN	15830	8320	TERRE HAUTE, IN	45460	Terre Haute, IN
WABASH	IN	15840	15	INDIANA	*	
WARREN	IN	15850	15	INDIANA	*	
WARRICK	IN	15860	2440	EVANSVILLE-HENDERSON, IN-KY.	21780	Evansville, IN-KY
WASHINGTON	IN	15870	15	INDIANA	31140	Louisville, KY-IN
WAYNE	IN	15880	15	INDIANA	*	
WELLS	IN	15890	2760	FORT WAYNE, IN	23060	Fort Wayne, IN
WHITE	IN	15900	15	INDIANA	*	
WHITLEY	IN	15910	2760	FORT WAYNE, IN	23060	Fort Wayne, IN
STATEWIDE	IN	15999	15	INDIANA	*	
ADAIR	IA	16000	16	IOWA	*	
ADAMS	IA	16010	16	IOWA	*	
ALLAMAKEE	IA	16020	16	IOWA	*	
APPANOOSE	IA	16030	16	IOWA	*	
AUDUBON	IA	16040	16	IOWA	*	
BENTON	IA	16050	16	IOWA	16300	Cedar Rapids, IA
BLACK HAWK	IA	16060	8920	WATERLOO-CEDAR FALLS, IA.	47940	Waterloo-Cedar Falls, IA
BOONE	IA	16070	16	IOWA	*	
BREMER	IA	16080	16	IOWA	47940	Waterloo-Cedar Falls, IA
BUCHANAN	IA	16090	16	IOWA	*	
BUENA VISTA	IA	16100	16	IOWA	*	
BUTLER	IA	16110	16	IOWA	*	
CALHOUN	IA	16120	16	IOWA	*	
CARROLL	IA	16130	16	IOWA	*	
CASS	IA	16140	16	IOWA	*	
CEDAR	IA	16150	16	IOWA	*	
CERRO GORDO	IA	16160	16	IOWA	*	
CHEROKEE	IA	16170	16	IOWA	*	
CHICKASAW	IA	16180	16	IOWA	*	
CLARKE	IA	16190	16	IOWA	*	
CLAY	IA	16200	16	IOWA	*	
CLAYTON	IA	16210	16	IOWA	*	
CLINTON	IA	16220	16	IOWA	*	
CRAWFORD	IA	16230	16	IOWA	*	
DALLAS	IA	16240	2120	DES MOINES, IA	19780	Des Moines, IA
DAVIS	IA	16250	16	IOWA	*	
DECATUR	IA	16260	16	IOWA	*	
DELAWARE	IA	16270	16	IOWA	*	
DES MOINES	IA	16280	16	IOWA	*	
DICKINSON	IA	16290	16	IOWA	*	
DUBUQUE	IA	16300	2200	DUBUQUE, IA	20220	Dubuque, IA
EMMET	IA	16310	16	IOWA	*	
FAYETTE	IA	16320	16	IOWA	*	
FLOYD	IA	16330	16	IOWA	*	
FRANKLIN	IA	16340	16	IOWA	*	
FREMONT	IA	16350	16	IOWA	*	
GREENE	IA	16360	16	IOWA	*	
GRUNDY	IA	16370	16	IOWA	47940	Waterloo-Cedar Falls, IA
GUTHRIE	IA	16380	16	IOWA	19780	Des Moines, IA
HAMILTON	IA	16390	16	IOWA	*	
HANCOCK	IA	16400	16	IOWA	*	
HARDIN	IA	16410	16	IOWA	*	
HARRISON	IA	16420	16	IOWA	36540	Omaha-Council Bluffs, NE-IA
HENRY	IA	16430	16	IOWA	*	
HOWARD	IA	16440	16	IOWA	*	
HUMBOLDT	IA	16450	16	IOWA	*	
IDA	IA	16460	16	IOWA	*	
IOWA	IA	16470	16	IOWA	*	
JACKSON	IA	16480	16	IOWA	*	
JASPER	IA	16490	16	IOWA	*	
JEFFERSON	IA	16500	16	IOWA	*	
JOHNSON	IA	16510	3500	IOWA CITY, IA	26980	Iowa City, IA
JONES	IA	16520	16	IOWA	16300	Cedar Rapids, IA
KEOKUK	IA	16530	16	IOWA	*	
KOSSUTH	IA	16540	16	IOWA	*	
LEE	IA	16550	16	IOWA	*	
LINN	IA	16560	1360	CEDAR RAPIDS, IA	16300	Cedar Rapids, IA

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LOUISA	IA	16570	16	IOWA	*	
LUCAS	IA	16580	16	IOWA	*	
LYON	IA	16590	16	IOWA	*	
MADISON	IA	16600	16	IOWA	19780	Des Moines, IA
MAHASKA	IA	16610	16	IOWA	*	
MARION	IA	16620	16	IOWA	*	
MARSHALL	IA	16630	16	IOWA	*	
MILLS	IA	16640	16	IOWA	36540	Omaha-Council Bluffs, NE-IA
MITCHELL	IA	16650	16	IOWA	*	
MONONA	IA	16660	16	IOWA	*	
MONROE	IA	16670	16	IOWA	*	
MONTGOMERY	IA	16680	16	IOWA	*	
MUSCATINE	IA	16690	16	IOWA	*	
OBRIEN	IA	16700	16	IOWA	*	
OSCEOLA	IA	16710	16	IOWA	*	
PAGE	IA	16720	16	IOWA	*	
PALO ALTO	IA	16730	16	IOWA	*	
PLYMOUTH	IA	16740	16	IOWA	*	
POCAHONTAS	IA	16750	16	IOWA	*	
POLK	IA	16760	2120	DES MOINES, IA	19780	Des Moines, IA
POTTAWATTAMIE	IA	16770	5920	OMAHA, NE-IA	36540	Omaha-Council Bluffs, NE-IA
POWESHIEK	IA	16780	16	IOWA	*	
RINGGOLD	IA	16790	16	IOWA	*	
SAC	IA	16800	16	IOWA	*	
SCOTT	IA	16810	1960	DAVENPORT-ROCK ISLAND-MOLINE, IA-IL.	19340	Davenport-Moline-Rock Island, IA-IL
SHELBY	IA	16820	16	IOWA	*	
SIOUX	IA	16830	16	IOWA	*	
STORY	IA	16840	16	IOWA	11180	Ames, IA
TAMA	IA	16850	16	IOWA	*	
TAYLOR	IA	16860	16	IOWA	*	
UNION	IA	16870	16	IOWA	*	
VAN BUREN	IA	16880	16	IOWA	*	
WAPELLO	IA	16890	16	IOWA	*	
WARREN	IA	16900	2120	DES MOINES, IA	19780	Des Moines, IA
WASHINGTON	IA	16910	16	IOWA	26980	Iowa City, IA
WAYNE	IA	16920	16	IOWA	*	
WEBSTER	IA	16930	16	IOWA	*	
WINNEBAGO	IA	16940	16	IOWA	*	
WINNESHIEK	IA	16950	16	IOWA	*	
WOODBURY	IA	16960	7720	SIOUX CITY, IA-NE	43580	Sioux City, IA-NE-SD
WORTH	IA	16970	16	IOWA	*	
WRIGHT	IA	16980	16	IOWA	*	
STATEWIDE	IA	16999	16	IOWA	*	
ALLEN	KS	17000	17	KANSAS	*	
ANDERSON	KS	17010	17	KANSAS	*	
ATCHISON	KS	17020	17	KANSAS	*	
BARBER	KS	17030	17	KANSAS	*	
BARTON	KS	17040	17	KANSAS	*	
BOURBON	KS	17050	17	KANSAS	*	
BROWN	KS	17060	17	KANSAS	*	
BUTLER	KS	17070	9040	WICHITA, KS	48620	Wichita, KS
CHASE	KS	17080	17	KANSAS	*	
CHAUTAUQUA	KS	17090	17	KANSAS	*	
CHEROKEE	KS	17100	17	KANSAS	*	
CHEYENNE	KS	17110	17	KANSAS	*	
CLARK	KS	17120	17	KANSAS	*	
CLAY	KS	17130	17	KANSAS	*	
CLOUD	KS	17140	17	KANSAS	*	
COFFEY	KS	17150	17	KANSAS	*	
COMANCHE	KS	17160	17	KANSAS	*	
COWLEY	KS	17170	17	KANSAS	*	
CRAWFORD	KS	17180	17	KANSAS	*	
DECATUR	KS	17190	17	KANSAS	*	
DICKINSON	KS	17200	17	KANSAS	*	
DONIPHAN	KS	17210	17	KANSAS	41140	St. Joseph, MO-KS
DOUGLAS	KS	17220	4150	LAWRENCE, KS	29940	Lawrence, KS
EDWARDS	KS	17230	17	KANSAS	*	
ELK	KS	17240	17	KANSAS	*	
ELLIS	KS	17250	17	KANSAS	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
ELLSWORTH	KS	17260	17	KANSAS	*	
FINNEY	KS	17270	17	KANSAS	*	
FORD	KS	17280	17	KANSAS	*	
FRANKLIN	KS	17290	17	KANSAS	28140	Kansas City, MO-KS
GEARY	KS	17300	17	KANSAS	*	
GOVE	KS	17310	17	KANSAS	*	
GRAHAM	KS	17320	17	KANSAS	*	
GRANT	KS	17330	17	KANSAS	*	
GRAY	KS	17340	17	KANSAS	*	
GREELEY	KS	17350	17	KANSAS	*	
GREENWOOD	KS	17360	17	KANSAS	*	
HAMILTON	KS	17370	17	KANSAS	*	
HARPER	KS	17380	17	KANSAS	*	
HARVEY	KS	17390	9040	WICHITA, KS	48620	Wichita, KS
HASKELL	KS	17391	17	KANSAS	*	
HODGEMAN	KS	17410	17	KANSAS	*	
JACKSON	KS	17420	17	KANSAS	45820	Topeka, KS
JEFFERSON	KS	17430	17	KANSAS	45820	Topeka, KS
JEWELL	KS	17440	17	KANSAS	*	
JOHNSON	KS	17450	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
KEARNY	KS	17451	17	KANSAS	*	
KINGMAN	KS	17470	17	KANSAS	*	
KIOWA	KS	17480	17	KANSAS	*	
LABETTE	KS	17490	17	KANSAS	*	
LANE	KS	17500	17	KANSAS	*	
LEAVENWORTH	KS	17510	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
LINCOLN	KS	17520	17	KANSAS	*	
LINN	KS	17530	17	KANSAS	28140	Kansas City, MO-KS
LOGAN	KS	17540	17	KANSAS	*	
LYON	KS	17550	17	KANSAS	*	
MCPHERSON	KS	17560	17	KANSAS	*	
MARION	KS	17570	17	KANSAS	*	
MARSHALL	KS	17580	17	KANSAS	*	
MEADE	KS	17590	17	KANSAS	*	
MIAMI	KS	17600	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
MITCHELL	KS	17610	17	KANSAS	*	
MONTGOMERY	KS	17620	17	KANSAS	*	
MORRIS	KS	17630	17	KANSAS	*	
MORTON	KS	17640	17	KANSAS	*	
NEMAHA	KS	17650	17	KANSAS	*	
NEOSHO	KS	17660	17	KANSAS	*	
NESS	KS	17670	17	KANSAS	*	
NORTON	KS	17680	17	KANSAS	*	
OSAGE	KS	17690	17	KANSAS	45820	Topeka, KS
OSBORNE	KS	17700	17	KANSAS	*	
OTTAWA	KS	17710	17	KANSAS	*	
PAWNEE	KS	17720	17	KANSAS	*	
PHILLIPS	KS	17730	17	KANSAS	*	
POTTAWATOMIE	KS	17740	17	KANSAS	*	
PRATT	KS	17750	17	KANSAS	*	
RAWLINS	KS	17760	17	KANSAS	*	
RENO	KS	17770	17	KANSAS	*	
REPUBLIC	KS	17780	17	KANSAS	*	
RICE	KS	17790	17	KANSAS	*	
RILEY	KS	17800	17	KANSAS	*	
ROOKS	KS	17810	17	KANSAS	*	
RUSH	KS	17820	17	KANSAS	*	
RUSSELL	KS	17830	17	KANSAS	*	
SALINE	KS	17840	17	KANSAS	*	
SCOTT	KS	17841	17	KANSAS	*	
SEDGWICK	KS	17860	9040	WICHITA, KS	48620	Wichita, KS
SEWARD	KS	17870	17	KANSAS	*	
SHAWNEE	KS	17880	8440	TOPEKA, KS	45820	
SHERIDAN	KS	17890	17	KANSAS, KS	*	
SHERMAN	KS	17900	17	KANSAS	*	
SMITH	KS	17910	17	KANSAS	*	
STAFFORD	KS	17920	17	KANSAS	*	
STANTON	KS	17921	17	KANSAS	*	
STEVENS	KS	17940	17	KANSAS	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
SUMNER	KS	17950	17	KANSAS	48620	Wichita, KS
THOMAS	KS	17960	17	KANSAS	*	
TREGO	KS	17970	17	KANSAS	*	
WABAUNSEE	KS	17980	17	KANSAS	45820	Topeka, KS
WALLACE	KS	17981	17	KANSAS	*	
WASHINGTON	KS	17982	17	KANSAS	*	
WICHITA	KS	17983	17	KANSAS	*	
WILSON	KS	17984	17	KANSAS	*	
WOODSON	KS	17985	17	KANSAS	*	
WYANDOTTE	KS	17986	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
STATEWIDE	KS	17999	17	KANSAS	*	
ADAIR	KY	18000	18	KENTUCKY	*	
ALLEN	KY	18010	18	KENTUCKY	*	
ANDERSON	KY	18020	18	KENTUCKY	*	
BALLARD	KY	18030	18	KENTUCKY	*	
BARREN	KY	18040	18	KENTUCKY	*	
BATH	KY	18050	18	KENTUCKY	*	
BELL	KY	18060	18	KENTUCKY	*	
BOONE	KY	18070	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
BOURBON	KY	18080	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
BOYD	KY	18090	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	26580	Huntington-Ashland, WV-KY-OH
BOYLE	KY	18100	18	KENTUCKY	*	
BRACKEN	KY	18110	18	KENTUCKY	17140	Cincinnati-Middletown, OH-KY-IN
BREATHITT	KY	18120	18	KENTUCKY	*	
BRECKINRIDGE	KY	18130	18	KENTUCKY	*	
BULLITT	KY	18140	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
BUTLER	KY	18150	18	KENTUCKY	*	
CALDWELL	KY	18160	18	KENTUCKY	*	
CALLOWAY	KY	18170	18	KENTUCKY	*	
CAMPBELL	KY	18180	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
CARLISLE	KY	18190	18	KENTUCKY	*	
CARROLL	KY	18191	18	KENTUCKY	*	
CARTER	KY	18210	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	*	
CASEY	KY	18220	18	KENTUCKY	*	
CHRISTIAN	KY	18230	1660	CLARKSVILLE-HOPKINS-VILLE, TN-KY.	17300	Clarksville, TN-KY
CLARK	KY	18240	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
CLAY	KY	18250	18	KENTUCKY	*	
CLINTON	KY	18260	18	KENTUCKY	*	
CRITTENDEN	KY	18270	18	KENTUCKY	*	
CUMBERLAND	KY	18271	18	KENTUCKY	*	
DAVIESS	KY	18290	5990	OWENSBORO, KY	36980	Owensboro, KY
EDMONSON	KY	18291	18	KENTUCKY	14540	Bowling Green, KY
ELLIOTT	KY	18310	18	KENTUCKY	*	
ESTILL	KY	18320	18	KENTUCKY	*	
FAYETTE	KY	18330	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
FLEMING	KY	18340	18	KENTUCKY	*	
FLOYD	KY	18350	18	KENTUCKY	*	
FRANKLIN	KY	18360	18	KENTUCKY	*	
FULTON	KY	18361	18	KENTUCKY	*	
GALLATIN	KY	18362	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
GARRARD	KY	18390	18	KENTUCKY	*	
GRANT	KY	18400	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
GRAVES	KY	18410	18	KENTUCKY	*	
GRAYSON	KY	18420	18	KENTUCKY	*	
GREEN	KY	18421	18	KENTUCKY	*	
GREENUP	KY	18440	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	26580	Huntington-Ashland, WV-KY-OH
HANCOCK	KY	18450	18	KENTUCKY	36980	Owensboro, KY
HARDIN	KY	18460	18	KENTUCKY	21060	Elizabethtown, KY
HARLAN	KY	18470	18	KENTUCKY	*	
HARRISON	KY	18480	18	KENTUCKY	*	
HART	KY	18490	18	KENTUCKY	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HENDERSON	KY	18500	2440	EVANSVILLE-HENDERSON, IN-KY.	21780	Evansville, IN-KY
HENRY	KY	18510	18	KENTUCKY	31140	Louisville, KY-IN
HICKMAN	KY	18511	18	KENTUCKY	*	
HOPKINS	KY	18530	18	KENTUCKY	*	
JACKSON	KY	18540	18	KENTUCKY	*	
JEFFERSON	KY	18550	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
JESSAMINE	KY	18560	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
JOHNSON	KY	18570	18	KENTUCKY	*	
KENTON	KY	18580	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
KNOTT	KY	18590	18	KENTUCKY	*	
KNOX	KY	18600	18	KENTUCKY	*	
LARUE	KY	18610	18	KENTUCKY	21060	Elizabethtown, KY
LAUREL	KY	18620	18	KENTUCKY	*	
LAWRENCE	KY	18630	18	KENTUCKY	*	
LEE	KY	18640	18	KENTUCKY	*	
LESLIE	KY	18650	18	KENTUCKY	*	
LETCHER	KY	18660	18	KENTUCKY	*	
LEWIS	KY	18670	18	KENTUCKY	*	
LINCOLN	KY	18680	18	KENTUCKY	*	
LIVINGSTON	KY	18690	18	KENTUCKY	*	
LOGAN	KY	18700	18	KENTUCKY	*	
LYON	KY	18710	18	KENTUCKY	*	
MC CRACKEN	KY	18720	18	KENTUCKY	*	
MC CREARY	KY	18730	18	KENTUCKY	*	
MC LEAN	KY	18740	18	KENTUCKY	36980	Owensboro, KY
MADISON	KY	18750	4280	LEXINGTON, KY	*	
MAGOFFIN	KY	18760	18	KENTUCKY	*	
MARION	KY	18770	18	KENTUCKY	*	
MARSHALL	KY	18780	18	KENTUCKY	*	
MARTIN	KY	18790	18	KENTUCKY	*	
MASON	KY	18800	18	KENTUCKY	*	
MEADE	KY	18801	18	KENTUCKY	31140	Louisville, KY-IN
MENIFEE	KY	18802	18	KENTUCKY	*	
MERCER	KY	18830	18	KENTUCKY	*	
METCALFE	KY	18831	18	KENTUCKY	*	
MONROE	KY	18850	18	KENTUCKY	*	
MONTGOMERY	KY	18860	18	KENTUCKY	*	
MORGAN	KY	18861	18	KENTUCKY	*	
MUHLENBERG	KY	18880	18	KENTUCKY	*	
NELSON	KY	18890	18	KENTUCKY	31140	Louisville, KY-IN
NICHOLAS	KY	18900	18	KENTUCKY	*	
OHIO	KY	18910	18	KENTUCKY	*	
OLDHAM	KY	18920	4520	LOUISVILLE, KY-IN	31140	Louisville, KY-IN
OWEN	KY	18930	18	KENTUCKY	*	
OWSLEY	KY	18931	18	KENTUCKY	*	
PENDLETON	KY	18932	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
PERRY	KY	18960	18	KENTUCKY	*	
PIKE	KY	18970	18	KENTUCKY	*	
POWELL	KY	18971	18	KENTUCKY	*	
PULASKI	KY	18972	18	KENTUCKY	*	
ROBERTSON	KY	18973	18	KENTUCKY	*	
ROCKCASTLE	KY	18974	18	KENTUCKY	*	
ROWAN	KY	18975	18	KENTUCKY	*	
RUSSELL	KY	18976	18	KENTUCKY	*	
SCOTT	KY	18977	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
SHELBY	KY	18978	18	KENTUCKY	31140	Louisville, KY-IN
SIMPSON	KY	18979	18	KENTUCKY	*	
SPENCER	KY	18980	18	KENTUCKY	31140	Louisville, KY-IN
TAYLOR	KY	18981	18	KENTUCKY	*	
TODD	KY	18982	18	KENTUCKY	*	
TRIGG	KY	18983	18	KENTUCKY	17300	Clarksville, TN-KY
TRIMBLE	KY	18984	18	KENTUCKY	31140	Louisville, KY-IN
UNION	KY	18985	18	KENTUCKY	*	
WARREN	KY	18986	18	KENTUCKY	14540	Bowling Green, KY
WASHINGTON	KY	18987	18	KENTUCKY	*	
WAYNE	KY	18988	18	KENTUCKY	*	
WEBSTER	KY	18989	18	KENTUCKY	21780	Evansville, IN-KY

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WHITLEY	KY	18990	18	KENTUCKY	*	
WOLFE	KY	18991	18	KENTUCKY	*	
WOODFORD	KY	18992	4280	LEXINGTON, KY	30460	Lexington-Fayette, KY
STATEWIDE	KY	18999	18	KENTUCKY	*	
ACADIA	LA	19000	3880	LAFAYETTE, LA	*	
ALLEN	LA	19010	19	LOUISIANA	*	
ASCENSION	LA	19020	0760	BATON ROUGE, LA	12940	Baton Rouge, LA
ASSUMPTION	LA	19030	19	LOUISIANA	*	
AVOYELLES	LA	19040	19	LOUISIANA	*	
BEAUREGARD	LA	19050	19	LOUISIANA	*	
BIENVILLE	LA	19060	19	LOUISIANA	*	
BOSSIER	LA	19070	7680	SHREVEPORT-BOSSIER CITY, LA.	43340	Shreveport-Bossier City, LA
CADDO	LA	19080	7680	SHREVEPORT-BOSSIER CITY, LA.	43340	Shreveport-Bossier City, LA
CALCASIEU	LA	19090	3960	LAKE CHARLES, LA	29340	Lake Charles, LA
CALDWELL	LA	19100	19	LOUISIANA	*	
CAMERON	LA	19110	19	LOUISIANA	29340	Lake Charles, LA
CATAHOULA	LA	19120	19	LOUISIANA	*	
CLAIBORNE	LA	19130	19	LOUISIANA	*	
CONCORDIA	LA	19140	19	LOUISIANA	*	
DE SOTO	LA	19150	19	LOUISIANA	43340	Shreveport-Bossier City, LA
E. BATON ROUGE	LA	19160	0760	BATON ROUGE, LA	12940	Baton Rouge, LA
EAST CARROLL	LA	19170	19	LOUISIANA	*	
EAST FELICIANA	LA	19180	19	LOUISIANA	12940	Baton Rouge, LA
EVANGELINE	LA	19190	19	LOUISIANA	*	
FRANKLIN	LA	19200	19	LOUISIANA	*	
GRANT	LA	19210	19	LOUISIANA	10780	Alexandria, LA
IBERIA	LA	19220	19	LOUISIANA	*	
IBERVILLE	LA	19230	19	LOUISIANA	12940	Baton Rouge, LA
JACKSON	LA	19240	19	LOUISIANA	*	
JEFFERSON	LA	19250	5560	NEW ORLEANS, LA	35380	
JEFFERSON DAVIS	LA	19260	19	LOUISIANA	*	
LAFAYETTE	LA	19270	3880	LAFAYETTE, LA	29180	Lafayette, LA
LAFOURCHE	LA	19280	3350	HOUMA, LA	26380	
LINCOLN	LA	19300	19	LOUISIANA	*	
LIVINGSTON	LA	19310	0760	BATON ROUGE, LA	12940	Baton Rouge, LA
MADISON	LA	19320	19	LOUISIANA	*	
MOREHOUSE	LA	19330	19	LOUISIANA	*	
NATCHITOCHES	LA	19340	19	LOUISIANA	*	
ORLEANS	LA	19350	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
OUACHITA	LA	19360	5200	MONROE, LA	33740	Monroe, LA
PLAQUEMINES	LA	19370	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
POINTE COUPEE	LA	19380	19	LOUISIANA	12940	Baton Rouge, LA
RAPIDES	LA	19390	0220	ALEXANDRIA, LA	10780	Alexandria, LA
RED RIVER	LA	19400	19	LOUISIANA	*	
RICHLAND	LA	19410	19	LOUISIANA	*	
SABINE	LA	19420	19	LOUISIANA	*	
ST. BERNARD	LA	19430	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
ST. CHARLES	LA	19440	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
ST. HELENA	LA	19450	19	LOUISIANA	12940	Baton Rouge, LA
ST. JAMES	LA	19460	5560	NEW ORLEANS, LA	*	
ST. JOHN BAPTIST	LA	19470	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
ST. LANDRY	LA	19480	3880	LAFAYETTE, LA	*	
ST. MARTIN	LA	19490	3880	LAFAYETTE, LA	29180	Lafayette, LA
ST. MARY	LA	19500	19	LOUISIANA	*	
ST. TAMMANY	LA	19510	5560	NEW ORLEANS, LA	35380	New Orleans-Metairie-Kenner, LA
TANGIPAHOA	LA	19520	19	LOUISIANA	*	
TENSAS	LA	19530	19	LOUISIANA	*	
TERREBONNE	LA	19540	3350	HOUMA, LA	26380	Houma-Bayou Cane-Thibodaux, LA
UNION	LA	19550	19	LOUISIANA	33740	Monroe, LA
VERMILION	LA	19560	19	LOUISIANA	*	
VERNON	LA	19570	19	LOUISIANA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WASHINGTON	LA	19580	19	LOUISIANA	*	
WEBSTER	LA	19590	7680	SHREVEPORT-BOSSIER CITY, LA.		
W. BATON ROUGE	LA	19600	0760	BATON ROUGE, LA	12940	Baton Rouge, LA
WEST CARROLL	LA	19610	19	LOUISIANA.		
WEST FELICIANA	LA	19620	19	LOUISIANA	12940	Baton Rouge, LA
WINN	LA	19630	19	LOUISIANA	*	
STATEWIDE	LA	19999	19	LOUISIANA	*	
ANDROSCOGGIN	ME	20000	4243	LEWISTON-AUBURN, ME	30340	Lewiston-Auburn, ME
AROOSTOOK	ME	20010	20	MAINE	*	
CUMBERLAND	ME	20020	6403	PORTLAND, ME	38860	Portland-South Portland-Biddeford, ME
FRANKLIN	ME	20030	20	MAINE	*	
HANCOCK	ME	20040	20	MAINE	*	
KENNEBEC	ME	20050	20	MAINE	*	
KNOX	ME	20060	20	MAINE	*	
LINCOLN	ME	20070	20	MAINE	*	
OXFORD	ME	20080	20	MAINE	*	
PENOBSCOT	ME	20090	0733	BANGOR, ME	12620	Bangor, ME
PISCATAQUIS	ME	20100	20	MAINE	*	
SAGADAHOC	ME	20110	6403	PORTLAND, ME	38860	Portland-South Portland-Biddeford, ME
SOMERSET	ME	20120	20	MAINE	*	
WALDO	ME	20130	20	MAINE	*	
WASHINGTON	ME	20140	20	MAINE	*	
YORK	ME	20150	6403	PORTLAND, ME	38860	Portland-South Portland-Biddeford, ME
STATEWIDE	ME	20999	20	MAINE	*	
ALLEGANY	MD	21000	1900	CUMBERLAND, MD-WV	19060	Cumberland, MD-WV
ANNE ARUNDEL	MD	21010	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
BALTIMORE	MD	21020	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
BALTIMORE CITY	MD	21030	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
CALVERT	MD	21040	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
CAROLINE	MD	21050	21	MARYLAND	*	
CARROLL	MD	21060	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
CECIL	MD	21070	9160	WILMINGTON-NEWARK, DE-MD.	48864	Wilmington, DE-MD-NJ
CHARLES	MD	21080	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
DORCHESTER	MD	21090	21	MARYLAND	*	
FREDERICK	MD	21100	8840	WASHINGTON, DC-MD-VA-WV.	13644	Bethesda-Frederick-Gaithersburg, MD
GARRETT	MD	21110	21	MARYLAND	*	
HARFORD	MD	21120	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
HOWARD	MD	21130	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
KENT	MD	21140	21	MARYLAND	*	
MONTGOMERY	MD	21150	8840	WASHINGTON, DC-MD-VA-WV.	13644	Bethesda-Frederick-Gaithersburg, MD
PRINCE GEORGES	MD	21160	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
QUEEN ANNE'S	MD	21170	0720	BALTIMORE, MD	12580	Baltimore-Towson, MD
ST. MARY'S	MD	21180	21	MARYLAND	*	
SOMERSET	MD	21190	21	MARYLAND	41540	Salisbury, MD
TALBOT	MD	21200	21	MARYLAND	*	
WASHINGTON	MD	21210	3180	HAGERSTOWN, MD	25180	Hagerstown-Martinsburg, MD-WV
WICOMICO	MD	21220	21	MARYLAND	41540	Salisbury, MD
WORCESTER	MD	21230	21	MARYLAND	*	
STATEWIDE	MD	21999	21	MARYLAND	*	
BARNSTABLE	MA	22000	0743	BARNSTABLE-YARMOUTH, MA.	12700	Barnstable Town, MA
BERKSHIRE	MA	22010	6323	PITTSFIELD, MA	38340	Pittsfield, MA
BRISTOL	MA	22020	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	39300	Providence-New Bedford-Fall River, RI-M
DUKES	MA	22030	22	MASSACHUSETTS	*	
ESSEX	MA	22040	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	21604	Essex County, MA

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
FRANKLIN	MA	22060	22	MASSACHUSETTS	44140	Springfield, MA
HAMPDEN	MA	22070	8003	SPRINGFIELD, MA	44140	Springfield, MA
HAMPSHIRE	MA	22080	8003	SPRINGFIELD, MA	44140	Springfield, MA
MIDDLESEX	MA	22090	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	15764	Cambridge-Newton-Framingham, MA
NANTUCKET	MA	22120	22	MASSACHUSETTS	*	
NORFOLK	MA	22130	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	14484	Boston-Quincy, MA
PLYMOUTH	MA	22150	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	14484	Boston-Quincy, MA
SUFFOLK	MA	22160	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	14484	Boston-Quincy, MA
WORCESTER	MA	22170	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	49340	Worcester, MA
STATEWIDE	MA	22999	22	MASSACHUSETTS	*	
ALCONA	MI	23000	23	MICHIGAN	*	
ALGER	MI	23010	23	MICHIGAN	*	
ALLEGAN	MI	23020	3000	GRAND RAPIDS-MUSKEGON-HOLLAND, MI.	*	
ALPENA	MI	23030	23	MICHIGAN	*	
ANTRIM	MI	23040	23	MICHIGAN	*	
ARENAC	MI	23050	23	MICHIGAN	*	
BARAGA	MI	23060	23	MICHIGAN	*	
BARRY	MI	23070	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
BAY	MI	23080	6960	SAGINAW-BAY CITY-MIDLAND, MI.	13020	Bay City, MI
BENZIE	MI	23090	23	MICHIGAN	*	
BERRIEN	MI	23100	0870	BENTON HARBOR, MI	35660	Niles-Benton Harbor, MI
BRANCH	MI	23110	23	MICHIGAN	*	
CALHOUN	MI	23120	3720	KALAMAZOO-BATTLE CREEK, MI.	12980	Battle Creek, MI
CASS	MI	23130	23	MICHIGAN	43780	South Bend-Mishawaka, IN-MI
CHARLEVOIX	MI	23140	23	MICHIGAN	*	
CHEBOYGAN	MI	23150	23	MICHIGAN	*	
CHIPPEWA	MI	23160	23	MICHIGAN	*	
CLARE	MI	23170	23	MICHIGAN	*	
CLINTON	MI	23180	4040	LANSING-EAST LANSING, MI	29620	Lansing-East Lansing, MI
CRAWFORD	MI	23190	23	MICHIGAN	*	
DELTA	MI	23200	23	MICHIGAN	*	
DICKINSON	MI	23210	23	MICHIGAN	*	
EATON	MI	23220	4040	LANSING-EAST LANSING, MI	29620	Lansing-East Lansing, MI
EMMET	MI	23230	23	MICHIGAN	*	
GENESEE	MI	23240	2640	FLINT, MI	22420	Flint, MI
GLADWIN	MI	23250	23	MICHIGAN	*	
GOGEBIC	MI	23260	23	MICHIGAN	*	
GRAND TRAVERSE	MI	23270	23	MICHIGAN	*	
GRATIOT	MI	23280	23	MICHIGAN	*	
HILLSDALE	MI	23290	23	MICHIGAN	*	
HOUGHTON	MI	23300	23	MICHIGAN	*	
HURON	MI	23310	23	MICHIGAN	*	
INGHAM	MI	23320	4040	LANSING-EAST LANSING, MI	29620	Lansing-East Lansing, MI
IONIA	MI	23330	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
IOSCO	MI	23340	23	MICHIGAN	*	
IRON	MI	23350	23	MICHIGAN	*	
ISABELLA	MI	23360	23	MICHIGAN	*	
JACKSON	MI	23370	3520	JACKSON, MI	27100	Jackson, MI
KALAMAZOO	MI	23380	3720	KALAMAZOO-BATTLE CREEK, MI.	28020	Kalamazoo-Portage, MI
KALKASKA	MI	23390	23	MICHIGAN	*	
KENT	MI	23400	3000	GRAND RAPIDS-MUSKEGON-HOLLAND, MI.	24340	Grand Rapids-Wyoming, MI
KEWEENAW	MI	23410	23	MICHIGAN	*	
LAKE	MI	23420	23	MICHIGAN	*	
LAPEER	MI	23430	2160	DETROIT, MI	47644	
LEELANAU	MI	23440	23	MICHIGAN	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LENAWEE	MI	23450	0440	ANN ARBOR, MI	*	
LIVINGSTON	MI	23460	0440	ANN ARBOR, MI	47644	
LUCE	MI	23470	23	MICHIGAN	*	
MACKINAC	MI	23480	23	MICHIGAN	*	
MACOMB	MI	23490	2160	DETROIT, MI	47644	
MANISTEE	MI	23500	23	MICHIGAN	*	
MARQUETTE	MI	23510	23	MICHIGAN	*	
MASON	MI	23520	23	MICHIGAN	*	
MECOSTA	MI	23530	23	MICHIGAN	*	
MENOMINEE	MI	23540	23	MICHIGAN	*	
MIDLAND	MI	23550	6960	SAGINAW-BAY CITY-MIDLAND, MI.	*	
MISSAUKEE	MI	23560	23	MICHIGAN	*	
MONROE	MI	23570	2160	DETROIT, MI	33780	Monroe, MI
MONTCALM	MI	23580	23	MICHIGAN	*	
MONTMORENCY	MI	23590	23	MICHIGAN	*	
MUSKEGON	MI	23600	3000	GRAND RAPIDS-MUSKEGON-HOLLAND, MI.	34740	
NEWAYGO	MI	23610	23	MICHIGAN	24340	Grand Rapids-Wyoming, MI
OAKLAND	MI	23620	2160	DETROIT, MI	47644	
OCEANA	MI	23630	23	MICHIGAN	*	
OGEMAW	MI	23640	23	MICHIGAN	*	
ONTONAGON	MI	23650	23	MICHIGAN	*	
OSCEOLA	MI	23660	23	MICHIGAN	*	
OSCODA	MI	23670	23	MICHIGAN	*	
OTSEGO	MI	23680	23	MICHIGAN	*	
OTTAWA	MI	23690	3000	GRAND RAPIDS-MUSKEGON-HOLLAND, MI.	26100	Holland-Grand Haven, MI
PRESQUE ISLE	MI	23700	23	MICHIGAN	*	
ROSCOMMON	MI	23710	23	MICHIGAN	*	
SAGINAW	MI	23720	6960	SAGINAW-BAY CITY-MIDLAND, MI.	40980	Saginaw-Saginaw Township North, MI
ST. CLAIR	MI	23730	2160	DETROIT, MI	47644	Warren-Farmington-Hills-Troy, MI
ST. JOSEPH	MI	23740	23	MICHIGAN	*	
SANILAC	MI	23750	23	MICHIGAN	*	
SCHOOLCRAFT	MI	23760	23	MICHIGAN	*	
SHIAWASSEE	MI	23770	23	MICHIGAN	*	
TUSCOLA	MI	23780	23	MICHIGAN	*	
VAN BUREN	MI	23790	3720	KALAMAZOO-BATTLE CREEK, MI.	28020	Kalamazoo-Portage, MI
WASHTENAW	MI	23800	0440	ANN ARBOR, MI	11460	Ann Arbor, MI
WAYNE	MI	23810	2160	DETROIT, MI	19804	Detroit-Livonia-Dearborn, MI
WEXFORD	MI	23830	23	MICHIGAN	*	
STATEWIDE	MI	23999	23	MICHIGAN	*	
AITKIN	MN	24000	24	MINNESOTA	*	
ANOKA	MN	24010	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
BECKER	MN	24020	24	MINNESOTA	*	
BELTRAMI	MN	24030	24	MINNESOTA	*	
BENTON	MN	24040	6980	ST. CLOUD, MN	41060	St. Cloud, MN
BIG STONE	MN	24050	24	MINNESOTA	*	
BLUE EARTH	MN	24060	24	MINNESOTA	*	
BROWN	MN	24070	24	MINNESOTA	*	
CARLTON	MN	24080	24	MINNESOTA	20260	Duluth, MN-WI
CARVER	MN	24090	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
CASS	MN	24100	24	MINNESOTA	*	
CHIPPEWA	MN	24110	24	MINNESOTA	*	
CHISAGO	MN	24120	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
CLAY	MN	24130	2520	FARGO-MOORHEAD, ND-MN	22020	Fargo, ND-MN
CLEARWATER	MN	24140	24	MINNESOTA	*	
COOK	MN	24150	24	MINNESOTA	*	
COTTONWOOD	MN	24160	24	MINNESOTA	*	
CROW WING	MN	24170	24	MINNESOTA	*	
DAKOTA	MN	24180	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
DODGE	MN	24190	24	MINNESOTA	40340	Rochester, MN
DOUGLAS	MN	24200	24	MINNESOTA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
FARIBAULT	MN	24210	24	MINNESOTA	*	
FILLMORE	MN	24220	24	MINNESOTA	*	
FREEBORN	MN	24230	24	MINNESOTA	*	
GOODHUE	MN	24240	24	MINNESOTA	*	
GRANT	MN	24250	24	MINNESOTA	*	
HENNEPIN	MN	24260	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
HOUSTON	MN	24270	3870	LA CROSSE, WI-MN	29100	La Crosse, WI-MN
HUBBARD	MN	24280	24	MINNESOTA	*	
ISANTI	MN	24290	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
ITASCA	MN	24300	24	MINNESOTA	*	
JACKSON	MN	24310	24	MINNESOTA	*	
KANABEC	MN	24320	24	MINNESOTA	*	
KANDIYOHI	MN	24330	24	MINNESOTA	*	
KITTSON	MN	24340	24	MINNESOTA	*	
KOOCHICHING	MN	24350	24	MINNESOTA	*	
LAC QUI PARLE	MN	24360	24	MINNESOTA	*	
LAKE	MN	24370	24	MINNESOTA	*	
LAKE OF WOODS	MN	24380	24	MINNESOTA	*	
LE SUEUR	MN	24390	24	MINNESOTA	*	
LINCOLN	MN	24400	24	MINNESOTA	*	
LYON	MN	24410	24	MINNESOTA	*	
MC LEOD	MN	24420	24	MINNESOTA	*	
MAHNOMEN	MN	24430	24	MINNESOTA	*	
MARSHALL	MN	24440	24	MINNESOTA	*	
MARTIN	MN	24450	24	MINNESOTA	*	
MEEKER	MN	24460	24	MINNESOTA	*	
MILLE LACS	MN	24470	24	MINNESOTA	*	
MORRISON	MN	24480	24	MINNESOTA	*	
MOWER	MN	24490	24	MINNESOTA	*	
MURRAY	MN	24500	24	MINNESOTA	*	
NICOLLET	MN	24510	24	MINNESOTA	*	
NOBLES	MN	24520	24	MINNESOTA	*	
NORMAN	MN	24530	24	MINNESOTA	*	
OLMSTED	MN	24540	6820	ROCHESTER, MN	40340	Rochester, MN
OTTER TAIL	MN	24550	24	MINNESOTA	*	
PENNINGTON	MN	24560	24	MINNESOTA	*	
PINE	MN	24570	24	MINNESOTA	*	
PIPESTONE	MN	24580	24	MINNESOTA	*	
POLK	MN	24590	2985	GRAND FORKS, ND-MN	24220	Grand Forks, ND-MN
POPE	MN	24600	24	MINNESOTA	*	
RAMSEY	MN	24610	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
RED LAKE	MN	24620	24	MINNESOTA	*	
REDWOOD	MN	24630	24	MINNESOTA	*	
RENVILLE	MN	24640	24	MINNESOTA	*	
RICE	MN	24650	24	MINNESOTA	*	
ROCK	MN	24660	24	MINNESOTA	*	
ROSEAU	MN	24670	24	MINNESOTA	*	
ST. LOUIS	MN	24680	2240	DULUTH-SUPERIOR, MN-WI	20260	Duluth, MN-WI
SCOTT	MN	24690	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
SHERBURNE	MN	24700	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
SIBLEY	MN	24710	24	MINNESOTA	*	
STEARNS	MN	24720	6980	ST. CLOUD, MN	41060	St. Cloud, MN
STEELE	MN	24730	24	MINNESOTA	*	
STEVENS	MN	24740	24	MINNESOTA	*	
SWIFT	MN	24750	24	MINNESOTA	*	
TODD	MN	24760	24	MINNESOTA	*	
TRAVERSE	MN	24770	24	MINNESOTA	*	
WABASHA	MN	24780	24	MINNESOTA	40340	Rochester, MN
WADENA	MN	24790	24	MINNESOTA	*	
WASECA	MN	24800	24	MINNESOTA	*	
WASHINGTON	MN	24810	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
WATONWAN	MN	24820	24	MINNESOTA	*	
WILKIN	MN	24830	24	MINNESOTA	*	
WINONA	MN	24840	24	MINNESOTA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WRIGHT	MN	24850	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
YELLOW MEDCINE	MN	24860	24	MINNESOTA	*	
STATEWIDE	MN	24999	24	MINNESOTA	*	
ADAMS	MS	25000	25	MISSISSIPPI	*	
ALCORN	MS	25010	25	MISSISSIPPI	*	
AMITE	MS	25020	25	MISSISSIPPI	*	
ATTALA	MS	25030	25	MISSISSIPPI	*	
BENTON	MS	25040	25	MISSISSIPPI	*	
BOLIVAR	MS	25050	25	MISSISSIPPI	*	
CALHOUN	MS	25060	25	MISSISSIPPI	*	
CARROLL	MS	25070	25	MISSISSIPPI	*	
CHICKASAW	MS	25080	25	MISSISSIPPI	*	
CHOCTAW	MS	25090	25	MISSISSIPPI	*	
CLAIBORNE	MS	25100	25	MISSISSIPPI	*	
CLARKE	MS	25110	25	MISSISSIPPI	*	
CLAY	MS	25120	25	MISSISSIPPI	*	
COAHOMA	MS	25130	25	MISSISSIPPI	*	
COPIAH	MS	25140	25	MISSISSIPPI	27140	Jackson, MS
COVINGTON	MS	25150	25	MISSISSIPPI	*	
DE SOTO	MS	25160	4920	MEMPHIS, TN-AR-MS	32820	Memphis, TN-MS-AR
FORREST	MS	25170	3285	HATTIESBURG, MS	25620	Hattiesburg, MS
FRANKLIN	MS	25180	25	MISSISSIPPI	*	
GEORGE	MS	25190	25	MISSISSIPPI	37700	Pascagoula, MS
GREENE	MS	25200	25	MISSISSIPPI	*	
GRENADA	MS	25210	25	MISSISSIPPI	*	
HANCOCK	MS	25220	0920	BILOXI-GULFPORT-PASCAGOULA, MS.	25060	Gulfport-Biloxi, MS
HARRISON	MS	25230	0920	BILOXI-GULFPORT-PASCAGOULA, MS.	25060	Gulfport-Biloxi, MS
HINDS	MS	25240	3560	JACKSON, MS	27140	Jackson, MS
HOLMES	MS	25250	25	MISSISSIPPI	*	
HUMPHREYS	MS	25260	25	MISSISSIPPI	*	
ISSAQUENA	MS	25270	25	MISSISSIPPI	*	
ITAWAMBA	MS	25280	25	MISSISSIPPI	*	
JACKSON	MS	25290	0920	BILOXI-GULFPORT-PASCAGOULA, MS.	37700	Pascagoula, MS
JASPER	MS	25300	25	MISSISSIPPI	*	
JEFFERSON	MS	25310	25	MISSISSIPPI	*	
JEFFERSON DAVIS	MS	25320	25	MISSISSIPPI	*	
JONES	MS	25330	25	MISSISSIPPI	*	
KEMPER	MS	25340	25	MISSISSIPPI	*	
LAFAYETTE	MS	25350	25	MISSISSIPPI	*	
LAMAR	MS	25360	3285	HATTIESBURG, MS	25620	Hattiesburg, MS
LAUDERDALE	MS	25370	25	MISSISSIPPI	*	
LAWRENCE	MS	25380	25	MISSISSIPPI	*	
LEAKE	MS	25390	25	MISSISSIPPI	*	
LEE	MS	25400	25	MISSISSIPPI	*	
LEFLORE	MS	25410	25	MISSISSIPPI	*	
LINCOLN	MS	25420	25	MISSISSIPPI	*	
LOWNDES	MS	25430	25	MISSISSIPPI	*	
MADISON	MS	25440	3560	JACKSON, MS	27140	Jackson, MS
MARION	MS	25450	25	MISSISSIPPI	*	
MARSHALL	MS	25460	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
MONROE	MS	25470	25	MISSISSIPPI	*	
MONTGOMERY	MS	25480	25	MISSISSIPPI	*	
NESHOBA	MS	25490	25	MISSISSIPPI	*	
NEWTON	MS	25500	25	MISSISSIPPI	*	
NOXUBEE	MS	25510	25	MISSISSIPPI	*	
OKTIBBEHA	MS	25520	25	MISSISSIPPI	*	
PANOLA	MS	25530	25	MISSISSIPPI	*	
PEARL RIVER	MS	25540	25	MISSISSIPPI	*	
PERRY	MS	25550	25	MISSISSIPPI	25620	Hattiesburg, MS
PIKE	MS	25560	25	MISSISSIPPI	*	
PONTOTOC	MS	25570	25	MISSISSIPPI	*	
PRENTISS	MS	25580	25	MISSISSIPPI	*	
QUITMAN	MS	25590	25	MISSISSIPPI	*	
RANKIN	MS	25600	3560	JACKSON, MS	27140	Jackson, MS
SCOTT	MS	25610	25	MISSISSIPPI	*	
SHARKEY	MS	25620	25	MISSISSIPPI	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
SIMPSON	MS	25630	25	ISSISSIPPI	27140	Jackson, MS
SMITH	MS	25640	25	MISSISSIPPI	*	
STONE	MS	25650	25	MISSISSIPPI	25060	Gulfport-Biloxi, MS
SUNFLOWER	MS	25660	25	MISSISSIPPI	*	
TALLAHATCHIE	MS	25670	25	MISSISSIPPI	*	
TATE	MS	25680	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
TIPPAH	MS	25690	25	MISSISSIPPI	*	
TISHOMINGO	MS	25700	25	MISSISSIPPI	*	
TUNICA	MS	25710	25	MISSISSIPPI	32820	Memphis, TN-MS-AR
UNION	MS	25720	25	MISSISSIPPI	*	
WALTHALL	MS	25730	25	MISSISSIPPI	*	
WARREN	MS	25740	25	MISSISSIPPI	*	
WASHINGTON	MS	25750	25	MISSISSIPPI	*	
WAYNE	MS	25760	25	MISSISSIPPI	*	
WEBSTER	MS	25770	25	MISSISSIPPI	*	
WILKINSON	MS	25780	25	MISSISSIPPI	*	
WINSTON	MS	25790	25	MISSISSIPPI	*	
YALOBUSHA	MS	25800	25	MISSISSIPPI	*	
YAZOO	MS	25810	25	MISSISSIPPI	*	
STATEWIDE	MS	25999	25	MISSISSIPPI	*	
ADAIR	MO	26000	26	MISSOURI	*	
ANDREW	MO	26010	7000	ST. JOSEPH, MO	41140	St. Joseph, MO-KS
ATCHISON	MO	26020	26	MISSOURI	*	
AUDRAIN	MO	26030	26	MISSOURI	*	
BARRY	MO	26040	26	MISSOURI	*	
BARTON	MO	26050	26	MISSOURI	*	
BATES	MO	26060	26	MISSOURI	28140	Kansas City, MO-KS
BENTON	MO	26070	26	MISSOURI	*	
BOLLINGER	MO	26080	26	MISSOURI	*	
BOONE	MO	26090	1740	COLUMBIA, MO	17860	Columbia, MO
BUCHANAN	MO	26100	7000	ST. JOSEPH, MO	41140	St. Joseph, MO-KS
BUTLER	MO	26110	26	MISSOURI	*	
CALDWELL	MO	26120	26	MISSOURI	28140	Kansas City, MO-KS
CALLAWAY	MO	26130	26	MISSOURI	27620	Jefferson City, MO
CAMDEN	MO	26140	26	MISSOURI	*	
CAPE GIRARDEAU	MO	26150	26	MISSOURI	*	
CARROLL	MO	26160	26	MISSOURI	*	
CARTER	MO	26170	26	MISSOURI	*	
CASS	MO	26180	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
CEDAR	MO	26190	26	MISSOURI	*	
CHARITON	MO	26200	26	MISSOURI	*	
CHRISTIAN	MO	26210	7920	SPRINGFIELD, MO	44180	Springfield, MO
CLARK	MO	26220	26	MISSOURI	*	
CLAY	MO	26230	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
CLINTON	MO	26240	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
COLE	MO	26250	26	MISSOURI	27620	Jefferson City, MO
COOPER	MO	26260	26	MISSOURI	*	
CRAWFORD	MO	26270	26	MISSOURI	41180	St. Louis, MO-IL
DADE	MO	26280	26	MISSOURI	*	
DALLAS	MO	26290	26	MISSOURI	44180	Springfield, MO
DAVIESS	MO	26300	26	MISSOURI	*	
DE KALB	MO	26310	26	MISSOURI	41140	St. Joseph, MO-KS
DENT	MO	26320	26	MISSOURI	*	
DOUGLAS	MO	26330	26	MISSOURI	*	
DUNKLIN	MO	26340	26	MISSOURI	*	
FRANKLIN	MO	26350	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
GASCONADE	MO	26360	26	MISSOURI	*	
GENTRY	MO	26370	26	MISSOURI	*	
GREENE	MO	26380	7920	SPRINGFIELD, MO	44180	Springfield, MO
GRUNDY	MO	26390	26	MISSOURI	*	
HARRISON	MO	26400	26	MISSOURI	*	
HENRY	MO	26410	26	MISSOURI	*	
HICKORY	MO	26411	26	MISSOURI	*	
HOLT	MO	26412	26	MISSOURI	*	
HOWARD	MO	26440	26	MISSOURI	17860	Columbia, MO
HOWELL	MO	26450	26	MISSOURI	*	
IRON	MO	26460	26	MISSOURI	*	
JACKSON	MO	26470	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
JASPER	MO	26480	3710	JOPLIN, MO	27900	Joplin, MO
JEFFERSON	MO	26490	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
JOHNSON	MO	26500	26	MISSOURI	*	
KNOX	MO	26510	26	MISSOURI	*	
LACLEDE	MO	26520	26	MISSOURI	*	
LAFAYETTE	MO	26530	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
LAWRENCE	MO	26540	26	MISSOURI	*	
LEWIS	MO	26541	26	MISSOURI	*	
LINCOLN	MO	26560	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
LINN	MO	26570	26	MISSOURI	*	
LIVINGSTON	MO	26580	26	MISSOURI	*	
MC DONALD	MO	26590	26	MISSOURI	22220	
MACON	MO	26600	26	MISSOURI	*	
MADISON	MO	26601	26	MISSOURI	*	
MARIES	MO	26620	26	MISSOURI	*	
MARION	MO	26630	26	MISSOURI	*	
MERCER	MO	26631	26	MISSOURI	*	
MILLER	MO	26650	26	MISSOURI	*	
MISSISSIPPI	MO	26660	26	MISSOURI	*	
MONITEAU	MO	26670	26	MISSOURI	27620	Jefferson City, MO
MONROE	MO	26680	26	MISSOURI	*	
MONTGOMERY	MO	26690	26	MISSOURI	*	
MORGAN	MO	26700	26	MISSOURI	*	
NEW MADRID	MO	26710	26	MISSOURI	*	
NEWTON	MO	26720	3710	JOPLIN, MO	27900	Joplin, MO
NODAWAY	MO	26730	26	MISSOURI	*	
OREGON	MO	26740	26	MISSOURI	*	
OSAGE	MO	26750	26	MISSOURI	27620	Jefferson City, MO
OZARK	MO	26751	26	MISSOURI	*	
PEMISCOT	MO	26770	26	MISSOURI	*	
PERRY	MO	26780	26	MISSOURI	*	
PETTIS	MO	26790	26	MISSOURI	*	
PHELPS	MO	26800	26	MISSOURI	*	
PIKE	MO	26810	26	MISSOURI	*	
PLATTE	MO	26820	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
POLK	MO	26821	26	MISSOURI	44180	Springfield, MO
PULASKI	MO	26840	26	MISSOURI	*	
PUTNAM	MO	26850	26	MISSOURI	*	
RALLS	MO	26860	26	MISSOURI	*	
RANDOLPH	MO	26870	26	MISSOURI	*	
RAY	MO	26880	3760	KANSAS CITY, MO-KS	28140	Kansas City, MO-KS
REYNOLDS	MO	26881	26	MISSOURI	*	
RIPLEY	MO	26900	26	MISSOURI	*	
ST. CHARLES	MO	26910	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
ST. CLAIR	MO	26911	26	MISSOURI	*	
ST. FRANCOIS	MO	26930	26	MISSOURI	*	
ST. LOUIS	MO	26940	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
ST. LOUIS CITY	MO	26950	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
STE. GENEVIEVE	MO	26960	26	MISSOURI	*	
SALINE	MO	26970	26	MISSOURI	*	
SCHUYLER	MO	26980	26	MISSOURI	*	
SCOTLAND	MO	26981	26	MISSOURI	*	
SCOTT	MO	26982	26	MISSOURI	*	
SHANNON	MO	26983	26	MISSOURI	*	
SHELBY	MO	26984	26	MISSOURI	*	
STODDARD	MO	26985	26	MISSOURI	*	
STONE	MO	26986	26	MISSOURI	*	
SULLIVAN	MO	26987	26	MISSOURI	*	
TANEY	MO	26988	26	MISSOURI	*	
TEXAS	MO	26989	26	MISSOURI	*	
VERNON	MO	26990	26	MISSOURI	*	
WARREN	MO	26991	7040	ST. LOUIS, MO-IL	41180	St. Louis, MO-IL
WASHINGTON	MO	26992	26	MISSOURI	41180	St. Louis, MO-IL
WAYNE	MO	26993	26	MISSOURI	*	
WEBSTER	MO	26994	7920	SPRINGFIELD, MO	44180	Springfield, MO
WORTH	MO	26995	26	MISSOURI	*	
WRIGHT	MO	26996	26	MISSOURI	*	
STATEWIDE	MO	26999	26	MISSOURI	*	
BEAVERHEAD	MT	27000	27	MONTANA	*	
BIG HORN	MT	27010	27	MONTANA	*	
BLAINE	MT	27020	27	MONTANA	*	
BROADWATER	MT	27030	27	MONTANA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CARBON	MT	27040	27	MONTANA	13740	Billings, MT
CARTER	MT	27050	27	MONTANA	*	
CASCADE	MT	27060	3040	GREAT FALLS, MT	24500	Great Falls, MT
CHOUTEAU	MT	27070	27	MONTANA	*	
CUSTER	MT	27080	27	MONTANA	*	
DANIELS	MT	27090	27	MONTANA	*	
DAWSON	MT	27100	27	MONTANA	*	
DEER LODGE	MT	27110	27	MONTANA	*	
YELLOWSTONE NATIONAL PARK.	MT	27113	27	MONTANA	*	
FALLON	MT	27120	27	MONTANA	*	
FERGUS	MT	27130	27	MONTANA	*	
FLATHEAD	MT	27140	27	MONTANA	*	
GALLATIN	MT	27150	27	MONTANA	*	
GARFIELD	MT	27160	27	MONTANA	*	
GLACIER	MT	27170	27	MONTANA	*	
GOLDEN VALLEY	MT	27180	27	MONTANA	*	
GRANITE	MT	27190	27	MONTANA	*	
HILL	MT	27200	27	MONTANA	*	
JEFFERSON	MT	27210	27	MONTANA	*	
JUDITH BASIN	MT	27220	27	MONTANA	*	
LAKE	MT	27230	27	MONTANA	*	
LEWIS AND CLARK	MT	27240	27	MONTANA	*	
LIBERTY	MT	27250	27	MONTANA	*	
LINCOLN	MT	27260	27	MONTANA	*	
MCCONE	MT	27270	27	MONTANA	*	
MADISON	MT	27280	27	MONTANA	*	
MEAGHER	MT	27290	27	MONTANA	*	
MINERAL	MT	27300	27	MONTANA	*	
MISSOULA	MT	27310	5140	MISSOULA, MT	33540	Missoula, MT
MUSSELSHELL	MT	27320	27	MONTANA	*	
PARK	MT	27330	27	MONTANA	*	
PETROLEUM	MT	27340	27	MONTANA	*	
PHILLIPS	MT	27350	27	MONTANA	*	
PONDERA	MT	27360	27	MONTANA	*	
POWDER RIVER	MT	27370	27	MONTANA	*	
POWELL	MT	27380	27	MONTANA	*	
PRAIRIE	MT	27390	27	MONTANA	*	
RAVALLI	MT	27400	27	MONTANA	*	
RICHLAND	MT	27410	27	MONTANA	*	
ROOSEVELT	MT	27420	27	MONTANA	*	
ROSEBUD	MT	27430	27	MONTANA	*	
SANDERS	MT	27440	27	MONTANA	*	
SHERIDAN	MT	27450	27	MONTANA	*	
SILVER BOW	MT	27460	27	MONTANA	*	
STILLWATER	MT	27470	27	MONTANA	*	
SWEET GRASS	MT	27480	27	MONTANA	*	
TETON	MT	27490	27	MONTANA	*	
TOOLE	MT	27500	27	MONTANA	*	
TREASURE	MT	27510	27	MONTANA	*	
VALLEY	MT	27520	27	MONTANA	*	
WHEATLAND	MT	27530	27	MONTANA	*	
WIBAUX	MT	27540	27	MONTANA	*	
YELLOWSTONE	MT	27550	0880	BILLINGS, MT	13740	Billings, MT
STATEWIDE	MT	27999	27	MONTANA	*	
ADAMS	NE	28000	28	NEBRASKA	*	
ANTELOPE	NE	28010	28	NEBRASKA	*	
ARTHUR	NE	28020	28	NEBRASKA	*	
BANNER	NE	28030	28	NEBRASKA	*	
BLAINE	NE	28040	28	NEBRASKA	*	
BOONE	NE	28050	28	NEBRASKA	*	
BOX BUTTE	NE	28060	28	NEBRASKA	*	
BOYD	NE	28070	28	NEBRASKA	*	
BROWN	NE	28080	28	NEBRASKA	*	
BUFFALO	NE	28090	28	NEBRASKA	*	
BURT	NE	28100	28	NEBRASKA	*	
BUTLER	NE	28110	28	NEBRASKA	*	
CASS	NE	28120	5920	OMAHA, NE-IA	36540	Omaha-Council Bluffs, NE-IA
CEDAR	NE	28130	28	NEBRASKA	*	
CHASE	NE	28140	28	NEBRASKA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CHERRY	NE	28150	28	NEBRASKA	*	
CHEYENNE	NE	28160	28	NEBRASKA	*	
CLAY	NE	28170	28	NEBRASKA	*	
COLFAX	NE	28180	28	NEBRASKA	*	
CUMING	NE	28190	28	NEBRASKA	*	
CUSTER	NE	28200	28	NEBRASKA	*	
DAKOTA	NE	28210	7720	SIOUX CITY, IA-NE	43580	Sioux City, IA-NE-SD
DAWES	NE	28220	28	NEBRASKA	*	
DAWSON	NE	28230	28	NEBRASKA	*	
DEUEL	NE	28240	28	NEBRASKA	*	
DIXON	NE	28250	28	NEBRASKA	43580	Sioux City, IA-NE-SD
DODGE	NE	28260	28	NEBRASKA.		
DOUGLAS	NE	28270	5920	OMAHA, NE-IA	36540	Omaha-Council Bluffs, NE-IA
DUNDY	NE	28280	28	NEBRASKA	*	
FILLMORE	NE	28290	28	NEBRASKA	*	
FRANKLIN	NE	28300	28	NEBRASKA	*	
FRONTIER	NE	28310	28	NEBRASKA	*	
FURNAS	NE	28320	28	NEBRASKA	*	
GAGE	NE	28330	28	NEBRASKA	*	
GARDEN	NE	28340	28	NEBRASKA	*	
GARFIELD	NE	28350	28	NEBRASKA	*	
GOSPER	NE	28360	28	NEBRASKA	*	
GRANT	NE	28370	28	NEBRASKA	*	
GREELEY	NE	28380	28	NEBRASKA	*	
HALL	NE	28390	28	NEBRASKA	*	
HAMILTON	NE	28400	28	NEBRASKA	*	
HARLAN	NE	28410	28	NEBRASKA	*	
HAYES	NE	28420	28	NEBRASKA	*	
HITCHCOCK	NE	28430	28	NEBRASKA	*	
HOLT	NE	28440	28	NEBRASKA	*	
HOOKER	NE	28450	28	NEBRASKA	*	
HOWARD	NE	28460	28	NEBRASKA	*	
JEFFERSON	NE	28470	28	NEBRASKA	*	
JOHNSON	NE	28480	28	NEBRASKA	*	
KEARNEY	NE	28490	28	NEBRASKA	*	
KEITH	NE	28500	28	NEBRASKA	*	
KEYA PAHA	NE	28510	28	NEBRASKA	*	
KIMBALL	NE	28520	28	NEBRASKA	*	
KNOX	NE	28530	28	NEBRASKA	*	
LANCASTER	NE	28540	4360	LINCOLN, NE	30700	Lincoln, NE
LINCOLN	NE	28550	28	NEBRASKA	*	
LOGAN	NE	28560	28	NEBRASKA	*	
LOUP	NE	28570	28	NEBRASKA	*	
MC PHERSON	NE	28580	28	NEBRASKA	*	
MADISON	NE	28590	28	NEBRASKA	*	
MERRICK	NE	28600	28	NEBRASKA	*	
MORRILL	NE	28610	28	NEBRASKA	*	
NANCE	NE	28620	28	NEBRASKA	*	
NEMAHA	NE	28630	28	NEBRASKA	*	
NUCKOLLS	NE	28640	28	NEBRASKA	*	
OTOE	NE	28650	28	NEBRASKA	*	
PAWNEE	NE	28660	28	NEBRASKA	*	
PERKINS	NE	28670	28	NEBRASKA	*	
PHELPS	NE	28680	28	NEBRASKA	*	
PIERCE	NE	28690	28	NEBRASKA	*	
PLATTE	NE	28700	28	NEBRASKA	*	
POLK	NE	28710	28	NEBRASKA	*	
RED WILLOW	NE	28720	28	NEBRASKA	*	
RICHARDSON	NE	28730	28	NEBRASKA	*	
ROCK	NE	28740	28	NEBRASKA	*	
SALINE	NE	28750	28	NEBRASKA	*	
SARPY	NE	28760	5920	OMAHA, NE-IA	36540	Omaha-Council Bluffs, NE-IA
SAUNDERS	NE	28770	28	NEBRASKA	36540	Omaha-Council Bluffs, NE-IA
SCOTT BLUFF	NE	28780	28	NEBRASKA	*	
SEWARD	NE	28790	28	NEBRASKA	30700	Lincoln, NE
SHERIDAN	NE	28800	28	NEBRASKA	*	
SHERMAN	NE	28810	28	NEBRASKA	*	
SIOUX	NE	28820	28	NEBRASKA	*	
STANTON	NE	28830	28	NEBRASKA	*	
THAYER	NE	28840	28	NEBRASKA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
THOMAS	NE	28850	28	NEBRASKA	*	
THURSTON	NE	28860	28	NEBRASKA	*	
VALLEY	NE	28870	28	NEBRASKA	*	
WASHINGTON	NE	28880	5920	OMAHA, NE-IA	36540	Omaha-Council Bluffs, NE-IA
WAYNE	NE	28890	28	NEBRASKA	*	
WEBSTER	NE	28900	28	NEBRASKA	*	
WHEELER	NE	28910	28	NEBRASKA	*	
YORK	NE	28920	28	NEBRASKA	*	
STATEWIDE	NE	28999	28	NEBRASKA	*	
CHURCHILL	NV	29000	29	NEVADA	*	
CLARK	NV	29010	4120	LAS VEGAS, NV-AZ	29820	Las Vegas-Paradise, NV
DOUGLAS	NV	29020	29	NEVADA	*	
ELKO	NV	29030	29	NEVADA	*	
ESMERALDA	NV	29040	29	NEVADA	*	
EUREKA	NV	29050	29	NEVADA	*	
HUMBOLDT	NV	29060	29	NEVADA	*	
LANDER	NV	29070	29	NEVADA	*	
LINCOLN	NV	29080	29	NEVADA	*	
LYON	NV	29090	29	NEVADA	*	
MINERAL	NV	29100	29	NEVADA	*	
NYE	NV	29110	4120	LAS VEGAS, NV-AZ	*	
CARSON CITY	NV	29120	29	NEVADA	16180	Carson City, NV
PERSHING	NV	29130	29	NEVADA	*	
STOREY	NV	29140	29	NEVADA	39900	Reno-Sparks, NV
WASHOE	NV	29150	6720	RENO, NV	39900	Reno-Sparks, NV
WHITE PINE	NV	29160	29	NEVADA	*	
STATEWIDE	NV	29999	29	NEVADA	*	
BELKNAP	NH	30000	30	NEW HAMPSHIRE	*	
CARROLL	NH	30010	30	NEW HAMPSHIRE	*	
CHESHIRE	NH	30020	30	NEW HAMPSHIRE	*	
COOS	NH	30030	30	NEW HAMPSHIRE	*	
GRAFTON	NH	30040	30	NEW HAMPSHIRE	*	
HILLSBOROUGH	NH	30050	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	31700	Manchester-Nashua, NH
MERRIMACK	NH	30060	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA-NH.	31700	Manchester-Nashua, NH
ROCKINGHAM	NH	30070	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	40484	Rockingham County, NH
STRAFFORD	NH	30080	1123	BOSTON-WORCESTER-LAWRENCE-LOWELL-BROCKTON, MA.	40484	Rockingham County, NH
SULLIVAN	NH	30090	30	NEW HAMPSHIRE	*	
STATEWIDE	NH	30999	30	NEW HAMPSHIRE	*	
ATLANTIC	NJ	31000	0560	ATLANTIC-CAPE MAY, NJ	12100	Atlantic City, NJ
BERGEN	NJ	31100	0875	BERGEN-PASSAIC, NJ	35644	New York-Wayne-White Plains, NY-NJ
BURLINGTON	NJ	31150	6160	PHILADELPHIA, PA-NJ	15804	Camden, NJ
CAMDEN	NJ	31160	6160	PHILADELPHIA, PA-NJ	15804	Camden, NJ
CAPE MAY	NJ	31180	0560	ATLANTIC-CAPE MAY, NJ	36140	Ocean City, NJ
CUMBERLAND	NJ	31190	8760	VINELAND-MILLVILLE-BRIDGETON, NJ.	47220	Vineland-Millville-Bridgeton, NJ
ESSEX	NJ	31200	5640	NEWARK, NJ	35084	Newark-Union, NJ-PA
GLOUCESTER	NJ	31220	6160	PHILADELPHIA, PA-NJ	15804	Camden, NJ
HUDSON	NJ	31230	3640	JERSEY CITY, NJ	35644	New York-Wayne-White Plains, NY-NJ
HUNTERDON	NJ	31250	5015	MIDDLESEX-SOMERSET-HUNTERDON, NJ.	35084	Newark-Union, NJ-PA
MERCER	NJ	31260	8480	TRENTON, NJ	45940	Trenton-Ewing, NJ
MIDDLESEX	NJ	31270	5015	MIDDLESEX-SOMERSET-HUNTERDON, NJ.	20764	Edison, NJ
MONMOUTH	NJ	31290	5190	MONMOUTH-OCEAN, NJ	20764	Edison, NJ
MORRIS	NJ	31300	5640	NEWARK, NJ	35084	Newark-Union, NJ-PA
OCEAN	NJ	31310	5190	MONMOUTH-OCEAN, NJ	20764	Edison, NJ
PASSAIC	NJ	31320	0875	BERGEN-PASSAIC, NJ	35644	New York-Wayne-White Plains, NY-NJ
SALEM	NJ	31340	6160	PHILADELPHIA, PA-NJ	48864	Wilmington, DE-MD-NJ

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
SOMERSET	NJ	31350	5015	MIDDLESEX-SOMERSET-HUNTERDON, NJ.	20764	Edison, NJ
SUSSEX	NJ	31360	5640	NEWARK, NJ	35084	Newark-Union, NJ-PA
UNION	NJ	31370	5640	NEWARK, NJ	35084	Newark-Union, NJ-PA
WARREN	NJ	31390	5640	NEWARK, NJ	10900	Allentown-Bethlehem-Easton, PA-NJ
STATEWIDE	NJ	31999	31			
BERNALILLO	NM	32000	0200	ALBUQUERQUE, NM	10740	Albuquerque, NM
CATRON	NM	32010	32	NEW MEXICO	*	
CHAVES	NM	32020	32	NEW MEXICO	*	
CIBOLA	NM	32025	32	NEW MEXICO	*	
COLFAX	NM	32030	32	NEW MEXICO	*	
CURRY	NM	32040	32	NEW MEXICO	*	
DE BACA	NM	32050	32	NEW MEXICO	*	
DONA ANA	NM	32060	4100	LAS CRUCES, NM	29740	Las Cruces, NM
EDDY	NM	32070	32	NEW MEXICO	*	
GRANT	NM	32080	32	NEW MEXICO	*	
GUADALUPE	NM	32090	32	NEW MEXICO	*	
HARDING	NM	32100	32	NEW MEXICO	*	
HIDALGO	NM	32110	32	NEW MEXICO	*	
LEA	NM	32120	32	NEW MEXICO	*	
LINCOLN	NM	32130	32	NEW MEXICO	*	
LOS ALAMOS	NM	32131	7490	SANTA FE, NM	*	
LUNA	NM	32140	32	NEW MEXICO	*	
MCKINLEY	NM	32150	32	NEW MEXICO	*	
MORA	NM	32160	32	NEW MEXICO	*	
OTERO	NM	32170	32	NEW MEXICO	*	
QUAY	NM	32180	32	NEW MEXICO	*	
RIO ARRIBA	NM	32190	32	NEW MEXICO	*	
ROOSEVELT	NM	32200	32	NEW MEXICO	*	
SANDOVAL	NM	32210	0200	ALBUQUERQUE, NM	10740	Albuquerque, NM
SAN JUAN	NM	32220	32	NEW MEXICO	22140	Farmington, NM
SAN MIGUEL	NM	32230	32	NEW MEXICO	*	
SANTA FE	NM	32240	7490	SANTA FE, NM	42140	Santa Fe, NM
SIERRA	NM	32250	32	NEW MEXICO	*	
SOCORRO	NM	32260	32	NEW MEXICO	*	
TAOS	NM	32270	32	NEW MEXICO	*	
TORRANCE	NM	32280	32	NEW MEXICO	10740	Albuquerque, NM
UNION	NM	32290	32	NEW MEXICO	*	
VALENCIA	NM	32300	0200	ALBUQUERQUE, NM	10740	Albuquerque, NM
STATEWIDE	NM	32999	32	NEW MEXICO	*	
ALBANY	NY	33000	0160	ALBANY-SCHENECTADY-TROY, NY.	10580	Albany-Schenectady-Troy, NY
ALLEGANY	NY	33010	33	NEW YORK	*	
BRONX	NY	33020	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
BROOME	NY	33030	0960	BINGHAMTON, NY	13780	Binghamton, NY
CATTARAUGUS	NY	33040	33	NEW YORK	*	
CAYUGA	NY	33050	8160	SYRACUSE, NY	*	
CHAUTAUQUA	NY	33060	3610	JAMESTOWN, NY	*	
CHEMUNG	NY	33070	2335	ELMIRA, NY	21300	Elmira, NY
CHENANGO	NY	33080	33	NEW YORK	*	
CLINTON	NY	33090	33	NEW YORK	*	
COLUMBIA	NY	33200	33	NEW YORK	*	
CORTLAND	NY	33210	33	NEW YORK	*	
DELAWARE	NY	33220	33	NEW YORK	*	
DUTCHESS	NY	33230	2281	DUTCHESS COUNTY, NY	39100	Poughkeepsie-Newburgh-Middletown, NY
ERIE	NY	33240	1280	BUFFALO-NIAGARA FALLS, NY.	15380	Buffalo-Niagara Falls, NY
ESSEX	NY	33260	33	NEW YORK	*	
FRANKLIN	NY	33270	33	NEW YORK	*	
FULTON	NY	33280	33	NEW YORK	*	
GENESEE	NY	33290	6840	ROCHESTER, NY	*	
GREENE	NY	33300	33	NEW YORK	*	
HAMILTON	NY	33310	33	NEW YORK	*	
HERKIMER	NY	33320	8680	UTICA-ROME, NY	46540	Utica-Rome, NY
JEFFERSON	NY	33330	33	NEW YORK	*	
KINGS	NY	33331	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LEWIS	NY	33340	33	NEW YORK	*	
LIVINGSTON	NY	33350	6840	ROCHESTER, NY	40380	Rochester, NY
MADISON	NY	33360	8160	SYRACUSE, NY	45060	Syracuse, NY
MONROE	NY	33370	6840	ROCHESTER, NY	40380	Rochester, NY
MONTGOMERY	NY	33380	0160	ALBANY-SCHENECTADY-TROY, NY.	*	
NASSAU	NY	33400	5380	NASSAU-SUFFOLK, NY	35004	Nassau-Suffolk, NY
NEW YORK	NY	33420	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
NIAGARA	NY	33500	1280	BUFFALO-NIAGARA FALLS, NY.	15380	Buffalo-Niagara Falls, NY
ONEIDA	NY	33510	8680	UTICA-ROME, NY	46540	Utica-Rome, NY
ONONDAGA	NY	33520	8160	SYRACUSE, NY	45060	Syracuse, NY
ONTARIO	NY	33530	6840	ROCHESTER, NY	40380	Rochester, NY
ORANGE	NY	33540	5660	NEWBURGH, NY-PA	39100	Poughkeepsie-Newburgh-Middletown, NY
ORLEANS	NY	33550	6840	ROCHESTER, NY	40380	Rochester, NY
OSWEGO	NY	33560	8160	SYRACUSE, NY	45060	Syracuse, NY
OTSEGO	NY	33570	33	NEW YORK	*	
PUTNAM	NY	33580	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
QUEENS	NY	33590	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
RENSSELAER	NY	33600	0160	ALBANY-SCHENECTADY-TROY, NY.	10580	Albany-Schenectady-Troy, NY
RICHMOND	NY	33610	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
ROCKLAND	NY	33620	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
ST. LAWRENCE	NY	33630	33	NEW YORK	*	
SARATOGA	NY	33640	0160	ALBANY-SCHENECTADY-TROY, NY.	10580	Albany-Schenectady-Troy, NY
SCHENECTADY	NY	33650	0160	ALBANY-SCHENECTADY-TROY, NY.	10580	Albany-Schenectady-Troy, NY
SCHOHARIE	NY	33660	0160	ALBANY-SCHENECTADY-TROY, NY.	10580	Albany-Schenectady-Troy, NY
SCHUYLER	NY	33670	33	NEW YORK	*	
SENECA	NY	33680	33	NEW YORK	*	
STEUBEN	NY	33690	33	NEW YORK	*	
SUFFOLK	NY	33700	5380	NASSAU-SUFFOLK, NY	35004	Nassau-Suffolk, NY
SULLIVAN	NY	33710	33	NEW YORK	*	
TIOGA	NY	33720	0960	BINGHAMTON, NY	13780	Binghamton, NY
TOMPKINS	NY	33730	33	NEW YORK	27060	Ithaca, NY
LSTER	NY	33740	33	NEW YORK	28740	Kingston, NY
WARREN	NY	33750	2975	GLENS FALLS, NY	24020	Glens Falls, NY
WASHINGTON	NY	33760	2975	GLENS FALLS, NY	24020	Glens Falls, NY
WAYNE	NY	33770	6840	ROCHESTER, NY	40380	Rochester, NY
WESTCHESTER	NY	33800	5600	NEW YORK-NEWARK, NY-NJ-PA.	35644	New York-Wayne-White Plains, NY-NJ
WYOMING	NY	33900	33	NEW YORK	*	
YATES	NY	33910	33	NEW YORK	*	
STATEWIDE	NY	33999	33	NEW YORK	*	
ALAMANCE	NC	34000	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	15500	Burlington, NC
ALEXANDER	NC	34010	3290	HICKORY-MORGANTON-LENOIR, NC.	25860	Hickory-Lenoir-Morganton, NC
ALLEGHANY	NC	34020	34	NORTH CAROLINA	*	
ANSON	NC	34030	34	NORTH CAROLINA	16740	Charlotte-Gastonia-Concord, NC-SC
ASHE	NC	34040	34	NORTH CAROLINA	*	
AVERY	NC	34050	34	NORTH CAROLINA	*	
BEAUFORT	NC	34060	34	NORTH CAROLINA	*	
BERTIE	NC	34070	34	NORTH CAROLINA	*	
BLADEN	NC	34080	34	NORTH CAROLINA	*	
BRUNSWICK	NC	34090	9200	WILMINGTON, NC	48900	Wilmington, NC
BUNCOMBE	NC	34100	0480	ASHEVILLE, NC	11700	Asheville, NC
BURKE	NC	34110	3290	HICKORY-MORGANTON-LENOIR, NC.	25860	Hickory-Lenoir-Morganton, NC
CABARRUS	NC	34120	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	16740	Charlotte-Gastonia-Concord, NC-SC

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CALDWELL	NC	34130	3290	HICKORY-MORGANTON-LENOIR, NC.	25860	Hickory-Lenoir-Morganton, NC
CAMDEN	NC	34140	34	NORTH CAROLINA	*	
CARTERET	NC	34150	34	NORTH CAROLINA	*	
CASWELL	NC	34160	34	NORTH CAROLINA	*	
CATAWBA	NC	34170	3290	HICKORY-MORGANTON-LENOIR, NC.	25860	Hickory-Lenoir-Morganton, NC
CHATHAM	NC	34180	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	20500	Durham, NC
CHEROKEE	NC	34190	34	NORTH CAROLINA	*	
CHOWAN	NC	34200	34	NORTH CAROLINA	*	
CLAY	NC	34210	34	NORTH CAROLINA	*	
CLEVELAND	NC	34220	34	NORTH CAROLINA	*	
COLUMBUS	NC	34230	34	NORTH CAROLINA	*	
CRAVEN	NC	34240	34	NORTH CAROLINA	*	
CUMBERLAND	NC	34250	2560	FAYETTEVILLE, NC	22180	Fayetteville, NC
CURRITUCK	NC	34251	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
DARE	NC	34270	34	NORTH CAROLINA	*	
DAVIDSON	NC	34280	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	*	
DAVIE	NC	34290	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	49180	Winston-Salem, NC
DUPLIN	NC	34300	34	NORTH CAROLINA	*	
DURHAM	NC	34310	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	20500	Durham, NC
EDGECOMBE	NC	34320	6895	ROCKY MOUNT, NC	40580	Rocky Mount, NC
FORSYTH	NC	34330	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	49180	Winston-Salem, NC
FRANKLIN	NC	34340	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	39580	Raleigh-Cary, NC
GASTON	NC	34350	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	16740	Charlotte-Gastonia-Concord, NC-SC
GATES	NC	34360	34	NORTH CAROLINA	*	
GRAHAM	NC	34370	34	NORTH CAROLINA	*	
GRANVILLE	NC	34380	34	NORTH CAROLINA	*	
GREENE	NC	34390	34	NORTH CAROLINA	24780	Greenville, NC
GUILFORD	NC	34400	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	24660	Greensboro-High Point, NC
HALIFAX	NC	34410	34	NORTH CAROLINA	*	
HARNETT	NC	34420	34	NORTH CAROLINA	*	
HAYWOOD	NC	34430	34	NORTH CAROLINA	11700	Asheville, NC
HENDERSON	NC	34440	34	NORTH CAROLINA	11700	Asheville, NC
HERTFORD	NC	34450	34	NORTH CAROLINA	*	
HOKE	NC	34460	34	NORTH CAROLINA	22180	Fayetteville, NC
HYDE	NC	34470	34	NORTH CAROLINA	*	
IREDELL	NC	34480	34	NORTH CAROLINA	*	
JACKSON	NC	34490	34	NORTH CAROLINA	*	
JOHNSTON	NC	34500	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	39580	Raleigh-Cary, NC
JONES	NC	34510	34	NORTH CAROLINA.		
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LEE	NC	34520	34	NORTH CAROLINA.		
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LENOIR	NC	34530	34	NORTH CAROLINA.		
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LINCOLN	NC	34540	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.		
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MC DOWELL	NC	34550	34	NORTH CAROLINA.		
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MACON	NC	34560	34	NORTH CAROLINA.		
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MADISON	NC	34570	0480	ASHEVILLE, NC	11700	Asheville, NC
MARTIN	NC	34580	34	NORTH CAROLINA	*	
MECKLENBURG	NC	34590	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	16740	Charlotte-Gastonia-Concord, NC-SC
MITCHELL	NC	34600	34	NORTH CAROLINA	*	
MONTGOMERY	NC	34610	34	NORTH CAROLINA	*	
MOORE	NC	34620	34	NORTH CAROLINA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
NASH	NC	34630	6895	ROCKY MOUNT, NC	40580	Rocky Mount, NC
NEW HANOVER	NC	34640	9200	WILMINGTON, NC	48900	Wilmington, NC
NORTHAMPTON	NC	34650	34	NORTH CAROLINA	*	
ONSLOW	NC	34660	3605	JACKSONVILLE, NC	27340	Jacksonville, NC
ORANGE	NC	34670	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	20500	Durham, NC
PAMLICO	NC	34680	34	NORTH CAROLINA	*	
PASQUOTANK	NC	34690	34	NORTH CAROLINA	*	
PENDER	NC	34700	34	NORTH CAROLINA	48900	Wilmington, NC
PERQUIMANS	NC	34710	34	NORTH CAROLINA	*	
PERSON	NC	34720	34	NORTH CAROLINA	20500	Durham, NC
PITT	NC	34730	3150	GREENVILLE, NC	24780	Greenville, NC
POLK	NC	34740	34	NORTH CAROLINA	*	
RANDOLPH	NC	34750	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	24660	Greensboro-High Point, NC
RICHMOND	NC	34760	34	NORTH CAROLINA	*	
ROBESON	NC	34770	34	NORTH CAROLINA	*	
ROCKINGHAM	NC	34780	34	NORTH CAROLINA	24660	Greensboro-High Point, NC
ROWAN	NC	34790	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	*	
RUTHERFORD	NC	34800	34	NORTH CAROLINA	*	
SAMPSON	NC	34810	34	NORTH CAROLINA	*	
SCOTLAND	NC	34820	34	NORTH CAROLINA	*	
STANLY	NC	34830	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	*	
STOKES	NC	34840	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	49180	Winston-Salem, NC
SURRY	NC	34850	34	NORTH CAROLINA	*	
SWAIN	NC	34860	34	NORTH CAROLINA	*	
TRANSYLVANIA	NC	34870	34	NORTH CAROLINA	*	
TYRRELL	NC	34880	34	NORTH CAROLINA	*	
UNION	NC	34890	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	16740	Charlotte-Gastonia-Concord, NC-SC
VANCE	NC	34900	34	NORTH CAROLINA	*	
WAKE	NC	34910	6640	RALEIGH-DURHAM-CHAPEL HILL, NC.	39580	Raleigh-Cary, NC
WARREN	NC	34920	34	NORTH CAROLINA	*	
WASHINGTON	NC	34930	34	NORTH CAROLINA	*	
WATAUGA	NC	34940	34	NORTH CAROLINA	*	
WAYNE	NC	34950	2980	GOLDSBORO, NC	24140	Goldsboro, NC
WILKES	NC	34960	34	NORTH CAROLINA	*	
WILSON	NC	34970	34	NORTH CAROLINA	*	
YADKIN	NC	34980	3120	GREENSBORO—WINSTON-SALEM—HIGH POINT, NC.	49180	Winston-Salem, NC
YANCEY	NC	34981	34	NORTH CAROLINA	*	
STATEWIDE	NC	34999	34	NORTH CAROLINA	*	
ADAMS	ND	35000	35	NORTH DAKOTA	*	
BARNES	ND	35010	35	NORTH DAKOTA	*	
BENSON	ND	35020	35	NORTH DAKOTA	*	
BILLINGS	ND	35030	35	NORTH DAKOTA	*	
BOTTINEAU	ND	35040	35	NORTH DAKOTA	*	
BOWMAN	ND	35050	35	NORTH DAKOTA	*	
BURKE	ND	35060	35	NORTH DAKOTA	*	
BURLEIGH	ND	35070	1010	BISMARCK, ND	13900	Bismarck, ND
CASS	ND	35080	2520	FARGO-MOORHEAD, ND-MN	22020	Fargo, ND-MN
CAVALIER	ND	35090	35	NORTH DAKOTA	*	
DICKEY	ND	35100	35	NORTH DAKOTA	*	
DIVIDE	ND	35110	35	NORTH DAKOTA	*	
DUNN	ND	35120	35	NORTH DAKOTA	*	
EDDY	ND	35130	35	NORTH DAKOTA	*	
EMMONS	ND	35140	35	NORTH DAKOTA	*	
FOSTER	ND	35150	35	NORTH DAKOTA	*	
GOLDEN VALLEY	ND	35160	35	NORTH DAKOTA	*	
GRAND FORKS	ND	35170	2985	GRAND FORKS, ND-MN	24220	Grand Forks, ND-MN
GRANT	ND	35180	35	NORTH DAKOTA	*	
GRIGGS	ND	35190	35	NORTH DAKOTA	*	
HETTINGER	ND	35200	35	NORTH DAKOTA	*	
KIDDER	ND	35210	35	NORTH DAKOTA	*	
LA MOURE	ND	35220	35	NORTH DAKOTA	*	
LOGAN	ND	35230	35	NORTH DAKOTA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
MCHENRY	ND	35240	35	NORTH DAKOTA	*	
MCINTOSH	ND	35250	35	NORTH DAKOTA	*	
MCKENZIE	ND	35260	35	NORTH DAKOTA	*	
MCLEAN	ND	35270	35	NORTH DAKOTA	*	
MERCER	ND	35280	35	NORTH DAKOTA	*	
MORTON	ND	35290	1010	BISMARCK, ND	13900	Bismarck, ND
DMOUNTRAIL	ND	35300	35	NORTH DAKOTA	*	
NELSON	ND	35310	35	NORTH DAKOTA	*	
OLIVER	ND	35320	35	NORTH DAKOTA	*	
PEMBINA	ND	35330	35	NORTH DAKOTA	*	
PIERCE	ND	35340	35	NORTH DAKOTA	*	
RAMSEY	ND	35350	35	NORTH DAKOTA	*	
RANSOM	ND	35360	35	NORTH DAKOTA	*	
RENVILLE	ND	35370	35	NORTH DAKOTA	*	
RICHLAND	ND	35380	35	NORTH DAKOTA	*	
ROLETTE	ND	35390	35	NORTH DAKOTA	*	
SARGENT	ND	35400	35	NORTH DAKOTA	*	
SHERIDAN	ND	35410	35	NORTH DAKOTA	*	
SIOUX	ND	35420	35	NORTH DAKOTA	*	
SLOPE	ND	35430	35	NORTH DAKOTA	*	
STARK	ND	35440	35	NORTH DAKOTA	*	
STEELE	ND	35450	35	NORTH DAKOTA	*	
STUTSMAN	ND	35460	35	NORTH DAKOTA	*	
TOWNER	ND	35470	35	NORTH DAKOTA	*	
TRAILL	ND	35480	35	NORTH DAKOTA	*	
WALSH	ND	35490	35	NORTH DAKOTA	*	
WARD	ND	35500	35	NORTH DAKOTA	*	
WELLS	ND	35510	35	NORTH DAKOTA	*	
WILLIAMS	ND	35520	35	NORTH DAKOTA	*	
STATEWIDE	ND	35999	35	NORTH DAKOTA	*	
ADAMS	OH	36000	36	OHIO	*	
ALLEN	OH	36010	4320	LIMA, OH	30620	Lima, OH
ASHLAND	OH	36020	36	OHIO	*	
ASHTABULA	OH	36030	1680	CLEVELAND-LORAIN-ELYRIA, OH.	*	
ATHENS	OH	36040	36	OHIO	*	
AUGLAIZE	OH	36050	4320	LIMA, OH	*	
BELMONT	OH	36060	9000	WHEELING, WV-OH	48540	Wheeling, WV-OH
BROWN	OH	36070	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
BUTLER	OH	36080	3200	HAMILTON-MIDDLETOWN, OH.	17140	Cincinnati-Middletown, OH-KY-IN
CARROLL	OH	36090	1320	CANTON-MASSILLON, OH	15940	Canton-Massillon, OH
CHAMPAIGN	OH	36100	36	OHIO	*	
CLARK	OH	36110	2000	DAYTON-SPRINGFIELD, OH	44220	Springfield, OH
CLERMONT	OH	36120	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
CLINTON	OH	36130	36	OHIO	*	
COLUMBIANA	OH	36140	9320	YOUNGSTOWN-WARREN, OH.	*	
COSHOCTON	OH	36150	36	OHIO	*	
CRAWFORD	OH	36160	4800	MANSFIELD, OH	*	
CUYAHOGA	OH	36170	1680	CLEVELAND-LORAIN-ELYRIA, OH.	17460	Cleveland-Elyria-Mentor, OH
DARKE	OH	36190	36	OHIO	*	
DEFIANCE	OH	36200	36	OHIO	*	
DELAWARE	OH	36210	1840	COLUMBUS, OH	18140	Columbus, OH
ERIE	OH	36220	36	OHIO	41780	Sandusky, OH
FAIRFIELD	OH	36230	1840	COLUMBUS, OH	18140	Columbus, OH
FAYETTE	OH	36240	36	OHIO	*	
FRANKLIN	OH	36250	1840	COLUMBUS, OH	18140	Columbus, OH
FULTON	OH	36260	8400	TOLEDO, OH	45780	Toledo, OH
GALLIA	OH	36270	36	OHIO	*	
GEAUGA	OH	36280	1680	CLEVELAND-LORAIN-ELYRIA, OH.	17460	Cleveland-Elyria-Mentor, OH
GREENE	OH	36290	2000	DAYTON-SPRINGFIELD, OH	19380	Dayton, OH
GUERNSEY	OH	36300	36	OHIO	*	
HAMILTON	OH	36310	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
HANCOCK	OH	36330	36	OHIO	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HARDIN	OH	36340	36	OHIO	*	
HARRISON	OH	36350	36	OHIO	*	
HENRY	OH	36360	36	OHIO	*	
HIGHLAND	OH	36370	36	OHIO	*	
HOCKING	OH	36380	36	OHIO	*	
HOLMES	OH	36390	36	OHIO	*	
HURON	OH	36400	36	OHIO	*	
JACKSON	OH	36410	36	OHIO	*	
JEFFERSON	OH	36420	8080	STEUBENVILLE-WEIRTON, OH-WV.	48260	Weirton-Steubenville, WV-OH
KNOX	OH	36430	36	OHIO	*	
LAKE	OH	36440	1680	CLEVELAND-LORAIN-ELYRIA, OH.	17460	Cleveland-Elyria-Mentor, OH
LAWRENCE	OH	36450	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	26580	Huntington-Ashland, WV-KY-OH
LICKING	OH	36460	1840	COLUMBUS, OH	18140	Columbus, OH
LOGAN	OH	36470	36	OHIO	*	
LORAIN	OH	36480	1680	CLEVELAND-LORAIN-ELYRIA, OH.	17460	Cleveland-Elyria-Mentor, OH
LUCAS	OH	36490	8400	TOLEDO, OH	45780	Toledo, OH
MADISON	OH	36500	1840	COLUMBUS, OH	18140	Columbus, OH
MAHONING	OH	36510	9320	YOUNGSTOWN-WARREN, OH.	49660	Youngstown-Warren-Boardman, OH-PA
MARION	OH	36520	36	OHIO	*	
MEDINA	OH	36530	1680	CLEVELAND-LORAIN-ELYRIA, OH.	17460	Cleveland-Elyria-Mentor, OH
MEIGS	OH	36540	36	OHIO	*	
MERCER	OH	36550	36	OHIO	*	
MIAMI	OH	36560	2000	DAYTON-SPRINGFIELD, OH	19380	Dayton, OH
MONROE	OH	36570	36	OHIO	*	
MONTGOMERY	OH	36580	2000	DAYTON-SPRINGFIELD, OH	19380	Dayton, OH
MORGAN	OH	36590	36	OHIO	*	
MORROW	OH	36600	36	OHIO	18140	Columbus, OH
MUSKINGUM	OH	36610	36	OHIO	*	
NOBLE	OH	36620	36	OHIO	*	
OTTAWA	OH	36630	36	OHIO	45780	Toledo, OH
PAULDING	OH	36640	36	OHIO	*	
PERRY	OH	36650	36	OHIO	*	
PICKAWAY	OH	36660	1840	COLUMBUS, OH	18140	Columbus, OH
PIKE	OH	36670	36	OHIO	*	
PORTAGE	OH	36680	0080	AKRON, OH	10420	Akron, OH
PREBLE	OH	36690	36	OHIO	19380	Dayton, OH
PUTNAM	OH	36700	36	OHIO	*	
RICHLAND	OH	36710	4800	MANSFIELD, OH	31900	Mansfield, OH
ROSS	OH	36720	36	OHIO	*	
SANDUSKY	OH	36730	36	OHIO	*	
SCIOTO	OH	36740	36	OHIO	*	
SENECA	OH	36750	36	OHIO	*	
SHELBY	OH	36760	36	OHIO	*	
STARK	OH	36770	1320	CANTON-MASSILLON, OH	15940	Canton-Massillon, OH
SUMMIT	OH	36780	0080	AKRON, OH	10420	Akron, OH
TRUMBULL	OH	36790	9320	YOUNGSTOWN-WARREN, OH.	49660	Youngstown-Warren-Boardman, OH-PA
TUSCARAWAS	OH	36800	36	OHIO	*	
UNION	OH	36810	36	OHIO	18140	Columbus, OH
VAN WERT	OH	36820	36	OHIO	*	
VINTON	OH	36830	36	OHIO	*	
WARREN	OH	36840	1640	CINCINNATI, OH-KY-IN	17140	Cincinnati-Middletown, OH-KY-IN
WASHINGTON	OH	36850	6020	PARKERSBURG-MARIETTA, WV-OH.	37620	Parkersburg-Marietta, WV-OH
WAYNE	OH	36860	36	OHIO	*	
WILLIAMS	OH	36870	36	OHIO	*	
WOOD	OH	36880	8400	TOLEDO, OH	45780	Toledo, OH
WYANDOT	OH	36890	36	OHIO	*	
STATEWIDE	OH	36999	36	OHIO	*	
ADAIR	OK	37000	37	OKLAHOMA	*	
ALFALFA	OK	37010	37	OKLAHOMA	*	
ATOKA	OK	37020	37	OKLAHOMA	*	
BEAVER	OK	37030	37	OKLAHOMA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
BECKHAM	OK	37040	37	OKLAHOMA	*	
BLAINE	OK	37050	37	OKLAHOMA	*	
BRYAN	OK	37060	37	OKLAHOMA	*	
CADDO	OK	37070	37	OKLAHOMA	*	
CANADIAN	OK	37080	5880	OKLAHOMA CITY, OK	36420	Oklahoma City, OK
CARTER	OK	37090	37	OKLAHOMA	*	
CHEROKEE	OK	37100	37	OKLAHOMA	*	
CHOCTAW	OK	37110	37	OKLAHOMA	*	
CIMARRON	OK	37120	37	OKLAHOMA	*	
CLEVELAND	OK	37130	5880	OKLAHOMA CITY, OK	36420	Oklahoma City, OK
COAL	OK	37140	37	OKLAHOMA	*	
COMANCHE	OK	37150	4200	LAWTON, OK	30020	Lawton, OK
COTTON	OK	37160	37	OKLAHOMA	*	
CRAIG	OK	37170	37	OKLAHOMA	*	
CREEK	OK	37180	8560	TULSA, OK	46140	Tulsa, OK
CUSTER	OK	37190	37	OKLAHOMA	*	
DELAWARE	OK	37200	37	OKLAHOMA	*	
DEWEY	OK	37210	37	OKLAHOMA	*	
ELLIS	OK	37220	37	OKLAHOMA	*	
GARFIELD	OK	37230	2340	ENID, OK	*	
GARVIN	OK	37240	37	OKLAHOMA	*	
GRADY	OK	37250	37	OKLAHOMA	36420	Oklahoma City, OK
GRANT	OK	37260	37	OKLAHOMA	*	
GREER	OK	37270	37	OKLAHOMA	*	
HARMON	OK	37280	37	OKLAHOMA	*	
HARPER	OK	37290	37	OKLAHOMA	*	
HASKELL	OK	37300	37	OKLAHOMA	*	
HUGHES	OK	37310	37	OKLAHOMA	*	
JACKSON	OK	37320	37	OKLAHOMA	*	
JEFFERSON	OK	37330	37	OKLAHOMA	*	
JOHNSTON	OK	37340	37	OKLAHOMA	*	
KAY	OK	37350	37	OKLAHOMA	*	
KINGFISHER	OK	37360	37	OKLAHOMA	*	
KIOWA	OK	37370	37	OKLAHOMA	*	
LATIMER	OK	37380	37	OKLAHOMA	*	
LE FLORE	OK	37390	37	OKLAHOMA	22900	Fort Smith, AR-OK
LINCOLN	OK	37400	37	OKLAHOMA	36420	Oklahoma City, OK
LOGAN	OK	37410	5880	OKLAHOMA CITY, OK	36420	Oklahoma City, OK
LOVE	OK	37420	37	OKLAHOMA	*	
MCCLAIN	OK	37430	5880	OKLAHOMA CITY, OK	36420	Oklahoma City, OK
MCCURTAIN	OK	37440	37	OKLAHOMA	*	
MCINTOSH	OK	37450	37	OKLAHOMA	*	
MAJOR	OK	37460	37	OKLAHOMA	*	
MARSHALL	OK	37470	37	OKLAHOMA	*	
MAYES	OK	37480	37	OKLAHOMA	*	
MURRAY	OK	37490	37	OKLAHOMA	*	
MUSKOGEE	OK	37500	37	OKLAHOMA	*	
NOBLE	OK	37510	37	OKLAHOMA	*	
NOWATA	OK	37520	37	OKLAHOMA	*	
OKFUSKEE	OK	37530	37	OKLAHOMA	*	
OKLAHOMA	OK	37540	5880	OKLAHOMA CITY, OK	36420	Oklahoma City, OK
OKMULGEE	OK	37550	37	OKLAHOMA	46140	Tulsa, OK
OSAGE	OK	37560	8560	TULSA, OK	46140	Tulsa, OK
OTTAWA	OK	37570	37	OKLAHOMA	*	
PAWNEE	OK	37580	37	OKLAHOMA	46140	Tulsa, OK
PAYNE	OK	37590	37	OKLAHOMA	*	
PITTSBURG	OK	37600	37	OKLAHOMA	*	
PONTOTOC	OK	37610	37	OKLAHOMA	*	
POTTAWATOMIE	OK	37620	5880	OKLAHOMA CITY, OK	*	
PUSHMATAHA	OK	37630	37	OKLAHOMA	*	
ROGER MILLS	OK	37640	37	OKLAHOMA	*	
ROGERS	OK	37650	8560	TULSA, OK	46140	Tulsa, OK
SEMINOLE	OK	37660	37	OKLAHOMA	*	
SEQUOYAH	OK	37670	2720	FORT SMITH, AR-OK	22900	Fort Smith, AR-OK
STEPHENS	OK	37680	37	OKLAHOMA	*	
TEXAS	OK	37690	37	OKLAHOMA	*	
TILLMAN	OK	37700	37	OKLAHOMA	*	
TULSA	OK	37710	8560	TULSA, OK	46140	Tulsa, OK
WAGONER	OK	37720	8560	TULSA, OK	46140	Tulsa, OK
WASHINGTON	OK	37730	37	OKLAHOMA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WASHITA	OK	37740	37	OKLAHOMA	*	
WOODS	OK	37750	37	OKLAHOMA	*	
WOODWARD	OK	37760	37	OKLAHOMA	*	
STATEWIDE	OK	37999	37	OKLAHOMA	*	
BAKER	OR	38000	38	OREGON	*	
BENTON	OR	38010	1890	CORVALLIS, OR	18700	Corvallis, OR
CLACKAMAS	OR	38020	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
CLATSOP	OR	38030	38	OREGON	*	
COLUMBIA	OR	38040	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
COOS	OR	38050	38	OREGON	*	
CROOK	OR	38060	38	OREGON	*	
CURRY	OR	38070	38	OREGON	*	
DESCHUTES	OR	38080	38	OREGON	13460	Bend, OR
DOUGLAS	OR	38090	38	OREGON	*	
GILLIAM	OR	38100	38	OREGON	*	
GRANT	OR	38110	38	OREGON	*	
HARNEY	OR	38120	38	OREGON	*	
HOOD RIVER	OR	38130	38	OREGON	*	
JACKSON	OR	38140	4890	MEDFORD-ASHLAND, OR	32780	Medford, OR
JEFFERSON	OR	38150	38	OREGON	*	
JOSEPHINE	OR	38160	38	OREGON	*	
KLAMATH	OR	38170	38	OREGON	*	
LAKE	OR	38180	38	OREGON	*	
LANE	OR	38190	2400	EUGENE-SPRINGFIELD, OR	21660	Eugene-Springfield, OR
LINCOLN	OR	38200	38	OREGON	*	
LINN	OR	38210	38	OREGON	*	
MALHEUR	OR	38220	38	OREGON	*	
MARION	OR	38230	7080	SALEM, OR	41420	Salem, OR
MORROW	OR	38240	38	OREGON	*	
MULTNOMAH	OR	38250	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
POLK	OR	38260	7080	SALEM, OR	41420	Salem, OR
SHERMAN	OR	38270	38	OREGON	*	
TILLAMOOK	OR	38280	38	OREGON	*	
UMATILLA	OR	38290	38	OREGON	*	
UNION	OR	38300	38	OREGON	*	
WALLOWA	OR	38310	38	OREGON	*	
WASCO	OR	38320	38	OREGON	*	
WASHINGTON	OR	38330	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
WHEELER	OR	38340	38	OREGON	*	
YAMHILL	OR	38350	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
STATEWIDE	OR	38999	38	OREGON	*	
ADAMS	PA	39000	39	PENNSYLVANIA	*	
ALLEGHENY	PA	39010	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
ARMSTRONG	PA	39070	39	PENNSYLVANIA	38300	Pittsburgh, PA
BEAVER	PA	39080	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
BEDFORD	PA	39100	39	PENNSYLVANIA	*	
BERKS	PA	39110	6680	READING, PA	39740	Reading, PA
BLAIR	PA	39120	0280	ALTOONA, PA	11020	Altoona, PA
BRADFORD	PA	39130	39	PENNSYLVANIA	*	
BUCKS	PA	39140	6160	PHILADELPHIA, PA-NJ	37964	Philadelphia, PA
BUTLER	PA	39150	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
CAMBRIA	PA	39160	3680	JOHNSTOWN, PA	27780	Johnstown, PA
CAMERON	PA	39180	39	PENNSYLVANIA	*	
CARBON	PA	39190	0240	ALLENTOWN-BETHLEHEM-EASTON, PA.	10900	Allentown-Bethlehem-Easton, PA-NJ
CENTRE	PA	39200	8050	STATE COLLEGE, PA	44300	State College, PA
CHESTER	PA	39210	6160	PHILADELPHIA, PA-NJ	37964	Philadelphia, PA
CLARION	PA	39220	39	PENNSYLVANIA	*	
CLEARFIELD	PA	39230	39	PENNSYLVANIA	*	
CLINTON	PA	39240	39	PENNSYLVANIA	*	
COLUMBIA	PA	39250	7560	SCRANTON-WILKES-BARRE-HAZLETON, PA.	*	
CRAWFORD	PA	39260	39	PENNSYLVANIA	*	
CUMBERLAND	PA	39270	3240	HARRISBURG-LEBANON-CARLISLE, PA.	25420	Harrisburg-Carlisle, PA

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
DAUPHIN	PA	39280	3240	HARRISBURG-LEBANON-CARLISLE, PA.	25420	Harrisburg-Carlisle, PA
DELAWARE	PA	39290	6160	PHILADELPHIA, PA-NJ	37964	Philadelphia, PA
ELK	PA	39310	39	PENNSYLVANIA.		
ERIE	PA	39320	2360	ERIE, PA	21500	Erie, PA
FAYETTE	PA	39330	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
FOREST	PA	39340	39	PENNSYLVANIA	*	
FRANKLIN	PA	39350	39	PENNSYLVANIA	*	
FULTON	PA	39360	39	PENNSYLVANIA	*	
GREENE	PA	39370	39	PENNSYLVANIA	*	
HUNTINGDON	PA	39380	39	PENNSYLVANIA	*	
INDIANA	PA	39390	39	PENNSYLVANIA	*	
JEFFERSON	PA	39400	39	PENNSYLVANIA	*	
JUNIATA	PA	39410	39	PENNSYLVANIA	*	
LACKAWANNA	PA	39420	7560	SCRANTON-WILKES-BARRE-HAZLETON, PA.	42540	Scranton—Wilkes-Barre, PA
LANCASTER	PA	39440	4000	LANCASTER, PA	29540	Lancaster, PA
LAWRENCE	PA	39450	39	PENNSYLVANIA	*	
LEBANON	PA	39460	3240	HARRISBURG-LEBANON-CARLISLE, PA.	30140	Lebanon, PA
LEHIGH	PA	39470	0240	ALLENTOWN-BETHLEHEM-EASTON, PA.	10900	Allentown-Bethlehem-Easton, PA-NJ
LUZERNE	PA	39480	7560	SCRANTON-WILKES-BARRE-HAZLETON, PA.	42540	Scranton—Wilkes-Barre, PA
LYCOMING	PA	39510	9140	WILLIAMSPORT, PA	48700	Williamsport, PA
MC KEAN	PA	39520	39	PENNSYLVANIA	*	
MERCER	PA	39530	7610	SHARON, PA	49660	Youngstown-Warren-Boardman, OH-PA
MIFFLIN	PA	39540	39	PENNSYLVANIA	*	
MONROE	PA	39550	39	PENNSYLVANIA	*	
MONTGOMERY	PA	39560	6160	PHILADELPHIA, PA-NJ	37964	Philadelphia, PA
MONTOUR	PA	39580	39	PENNSYLVANIA	*	
NORTHAMPTON	PA	39590	0240	ALLENTOWN-BETHLEHEM-EASTON, PA.	10900	Allentown-Bethlehem-Easton, PA-NJ
NORTHUMBERLAND	PA	39600	39	PENNSYLVANIA	*	
PERRY	PA	39610	3240	HARRISBURG-LEBANON-CARLISLE, PA.	25420	Harrisburg-Carlisle, PA
PHILADELPHIA	PA	39620	6160	PHILADELPHIA, PA-NJ	37964	Philadelphia, PA
PIKE	PA	39630	5660	NEWBURGH, NY-PA	35084	Newark-Union, NJ-PA
POTTER	PA	39640	39	PENNSYLVANIA	*	
SCHUYLKILL	PA	39650	39	PENNSYLVANIA	*	
SNYDER	PA	39670	39	PENNSYLVANIA	*	
SOMERSET	PA	39680	3680	JOHNSTOWN, PA	*	
SULLIVAN	PA	39690	39	PENNSYLVANIA	*	
SUSQUEHANNA	PA	39700	39	PENNSYLVANIA	*	
TIOGA	PA	39710	39	PENNSYLVANIA	*	
UNION	PA	39720	39	PENNSYLVANIA	*	
VENANGO	PA	39730	39	PENNSYLVANIA	*	
WARREN	PA	39740	39	PENNSYLVANIA	*	
WASHINGTON	PA	39750	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
WAYNE	PA	39760	39	PENNSYLVANIA	*	
WESTMORELAND	PA	39770	6280	PITTSBURGH, PA	38300	Pittsburgh, PA
WYOMING	PA	39790	7560	SCRANTON-WILKES-BARRE-HAZLETON, PA.	42540	Scranton—Wilkes-Barre, PA
YORK	PA	39800	9280	YORK, PA	49620	York-Hanover, PA
STATEWIDE	PA	39999	39	PENNSYLVANIA	*	
ADJUNTAS	PR	40010	40	PUERTO RICO	*	
AGUADA	PR	40020	0060	AGUADILLA, PR	10380	Aguadilla-Isabela-San Sebastian, PR
AGUADILLA	PR	40030	0060	AGUADILLA, PR	10380	Aguadilla-Isabela-San Sebastian, PR
AGUAS BUENAS	PR	40040	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
AIBONITO	PR	40050	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
ANASCO	PR	40060	4840	MAYAGUEZ, PR	10380	Aguadilla-Isabela-San Sebastian, PR
ARECIBO	PR	40070	0470	ARECIBO, PR	41980	San Juan-Caguas-Guaynabo, PR
ARROYO	PR	40080	40	PUERTO RICO	25020	Guayama, PR

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
BARCELONETA	PR	40090	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
BARRANQUITAS	PR	40100	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
BAYAMON	PR	40110	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
CABO ROJO	PR	40120	4840	MAYAGUEZ, PR	41900	San German-Cabo Rojo, PR
CAGUAS	PR	40130	1310	CAGUAS, PR	41980	San Juan-Caguas-Guaynabo, PR
CAMUY	PR	40140	0470	ARECIBO, PR	41980	San Juan-Caguas-Guaynabo, PR
CANOVANAS	PR	40145	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
CAROLINA	PR	40150	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
CATANO	PR	40160	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
CAYEY	PR	40170	1310	CAGUAS, PR	41980	San Juan-Caguas-Guaynabo, PR
CEIBA	PR	40180	7440	SAN JUAN-BAYAMON, PR	21940	Fajardo, PR
CIALES	PR	40190	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
CIDRA	PR	40200	1310	CAGUAS, PR	41980	San Juan-Caguas-Guaynabo, PR
COAMO	PR	40210	40	PUERTO RICO	*	
COMERIO	PR	40220	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
COROZAL	PR	40230	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
CULEBRA	PR	40240	40	PUERTO RICO	*	
DORADO	PR	40250	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
FAJARDO	PR	40260	7440	SAN JUAN-BAYAMON, PR	21940	Fajardo, PR
FLORIDA	PR	40265	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
GUANICA	PR	40270	40	PUERTO RICO	49500	Yauco, PR
GUAYAMA	PR	40280	40	PUERTO RICO	25020	Guayama, PR
GUAYANILLA	PR	40290	6360	PONCE, PR	49500	Yauco, PR
GUAYNABO	PR	40300	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
GURABO	PR	40310	1310	CAGUAS, PR	41980	San Juan-Caguas-Guaynabo, PR
HATILLO	PR	40320	0470	ARECIBO, PR	41980	San Juan-Caguas-Guaynabo, PR
HORMIGUEROS	PR	40330	4840	MAYAGUEZ, PR	32420	Mayaguez, PR
HUMACAO	PR	40340	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
ISABELA	PR	40350	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
JAYUYA	PR	40360	40	PUERTO RICO	*	
JUANA DIAZ	PR	40370	6360	PONCE, PR	38660	Ponce, PR
JUNCOS	PR	40380	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
LAJAS	PR	40390	40	PUERTO RICO	41900	San German-Cabo Rojo, PR
LARES	PR	40400	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
AS MARIAS	PR	40410	40	PUERTO RICO	*	
LAS PIEDRAS	PR	40420	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
LOIZA	PR	40430	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
LUQUILLO	PR	40440	7440	SAN JUAN-BAYAMON, PR	21940	Fajardo, PR
MANATI	PR	40450	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
MARICAO	PR	40460	40	PUERTO RICO	*	
MAUNABO	PR	40470	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
MAYAGUEZ	PR	40480	4840	MAYAGUEZ, PR	32420	Mayaguez, PR
MOCA	PR	40490	0060	AGUADILLA, PR	10380	Aguadilla-Isabela-San Sebastian, PR

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
MOROVIS	PR	40500	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
MAGUABO	PR	40510	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
NARANJITO	PR	40520	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
OROCOVIS	PR	40530	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
PATILLAS	PR	40540	40	PUERTO RICO	25020	Guayama, PR
PENUELAS	PR	40550	6360	PONCE, PR	49500	Yauco, PR
PONCE	PR	40560	6360	PONCE, PR	38660	Ponce, PR
QUEBRADILLAS	PR	40570	40	PUERTO RICO	41980	San Juan-Caguas-Guaynabo, PR
RINCON	PR	40580	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
RIO GRANDE	PR	40590	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
SABANA GRANDE	PR	40610	4840	MAYAGUEZ, PR	41900	San German-Cabo Rojo, PR
SALINAS	PR	40620	40	PUERTO RICO	*	
SAN GERMAN	PR	40630	4840	MAYAGUEZ, PR	41900	San German-Cabo Rojo, PR
SAN JUAN	PR	40640	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
SAN LORENZO	PR	40650	1310	CAGUAS, PR	41980	San Juan-Caguas-Guaynabo, PR
SAN SEBASTIAN	PR	40660	40	PUERTO RICO	10380	Aguadilla-Isabela-San Sebastian, PR
SANTA ISABEL	PR	40670	40	PUERTO RICO	*	
TOA ALTA	PR	40680	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
TOA BAJA	PR	40690	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
TRUJILLO ALTO	PR	40700	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
UTUADO	PR	40710	40	PUERTO RICO.		
VEGA ALTA	PR	40720	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
VEGA BAJA	PR	40730	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
VIEQUES	PR	40740	40	PUERTO RICO.		
VILLALBA	PR	40750	6360	PONCE, PR	38660	Ponce, PR
YABUCOA	PR	40760	7440	SAN JUAN-BAYAMON, PR	41980	San Juan-Caguas-Guaynabo, PR
YAUCO	PR	40770	6360	PONCE, PR	49500	Yauco, PR
PUERTO RICO, NFD	PR	40999	40	PUERTO RICO	*	
BRISTOL	RI	41000	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	39300	Providence-New Bedford-Fall River, RI-M
KENT	RI	41010	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	39300	Providence-New Bedford-Fall River, RI-M
NEWPORT	RI	41020	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	39300	Providence-New Bedford-Fall River, RI-M
PROVIDENCE	RI	41030	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	39300	Providence-New Bedford-Fall River, RI-M
WASHINGTON	RI	41050	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	39300	Providence-New Bedford-Fall River, RI-M
STATEWIDE	RI	41999	6483	PROVIDENCE-WARWICK-PAWTUCKET, RI.	*	
ABBEVILLE	SC	42000	42	SOUTH CAROLINA	*	
AIKEN	SC	42010	0600	AUGUSTA-AIKEN, GA-SC	12260	Augusta-Richmond County, GA-SC
ALLENDALE	SC	42020	42	SOUTH CAROLINA	*	
ANDERSON	SC	42030	3160	GREENVILLE-SPARTANBURG-ANDERSON, SC.	11340	Anderson, SC
BAMBERG	SC	42040	42	SOUTH CAROLINA	*	
BARNWELL	SC	42050	42	SOUTH CAROLINA	*	
BEAUFORT	SC	42060	42	SOUTH CAROLINA	*	
BERKELEY	SC	42070	1440	CHARLESTON-NORTH CHARLESTON, SC.	16700	Charleston-North Charleston, SC
CALHOUN	SC	42080	42	SOUTH CAROLINA	17900	Columbia, SC

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CHARLESTON	SC	42090	1440	CHARLESTON-NORTH CHARLESTON, SC.	16700	Charleston-North Charleston, SC
CHEROKEE	SC	42100	3160	GREENVILLE-SPARTANBURG-ANDERSON, SC.	*	
CHESTER	SC	42110	42	SOUTH CAROLINA	*	
CHESTERFIELD	SC	42120	42	SOUTH CAROLINA	*	
CLARENDON	SC	42130	42	SOUTH CAROLINA	*	
COLLETON	SC	42140	42	SOUTH CAROLINA	*	
DARLINGTON	SC	42150	42	SOUTH CAROLINA	22500	Florence, SC
DILLON	SC	42160	42	SOUTH CAROLINA	*	
DORCHESTER	SC	42170	1440	CHARLESTON-NORTH CHARLESTON, SC.	16700	Charleston-North Charleston, SC
EDGEFIELD	SC	42180	0600	AUGUSTA-AIKEN, GA-SC	12260	Augusta-Richmond County, GA-SC
FAIRFIELD	SC	42190	42	SOUTH CAROLINA	17900	Columbia, SC
FLORENCE	SC	42200	2655	FLORENCE, SC	22500	Florence, SC
GEORGETOWN	SC	42210	42	SOUTH CAROLINA	*	
GREENVILLE	SC	42220	3160	GREENVILLE-SPARTANBURG-ANDERSON, SC.	24860	Greenville, SC
GREENWOOD	SC	42230	42	SOUTH CAROLINA	*	
HAMPTON	SC	42240	42	SOUTH CAROLINA	*	
HORRY	SC	42250	5330	MYRTLE BEACH, SC	34820	Myrtle Beach-Conway-North Myrtle Beach,
JASPER	SC	42260	42	SOUTH CAROLINA	*	
KERSHAW	SC	42270	42	SOUTH CAROLINA	17900	Columbia, SC
LANCASTER	SC	42280	42	SOUTH CAROLINA	*	
LAURENS	SC	42290	42	SOUTH CAROLINA	24860	Greenville, SC
LEE	SC	42300	42	SOUTH CAROLINA	*	
LEXINGTON	SC	42310	1760	COLUMBIA, SC	17900	Columbia, SC
MCCORMICK	SC	42320	42	SOUTH CAROLINA	*	
MARION	SC	42330	42	SOUTH CAROLINA	*	
MARLBORO	SC	42340	42	SOUTH CAROLINA	*	
NEWBERRY	SC	42350	42	SOUTH CAROLINA	*	
OCONEE	SC	42360	42	SOUTH CAROLINA	*	
ORANGEBURG	SC	42370	42	SOUTH CAROLINA	*	
PICKENS	SC	42380	3160	GREENVILLE-SPARTANBURG ANDERSON, SC.	24860	Greenville, SC
RICHLAND	SC	42390	1760	COLUMBIA, SC	17900	Columbia, SC
SALUDA	SC	42400	42	SOUTH CAROLINA	17900	Columbia, SC
SPARTANBURG	SC	42410	3160	GREENVILLE-SPARTANBURG-ANDERSON, SC.	43900	Spartanburg, SC
SUMTER	SC	42420	8140	SUMTER, SC	44940	Sumter, SC
UNION	SC	42430	42	SOUTH CAROLINA	*	
WILLIAMSBURG	SC	42440	42	SOUTH CAROLINA	*	
YORK	SC	42450	1520	CHARLOTTE-GASTONIA-ROCK HILL, NC-SC.	16740	Charlotte-Gastonia-Concord, NC-SC
STATEWIDE	SC	42999	42	SOUTH CAROLINA	*	
AURORA	SD	43010	43	SOUTH DAKOTA	*	
BEADLE	SD	43020	43	SOUTH DAKOTA	*	
BENNETT	SD	43030	43	SOUTH DAKOTA	*	
BON HOMME	SD	43040	43	SOUTH DAKOTA	*	
BROOKINGS	SD	43050	43	SOUTH DAKOTA	*	
BROWN	SD	43060	43	SOUTH DAKOTA	*	
BRULE	SD	43070	43	SOUTH DAKOTA	*	
BUFFALO	SD	43080	43	SOUTH DAKOTA	*	
BUTTE	SD	43090	43	SOUTH DAKOTA	*	
CAMPBELL	SD	43100	43	SOUTH DAKOTA	*	
CHARLES MIX	SD	43110	43	SOUTH DAKOTA	*	
CLARK	SD	43120	43	SOUTH DAKOTA	*	
CLAY	SD	43130	43	SOUTH DAKOTA	*	
CODINGTON	SD	43140	43	SOUTH DAKOTA	*	
CORSON	SD	43150	43	SOUTH DAKOTA	*	
CUSTER	SD	43160	43	SOUTH DAKOTA	*	
DAVISON	SD	43170	43	SOUTH DAKOTA	*	
DAY	SD	43180	43	SOUTH DAKOTA	*	
DEUEL	SD	43190	43	SOUTH DAKOTA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
DEWEY	SD	43200	43	SOUTH DAKOTA	*	
DOUGLAS	SD	43210	43	SOUTH DAKOTA	*	
EDMUNDS	SD	43220	43	SOUTH DAKOTA	*	
FALL RIVER	SD	43230	43	SOUTH DAKOTA	*	
FAULK	SD	43240	43	SOUTH DAKOTA	*	
GRANT	SD	43250	43	SOUTH DAKOTA	*	
GREGORY	SD	43260	43	SOUTH DAKOTA	*	
HAAKON	SD	43270	43	SOUTH DAKOTA	*	
HAMLIN	SD	43280	43	SOUTH DAKOTA	*	
HAND	SD	43290	43	SOUTH DAKOTA	*	
HANSON	SD	43300	43	SOUTH DAKOTA	*	
HARDING	SD	43310	43	SOUTH DAKOTA	*	
HUGHES	SD	43320	43	SOUTH DAKOTA	*	
HUTCHINSON	SD	43330	43	SOUTH DAKOTA	*	
HYDE	SD	43340	43	SOUTH DAKOTA	*	
JACKSON	SD	43350	43	SOUTH DAKOTA	*	
JERAULD	SD	43360	43	SOUTH DAKOTA	*	
JONES	SD	43370	43	SOUTH DAKOTA	*	
KINGSBURY	SD	43380	43	SOUTH DAKOTA	*	
LAKE	SD	43390	43	SOUTH DAKOTA	*	
LAWRENCE	SD	43400	43	SOUTH DAKOTA	*	
LINCOLN	SD	43410	7760	SIOUX FALLS, SD	43620	Sioux Falls, SD
LYMAN	SD	43420	43	SOUTH DAKOTA	*	
MC COOK	SD	43430	43	SOUTH DAKOTA	43620	Sioux Falls, SD
MC PHERSON	SD	43440	43	SOUTH DAKOTA	*	
MARSHALL	SD	43450	43	SOUTH DAKOTA	*	
MEADE	SD	43460	43	SOUTH DAKOTA	39660	Rapid City, SD
MELLETTE	SD	43470	43	SOUTH DAKOTA	*	
MINER	SD	43480	43	SOUTH DAKOTA	*	
MINNEHAHA	SD	43490	7760	SIOUX FALLS, SD	43620	Sioux Falls, SD
MOODY	SD	43500	43	SOUTH DAKOTA	*	
PENNINGTON	SD	43510	6660	RAPID CITY, SD	39660	Rapid City, SD
PERKINS	SD	43520	43	SOUTH DAKOTA	*	
POTTER	SD	43530	43	SOUTH DAKOTA	*	
ROBERTS	SD	43540	43	SOUTH DAKOTA	*	
SANBORN	SD	43550	43	SOUTH DAKOTA	*	
SHANNON	SD	43560	43	SOUTH DAKOTA	*	
SPINK	SD	43570	43	SOUTH DAKOTA	*	
STANLEY	SD	43580	43	SOUTH DAKOTA	*	
SULLY	SD	43590	43	SOUTH DAKOTA	*	
TODD	SD	43600	43	SOUTH DAKOTA	*	
TRIPP	SD	43610	43	SOUTH DAKOTA	*	
TURNER	SD	43620	43	SOUTH DAKOTA	43620	Sioux Falls, SD
UNION	SD	43630	43	SOUTH DAKOTA	43580	Sioux City, IA-NE-SD
WALWORTH	SD	43640	43	SOUTH DAKOTA	*	
WASHABAUGH	SD	43650	43	SOUTH DAKOTA	*	
YANKTON	SD	43670	43	SOUTH DAKOTA	*	
ZIEBACH	SD	43680	43	SOUTH DAKOTA	*	
STATEWIDE	SD	43999	43	SOUTH DAKOTA	*	
ANDERSON	TN	44000	3840	KNOXVILLE, TN	28940	Knoxville, TN
BEDFORD	TN	44010	44	TENNESSEE	*	
BENTON	TN	44020	44	TENNESSEE	*	
BLEDSOE	TN	44030	44	TENNESSEE	*	
BLOUNT	TN	44040	3840	KNOXVILLE, TN	28940	Knoxville, TN
BRADLEY	TN	44050	44	TENNESSEE	17420	Cleveland, TN
CAMPBELL	TN	44060	44	TENNESSEE.		
CANNON	TN	44070	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
CARROLL	TN	44080	44	TENNESSEE	*	
CARTER	TN	44090	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	27740	Johnson City, TN
CHEATHAM	TN	44100	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
CHESTER	TN	44110	3580	JACKSON, TN	27180	Jackson, TN
CLAIBORNE	TN	44120	44	TENNESSEE	*	
CLAY	TN	44130	44	TENNESSEE	*	
COCKE	TN	44140	44	TENNESSEE	*	
COFFEE	TN	44150	44	TENNESSEE	*	
CROCKETT	TN	44160	44	TENNESSEE	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
CUMBERLAND	TN	44170	44	TENNESSEE	*	
DAVIDSON	TN	44180	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
DECATUR	TN	44190	44	TENNESSEE	*	
DE KALB	TN	44200	44	TENNESSEE	*	
DICKSON	TN	44210	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
DYER	TN	44220	44	TENNESSEE	*	
FAYETTE	TN	44230	4920	MEMPHIS, TN-AR-MS	32820	Memphis, TN-MS-AR
FENTRESS	TN	44240	44	TENNESSEE	*	
FRANKLIN	TN	44250	44	TENNESSEE	*	
GIBSON	TN	44260	44	TENNESSEE	*	
GILES	TN	44270	44	TENNESSEE	*	
GRAINGER	TN	44280	44	TENNESSEE	34100	Morristown, TN
GREENE	TN	44290	44	TENNESSEE	*	
GRUNDY	TN	44300	44	TENNESSEE	*	
HAMBLEN	TN	44310	44	TENNESSEE	34100	Morristown, TN
HAMILTON	TN	44320	1560	CHATTANOOGA, TN-GA	16860	Chattanooga, TN-GA
HANCOCK	TN	44330	44	TENNESSEE	*	
HARDEMAN	TN	44340	44	TENNESSEE	*	
HARDIN	TN	44350	44	TENNESSEE	*	
HAWKINS	TN	44360	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	28700	Kingsport-Bristol-,TN-VA
HAYWOOD	TN	44370	44	TENNESSEE	*	
HENDERSON	TN	44380	44	TENNESSEE	*	
HENRY	TN	44390	44	TENNESSEE	*	
HICKMAN	TN	44400	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
HOUSTON	TN	44410	44	TENNESSEE	*	
HUMPHREYS	TN	44420	44	TENNESSEE	*	
JACKSON	TN	44430	44	TENNESSEE	*	
JEFFERSON	TN	44440	44	TENNESSEE	34100	Morristown, TN
JOHNSON	TN	44450	44	TENNESSEE	*	
KNOX	TN	44460	3840	KNOXVILLE, TN	28940	Knoxville, TN
LAKE	TN	44470	44	TENNESSEE	*	
LAUDERDALE	TN	44480	44	TENNESSEE	*	
LAWRENCE	TN	44490	44	TENNESSEE	*	
LEWIS	TN	44500	44	TENNESSEE	*	
LINCOLN	TN	44510	44	TENNESSEE	*	
LOUDON	TN	44520	3840	KNOXVILLE, TN	28940	Knoxville, TN
MC MINN	TN	44530	44	TENNESSEE	*	
MC NAIRY	TN	44540	44	TENNESSEE	*	
MACON	TN	44550	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
MADISON	TN	44560	3580	JACKSON, TN	27180	Jackson, TN
MARION	TN	44570	1560	CHATTANOOGA, TN-GA	16860	Chattanooga, TN-GA
MARSHALL	TN	44580	44	TENNESSEE	*	
MAURY	TN	44590	44	TENNESSEE	*	
MEIGS	TN	44600	44	TENNESSEE	*	
MONROE	TN	44610	44	TENNESSEE	*	
MONTGOMERY	TN	44620	1660	CLARKSVILLE-HOPKINS-VILLE, TN-KY.	17300	Clarksville, TN-KY
MOORE	TN	44630	44	TENNESSEE	*	
MORGAN	TN	44640	44	TENNESSEE	*	
OBION	TN	44650	44	TENNESSEE	*	
OVERTON	TN	44660	44	TENNESSEE	*	
PERRY	TN	44670	44	TENNESSEE	*	
PICKETT	TN	44680	44	TENNESSEE	*	
POLK	TN	44690	44	TENNESSEE	17420	Cleveland, TN
PUTNAM	TN	44700	44	TENNESSEE	*	
RHEA	TN	44710	44	TENNESSEE	*	
ROANE	TN	44720	44	TENNESSEE	*	
ROBERTSON	TN	44730	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
RUTHERFORD	TN	44740	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
SCOTT	TN	44750	44	TENNESSEE	*	
SEQUATCHIE	TN	44760	44	TENNESSEE	16860	Chattanooga, TN-GA
SEVIER	TN	44770	3840	KNOXVILLE, TN	*	
SHELBY	TN	44780	4920	MEMPHIS, TN-AR-MS	32820	Memphis, TN-MS-AR

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
SMITH	TN	44790	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
STEWART	TN	44800	44	TENNESSEE	17300	Clarksville, TN-KY
SULLIVAN	TN	44810	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	28700	Kingsport-Bristol, TN-VA
SUMNER	TN	44820	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
TIPTON	TN	44830	4920	MEMPHIS, TN-AR-MS	32820	Memphis, TN-MS-AR
TROUSDALE	TN	44840	44	TENNESSEE	34980	Nashville-Davidson—Murfreesboro, TN
UNICOI	TN	44850	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	27740	Johnson City, TN
UNION	TN	44860	3840	KNOXVILLE, TN	28940	Knoxville, TN
VAN BUREN	TN	44870	44	TENNESSEE	*	
WARREN	TN	44880	44	TENNESSEE	*	
WASHINGTON	TN	44890	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	27740	Johnson City, TN
WAYNE	TN	44900	44	TENNESSEE	*	
WEAKLEY	TN	44910	44	TENNESSEE	*	
WHITE	TN	44920	44	TENNESSEE	*	
WILLIAMSON	TN	44930	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
WILSON	TN	44940	5360	NASHVILLE, TN	34980	Nashville-Davidson—Murfreesboro, TN
STATEWIDE	TN	44999	44	TENNESSEE	*	
ANDERSON	TX	45000	45	TEXAS	*	
ANDREWS	TX	45010	45	TEXAS	*	
ANGELINA	TX	45020	45	TEXAS	*	
ARANSAS	TX	45030	45	TEXAS	18580	Corpus Christi, TX
ARCHER	TX	45040	9080	WICHITA FALLS, TX	48660	Wichita Falls, TX
ARMSTRONG	TX	45050	45	TEXAS	11100	Amarillo, TX
ATASCOSA	TX	45060	45	TEXAS	41700	San Antonio, TX
AUSTIN	TX	45070	45	TEXAS	26420	Houston-Baytown-Sugar Land, TX
BAILEY	TX	45080	45	TEXAS	*	
BANDERA	TX	45090	45	TEXAS	41700	San Antonio, TX
BASTROP	TX	45100	0640	AUSTIN-SAN MARCOS, TX	12420	Austin-Round Rock, TX
BAYLOR	TX	45110	45	TEXAS	*	
BEE	TX	45113	45	TEXAS	*	
BELL	TX	45120	3810	KILLEEN-TEMPLE, TX	28660	Killeen-Temple-Fort Hood, TX
BEXAR	TX	45130	7240	SAN ANTONIO, TX	41700	San Antonio, TX
BLANCO	TX	45140	45	TEXAS	*	
BORDEN	TX	45150	45	TEXAS	*	
BOSQUE	TX	45160	45	TEXAS	*	
BOWIE	TX	45170	8360	TEXARKANA, TX-TEXARKANA, AR.	45500	Texarkana, TX-Texarkana, AR
BRAZORIA	TX	45180	1145	BRAZORIA, TX	26420	Houston-Baytown-Sugar Land, TX
BRAZOS	TX	45190	1260	BRYAN-COLLEGE STATION, TX.	17780	College Station-Bryan, TX
BREWSTER	TX	45200	45	TEXAS	*	
BRISCOE	TX	45201	45	TEXAS	*	
BROOKS	TX	45210	45	TEXAS	*	
BROWN	TX	45220	45	TEXAS	*	
BURLESON	TX	45221	45	TEXAS	17780	College Station-Bryan, TX
BURNET	TX	45222	45	TEXAS	*	
CALDWELL	TX	45223	0640	AUSTIN-SAN MARCOS, TX	12420	Austin-Round Rock, TX
CALHOUN	TX	45224	45	TEXAS	47020	Victoria, TX
CALLAHAN	TX	45230	45	TEXAS	10180	Abilene, TX
CAMERON	TX	45240	1240	BROWNSVILLE-HARLINGEN-SAN BENITO, TX.	15180	Brownsville-Harlingen, TX
CAMP	TX	45250	45	TEXAS	*	
CARSON	TX	45251	45	TEXAS	11100	Amarillo, TX
CASS	TX	45260	45	TEXAS	*	
CASTRO	TX	45270	45	TEXAS	*	
CHAMBERS	TX	45280	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX
CHEROKEE	TX	45281	45	TEXAS	*	
CHILDRESS	TX	45290	45	TEXAS	*	
CLAY	TX	45291	45	TEXAS	48660	Wichita Falls, TX

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
COCHRAN	TX	45292	45	TEXAS	*	
COKE	TX	45300	45	TEXAS	*	
COLEMAN	TX	45301	45	TEXAS	*	
COLLIN	TX	45310	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
COLLINGSWORTH	TX	45311	45	TEXAS	*	
COLORADO	TX	45312	45	TEXAS	*	
COMAL	TX	45320	7240	SAN ANTONIO, TX	41700	San Antonio, TX
COMANCHE	TX	45321	45	TEXAS	*	
CONCHO	TX	45330	45	TEXAS	*	
COOKE	TX	45340	45	TEXAS	*	
CORYELL	TX	45341	3810	KILLEEN-TEMPLE, TX	28660	Killeen-Temple-Fort Hood, TX
COTTLE	TX	45350	45	TEXAS	*	
CRANE	TX	45360	45	TEXAS	*	
CROCKETT	TX	45361	45	TEXAS	*	
CROSBY	TX	45362	45	TEXAS	31180	Lubbock, TX
CULBERSON	TX	45370	45	TEXAS	*	
DALLAM	TX	45380	45	TEXAS	*	
DALLAS	TX	45390	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
DAWSON	TX	45391	45	TEXAS	*	
DEAF SMITH	TX	45392	45	TEXAS	*	
DELTA	TX	45400	45	TEXAS	19124	Dallas-Plano-Irving, TX
DENTON	TX	45410	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
DE WITT	TX	45420	45	TEXAS	*	
DICKENS	TX	45421	45	TEXAS	*	
DIMMIT	TX	45430	45	TEXAS	*	
DONLEY	TX	45431	45	TEXAS	*	
DUVAL	TX	45440	45	TEXAS	*	
EASTLAND	TX	45450	45	TEXAS	*	
ECTOR	TX	45451	5800	ODESSA-MIDLAND, TX	36220	Odessa, TX
EDWARDS	TX	45460	45	TEXAS	*	
ELLIS	TX	45470	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
EL PASO	TX	45480	2320	EL PASO, TX	21340	El Paso, TX
ERATH	TX	45490	45	TEXAS	*	
FALLS	TX	45500	45	TEXAS	*	
FANNIN	TX	45510	45	TEXAS	*	
FAYETTE	TX	45511	45	TEXAS	*	
FISHER	TX	45520	45	TEXAS	*	
FLOYD	TX	45521	45	TEXAS	*	
FOARD	TX	45522	45	TEXAS	*	
FORT BEND	TX	45530	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX
FRANKLIN	TX	45531	45	TEXAS	*	
FREESTONE	TX	45540	45	TEXAS	*	
FRIO	TX	45541	45	TEXAS	*	
GAINES	TX	45542	45	TEXAS	*	
GALVESTON	TX	45550	2920	GALVESTON-TEXAS CITY, TX.	26420	Houston-Baytown-Sugar Land, TX
GARZA	TX	45551	45	TEXAS	*	
GILLESPIE	TX	45552	45	TEXAS	*	
GLASSCOCK	TX	45560	45	TEXAS	*	
GOLIAD	TX	45561	45	TEXAS	47020	Victoria, TX
GONZALES	TX	45562	45	TEXAS	*	
GRAY	TX	45563	45	TEXAS	*	
GRAYSON	TX	45564	7640	SHERMAN-DENISON, TX	43300	Sherman-Denison, TX
GREGG	TX	45570	4420	LONGVIEW-MARSHALL, TX	30980	Longview, TX
GRIMES	TX	45580	45	TEXAS	*	
GUADALUPE	TX	45581	7240	SAN ANTONIO, TX	41700	San Antonio, TX
HALE	TX	45582	45	TEXAS	*	
HALL	TX	45583	45	TEXAS	*	
HAMILTON	TX	45590	45	TEXAS	*	
HANSFORD	TX	45591	45	TEXAS	*	
HARDEMAN	TX	45592	45	TEXAS	*	
HARDIN	TX	45600	0840	BEAUMONT-PORT ARTHUR, TX.	13140	Beaumont-Port Arthur, TX
HARRIS	TX	45610	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX
HARRISON	TX	45620	4420	LONGVIEW-MARSHALL, TX	*	
HARTLEY	TX	45621	45	TEXAS	*	
HASKELL	TX	45630	45	TEXAS	*	
HAYS	TX	45631	0640	AUSTIN-SAN MARCOS, TX	12420	Austin-Round Rock, TX

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HEMPHILL	TX	45632	45	TEXAS	*	
HENDERSON	TX	45640	1920	DALLAS, TX	*	
HIDALGO	TX	45650	4880	MCALLEN-EDINBURG-MISSION, TX.	32580	McAllen-Edinburg-Pharr, TX
HILL	TX	45651	45	TEXAS	*	
HOCKLEY	TX	45652	45	TEXAS	*	
HOOD	TX	45653	2800	FORT WORTH-ARLINGTON, TX.	*	
HOPKINS	TX	45654	45	TEXAS	*	
HOUSTON	TX	45660	45	TEXAS	*	
HOWARD	TX	45661	45	TEXAS	*	
HUDSPETH	TX	45662	45	TEXAS	*	
HUNT	TX	45670	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
HUTCHINSON	TX	45671	45	TEXAS	*	
IRION	TX	45672	45	TEXAS	41660	San Angelo, TX
JACK	TX	45680	45	TEXAS	*	
JACKSON	TX	45681	45	TEXAS	*	
JASPER	TX	45690	45	TEXAS	*	
JEFF DAVIS	TX	45691	45	TEXAS	*	
JEFFERSON	TX	45700	0840	BEAUMONT-PORT ARTHUR, TX.	13140	Beaumont-Port Arthur, TX
JIM HOGG	TX	45710	45	TEXAS	*	
JIM WELLS	TX	45711	45	TEXAS	*	
JOHNSON	TX	45720	2800	FORT WORTH-ARLINGTON, TX.	23104	Fort Worth-Arlington, TX
JONES	TX	45721	45	TEXAS	10180	Abilene, TX
KARNES	TX	45722	45	TEXAS	*	
KAUFMAN	TX	45730	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
KENDALL	TX	45731	45	TEXAS	41700	San Antonio, TX
KENEDY	TX	45732	45	TEXAS	*	
KENT	TX	45733	45	TEXAS	*	
KERR	TX	45734	45	TEXAS	*	
KIMBLE	TX	45740	45	TEXAS	*	
KING	TX	45741	45	TEXAS	*	
KINNEY	TX	45742	45	TEXAS	*	
KLEBERG	TX	45743	45	TEXAS	*	
KNOX	TX	45744	45	TEXAS	*	
LAMAR	TX	45750	45	TEXAS	*	
LAMB	TX	45751	45	TEXAS	*	
LAMPASAS	TX	45752	45	TEXAS	28660	Killeen-Temple-Fort Hood, TX
LA SALLE	TX	45753	45	TEXAS	*	
LAVACA	TX	45754	45	TEXAS	*	
LEE	TX	45755	45	TEXAS	*	
LEON	TX	45756	45	TEXAS	*	
LIBERTY	TX	45757	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX
LIMESTONE	TX	45758	45	TEXAS	*	
LIPSCOMB	TX	45759	45	TEXAS	*	
LIVE OAK	TX	45760	45	TEXAS	*	
LLANO	TX	45761	45	TEXAS	*	
LOVING	TX	45762	45	TEXAS	*	
LUBBOCK	TX	45770	4600	LUBBOCK, TX	31180	Lubbock, TX
LYNN	TX	45771	45	TEXAS	*	
MC CULLOCH	TX	45772	45	TEXAS	*	
MC LENNAN	TX	45780	8800	WACO, TX	47380	Waco, TX
MC MULLEN	TX	45781	45	TEXAS	*	
MADISON	TX	45782	45	TEXAS	*	
MARION	TX	45783	45	TEXAS	*	
MARTIN	TX	45784	45	TEXAS	*	
MASON	TX	45785	45	TEXAS	*	
MATAGORDA	TX	45790	45	TEXAS	*	
MAVERICK	TX	45791	45	TEXAS	*	
MEDINA	TX	45792	45	TEXAS	41700	San Antonio, TX
MENARD	TX	45793	45	TEXAS	*	
MIDLAND	TX	45794	5800	ODESSA-MIDLAND, TX	33260	Midland, TX
MILAM	TX	45795	45	TEXAS	*	
MILLS	TX	45796	45	TEXAS	*	
MITCHELL	TX	45797	45	TEXAS	*	
MONTAGUE	TX	45800	45	TEXAS	*	
MONTGOMERY	TX	45801	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
MOORE	TX	45802	45	TEXAS	*	
MORRIS	TX	45803	45	TEXAS	*	
MOTLEY	TX	45804	45	TEXAS	*	
NACOGDOCHES	TX	45810	45	TEXAS	*	
NAVARRO	TX	45820	45	TEXAS	*	
NEWTON	TX	45821	45	TEXAS	*	
NOLAN	TX	45822	45	TEXAS	*	
NUECES	TX	45830	1880	CORPUS CHRISTI, TX	18580	Corpus Christi, TX
OCHILTREE	TX	45831	45	TEXAS	*	
OLDHAM	TX	45832	45	TEXAS	*	
ORANGE	TX	45840	0840	BEAUMONT-PORT ARTHUR, TX.	13140	Beaumont-Port Arthur, TX
PALO PINTO	TX	45841	45	TEXAS	*	
PANOLA	TX	45842	45	TEXAS	*	
PARKER	TX	45843	2800	FORT WORTH-ARLINGTON, TX.	23104	Fort Worth-Arlington, TX
PARMER	TX	45844	45	TEXAS	*	
PECOS	TX	45845	45	TEXAS	*	
POLK	TX	45850	45	TEXAS	*	
POTTER	TX	45860	0320	AMARILLO, TX	11100	Amarillo, TX
PRESIDIO	TX	45861	45	TEXAS	*	
RAINS	TX	45870	45	TEXAS	*	
RANDALL	TX	45871	0320	AMARILLO, TX	11100	Amarillo, TX
REAGAN	TX	45872	45	TEXAS	*	
REAL	TX	45873	45	TEXAS	*	
RED RIVER	TX	45874	45	TEXAS	*	
REEVES	TX	45875	45	TEXAS	*	
REFUGIO	TX	45876	45	TEXAS	*	
ROBERTS	TX	45877	45	TEXAS	*	
ROBERTSON	TX	45878	45	TEXAS	17780	College Station-Bryan, TX
ROCKWALL	TX	45879	1920	DALLAS, TX	19124	Dallas-Plano-Irving, TX
RUNNELS	TX	45880	45	TEXAS	*	
RUSK	TX	45881	45	TEXAS	30980	Longview, TX
SABINE	TX	45882	45	TEXAS	*	
SAN AUGUSTINE	TX	45883	45	TEXAS	*	
SAN JACINTO	TX	45884	45	TEXAS	26420	Houston-Baytown-Sugar Land, TX
SAN PATRICIO	TX	45885	1880	CORPUS CHRISTI, TX	18580	Corpus Christi, TX
SAN SABA	TX	45886	45	TEXAS	*	
SCHLEICHER	TX	45887	45	TEXAS	*	
SCURRY	TX	45888	45	TEXAS	*	
SHACKELFORD	TX	45889	45	TEXAS	*	
SHELBY	TX	45890	45	TEXAS	*	
SHERMAN	TX	45891	45	TEXAS	*	
SMITH	TX	45892	8640	TYLER, TX	46340	Tyler, TX
SOMERVELL	TX	45893	45	TEXAS	*	
STARR	TX	45900	45	TEXAS	*	
STEPHENS	TX	45901	45	TEXAS	*	
STERLING	TX	45902	45	TEXAS	*	
STONEWALL	TX	45903	45	TEXAS	*	
SUTTON	TX	45904	45	TEXAS	*	
SWISHER	TX	45905	45	TEXAS	*	
TARRANT	TX	45910	2800	FORT WORTH-ARLINGTON, TX.	23104	Fort Worth-Arlington, TX
TAYLOR	TX	45911	0040	ABILENE, TX	10180	Abilene, TX
TERRELL	TX	45912	45	TEXAS	*	
TERRY	TX	45913	45	TEXAS	*	
THROCKMORTON	TX	45920	45	TEXAS	*	
TITUS	TX	45921	45	TEXAS	*	
TOM GREEN	TX	45930	7200	SAN ANGELO, TX	41660	San Angelo, TX
TRAVIS	TX	45940	0640	AUSTIN-SAN MARCOS, TX	12420	Austin-Round Rock, TX
TRINITY	TX	45941	45	TEXAS	*	
TYLER	TX	45942	45	TEXAS	*	
UPSHUR	TX	45943	4420	LONGVIEW-MARSHALL, TX	30980	Longview, TX
UPTON	TX	45944	45	TEXAS	*	
UVALDE	TX	45945	45	TEXAS	*	
VAL VERDE	TX	45946	45	TEXAS	*	
VAN ZANDT	TX	45947	45	TEXAS	*	
VICTORIA	TX	45948	8750	VICTORIA, TX	47020	Victoria, TX
WALKER	TX	45949	45	TEXAS	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
WALLER	TX	45950	3360	HOUSTON, TX	26420	Houston-Baytown-Sugar Land, TX
WARD	TX	45951	45	TEXAS	*	
WASHINGTON	TX	45952	45	TEXAS	*	
WEBB	TX	45953	4080	LAREDO, TX	29700	Laredo, TX
WHARTON	TX	45954	45	TEXAS	*	
WHEELER	TX	45955	45	TEXAS	*	
WICHITA	TX	45960	9080	WICHITA FALLS, TX	48660	Wichita Falls, TX
WILBARGER	TX	45961	45	TEXAS	*	
WILLACY	TX	45962	45	TEXAS	*	
WILLIAMSON	TX	45970	0640	AUSTIN-SAN MARCOS, TX	12420	Austin-Round Rock, TX
WILSON	TX	45971	7240	SAN ANTONIO, TX	41700	San Antonio, TX
WINKLER	TX	45972	45	TEXAS	*	
WISE	TX	45973	45	TEXAS	23104	Fort Worth-Arlington, TX
WOOD	TX	45974	45	TEXAS	*	
YOAKUM	TX	45980	45	TEXAS	*	
YOUNG	TX	45981	45	TEXAS	*	
ZAPATA	TX	45982	45	TEXAS	*	
ZAVALA	TX	45983	45	TEXAS	*	
STATEWIDE	TX	45999	45	TEXAS	*	
BEAVER	UT	46000	46	UTAH	*	
BOX ELDER	UT	46010	46	UTAH	*	
CACHE	UT	46020	46	UTAH	30860	Logan, UT-ID
CARBON	UT	46030	46	UTAH	*	
DAGGETT	UT	46040	46	UTAH	*	
DAVIS	UT	46050	7160	SALT LAKE CITY-OGDEN, UT	36260	Ogden-Clearfield, UT
DUCHESNE	UT	46060	46	UTAH	*	
EMERY	UT	46070	46	UTAH	*	
GARFIELD	UT	46080	46	UTAH	*	
GRAND	UT	46090	46	UTAH	*	
IRON	UT	46100	46	UTAH	*	
JUAB	UT	46110	46	UTAH	39340	Provo-Orem, UT
KANE	UT	46120	2620	FLAGSTAFF, ARIZONA-UTAH	*	
MILLARD	UT	46130	46	UTAH	*	
MORGAN	UT	46140	46	UTAH	36260	Ogden-Clearfield, UT
PIUTE	UT	46150	46	UTAH	*	
RICH	UT	46160	46	UTAH	*	
SALT LAKE	UT	46170	7160	SALT LAKE CITY-OGDEN, UT	41620	Salt Lake City, UT
SAN JUAN	UT	46180	46	UTAH	*	
SANPETE	UT	46190	46	UTAH	*	
SEVIER	UT	46200	46	UTAH	*	
SUMMIT	UT	46210	46	UTAH	41620	Salt Lake City, UT
TOOELE	UT	46220	46	UTAH	41620	Salt Lake City, UT
UINTAH	UT	46230	46	UTAH	*	
UTAH	UT	46240	6520	PROVO-OREM, UT	39340	Provo-Orem, UT
WASATCH	UT	46250	46	UTAH	*	
WASHINGTON	UT	46260	46	UTAH	41100	St. George, UT
WAYNE	UT	46270	46	UTAH	*	
WEBER	UT	46280	7160	SALT LAKE CITY-OGDEN, UT	36260	Ogden-Clearfield, UT
STATEWIDE	UT	46999	46	UTAH	*	
ADDISON	VT	47000	47	VERMONT	*	
BENNINGTON	VT	47010	47	VERMONT	*	
CALEDONIA	VT	47020	47	VERMONT	*	
CHITTENDEN	VT	47030	1303	BURLINGTON, VT	15540	
ESSEX	VT	47040	47	VERMONT	*	
FRANKLIN	VT	47050	1303	BURLINGTON, VT	15540	
GRAND ISLE	VT	47060	1303	BURLINGTON, VT	15540	
LAMOILLE	VT	47070	47	VERMONT	*	
ORANGE	VT	47080	47	VERMONT	*	
ORLEANS	VT	47090	47	VERMONT	*	
RUTLAND	VT	47100	47	VERMONT	*	
WASHINGTON	VT	47110	47	VERMONT	*	
WINDHAM	VT	47120	47	VERMONT	*	
WINDSOR	VT	47130	47	VERMONT	*	
STATEWIDE	VT	47999	47	VERMONT	*	
ACCOMACK	VA	49000	49	VIRGINIA	*	
ALBEMARLE	VA	49010	1540	CHARLOTTESVILLE, VA	16820	Charlottesville, VA
ALEXANDRIA CITY	VA	49011	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
ALLEGHANY	VA	49020	49	VIRGINIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
AMELIA	VA	49030	49	VIRGINIA	40060	Richmond, VA
AMHERST	VA	49040	4640	LYNCHBURG, VA	31340	Lynchburg, VA
APPOMATTOX	VA	49050	49	VIRGINIA	31340	Lynchburg, VA
ARLINGTON	VA	49060	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
AUGUSTA	VA	49070	49	VIRGINIA	*	
BATH	VA	49080	49	VIRGINIA	**	
BEDFORD CITY	VA	49088	4640	LYNCHBURG, VA	31340	Lynchburg, VA
BEDFORD	VA	49090	4640	LYNCHBURG, VA	31340	Lynchburg, VA
BLAND	VA	49100	49	VIRGINIA	*	
BOTETOURT	VA	49110	6800	ROANOKE, VA	40220	Roanoke, VA
BRISTOL CITY	VA	49111	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	28700	Kingsport-Bristol, TN-VA
BRUNSWICK	VA	49120	49	VIRGINIA	*	
BUCHANAN	VA	49130	49	VIRGINIA	*	
BUCKINGHAM	VA	49140	49	VIRGINIA	*	
BUENA VISTA CITY	VA	49141	49	VIRGINIA	*	
CAMPBELL	VA	49150	4640	LYNCHBURG, VA	31340	Lynchburg, VA
CAROLINE	VA	49160	49	VIRGINIA	40060	Richmond, VA
CARROLL	VA	49170	49	VIRGINIA	*	
CHARLES CITY	VA	49180	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
CHARLOTTE	VA	49190	49	VIRGINIA	*	
CHARLOTTESVILLE CITY	VA	49191	1540	CHARLOTTESVILLE, VA	16820	Charlottesville, VA
CHESAPEAKE CITY	VA	49194	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
CHESTERFIELD	VA	49200	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
CLARKE	VA	49210	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
CLIFTON FORGE CITY	VA	49211	49	VIRGINIA	*	
COLONIAL HEIGHTS CITY	VA	49212	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
COVINGTON CITY	VA	49213	49	VIRGINIA	*	
CRAIG	VA	49220	49	VIRGINIA	40220	Roanoke, VA
CULPEPPER	VA	49230	8840	WASHINGTON, DC-MD-VA-WV.	*	
CUMBERLAND	VA	49240	49	VIRGINIA	40060	Richmond, VA
DANVILLE CITY	VA	49241	1950	DANVILLE, VA	19260	Danville, VA
DICKENSON	VA	49250	49	VIRGINIA	*	
DINWIDDIE	VA	49260	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
EMPORIA CITY	VA	49270	49	VIRGINIA	*	
ESSEX	VA	49280	49	VIRGINIA	*	
FAIRFAX CITY	VA	49288	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
FAIRFAX	VA	49290	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
FALLS CHURCH CITY	VA	49291	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
FAUQUIER	VA	49300	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
FLOYD	VA	49310	49	VIRGINIA	*	
FLUVANNA	VA	49320	1540	CHARLOTTESVILLE, VA	16820	Charlottesville, VA
FRANKLIN CITY	VA	49328	49	VIRGINIA	*	
FRANKLIN	VA	49330	49	VIRGINIA	40220	Roanoke, VA
FREDERICK	VA	49340	49	VIRGINIA	49020	Winchester, VA-WV
FREDERICKSBURG CITY	VA	49342	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
GALAX CITY	VA	49343	49	VIRGINIA	*	
GILES	VA	49350	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
GLOUCESTER	VA	49360	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
GOOCHLAND	VA	49370	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
GRAYSON	VA	49380	49	VIRGINIA.		
GREENE	VA	49390	1540	CHARLOTTESVILLE, VA	16820	Charlottesville, VA
GREENSVILLE	VA	49400	49	VIRGINIA	*	
HALIFAX	VA	49410	49	VIRGINIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
HAMPTON CITY	VA	49411	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
HANOVER	VA	49420	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
HARRISONBURG CITY	VA	49421	49	VIRGINIA	25500	Harrisonburg, VA
HENRICO	VA	49430	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
HENRY	VA	49440	49	VIRGINIA	*	
HIGHLAND	VA	49450	49	VIRGINIA	*	
HOPEWELL CITY	VA	49451	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
ISLE OF WIGHT	VA	49460	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
JAMES CITY	VA	49470	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
KING AND QUEEN	VA	49480	49	VIRGINIA	40060	Richmond, VA
KING GEORGE	VA	49490	8840	WASHINGTON, DC-MD-VA-WV.	*	
KING WILLIAM	VA	49500	49	VIRGINIA	40060	Richmond, VA
LANCASTER	VA	49510	49	VIRGINIA	*	
LEE	VA	49520	49	VIRGINIA	*	
LEXINGTON CITY	VA	49522	49	VIRGINIA	*	
LOUDOUN	VA	49530	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
LOUISA	VA	49540	49	VIRGINIA	40060	Richmond, VA
LUNENBURG	VA	49550	49	VIRGINIA.		
LYNCHBURG CITY	VA	49551	4640	LYNCHBURG, VA	31340	Lynchburg, VA
MADISON	VA	49560	49	VIRGINIA	*	
MARTINSVILLE CITY	VA	49561	49	VIRGINIA	*	
MANASSAS CITY	VA	49563	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
MANASSAS PARK CITY	VA	49565	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
MATHEWS	VA	49570	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
MECKLENBURG	VA	49580	49	VIRGINIA	*	
MIDDLESEX	VA	49590	49	VIRGINIA	*	
MONTGOMERY	VA	49600	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
NANSEMOND CITY	VA	49610	49	VIRGINIA.		
NELSON	VA	49620	49	VIRGINIA	16820	Charlottesville, VA
NEW KENT	VA	49621	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
NEWPORT NEWS CITY	VA	49622	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
NORFOLK CITY	VA	49641	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
NORTHAMPTON	VA	49650	49	VIRGINIA	*	
NORTHUMBERLAND	VA	49660	49	VIRGINIA	*	
NORTON CITY	VA	49661	49	VIRGINIA	*	
NOTTOWAY	VA	49670	49	VIRGINIA	*	
ORANGE	VA	49680	49	VIRGINIA	*	
PAGE	VA	49690	49	VIRGINIA	*	
PATRICK	VA	49700	49	VIRGINIA	*	
PETERSBURG CITY	VA	49701	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
PITTSYLVANIA	VA	49710	1950	DANVILLE, VA	19260	Danville, VA
PORTSMOUTH CITY	VA	49711	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
POQUOSON	VA	49712	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
POWHATAN	VA	49720	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
PRINCE EDWARD	VA	49730	49	VIRGINIA	*	
PRINCE GEORGE	VA	49740	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
PRINCE WILLIAM	VA	49750	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
PULASKI	VA	49770	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
RADFORD CITY	VA	49771	49	VIRGINIA	13980	Blacksburg-Christiansburg-Radford, VA
RAPPAHANNOCK	VA	49780	49	VIRGINIA	*	
RICHMOND	VA	49790	49	VIRGINIA	*	
RICHMOND CITY	VA	49791	6760	RICHMOND-PETERSBURG, VA.	40060	Richmond, VA
ROANOKE	VA	49800	6800	ROANOKE, VA	40220	Roanoke, VA
ROANOKE CITY	VA	49801	6800	ROANOKE, VA	40220	Roanoke, VA
ROCKBRIDGE	VA	49810	49	VIRGINIA	*	
ROCKINGHAM	VA	49820	49	VIRGINIA	25500	Harrisonburg, VA
RUSSELL	VA	49830	49	VIRGINIA	*	
SALEM CITY	VA	49838	6800	ROANOKE, VA	40220	Roanoke, VA
SCOTT	VA	49840	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	28700	Kingsport-Bristol-Bristol, TN-VA
SHENANDOAH	VA	49850	49	VIRGINIA	*	
SMYTH	VA	49860	49	VIRGINIA	*	
SOUTH BOSTON CITY	VA	49867	49	VIRGINIA	*	
SOUTHAMPTON	VA	49870	49	VIRGINIA	*	
SPOTSYLVANIA	VA	49880	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
STAFFORD	VA	49890	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
STAUNTON CITY	VA	49891	49	VIRGINIA	*	
SUFFOLK CITY	VA	49892	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
SURRY	VA	49900	49	VIRGINIA	47260	Virginia Beach-Norfolk-Newport News, VA
SUSSEX	VA	49910	49	VIRGINIA	40060	Richmond, VA
TAZEWELL	VA	49920	49	VIRGINIA	*	
VIRGINIA BEACH CITY	VA	49921	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
WARREN	VA	49930	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
WASHINGTON	VA	49950	3660	JOHNSON CITY-KINGSPORT-BRISTOL, TN-VA.	28700	Kingsport-Bristol-Bristol, TN-VA
WAYNESBORO CITY	VA	49951	49	VIRGINIA	*	
WESTMORELAND	VA	49960	49	VIRGINIA	*	
WILLIAMSBURG CITY	VA	49961	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
WINCHESTER CITY	VA	49962	49	VIRGINIA	49020	Winchester, VA-WV
WISE	VA	49970	49	VIRGINIA	*	
WYTHE	VA	49980	49	VIRGINIA	*	
YORK	VA	49981	5720	NORFOLK-VIRGINIA BEACH-NEWPORT NEWS, VA-NC.	47260	Virginia Beach-Norfolk-Newport News, VA
STATEWIDE	VA	49999	49	VIRGINIA	*	
ADAMS	WA	50000	50	WASHINGTON	*	
ASOTIN	WA	50010	50	WASHINGTON	30300	Lewiston, ID-WA
BENTON	WA	50020	6740	RICHLAND-KENNEWICK-PASCO, WA.	28420	Kennewick-Richland-Pasco, WA
CHELAN	WA	50030	50	WASHINGTON	48300	Wenatchee, WA
CLALLAM	WA	50040	50	WASHINGTON	*	
CLARK	WA	50050	6440	PORTLAND-VANCOUVER, OR-WA.	38900	Portland-Vancouver-Beaverton, OR-WA
COLUMBIA	WA	50060	50	WASHINGTON	*	
COWLITZ	WA	50070	50	WASHINGTON	31020	Longview, WA
DOUGLAS	WA	50080	50	WASHINGTON	48300	Wenatchee, WA
FERRY	WA	50090	50	WASHINGTON	*	
FRANKLIN	WA	50100	6740	RICHLAND-KENNEWICK-PASCO, WA.	28420	Kennewick-Richland-Pasco, WA
GARFIELD	WA	50110	50	WASHINGTON	*	
GRANT	WA	50120	50	WASHINGTON	*	
GRAYS HARBOR	WA	50130	50	WASHINGTON	*	
ISLAND	WA	50140	7600	SEATTLE-BELLEVUE-EVERETT, WA.	*	
JEFFERSON	WA	50150	50	WASHINGTON	*	
KING	WA	50160	7600	SEATTLE-BELLEVUE-EVERETT, WA.	42644	Seattle-Bellevue-Everett, WA
KITSAP	WA	50170	1150	BREMERTON, WA	14740	Bremerton-Silverdale, WA
KITTITAS	WA	50180	50	WASHINGTON	*	
KLICKITAT	WA	50190	50	WASHINGTON	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
LEWIS	WA	50200	50	WASHINGTON	*	
LINCOLN	WA	50210	50	WASHINGTON	*	
MASON	WA	50220	50	WASHINGTON	*	
OKANOGAN	WA	50230	50	WASHINGTON	*	
PACIFIC	WA	50240	50	WASHINGTON	*	
PEND OREILLE	WA	50250	50	WASHINGTON	*	
PIERCE	WA	50260	8200	TACOMA, WA	45104	Tacoma, WA
SAN JUAN	WA	50270	50	WASHINGTON	*	
SKAGIT	WA	50280	50	WASHINGTON	34580	Mount Vernon-Anacortes, WA
SKAMANIA	WA	50290	50	WASHINGTON	38900	Portland-Vancouver-Beaverton, OR-WA
SNOHOMISH	WA	50300	7600	SEATTLE-BELLEVUE-EVERETT, WA.	42644	Seattle-Bellevue-Everett, WA
SPOKANE	WA	50310	7840	SPOKANE, WA	44060	Spokane, WA
STEVENS	WA	50320	50	WASHINGTON	*	
THURSTON	WA	50330	5910	OLYMPIA, WA	36500	Olympia, WA
WAHKIAKUM	WA	50340	50	WASHINGTON	*	
WALLA WALLA	WA	50350	50	WASHINGTON	*	
WHATCOM	WA	50360	0860	BELLINGHAM, WA	13380	Bellingham, WA
WHITMAN	WA	50370	50	WASHINGTON	*	
YAKIMA	WA	50380	9260	YAKIMA, WA	49420	Yakima, WA
STATEWIDE	WA	50999	50	WASHINGTON	*	
BARBOUR	WV	51000	51	WEST VIRGINIA	*	
BERKELEY	WV	51010	8840	WASHINGTON, DC-MD-VA-WV.	25180	Hagerstown-Martinsburg, MD-WV
BOONE	WV	51020	51	WEST VIRGINIA	16620	Charleston, WV
BRAXTON	WV	51030	51	WEST VIRGINIA	*	
BROOKE	WV	51040	8080	STEUBENVILLE-WEIRTON, OH-WV.	48260	Weirton-Steubenville, WV-OH
CABELL	WV	51050	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	26580	Huntington-Ashland, WV-KY-OH
CALHOUN	WV	51060	51	WEST VIRGINIA	*	
CLAY	WV	51070	51	WEST VIRGINIA	16620	Charleston, WV
DODDRIDGE	WV	51080	51	WEST VIRGINIA	*	
FAYETTE	WV	51090	51	WEST VIRGINIA	*	
GILMER	WV	51100	51	WEST VIRGINIA	*	
GRANT	WV	51110	51	WEST VIRGINIA	*	
GREENBRIER	WV	51120	51	WEST VIRGINIA	*	
HAMPSHIRE	WV	51130	51	WEST VIRGINIA	49020	Winchester, VA-WV
HANCOCK	WV	51140	8080	STEUBENVILLE-WEIRTON, OH-WV.	48260	Weirton-Steubenville, WV-OH
HARDY	WV	51150	51	WEST VIRGINIA	*	
HARRISON	WV	51160	51	WEST VIRGINIA	*	
JACKSON	WV	51170	51	WEST VIRGINIA	*	
JEFFERSON	WV	51180	8840	WASHINGTON, DC-MD-VA-WV.	47894	Washington-Arlington-Alexandria DC-VA
KANAWHA	WV	51190	1480	CHARLESTON, WV	16620	Charleston, WV
LEWIS	WV	51200	51	WEST VIRGINIA	*	
LINCOLN	WV	51210	51	WEST VIRGINIA	16620	Charleston, WV
LOGAN	WV	51220	51	WEST VIRGINIA	*	
MC DOWELL	WV	51230	51	WEST VIRGINIA	*	
MARION	WV	51240	51	WEST VIRGINIA	*	
MARSHALL	WV	51250	9000	WHEELING, WV-OH	48540	Wheeling, WV-OH
MASON	WV	51260	51	WEST VIRGINIA	*	
MERCER	WV	51270	51	WEST VIRGINIA	*	
MINERAL	WV	51280	1900	CUMBERLAND, MD-WV	19060	Cumberland, MD-WV
MINGO	WV	51290	51	WEST VIRGINIA	*	
MONONGALIA	WV	51300	51	WEST VIRGINIA	34060	Morgantown, WV
MONROE	WV	51310	51	WEST VIRGINIA	*	
MORGAN	WV	51320	51	WEST VIRGINIA	25180	Hagerstown-Martinsburg, MD-WV
NICHOLAS	WV	51330	51	WEST VIRGINIA	*	
OHIO	WV	51340	9000	WHEELING, WV-OH	48540	Wheeling, WV-OH
PENDLETON	WV	51350	51	WEST VIRGINIA	*	
PLEASANTS	WV	51360	51	WEST VIRGINIA	37620	Parkersburg-Marietta, WV-OH
POCAHONTAS	WV	51370	51	WEST VIRGINIA	*	
PRESTON	WV	51380	51	WEST VIRGINIA	34060	Morgantown, WV
PUTNAM	WV	51390	1480	CHARLESTON, WV	16620	Charleston, WV
RALEIGH	WV	51400	51	WEST VIRGINIA	*	
RANDOLPH	WV	51410	51	WEST VIRGINIA	*	

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
RITCHIE	WV	51420	51	WEST VIRGINIA	*	
ROANE	WV	51430	51	WEST VIRGINIA	*	
SUMMERS	WV	51440	51	WEST VIRGINIA	*	
TAYLOR	WV	51450	51	WEST VIRGINIA	*	
TUCKER	WV	51460	51	WEST VIRGINIA	*	
TYLER	WV	51470	51	WEST VIRGINIA	*	
UPSHUR	WV	51480	51	WEST VIRGINIA	*	
WAYNE	WV	51490	3400	HUNTINGTON-ASHLAND, WV-KY-OH.	26580	Huntington-Ashland, WV-KY-OH
WEBSTER	WV	51500	51	WEST VIRGINIA	*	
WETZEL	WV	51510	51	WEST VIRGINIA	*	
WIRT	WV	51520	51	WEST VIRGINIA	37620	Parkersburg-Marietta, WV-OH
WOOD	WV	51530	6020	PARKERSBURG-MARIETTA, WV-OH.	37620	Parkersburg-Marietta, WV-OH
WYOMING	WV	51540	51	WEST VIRGINIA	*	
STATEWIDE	WV	51999	51	WEST VIRGINIA	*	
ADAMS	WI	52000	52	WISCONSIN	*	
ASHLAND	WI	52010	52	WISCONSIN	*	
BARRON	WI	52020	52	WISCONSIN	*	
BAYFIELD	WI	52030	52	WISCONSIN	*	
BROWN	WI	52040	3080	GREEN BAY, WI	24580	Green Bay, WI
BUFFALO	WI	52050	52	WISCONSIN	*	
BURNETT	WI	52060	52	WISCONSIN	*	
CALUMET	WI	52070	0460	APPLETON-OSHKOSH-NEENAH, WI.	11540	Appleton, WI
CHIPPEWA	WI	52080	2290	EAU CLAIRE, WI	20740	Eau Claire, WI
CLARK	WI	52090	52	WISCONSIN	*	
COLUMBIA	WI	52100	52	WISCONSIN	31540	Madison, WI
CRAWFORD	WI	52110	52	WISCONSIN	*	
DANE	WI	52120	4720	MADISON, WI	31540	Madison, WI
DODGE	WI	52130	52	WISCONSIN	*	
DOOR	WI	52140	52	WISCONSIN	*	
DOUGLAS	WI	52150	2240	DULUTH-SUPERIOR, MN-WI	20260	Duluth, MN-WI
DUNN	WI	52160	52	WISCONSIN	*	
EAU CLAIRE	WI	52170	2290	EAU CLAIRE, WI	20740	Eau Claire, WI
FLORENCE	WI	52180	52	WISCONSIN	*	
FOND DU LAC	WI	52190	52	WISCONSIN	22540	Fond Du Lac, WI
FOREST	WI	52200	52	WISCONSIN	*	
GRANT	WI	52210	52	WISCONSIN	*	
GREEN	WI	52220	52	WISCONSIN	*	
GREEN LAKE	WI	52230	52	WISCONSIN	*	
IOWA	WI	52240	52	WISCONSIN	31540	Madison, WI
IRON	WI	52250	52	WISCONSIN	*	
JACKSON	WI	52260	52	WISCONSIN	*	
JEFFERSON	WI	52270	52	WISCONSIN	*	
JUNEAU	WI	52280	52	WISCONSIN	*	
KENOSHA	WI	52290	3800	KENOSHA, WI	29404	Lake County-Kenosha County, IL-WI
KEWAUNEE	WI	52300	52	WISCONSIN	24580	Green Bay, WI
LA CROSSE	WI	52310	3870	LA CROSSE, WI-MN	29100	La Crosse, WI-MN
LAFAYETTE	WI	52320	52	WISCONSIN	*	
LANGLADE	WI	52330	52	WISCONSIN	*	
LINCOLN	WI	52340	52	WISCONSIN	*	
MANITOWOC	WI	52350	52	WISCONSIN	*	
MARATHON	WI	52360	8940	WAUSAU, WI	48140	Wausau, WI
MARINETTE	WI	52370	52	WISCONSIN	*	
MARQUETTE	WI	52380	52	WISCONSIN	*	
MENOMONEE	WI	52381	52	WISCONSIN	*	
MILWAUKEE	WI	52390	5080	MILWAUKEE-WAUKESHA, WI	33340	Milwaukee-Waukesha-West Allis, WI
MONROE	WI	52400	52	WISCONSIN	*	
OCONTO	WI	52410	52	WISCONSIN	24580	Green Bay, WI
ONEIDA	WI	52420	52	WISCONSIN	*	
OUTAGAMIE	WI	52430	0460	APPLETON-OSHKOSH-NEENAH, WI.	11540	Appleton, WI
OZAUKEE	WI	52440	5080	MILWAUKEE-WAUKESHA, WI	33340	Milwaukee-Waukesha-West Allis, WI
PEPIN	WI	52450	52	WISCONSIN	*	
PIERCE	WI	52460	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI

TABLE F.—CROSSWALK OF COUNTIES BY STATE FROM MSA TO CBSA—Continued

County name	State	State county code	MSA code	MSA name	CBSA code	CBSA name
POLK	WI	52470	52	WISCONSIN	*	
PORTAGE	WI	52480	52	WISCONSIN	*	
PRICE	WI	52490	52	WISCONSIN	*	
RACINE	WI	52500	6600	RACINE, WI	39540	Racine, WI
RICHLAND	WI	52510	52	WISCONSIN	*	
ROCK	WI	52520	3620	JANESVILLE-BELOIT, WI	27500	Janesville, WI
RUSK	WI	52530	52	WISCONSIN	*	
ST. CROIX	WI	52540	5120	MINNEAPOLIS-ST. PAUL, MN-WI.	33460	Minneapolis-St. Paul-Bloomington, MN-WI
SAUK	WI	52550	52	WISCONSIN	*	
SAWYER	WI	52560	52	WISCONSIN	*	
SHAWANO	WI	52570	52	WISCONSIN	*	
SHEBOYGAN	WI	52580	7620	SHEBOYGAN, WI	43100	Sheboygan, WI
TAYLOR	WI	52590	52	WISCONSIN	*	
TREMPEALEAU	WI	52600	52	WISCONSIN	*	
VERNON	WI	52610	52	WISCONSIN	*	
VILAS	WI	52620	52	WISCONSIN	*	
WALWORTH	WI	52630	52	WISCONSIN	*	
WASHBURN	WI	52640	52	WISCONSIN	*	
WASHINGTON	WI	52650	5080	MILWAUKEE-WAUKESHA, WI	33340	Milwaukee-Waukesha-West Allis, WI
WAUKESHA	WI	52660	5080	MILWAUKEE-WAUKESHA, WI	33340	Milwaukee-Waukesha-West Allis, WI
WAUPACA	WI	52670	52	WISCONSIN	*	
WAUSHARA	WI	52680	52	WISCONSIN	*	
WINNEBAGO	WI	52690	0460	APPLETON-OSHKOSH-NEENAH, WI.	36780	Oshkosh-Neenah, WI
WOOD	WI	52700	52	WISCONSIN	*	
STATEWIDE	WI	52999	52	WISCONSIN	*	
ALBANY	WY	53000	53	WYOMING	*	
BIG HORN	WY	53010	53	WYOMING	*	
CAMPBELL	WY	53020	53	WYOMING	*	
CARBON	WY	53030	53	WYOMING	*	
CONVERSE	WY	53040	53	WYOMING	*	
CROOK	WY	53050	53	WYOMING	*	
FREMONT	WY	53060	53	WYOMING	*	
GOSHEN	WY	53070	53	WYOMING	*	
HOT SPRINGS	WY	53080	53	WYOMING	*	
JOHNSON	WY	53090	53	WYOMING	*	
LARAMIE	WY	53100	1580	CHEYENNE, WY	16940	Cheyenne, WY
LINCOLN	WY	53110	53	WYOMING	*	
NATRONA	WY	53120	1350	CASPER, WY	16220	Casper, WY
NIOBRARA	WY	53130	53	WYOMING	*	
PARK	WY	53140	53	WYOMING	*	
PLATTE	WY	53150	53	WYOMING	*	
SHERIDAN	WY	53160	53	WYOMING	*	
SUBLETTE	WY	53170	53	WYOMING	*	
SWEETWATER	WY	53180	53	WYOMING	*	
TETON	WY	53190	53	WYOMING	*	
UINTA	WY	53200	53	WYOMING	*	
WASHAKIE	WY	53210	53	WYOMING	*	
WESTON	WY	53220	53	WYOMING	*	
STATEWIDE	WY	53999	53	WYOMING	*	

*Rural designation.

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Federal Register

Friday,
April 29, 2005

Part III

Postal Service

39 CFR Parts 265 and 266

Release of Information, Privacy of Information; Final Rule, Privacy Act of 1974, System of Records; Notice

POSTAL SERVICE

39 CFR Parts 265 and 266

Release of Information, Privacy of Information

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This rule amends the Postal Service regulations on the release of information and privacy of information.

DATES: This rule is effective April 29, 2005.

FOR FURTHER INFORMATION CONTACT: Jane Eyre at (202) 268–2608.

SUPPLEMENTARY INFORMATION: The Postal Service™ has revised and republished all of its Privacy Act systems of records, which changes the titles and numbers of the systems of records and modifies the routine uses related to the release of information. This notice publishes corresponding changes to agency rules related to release of information and exemptions.

List of Subjects

39 CFR Part 265

Release of information.

39 CFR Part 266

Privacy of information.

■ For the reasons set forth in the preamble, the Postal Service is amending parts 265 and 266 as follows:

PART 265—RELEASE OF INFORMATION

■ 1. The authority citation for part 265 continues to read as follows:

Authority: 5 U.S.C. 552; 5 U.S.C. App. 3; 39 U.S.C. 401, 403, 410, 1001, 2601.

■ 2. Revise paragraphs (d)(3), (d)(4), (d)(5), and (d)(9) of § 265.6 to read as follows:

§ 265.6 Availability of records.

* * * * *

(d) * * *

(3) *Name and address of postage evidencing user.* The name and address of an authorized user of a postage meter or PC Postage product (postage evidencing systems) printing a specified indicium will be furnished to any person upon the payment of any fees authorized by paragraph (b) of § 265.9, provided the user is using the postage meter or PC Postage product for business purposes. The request for this information must be sent to the manager of Postage Technology Management, Postal Service Headquarters. The request must include the original or a photocopy of the envelope or wrapper on which the postage meter or PC postage indicium in question is printed, and a copy or description of the contents to support that the sender is a business or firm and not an individual. (Lists of authorized users of postage meters or PC Postage products may not be disclosed to members of the public.)

(4) *Post Office boxholder information.* Information from PS Form 1093, *Application for Post Office Box or Caller Service*, will be provided as follows:

(i) Except as provided in paragraph (d)(4)(iii) of this section, the boxholder applicant name and address from PS Form 1093 will be provided only in those circumstances stated in paragraphs (d)(5)(i) through (d)(5)(iii) of this section.

(ii) Except as provided in paragraph (d)(4)(iii) of this section, the names of persons listed as receiving mail, other than the boxholder applicant, will be furnished from PS Form 1093 only in those circumstances stated in paragraphs (d)(5)(i) and (d)(5)(iii) of this section.

(iii) When a copy of a protective order has been filed with the postmaster, information from PS Form 1093 will not be disclosed except pursuant to the order of a court of competent jurisdiction.

(5) *Exceptions.* Except as otherwise provided in these regulations, names or addresses of Postal Service customers will be furnished only as follows:

(i) To a federal, state or local government agency upon prior written certification that the information is required for the performance of its duties. The Postal Service requires government agencies to use the format appearing at the end of this section when requesting the verification of a customer's current address or a customer's new mailing address. If the request lacks any of the required information or a proper signature, the postmaster will return the request to the agency, specifying the deficiency in the space marked 'OTHER'. A copy of PS Form 1093 may be provided.

(ii) To a person empowered by law to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is acting *pro se*, upon receipt of written information that specifically includes all of the following: (A) A certification that the name or address is needed and will be used solely for service of legal process in connection with actual or prospective litigation; (B) a citation to the statute or regulation that empowers the requester to serve process, if the requester is other than the attorney for a party in whose behalf service will be made, or a party who is acting *pro se*; (C) the names of all known parties to the litigation; (D) the court in which the case has been or will be commenced; (E) the docket or other identifying number, if one has been issued; and (F) the capacity in which the boxholder is to be served, *e.g.*, defendant or witness. By submitting such information, the requester certifies that it is true. The address of an individual who files with the postmaster a copy of a protective court order will not be disclosed except as provided under paragraphs (d)(5)(i), (d)(5)(iii), or (d)(5)(iv) of this section. A copy of Form 1093 will not be provided.

The Postal Service suggests use of the standard format appearing at the end of this section when requesting information under this paragraph. When using the standard format on the submitter's own letterhead, the standard format must be used in its entirety. The warning statement and certification specifically must be included immediately before the signature block. If the request lacks any of the required information or a proper signature, the postmaster will return it to the requester specifying the deficiency.

Note: The term *pro se* means that a party is not represented by an attorney but by himself or herself.

(iii) In compliance with a subpoena or court order, except that change of address or boxholder information which is not otherwise subject to disclosure under these regulations may be disclosed only pursuant to a court order.

(iv) To a law enforcement agency, for oral requests made through the Inspection Service, but only after the Inspection Service has confirmed that the information is needed in the course of a criminal investigation. (All other requests from law enforcement agencies should be submitted in writing to the postmaster as in paragraph (d)(5)(i) of this section.)

* * * * *

(9) *Private mailbox information.* Information from PS Form 1583, *Application for Delivery of Mail Through Agent*, will be provided as follows:

(i) Except as provided in paragraph (d)(9)(iii) of this section, information from PS Form 1583 will be provided only in the circumstance stated in paragraph (d)(5)(iii) of this section.

(ii) To the public only for the purpose of identifying a particular address as an address of an agent to whom mail is delivered on behalf of other persons. No other information, including, but not limited to, the identities of persons on whose behalf agents receive mail, may be disclosed to the public from PS Form 1583.

(iii) Information concerning an individual who has filed a protective court order with the postmaster will not be disclosed except pursuant to the order of a court of competent jurisdiction.

* * * * *

PART 266—PRIVACY OF INFORMATION

■ 3. The authority citation for part 266 continues to read as follows:

Authority: 39 U.S.C. 401; 5 U.S.C. 552a.

■ 4. Section 266.9 is revised to read as follows:

§ 266.9 Exemptions.

(a) Subsections 552a(j) and (k) of 5 U.S.C. 552a empower the Postmaster General to exempt systems of records meeting certain criteria from various other subsections of 5 U.S.C. 552a. With respect to systems of records so exempted, nothing in this part shall require compliance with provisions hereof implementing any subsections of 5 U.S.C. 552a from which those systems have been exempted.

(b) Paragraph (b)(1) of this section contains a summary of provisions of 5 U.S.C. 552a for which exemption is claimed for some systems of records pursuant to, and to the extent permitted by, subsections 552a(j) and (k) of 5 U.S.C. 552a. Paragraphs (b)(2) through (5) of this section identify the exempted systems of records, the exemptions applied to each, and the reasons for the exemptions:

(1) *Explanation of provisions under 5 U.S.C. 552a for which an exemption is claimed in the systems discussed below.*

(i) Subsection (c)(3) requires an agency to make available to the individual named in the records an accounting of each disclosure of records.

(ii) Subsection (c)(4) requires an agency to inform any person or other agency to which a record has been disclosed of any correction or notation of dispute the agency has made to the record in accordance with 5 U.S.C. 552a(d).

(iii) Subsections (d)(1) through (4) require an agency to permit an individual to gain access to records about the individual, to request amendment of such records, to request a review of an agency decision not to amend such records, and to provide a statement of disagreement about a disputed record to be filed and disclosed with the disputed record.

(iv) Subsection (e)(1) requires an agency to maintain in its records only such information about an individual that is relevant and necessary to accomplish a purpose required by statute or executive order of the President.

(v) Subsection (e)(2) requires an agency to collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under federal programs.

(vi) Subsection (e)(3) requires an agency to inform each person whom it asks to supply information of the authority under which the information is sought, the purposes for which the information will be used, the routine uses that may be made of the information, whether disclosure is mandatory or voluntary, and the effects of not providing the information.

(vii) Subsection (e)(4)(G) and (H) requires an agency to publish a **Federal Register** notice of its procedures whereby an individual can be notified upon request whether the system of records contains information about the individual, how to gain access to any record about the individual contained in the system, and how to contest its content.

(viii) Subsection (e)(5) requires an agency to maintain its records with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to ensure fairness to the individual in making any determination about the individual.

(ix) Subsection (e)(8) requires an agency to make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record.

(x) Subsection (f) requires an agency to establish procedures whereby an individual can be notified upon request if any system of records named by the individual contains a record pertaining to the individual, obtain access to the record, and request amendment.

(xi) Subsection (g) provides for civil remedies if an agency fails to comply with the access and amendment provisions of subsections (d)(1) and (d)(3), and with other provisions of 5 U.S.C. 552a, or any rule promulgated thereunder, in such a way as to have an adverse effect on an individual.

(xii) Subsection (m) requires an agency to cause the requirements of 5 U.S.C. 552a to be applied to a contractor operating a system of records to accomplish an agency function.

(2) Pursuant to subsection 552a(j)(2), *Emergency Management Records, USPS 500.300; Inspection Service Investigative File System, USPS 700.000; Mail Cover Program Records, USPS 700.100; and Inspector General Investigative Records, USPS 700.300,* are exempt from subsections 552a (c)(3), (c)(4), (d)(1)–(4), (e)(1)–(3), (e)(4) (G) and (H), (e)(5), (e)(8), (f), (g), and (m) because the systems contain information pertaining to the enforcement of criminal laws. The reasons for exemption follow:

(i) Disclosure to the record subject pursuant to subsections (c)(3), (c)(4), or (d)(1)–(4) could:

(A) Alert subjects that they are targets of an investigation or mail cover by the Postal Inspection Service or an investigation by the Office of Inspector General;

(B) Alert subjects of the nature and scope of the investigation and of evidence obtained;

(C) Enable the subject of an investigation to avoid detection or apprehension;

(D) Subject confidential sources, witnesses, and law enforcement personnel to harassment or intimidation if their identities were released to the target of an investigation;

(E) Constitute unwarranted invasions of the personal privacy of third parties who are involved in a certain investigation;

(F) Intimidate potential witnesses and cause them to be reluctant to offer information;

(G) Lead to the improper influencing of witnesses, the destruction or alteration of evidence yet to be discovered, the fabrication of testimony, or the compromising of classified material; and

(H) Seriously impede or compromise law enforcement, mail cover, or background investigations that might involve law enforcement aspects as a result of the above.

(ii) Application of subsections (e)(1) and (e)(5) is impractical because the relevance, necessity, or correctness of specific information might be established only after considerable analysis and as the investigation progresses. As to relevance (subsection (e)(1)), effective law enforcement requires the keeping of information not relevant to a specific Postal Inspection Service investigation or Office of Inspector General investigation. Such information may be kept to provide leads for appropriate law enforcement and to establish patterns of activity that might relate to the jurisdiction of the Office of Inspector General, Postal Inspection Service, and/or other agencies. As to accuracy (subsection (e)(5)), the correctness of records

sometimes can be established only in a court of law.

(iii) Application of subsections (e)(2) and (e)(3) would require collection of information directly from the subject of a potential or ongoing investigation. The subject would be put on alert that he or she is a target of an investigation by the Office of Inspector General, or an investigation or mail cover by the Postal Inspection Service, enabling avoidance of detection or apprehension, thereby seriously compromising law enforcement, mail cover, or background investigations involving law enforcement aspects. Moreover, in certain circumstances the subject of an investigation is not required to provide information to investigators, and information must be collected from other sources.

(iv) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply because this system is exempt from the provisions of subsection (d). Nevertheless, the Postal Service has published notice of its notification, access, and contest procedures because access is appropriate in some cases.

(v) Application of subsection (e)(8) could prematurely reveal an ongoing criminal investigation to the subject of the investigation.

(vi) The provisions of subsection (g) do not apply because exemption from the provisions of subsection (d) renders the provisions on suits to enforce subsection (d) inapplicable.

(vii) If one of these systems of records is operated in whole or in part by a contractor, the exemptions claimed herein shall remain applicable to it (subsection (m)).

(3) Pursuant to subsection 552a(k)(2), *Labor Relations Records, USPS 200.000; Emergency Management Records, USPS 500.300; Inspection Service Investigative File System, USPS 700.000; Mail Cover Program Records, USPS 700.100; Inspector General Investigative Records, USPS 700.300; and Financial Transactions, USPS 860.000,* are exempt from certain subsections of 5 U.S.C. 552a because the systems contain investigatory material compiled for law enforcement purposes other than material within the scope of subsection 552a(j)(2).

(i) *Emergency Management Records, USPS 500.300; Inspection Service Investigative File System, USPS 700.000; Mail Cover Program Records, USPS 700.100; and Inspector General Investigative Records, USPS 700.300,* are exempt from subsections 552a(c)(3), (d)(1)–(4), (e)(1), (e)(4) (G) and (H), and (f) for the same reasons as stated in paragraph (b)(2) of this section.

(ii) *Labor Relations Records, USPS 200.000,* is exempt from subsections 552a(d)(1)–(4), (e)(4)(G) and (H), and (f) for the following reasons:

(A) Application of the requirements at subsections (d)(1)-(4) would cause disruption of enforcement of the laws relating to equal employment opportunity (EEO). It is essential to the integrity of the EEO complaint system that information collected in the investigative process not be prematurely disclosed and that witnesses be free from restraint, interference, coercion, or reprisal.

(B) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply for the same reasons described in paragraph (b)(2)(iv) of this section.

(iii) *Financial Transactions, USPS 860.000,* is exempt from subsections 552a(c)(3), (d)(1)–(4), (e)(1), (e)(4)(G) and (H), and (f) for the following reasons:

(A) Disclosure to the record subject pursuant to subsections (c)(3) and (d)(1)–(4) would violate the non-notification provision of the Bank Secrecy Act, 31 U.S.C. 5318(g)(2), under which the Postal Service is prohibited from notifying a transaction participant that a suspicious transaction report has been made. In addition, the access provisions of subsections (c)(3) and (d)(1)–(4) would alert individuals that they have been identified as suspects or possible subjects of investigation and thus seriously hinder the law enforcement purposes underlying the suspicious transaction reports.

(B) This system is in compliance with subsection (e)(1) because maintenance of the records is required by law. Strict application of the relevance and necessity requirements of subsection (e)(1) to suspicious transactions would be impractical, however, because the relevance or necessity of specific information can often be established only after considerable analysis and as an investigation progresses.

(C) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply because this system is exempt from the provisions of subsection (d). Nevertheless, the Postal Service has published notice of its notification, access, and contest procedures because access is appropriate in some cases.

(4) Pursuant to subsection 552a(k)(5), *Recruiting, Examining, and Placement Records, USPS 100.100; Labor Relations Records, USPS 200.000; Inspection Service Investigative File System, USPS 700.000; and Inspector General Investigative Records, USPS 700.300* are exempt from certain subsections of 5 U.S.C. 552a because the systems contain investigatory material compiled for the purpose of determining suitability, eligibility, or qualifications for employment, contracts, or access to classified information.

(i) *Recruiting, Examining, and Placement Records, USPS 100.100,* is exempt from subsections 552a(d)(1)–(4) and (e)(1) for the following reasons:

(A) During its investigation and evaluation of an applicant for a position, the Postal Service contacts individuals who, without an assurance of anonymity, would refuse to provide information concerning the subject of the investigation. If a record subject were given access pursuant to subsection (d)(1)–(4), the promised confidentiality would be breached and the confidential source would be identified. The result would be restriction of the free flow of information vital to a determination of an individual's qualifications and suitability for appointment to or continued occupancy of his or her position.

(B) In collecting information for investigative and evaluative purposes, it is impossible to determine in advance what information might be of assistance in determining the qualifications and suitability of an individual for appointment. Information that seems irrelevant, when linked with other information, can sometimes provide a composite picture of an individual that assists in determining whether that individual should be appointed to or retained in a position. For this reason, exemption from subsection (e)(1) is claimed.

(C) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply because this system is exempt from the provisions of subsection (d). Nevertheless, the Postal Service has published notice of its notification, access, and contest procedures because access is appropriate in some cases.

(ii) *Labor Relations Records, USPS 200.000,* is exempt from subsections 552a(d)(1)–(4), (e)(4)(G) and (H), and (f) for the following reasons:

(A) Application of the provisions at subsection (d)(1)–(4) would reveal to the EEO complainant the identity of individuals who supplied information under a promise of anonymity. It is essential to the integrity of the EEO complaint system that information collected in the investigative process not be prematurely disclosed and that witnesses be free from restraint, interference, coercion, or reprisal.

(B) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply because this system is exempt from the provisions of subsection (d). Nevertheless, the Postal Service has published notice of its notification,

access, and contest procedures because access is appropriate in some cases.

(iii) *Inspection Service Investigative File System, USPS 700.000; and Inspector General Investigative Records, USPS 700.300,* are exempt from subsections 552a(c)(3), (d)(1)–(4), (e)(1), (e)(4) (G) and (H), and (f) for the same reasons as stated in paragraph (b)(2) of this section.

(5) Pursuant to subsection 552a(k)(6), *Employee Development and Training Records, USPS 100.300; Personnel Research Records, 100.600; and Emergency Management Records, USPS 500.300* are exempt from subsections 552a(d)(1)–(4), (e)(4)(G) and (H), and (f) because the systems contain testing or examination material the disclosure of which would compromise the objectivity or fairness of the material. The reasons for exemption follow:

(i) These systems contain questions and answers to standard testing materials, the disclosure of which would compromise the fairness of the future use of these materials. It is not feasible to develop entirely new examinations after each administration as would be necessary if questions or answers were available for inspection and copying. Consequently, exemption from subsection (d) is claimed.

(ii) The requirements of subsections (e)(4)(G) and (H), and (f) do not apply because this system is exempt from the provisions of subsection (d). Nevertheless, the Postal Service has published notice of its notification, access, and contest procedures because access is appropriate in some cases.

Neva Watson,

Attorney, Legislative.

[FR Doc. 05–8446 Filed 4–28–05; 8:45 am]

BILLING CODE 7710–12–P

POSTAL SERVICE

Privacy Act of 1974, System of Records

AGENCY: Postal Service.

ACTION: Notice of new and deleted systems of records.

SUMMARY: The United States Postal Service® (USPS®) is publishing this notice in accordance with subsection (e)(4) of the Privacy Act of 1974 (5 U.S.C. 552a), which requires an agency to issue notice of the existence and character of its systems of records upon establishment or revision. In this notice, the USPS is revising and publishing its Privacy Act systems of records in their entirety. The revised systems of records are better organized and are written with clarity as a goal. The systems of records incorporate Privacy Act and USPS privacy policies, and reflect USPS emphasis on industry best practices to protect privacy. Routine uses have been revised to more clearly communicate circumstances under which personal information might be disclosed.

DATES: Any interested party may submit written comments about this proposed action. Sections B through E will become effective without further notice June 8, 2005, unless comments received on or before that date result in a contrary determination.

ADDRESSES: Please address your comments to the Privacy Office, United States Postal Service, 475 L' Enfant Plaza, SW., Room 10433, Washington, DC 20260–2200. Copies of all written comments will be available at this address for public inspection and photocopying between 8 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Privacy Office, United States Postal Service, Room 10433, Washington, DC 20260–2200, Telephone: 202–268–5959.

SUPPLEMENTARY INFORMATION: For over two centuries, the USPS has valued privacy and built a brand that customers trust. Part of the USPS privacy framework is compliance with the Privacy Act of 1974, when the USPS maintains information about customers, employees, and other individuals in a system of records. A system of records is a file, database, or program from which personal information is retrieved by name or other personal identifier.

In this notice, the USPS is publishing and revising the complete set of its Privacy Act systems of records. The USPS systems of records is divided into two categories: general systems and customer systems. General systems cover all employee systems, as well as those related to finance, contractors, property, investigations, litigation, and administration. Customer systems relate to customers who register for and use postal products and services, or are otherwise covered by the Privacy Act.

The complete text of all USPS systems was last published on October 26, 1989 (54 FR 43652–43715). The general systems were last systematically evaluated and revised on February 23, 1999 (64 FR 8876–8892). Customer systems were overhauled and published in their entirety in the **Federal Register** on December 16, 2002 (67 FR 77086–77104). Individual systems have also been created and amended over time as appropriate.

As a general rule, most revisions described in this notice concern USPS general systems of records. The revisions have been made to reflect current management and storage of personal information. In undertaking this effort, the USPS used a methodology similar to that employed to reorganize customer systems of records on December 16, 2002 (67 FR 77086–77104). General systems have been reorganized and reduced in number from 73 to 28. The systems are organized around major employee and other activities, where activities are logically grouped and practices have been standardized. This provides for more consistent practices and ease of use for covered individuals and Postal Service™ personnel with compliance responsibilities. A new system for emergency management records has also been added.

In addition, revisions have been made to the existing 17 customer systems. These revisions involve updates that have occurred since the 2002 **Federal Register** notice. The revisions also reflect updates needed to present USPS systems of records, both general and customer systems, as an integrated and comprehensive package. Examples of these updates include renumbering systems and integrating routine uses. A commercial database has been added as a records source to four customer systems in order to support USPS call center operations.

A single set of standard routine uses for general and customer systems has been created. The standard routine uses show which apply to general systems and which apply to customer systems. The standard routine uses have also been integrated to show where a routine use is the same for both general and customer systems. Unnecessary or redundant routine uses have been eliminated.

The revised systems of records provide a more concise, accurate, and understandable picture to employees and to the public of the personal information collected and maintained. The improved organization of records will also assist USPS staff in the performance of records cataloging and searches. The ultimate effect is an improvement in the privacy of individuals covered by USPS systems of records.

This notice publishes the following:

Explanation (Section A)
Privacy Act protections (Section B)
Index of systems of records (Section C)
Authorized disclosures and routine uses (Section D)
Complete text of systems of records (Section E)

Section A. Explanation

Described below are (I) changes impacting all general systems of records; (II) changes to specific systems of records (both general and customer systems); (III) explanation of the new system for emergency management records; (IV) changes to routine uses; and (V) table of deleted systems and the revised systems into which records have been incorporated. The revised systems of records then follow in their entirety.

I. Changes Impacting All General Systems of Records

All general systems of records have been revised and reorganized from 73 to 28 systems. General systems contain all non-customer records covered by the Privacy Act, including records relating to employees, finance, contractors, property, investigations, litigation, and other administrative matters. The reorganization culminating in this notice used methods similar to those employed earlier to reorganize customer records which were published in the **Federal Register** on December 16, 2002 (67 FR 77086–77104).

Existing general systems contained many outdated features. These systems have been corrected to reflect current practices. The titles of general systems are now more indicative of their content and scope, and will be more readily apparent to the reader. Management practices and system language has been updated and standardized. This includes all aspects of records systems, such as regarding covered individuals, records categories, records sources, safeguards, retention, routine uses, disposal, and exemptions to disclosure. Standardized terminology has been used to describe safeguards, retention, and disposal methods. Outdated facility nomenclature has been corrected under system location. Outdated system manager designations have been corrected to reflect current

responsibility. The USPS has replaced employees' Social Security Number (SSN) as the employee identifier with a new nine-digit Employee Identification Number (EIN). The EIN has been incorporated in all relevant employee systems of records.

II. Changes to Specific Systems of Records

The following describes substantive changes that have been made to specific general and customer systems of records.

General Systems of Records

USPS 100.000 General Personnel Records, which includes the employee official personnel folder (OPF) as a records category, was corrected to comply with a union agreement promulgated since the system was last revised regarding the maintenance of bargaining unit employees' discipline and adverse action records.

USPS 100.100 Recruiting, Examining, and Placement Records was revised to clearly distinguish as separate records categories the preemployment investigative records compiled directly by USPS and investigative records compiled by the Office of Personnel Management at the request of USPS.

USPS 100.700 Medical Records was made compatible with USPS management instructions by aligning the description of records categories, including alcohol/drug testing records. The system was revised to correctly describe records collected by the Headquarters Health and Fitness Center as being USPS records.

USPS 100.800 Employee Accident Reports was corrected to comply with a union agreement promulgated since the system of records was last revised regarding disclosures.

USPS 100.950 Employee Assistance Program (EAP) Records was updated to indicate that EAP records, with the exception of two USPS facilities still operating internal EAP offices, are now under the control of the Federal Occupational Health Service and as such are not records under the control of USPS.

USPS 700.300 Inspector General Investigative Records has been amended to limit disclosures to other Federal offices of Inspectors General or to the President's Council on Integrity and Efficiency. Records originating from any other USPS system, which might be duplicated in or incorporated into this system, must first be redacted of all personally identifiable information.

Customer Systems of Records

USPS 840.000 Customer Mailing and Delivery Instructions. This system has been amended to include name and address records related to rural route customers that are maintained on Postal Service (PS) Form 4232–A. These records had been addressed in the general system USPS 010.080, Rural Carrier Route Records. Because these records relate to customers, it is more appropriate for them to be covered by a customer system.

850.000 Auction Files. References to online auctions have been eliminated to reflect current USPS auction practices.

860.000 Financial Transactions. This system has been corrected to link the exemptions paragraph to the appropriate system. When last published on December 31, 2002 (67 FR 79858–79858), the exemption improperly referenced an obsolete system name and number.

880.000 Post Office and Retail Services. The special routine uses were amended to more clearly describe the limitations on information that may be disclosed from PS Form 1093, *Application for Post Office Box or Caller Service*, depending on the category of requester.

USPS 800.000 Address Change, Mail Forwarding, and Related Services; USPS 810.300 Offline Registration, Payment, and Fulfillment; USPS 820.200 Mail Management and Tracking Activity; and USPS 830.000 Customer Service and Correspondence. The record sources for these four systems have been amended to include commercially available source(s) of names, addresses, and telephone numbers for use by USPS call centers. The USPS is at the forefront of providing customer services and transactions via all channels, including by phone. As a consequence, the USPS performs Privacy Act-covered transactions in a call center environment. As an example, a customer may request by telephone that his or her mail be held at the local Post Office™ for a certain period of time. The USPS has built systems of records, and has also developed and implemented a methodology to provide a Privacy Act notice, for these transactions. The USPS now plans to use commercial source(s) to reflect industry standard practices in call center operations to improve speed and accuracy of customer service.

The USPS has carefully considered and incorporated privacy features regarding use of commercial source(s) for call centers as follows. The USPS has limited the type and amount of data acquired from the commercial source(s) to include only telephone numbers, names, and addresses. Strict limitations have also been placed around use of the data by USPS call center operations, as well as how data is shared with the commercial source(s).

When customers call 1–800–ASK–USPS or other USPS call center numbers for a transaction or inquiry covered by the Privacy Act, they will be informed their information is Privacy Act-protected. They will be offered the opportunity to hear the USPS privacy statement prior to the automated system or call center operator requesting their telephone number. Customers will be told that their phone number is requested to help locate their street address. They may decline to provide their number and still be able to access the desired service. When customers provide their phone number, USPS uses the commercial source(s) to return a name and address, in the proper USPS format, associated with the phone number. The automated system or operator will ask the customers to confirm that the address is correct. If confirmed, the system or operator will use the address to complete the transaction, rather than asking customers to provide it and entering it into the USPS system. This allows the transaction to be faster, avoids keying errors, and increases the rate of properly formatted addresses. If the name and/or address returned by the commercial source(s) are/is not those/that of the customer, the correct information is obtained from the customer via the current practice without use of commercial source(s).

After the transaction is complete, the USPS may retain the name and address provided by the commercial source(s). The information will be managed in accordance with the applicable system of records. The commercial source(s) will not obtain any new information about the customer from the USPS. It already possessed the phone number, and any corrections or other information supplied by the customer will not be shared with the commercial source(s).

III. Explanation of New System of Records for Emergency Management

A new system of records, USPS 500.300 Emergency Management Records, is being established in support of a USPS emergency management program. This system includes records generated as a result of USPS obligations to mitigate, prepare for, respond to, or recover from any natural disaster, man-made hazard, or other emergency event. The system includes records relating to emergency management personnel, as well as

records relating to emergency evacuees and unaccounted for individuals in the event of a disaster, hazard, or event.

IV. Changes to Routine Uses

The USPS divides its routine uses into standard routine uses and special routine uses. Standard routine uses, listed in Section D, apply to multiple systems of records. Each system of records described in Section E will indicate which standard routine uses apply, along with applicable special routine use(s), if any. Described below are changes made to standard and special routine uses.

Standard Routine Uses

Previously, USPS maintained separate sets of standard routine uses for general and customer systems. This notice integrates the two sets into a single set of 11 standard routine uses:

Disclosure Incident to Legal Proceedings
Disclosure for Law Enforcement Purposes
Disclosure to Congressional Office
Disclosure to Agents or Contractors
Disclosure to Auditors
Disclosure to Labor Organizations
Disclosure to Government Agencies
Disclosure to Equal Employment Opportunity Commission
Disclosure to Merit Systems Protection Board or Office of the Special Counsel
Disclosure to Agencies and Entities for Financial Matters
Disclosure for Customer Service Purposes

Following is a description of the 11 revised standard routine uses, and the two standard routine uses that have been eliminated.

Disclosure Incident to Legal Proceedings. This routine use was formerly titled Disclosure Incident to Litigation as it applied to general systems and Disclosure Incident to Legal Proceedings as it applied to customer systems. The two routine uses have been integrated into one routine use applicable to both systems. Disclosure of records to former USPS employees or contractors has been added to conform to a litigation routine use recommended by the Department of Justice. Disclosure to a bar association or similar authority has also been removed from certain systems as a special routine use and added as part of this standard routine use, since the disclosure is related to litigation and may be applicable to all systems.

Disclosure for Law Enforcement Purposes. This routine use has been revised to place all standard law enforcement disclosures together for ease of reference. The routine use differentiates the conditions of such disclosures applicable to general and customer systems.

Disclosure to Congressional Office. This routine use had been two separate routine uses for customers and general systems which were almost identical. This has been made an integrated routine use applicable to both systems, with minor editorial changes to existing language.

Disclosure to Agents or Contractors. This routine use integrates disclosures applicable to customer and general systems. The word 'partners' which had been included in the title of the customer routine use has been eliminated because it is considered redundant. The new form of this routine use has been supplemented to include the potential for disclosing records to an agent or contractor relating to investigations or performance of their employee(s).

Disclosure to Auditors. This routine use existed in slightly different forms for customer and general systems. These routine uses have been integrated into one, preserving the customer system version to account for disclosures related to audits by government agencies and other entities, instead of solely by certified public accountants.

Disclosure to Labor Organizations. This routine use is revised to cover legally required disclosures made pursuant to a collective bargaining agreement enforced through the Postal Reorganization Act and not solely through the National Labor Relations Act.

Disclosure to Government Agencies. This routine use was formerly two standard routine uses for general systems, which were named Disclosure Incident to Requesting Information and Disclosure to Requesting Agency. In its notice of December 16, 2002 (67 FR 77086–77104), the USPS merged these two routine uses as they related to customer systems into one routine use to account for disclosures to and from other agencies. The combined form now applies to all systems.

Disclosure to the Equal Employment Opportunity Commission. This routine use has been preserved as is.

Disclosure to the Merit Systems Protection Board or Office of the Special Counsel. This routine use has been preserved as is.

Disclosure to Agencies and Entities for Financial Matters. This routine use is slightly re-titled and expanded to cover disclosures to the Judicial Officer in response to Debt Collection Act petitions by employees.

Disclosure for Customer Service Purposes. This routine use is preserved with minor edits to improve clarity.

Storage. This routine use existed previously as a routine use applicable to general systems. It is deleted because OMB guidance provides that the regular transfer of records to a Federal records center for safekeeping or storage is not deemed a disclosure outside the agency.

Disclosure to Office of Management and Budget. This routine use is deleted because USPS does not experience a demand for this disclosure within the context of private relief legislation.

Elimination of Special Routine Uses in General Systems

Unnecessary or redundant special routine uses were eliminated in general systems. This reduces the number and type of disclosures. It also makes the description of potential disclosures more understandable for individuals whose information is protected by the Privacy Act, as well as Postal Service personnel responsible for disclosing records in compliance with the Act. The prior 73 general systems contained a total of 225 special routine uses. The 28 general systems now contain a total of only 36 special routine uses. Special routine uses were eliminated for several reasons, including improvements made in this notice to the standard routine uses; the special use described a disclosure already permissible by statute or implementing agency rules; or the special use had been made obsolete by changes in law or agency practice. As a general principle, USPS eliminated special routine uses from a system where the records in question could have derived from other USPS systems (a practice known as data recompilation). These disclosures belong more properly as a standard routine use, since applicable to more than one system. Furthermore, this approach ensures that an individual is advised of the disclosure in the Privacy Act notice when data is collected, which data recompilation could circumvent. Special routine uses have only been retained to describe a unique kind of disclosure that applies to that particular system.

V. Table of Deleted Systems

Records from deleted systems of records are incorporated in systems as follows:

020.010 Biographical Summaries of Management Personnel for Press Release; 100.050 Localized Employee Administration Records; 120.036 Discipline, Grievance, and Appeals Records for Nonbargaining Unit Employees; 120.040 Employee Job Bidding Records; 120.070 General Personnel Folders (Official Personnel Folders and Records Related Thereto);

and 120.190 Supervisors' Personnel Record are incorporated into 100.000 General Personnel Records.

120.110 Preemployment Investigation Records; 120.130 Postmaster Selection Program Records; and 120.151 Recruiting, Examining, and Appointment Records are incorporated into 100.100 Recruiting, Examining, and Placement Records.

120.100 Performance Awards System Records; 120.153 Individual Performance Evaluation/Measurement; 120.154 Employee Survey Process System Records; and 120.170 Safe Driver Awards Records are incorporated into 100.200 Employee Performance Records.

120.152 Career Development and Training Records and 120.180 Skills Bank are incorporated into 100.300 Employee Development and Training Records.

050.020 Payroll System; 050.040 Uniform Allowance Program; 120.050 Employee Ideas Program Records; 120.099 Injury Compensation Payment Validation Records; 120.240 Garnishment Case Files; and 200.020 Monetary Claims for Personal Property Loss or Damage Involving Present or Former Employees are incorporated into 100.400 Personnel Compensation and Payroll Records.

170.010 Operations Data Collection System-Workload/Productivity Management Records and 170.020 Resource Management/Productivity Records-Resource Management Database are incorporated into 100.500 Personnel Resource Management Records.

120.120 Personnel Research and Test Validation Records and 120.121 Applicant Race, Sex, National Origin, and Disability Status are incorporated into 100.600 Personnel Research Records.

120.020 Blood Donor Records System; 120.090 Medical Records; and 120.091 Vehicle Operators Controlled Substance and Alcohol Testing are incorporated into 100.700 Medical Records.

120.035 Employee Accident Records is amended and renumbered as 100.800 Employee Accident Records.

120.098 Office of Workers' Compensation Program (OWCP) Record Copies is amended and renumbered as 100.850 Office of Workers' Compensation Program (OWCP) Record Copies.

070.040 Employee Inquiry, Complaint, and Investigative Records is amended and renumbered as 100.900 Employee Inquiry, Complaint, and Investigative Records.

120.140 Employee Assistance Program (EAP) Records is amended and renumbered as 100.950 Employee Assistance Program (EAP) Records.

030.010 EEO Discrimination Complaint Files; 030.020 EEO Staff Selection Records; 030.040 Roster of Alternative Dispute Resolution Providers; and 120.220 Personnel Records-Arbitration Case Files are incorporated into 200.000 Labor Relations Records.

050.005 Accounts Receivable Files and 050.060 Accounts Payable Files are incorporated into 300.000 Finance Records.

200.010 Relocation Assistance Claims; 210.010 Architect-Engineers Selection Records; 210.020 Driver Screening System Assignment Records; 210.030 Contractor Employee Fingerprint Records; and 210.040 Supplier and Contractor Records are incorporated into 400.000 Supplier and Tenant Records.

100.010 Carpool Coordination/ Parking Services Records; 110.010 Accountable Property Records; and 150.030 Computer Access Records are incorporated into 500.000 Property Management Records.

010.030 Carrier Drive-Out Agreements; 010.040 City Carrier Route Records; 010.080 Rural Carrier Route Records; and 120.210 Vehicle Maintenance Personnel and Operator Records are incorporated into 500.100 Carrier and Vehicle Operator Records.

070.010 Correspondence Files of the Postmaster General; 070.020 Government Officials' Inquiry System; 150.010 Information Disclosure Accounting Records (Freedom of Information Act); and 150.020 Information Disclosure Accounting Records (Privacy Act) are incorporated into 500.200 Controlled Correspondence, FOIA, and Privacy Act Disclosure Records.

500.300 Emergency Management Records is established as a new system of records.

060.010 Consumer Protection Records-Fraud, False Representation, Lottery, and Nonmailability Case Record; 060.020 Consumer Protection Records-Pandering Act Prohibitory Orders; 060.030 Consumer Protection Records-Appeals Involving Mail Withheld from Delivery; and 060.040 Consumer Protection Records-Appeals from Termination of Post Office Box or Caller Service are incorporated into 600.000 Legal Records Related to Mail.

110.020 Possible Infringement of Postal Service Intellectual Property Rights; 190.010 Litigation Records-Miscellaneous Civil Action and Administrative Proceeding Case Files; 190.020 Litigation Records-National Labor Relations Board Administrative Litigation Case Files; 190.030 Litigation Records-Employee and Labor Relations Court Litigation Case Files; and 200.030 Nonmail Monetary Claims-Tort Claims Records are incorporated into 600.100 General Legal Records.

150.015 Freedom of Information Act Appeals and Litigation Records and 150.025 Privacy Act Appeals and Litigation Records are incorporated into 600.200 Privacy Act and FOIA Appeal and Litigation Records.

120.060 Confidential Financial Disclosure Reports and 120.061 Public Financial Disclosure Reports for Executive Branch Personnel are incorporated into 600.300 Public and Confidential Financial Disclosure Reports.

030.030 Equal Employment Opportunity-EEO Administrative Litigation Case File and 120.230 Personnel Records-Adverse Action Appeals (Administrative Litigation Case Files) are incorporated into 600.400 Administrative Litigation Records.

080.010 Inspection Requirements-Investigative File System is amended and renumbered as 700.000 Inspection Service Investigative File System.

080.020 Mail Cover Program Records is amended and renumbered as 700.100 Mail Cover Program Records.

080.030 Vehicular Violations Records System is amended and renumbered as 700.200 Vehicular Violations Records System.

300.010 Office of Inspector General-Investigative File System is amended and renumbered as 700.300 Inspector General Investigative Records.

The following systems are renumbered and amended with respect to their routine uses and to correct minor errors.

500.000 Address Change, Mail Forwarding, and Related Services is amended and renumbered as 800.000 Address Change, Mail Forwarding, and Related Services.

500.100 Address Matching for Mail Processing is amended and renumbered as 800.100 Address Matching for Mail Processing.

510.100 www.usps.com Registration is amended and renumbered as 810.100 www.usps.com Registration.

510.200 www.usps.com Ordering, Payment, and Fulfillment is amended and renumbered as 810.200 www.usps.com Ordering, Payment, and Fulfillment.

510.300 Offline Registration, Payment, and Fulfillment is amended and renumbered as 810.300 Offline Registration, Payment, and Fulfillment.

520.100 Mailer Services-Applications and Approvals is amended

and renumbered as 820.100 Mailer Services-Applications and Approvals.

520.200 Mail Management and Tracking Activity is amended and renumbered as 820.200 Mail Management and Tracking Activity.

530.000 Customer Service and Correspondence is amended and renumbered as 830.000 Customer Service and Correspondence.

540.000 Customer Mailing and Delivery Instructions is amended and renumbered as 840.000 Customer Mailing and Delivery Instructions.

550.000 Auction Files is amended and renumbered as 850.000 Auction Files.

560.000 Financial Transactions is amended and renumbered as 860.000 Financial Transactions.

570.100 Trust Funds and Transaction Records is amended and renumbered as 870.100 Trust Funds and Transaction Records.

570.200 Meter Postage and PC Postage Customer Data and Transaction Records is amended and renumbered as 870.200 Meter Postage and PC Postage Customer Data and Transaction Records.

580.000 Post Office and Retail Services is amended and renumbered as 880.000 Post Office and Retail Services.

590.000 Sales, Marketing, Events, and Publications is amended and renumbered as 890.000 Sales, Marketing, Events, and Publications.

600.000 International Services is amended and renumbered as 900.000 International Services.

610.000 Identity and Document Verification Services is amended and renumbered as 910.000 Identity and Document Verification Services.

Section B. Privacy Act Protections

The Privacy Act of 1974, 5 U.S.C. 552a, applies to Federal agencies, including the Postal Service. The Privacy Act provides protections for personal information that an agency maintains in a system of records. A system of records describes a file, database, or program from which information is retrieved about an individual by name or other personal identifier.

The Privacy Act establishes recordkeeping, access, and nondisclosure requirements for information maintained in a system of records. The Privacy Act requires agencies to publish a description of each system of records to provide full information on how personal information within the system of records is treated. This description includes how information is collected, used, disclosed, stored, and disposed of. It also includes how individuals can obtain access to, correct, and amend information about them that is included in the system of records.

The Privacy Act places limitations and requirements on how information from within a system of records can be disclosed, as described in Section D.

Section C. Index of Systems of Records

Part I. General Systems

100.000 General Personnel Records
100.100 Recruiting, Examining, and Placement Records
100.200 Employee Performance Records
100.300 Employee Development and Training Records
100.400 Personnel Compensation and Payroll Records
100.500 Personnel Resource Management Records
100.600 Personnel Research Records
100.700 Medical Records
100.800 Employee Accident Records
100.850 Office of Workers' Compensation Program (OWCP) Record Copies
100.900 Employee Inquiry, Complaint, and Investigative Records
100.950 Employee Assistance Program (EAP) Records
200.000 Labor Relations Records
300.000 Finance Records
400.000 Supplier and Tenant Records
500.000 Property Management Records
500.100 Carrier and Vehicle Operator Records
500.200 Controlled Correspondence, FOIA, and Privacy Act Disclosure Records
500.300 Emergency Management Records
600.000 Legal Records Related to Mail
600.100 General Legal Records
600.200 Privacy Act and FOIA Appeal and Litigation Records
600.300 Public and Confidential Financial Disclosure Reports
600.400 Administrative Litigation Records
700.000 Inspection Service Investigative File System
700.100 Mail Cover Program Records
700.200 Vehicular Violations Records Systems
700.300 Inspector General Investigative Records

Part II. Customer Systems

800.000 Address Change, Mail Forwarding, and Related Services
800.100 Address Matching for Mail Processing
810.100 *www.usps.com* Registration
810.200 *www.usps.com* Ordering, Payment, and Fulfillment
810.300 Offline Registration, Payment, and Fulfillment
820.100 Mailer Services—Applications and Approvals
820.200 Mail Management and Tracking Activity
830.000 Customer Service and Correspondence
840.000 Customer Mailing and Delivery Instructions
850.000 Auction Files
860.000 Financial Transactions
870.100 Trust Funds and Transaction Records
870.200 Meter Postage and PC Postage Customer Data and Transaction Records
880.000 Post Office and Retail Services
890.000 Sales, Marketing, Events, and Publications
900.000 International Services
910.000 Identity and Document Verification Services

Section D. Authorized Disclosures and Routine Uses

Under the Privacy Act, information can only be disclosed from a system of records, internally or externally, under one of two conditions:

- The individual has authorized the disclosure in writing.
- The disclosure fits within one of twelve specified categories.

The following is a description of disclosures, including those authorized by the Privacy Act and USPS regulations and routine uses.

D.1. Disclosures Authorized by the Privacy Act

The Privacy Act authorizes disclosures in the following twelve circumstances:

1. To agency employees who need the information to perform their job.
2. As required by the Freedom of Information Act (FOIA).
3. For routine uses for which the agency has provided proper notice.
4. To the Bureau of the Census for purposes related to census and survey activities.
5. To a recipient who provides advance written assurance that the information will only be used for statistical research or reporting, and the information provided does not identify individuals.
6. To the National Archives and Records Administration for historic preservation purposes.
7. To other domestic government agencies for a civil or criminal law enforcement activity if the activity is authorized by law. In such cases, the agency head must specify in writing both the law enforcement activity and the particular information needed.
8. To a person upon a showing of compelling circumstances affecting an

individual's health or safety. The agency must send notice of the disclosure to the individual's last known address.

9. To Congress, or to the extent the matter is within their jurisdiction, to any of its committees or subcommittees.

10. To the Comptroller General in the performance of duties of the Government Accountability Office.

11. Pursuant to the order of a court of competent jurisdiction.

12. To a consumer reporting agency in order to collect claims owed to the Government.

The Privacy Act allows agencies to disclose information from a system of records if they establish a routine use describing the disclosure (see #3 above). Under the Privacy Act, routine uses are defined as disclosures that are compatible with the purpose for which the information was collected—in other words, disclosures that are appropriate and necessary for the efficient conduct of government business. Routine uses for each system of records are established by publishing them in a **Federal Register** notice that describes the system. They must also be disclosed in a notice given to an individual when information is collected directly from the individual. The Privacy Act also allows disclosures required by the Freedom of Information Act (see #2 above). USPS regulations implementing the Privacy Act and FOIA are contained in 39 CFR Parts 261–268.

D.2. Standard Routine Uses

The following standard routine uses apply to USPS systems of records. In general, standard routine uses 1 through 9 apply to general systems—systems relating to employees, finance, investigations, litigation, and other systems not primarily related to USPS customers. General systems are listed in Section C, Part I. In general, standard routine uses 1 through 7, 10, and 11 apply to customer systems of records. These systems, which contain information related to USPS customers, are listed in Section C, Part II. The specific standard routine uses applicable to each system of records, as well as any special routine uses, are described in each system of records in Section E.

1. *Disclosure Incident to Legal Proceedings.* When the Postal Service is a party to or has an interest in litigation or other legal proceedings before a Federal, state, local, or foreign adjudicative or administrative body or before an arbitrator, arguably relevant records may be disclosed before that body, and/or to the Department of Justice or other legal counsel representing the Postal Service or its employees, and to actual or potential parties or their representatives in connection with settlement discussions or discovery. Arguably relevant records may also be disclosed to former Postal Service employees or suppliers when reasonably necessary to elicit information related to actual or potential litigation. Arguably relevant records may be disclosed to a bar association or similar Federal, state, or local licensing or regulatory authority that relate to possible disciplinary action.

2. *Disclosure for Law Enforcement Purposes.* For information derived from general systems, when the Postal Service becomes aware of a violation or potential violation of law, whether civil, criminal, or regulatory in nature, or in response to the appropriate agency's request on a reasonable belief that a violation has occurred, records may be referred to the appropriate agency, whether Federal, state, local, or foreign, charged with enforcing or implementing the statute, rule, regulation, or relevant order. For records derived from customer systems, records may be disclosed to appropriate law enforcement agencies to investigate, prevent, or take action regarding suspected illegal activities against the Postal Service; and such customer records may only otherwise be disclosed to law enforcement agencies as required by law.

3. *Disclosure to Congressional Office.* Records about an individual may be disclosed to a congressional office in response to an inquiry from the congressional office made at the prompting of that individual.

4. *Disclosure to Agents or Contractors.* Records may be disclosed to entities or individuals under contract or agreement with the Postal Service when necessary to fulfill a Postal Service function, to provide Postal Service products or services to customers, or to provide the contractor with investigative or performance records about the contractor's employees.

5. *Disclosure to Auditors.* Records may be disclosed to government agencies and other entities authorized to perform audits, including financial and other audits, of the Postal Service and Postal Service activities.

6. *Disclosure to Labor Organizations.* As required by applicable law, records may be furnished to a labor organization when needed by that organization to perform its duties as the collective bargaining representative of Postal Service employees in an appropriate bargaining unit.

7. *Disclosure to Government Agencies.* Records may be disclosed to a Federal, state, local, or foreign government agency when necessary in connection with decisions by the requesting agency or by the Postal Service regarding personnel matters, issuance of security clearances, letting of contracts, or decisions to issue licenses, grants, or other benefits. With respect to employee records, such matters include provision of parent locator services; enforcement of child support, tax, and debt obligations; and claims, investigations, and inspections related to occupational safety, injuries, illnesses, and accidents.

8. *Disclosure to Equal Employment Opportunity Commission.* Records may be disclosed to an authorized investigator, administrative judge, or complaints examiner appointed by the Equal Employment Opportunity Commission when requested in connection with the investigation of a formal complaint of discrimination filed against the Postal Service under 29 CFR Part 1614.

9. *Disclosure to Merit Systems Protection Board or Office of the Special Counsel.* Records may be disclosed to the Merit Systems Protection Board or Office of the Special Counsel for the purpose of litigation, including administrative proceedings, appeals, special studies, investigations of alleged or possible prohibited personnel practices, and such other functions as may be authorized by law.

10. *Disclosure to Agencies and Entities for Financial Matters.* Records may be disclosed to credit bureaus, government agencies, and service providers that perform identity verification and credit risk assessment services; to financial institutions or payees to facilitate or resolve issues with payment services; or to government or collection agencies for the purposes of debt collection or responding to challenges to such collection.

11. *Disclosure for Customer Service Purposes.* Records may be disclosed to entities if the disclosure is part of the service to the customer. This includes disclosures to addressees of mail to process inquiries and claims; entities to which the customer wants to provide identity verification; the State Department for passport processing; international posts or agents to facilitate or process international services, claims, or inquiries; and mailers of sexually-oriented advertisements to provide a list of customers who do not want to receive them.

Section E. Complete Text of Systems of Records

USPS 100.000

SYSTEM NAME:

General Personnel Records.

SYSTEM LOCATION:

All USPS facilities and personnel offices; National Personnel Records Center; Human Resources Information Systems, Headquarters; Computer Operations Service Centers; National Test Administration Center; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former USPS employees, their family members, and former spouses who apply and qualify for federal employee benefits under public law.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee and family member information:* Name(s), Social Security Number(s), Employee Identification Number, date(s) of birth, place(s) of birth, marital status, postal assignment information, work contact information, home address(es) and phone number(s), finance number(s), duty location, and pay location.

2. *Official Personnel Folder (OPF):* Records related to pre-employment, prior employment, postal employment, supervisor's letters, notifications of personnel action, benefits, compensation, and monetary awards and other forms of recognition.

3. *Automated employee information:* Information corresponding to records in OPFs, such as notifications of personnel actions; OPF location; anniversary dates; and tax, retirement, and salary information.

4. *Reference copies of all discipline or adverse actions:* Letters of warning; notices of removal, suspension, reduction in grade or pay; and letters of decisions; and documents relating to these actions. These are used only to refute inaccurate statements by witnesses before a judicial or administrative body. They may not be maintained in the employee's OPF but must be maintained in a separate file by Labor Relations.

5. *Nonbargaining unit employee discipline, grievance, and appeals records.*

6. *Job bidding records:* Records related to the employee's bid for a preferred assignment.

7. *Biographical summaries.* Records and photographs used for public relations purposes.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To perform routine personnel functions.

2. To have a source of readily available information on employees for local administrative purposes.

3. To administer the grievance and appeal procedure for nonbargaining unit employees.

4. To match a vacant position to the most qualified candidate in bids for preferred assignment.

5. To provide public relations information on USPS management personnel.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Job bidding records may be disclosed on official bulletin boards in Postal Service facilities and to supervisory and other managerial organizations recognized by USPS.

b. Records pertaining to financial institutions and to nonfederal insurance carriers and benefits providers elected by an employee may be disclosed for the purposes of salary payment or allotments, eligibility determination, claims, and payment of benefits.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper. Duplicates of records in the OPF and automated employee data may be maintained for localized employee administration or supervision. Records may be filed at offices other than where the OPF is, or may be duplicated at a site closer to where the employee works.

RETRIEVABILITY:

By name, Social Security Number, Employee Identification Number, or duty or pay location.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Nonbargaining unit employee discipline, grievance, and appeals records maintained outside the OPF are kept in locked filing cabinets or secured record storage rooms; and related automated records are protected with password security. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. OPF records maintained on the right side of the folder are permanently retained. Temporary OPF records maintained on the left side of the folder are retained 2 years, upon separation, or upon transfer of the employee (if the temporary record is not relevant to the gaining USPS facility), whichever is sooner.

2. Original or copies of discipline or adverse actions are maintained on the left side of the OPF up to 2 years, or, if an additional or more recent disciplinary action has been taken, for a longer period. After 2 years, or lesser time specified in the decision, the employee may request the disciplinary record be purged from the OPF provided no subsequent discipline was issued. Records that support a PS Form 50, *Notification of Personnel Action,* e.g. the separation of an employee for cause or the resignation of an employee pending charges, are considered permanent records and may not be purged at the request of an employee.

3. Reference copies of discipline or adverse actions. These records are kept for historical purposes and are not to be used for decisions about the employee. The retention of these records may not exceed ten years beyond the employee's separation date. The records are maintained longer if the employee is rehired during the 10-year period. They may not be maintained in the employee's OPF but must be maintained in a separate file by Labor Relations.

4. Grievance and appeal records of nonbargaining unit employees are retained 7 years.

5. Job bidding records are retained 2 years.

6. Biographical summaries are retained for the duration of employment.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal

Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Vice President, Labor Relations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and the dates of USPS employment.

Former Post Office Department employees (prior to July 1971) having no USPS employment must submit the inquiry to: Assistant Director for Workforce Information, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415–6000.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisors; USPS customers; law enforcement agencies; individuals who are personal references; former employers; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.100

SYSTEM NAME:

Recruiting, Examining, and Placement Records.

SYSTEM LOCATION:

Preemployment investigation records are located at USPS personnel offices and contractor locations, except for drug screening and medical examination records, which are maintained in USPS medical facilities and designee offices.

Recruiting, examining, and placement records are located at USPS personnel offices, National Test Administration Center, Computer Operations Service Centers, and contractor locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former USPS employees and applicants for employment.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Applicant and employee information:* Name(s), Social Security Number(s), Employee Identification Number, date(s) of birth, place(s) of birth, postal assignment information, work contact information, home address(es) and phone number(s), finance number(s), duty location, and pay location.

2. *Pre-employment investigation information:* Records compiled by USPS from character references; former employers; police, military, and driving records; drug screening and medical examinations; and postal inspectors' investigative reports.

3. *National Agency Check and Inquiry (NACI):* Investigative records requested by USPS and compiled by the Office of Personnel Management (OPM).

4. *Recruiting, examining, and placement information:* Records related to applications, test scores, and registers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To determine suitability for employment.

2. To provide managers, personnel officials, and medical officers with information for recruiting and recommending appointment of qualified individuals.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By applicant or employee name, Social Security Number, Employee Identification Number, duty or pay location, or location where application was made.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Preemployment investigation records are retained 10 years from the date the individual is initially found suitable for employment, or 10 years from the date action was taken to deny or terminate employment.

2. Employment applications are disposed of on expiration of eligibility, unless extended for an additional year at the request of the eligible individual. Employment registers are retained 10 years. Certain forms related to a successful applicant are filed in the Official Personnel Folder as permanent records; and remaining records are retained 6 months. Applications for master instructor positions are retained 3 years after date of selection. Postmaster selection records are retained 2 years.

3. Paper examining answer sheets are retained 6 months; and computer media copies are retained 30 years. Scanned Maintenance Selection System forms are retained 20 years; and related hiring worksheets are retained 5 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed, or where job application was made. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment or date of application.

For investigative records compiled by OPM, individuals must apply as instructed by OPM.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Applicants; OPM; police, driving, and military records; former employers and named references; medical service providers; school officials; other federal agencies; and state divisions of vocational rehabilitation counselors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose.

USPS 100.200

SYSTEM NAME:

Employee Performance Records.

SYSTEM LOCATION:

USPS facilities where employee performance is evaluated or measured.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former USPS employees, including supervisors and managers who are rated under an employee survey process or are responsible for a rated work location.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Employee performance information:* Records related to individual performance evaluation and measurement; reports about supervisors and managers who are rated under an employee survey process or are responsible for a rated work location; employee recognition; and safe driver awards.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To provide managers and supervisors with decision-making information for training needs, promotion, assignment considerations, or other job-related actions.

2. To administer achievement award programs and pay for performance.

3. To improve relations and communication between managers and employees by soliciting employee feedback, and to improve management and supervisor leadership skills.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. When records about the receipt of an award by an employee, including driver safety records, are of news interest and consistent with the public's right to know, the records may be disclosed to the news media or the National Safety Council.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, Employee Identification Number, or duty or pay location.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Merit performance evaluation records are retained 5 years. Individual performance evaluation and measurement records are retained 10 years or upon separation of the employee, whichever comes first.

2. Incentive award records are retained 4 years. Length of service award records are retained 1 year. Non-USPS awards are retained 2 years. Letters of commendation and appreciation (excluding permanent copies filed on the right side of the OPF) are retained 2 years.

3. Employee survey process records are retained 20 years.

4. Safe Driver Award records are retained 4 years from date of separation, expiration of license, rescission of authorization, transfer of driver into a nondriving status, or other transfer, whichever comes first.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees and employees' supervisor or manager.

USPS 100.300

SYSTEM NAME:

Employee Development and Training Records.

SYSTEM LOCATION:

Management training centers and other USPS facilities where career development and training, skills bank, and curriculum evaluation activities are performed.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former USPS employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, sex, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Employee development and training information:* Records related to career development, skills bank participation, USPS and non-USPS training, examinations, evaluations of training, and USPS lodging when a discrepancy report is filed against the student about unauthorized activities while occupying the room.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To provide managers, supervisors, and training and development professionals with decisionmaking information for employee career development, training, and assignment.

2. To make and track employee job assignments, to place employees in new positions, and to assist in career planning and training in general.

3. To provide statistics for personnel and workload management.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, or Employee Identification Number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Training records are retained 5 years. Training-related travel records are retained 1 year.

2. Records of nomination for executive leadership are retained 1 year.

3. Examination records are retained 1 year after employee separation.

4. Skills bank records are retained up to 2 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently, or last, employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisor or manager; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose. The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.400

SYSTEM NAME:

Personnel Compensation and Payroll Records.

SYSTEM LOCATION:

USPS personnel offices, Integrated Business Solutions Services Centers (IBSSC), Computer Operations Services Centers, Accounting Services Centers, area and district facilities, Headquarters, contractor sites, and all organizational units.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees and postmaster relief/replacement employees.

2. Current and former employees' family members, beneficiaries, and former spouses who apply and qualify for benefits.

3. An agent or survivor of an employee who makes a claim for loss or damage to personal property.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee and family member information:* Name(s), Social Security Number(s), Employee Identification Number, date(s) of birth, postal assignment information, work contact information, home address(es) and phone number(s), finance number(s), duty location, and pay location.

2. *Compensation and payroll information:* Records related to payroll, payments, deductions, compensation, and benefits; uniform items purchased; proposals and decisions under monetary awards and suggestion programs; injury compensation; monetary claims for personal property loss or damage; and garnishment of wages.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 409, 410, 1001, 1003, 1004, 1005, and 1206; and 29 U.S.C. 2601 *et seq.*

PURPOSE(S):

1. To support all necessary compensation and payroll activities and related management functions.
2. To generate lists of employee information for home mailings, dues membership, and other personnel support functions.
3. To generate retirement eligibility information and analysis of employees in various salary ranges.
4. To administer the purchase of uniforms.
5. To administer monetary awards programs.
6. To detect improper payment related to injury compensation claims.
7. To adjudicate employee claims for loss or damage to their personal property in connection with or incident to their postal duties.
8. To process garnishment of employee wages.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Records pertaining to financial institutions and to nonfederal insurance carriers and benefits providers elected by an employee may be disclosed for the purposes of salary payment or allotments, eligibility determination, claims, and payment of benefits.

b. Records pertaining to supervisors and postmasters may be disclosed to supervisory and other managerial organizations recognized by USPS.

c. Records pertaining to recipients of monetary awards may be disclosed to the news media when the information is of news interest and consistent with the public's right to know.

d. Disclosure of records about current or former Postal Service employees may be made to requesting states under an approved computer matching program to determine employee participation in, and eligibility under, unemployment insurance programs administered by the states (and by those states to local governments), to improve program integrity, and to collect debts and overpayments owed to those governments and their components.

e. Disclosure of records about current or former Postal Service employees may be made to requesting federal agencies or nonfederal entities under approved computer matching programs to make a determination of employee participation in, and eligibility under, particular benefit programs administered by those agencies or entities or by USPS; to improve program integrity; to collect debts and overpayments owed under those programs and to provide employees with due process rights prior to initiating any salary offset; and to identify those employees who are absent parents owing child support obligations and to collect debts owed as a result.

f. Disclosure of records about current or former Postal Service employees may be made, upon request, to the Department of Defense (DoD) under approved computer matching programs to identify Postal Service employees who are ready reservists for the purposes of updating DoD's listings of ready reservists and to report reserve status information to USPS and the Congress; and to identify retired military employees who are subject to restrictions under the Dual Compensation Act and to take subsequent actions to reduce military retired pay or collect debts and overpayments.

g. Disclosure of records about current and former employees may be made to the Selective Service System under an approved computer matching program to identify individuals eligible for registration under the Military Selective Service Act, to determine whether those individuals have complied with registration requirements and to enforce compliance when necessary.

h. Disclosure of records about current or recently terminated Postal Service employees who live or work in Colorado may be made to the Colorado Bureau of Investigation under an approved computer matching program to identify currently or recently terminated employees who have been arrested for violations of law that relate to postal offenses and/or suitability for continued employment, or who are fugitives, and to assist state or local agents to apprehend fugitives.

i. Disclosure of records may be made to the Internal Revenue Service under approved computer matching programs to identify current or former Postal Service employees who owe delinquent federal taxes or returns and to collect the unpaid taxes by levy on the salary of those individuals pursuant to Internal Revenue Code; and to make a determination as to the proper reporting of income tax purposes of an employee's wages, expenses, compensation, reimbursement, and taxes withheld and to take corrective action as warranted.

j. Disclosure of the records about current or recently terminated Postal Service employees may be made to the Department of Transportation (DOT) under an approved computer matching program to identify individuals who appear in DOT's National Driver Register Problem Driver Pointer System. The matching results are used only to determine as a general matter whether commercial license suspension information within the pointer system would be beneficial in making selections of USPS motor vehicle and tractor-trailer operator personnel and will not be used for actual selection decisions.

k. Disclosure of records about current or former Postal Service employees may be made to the Department of Health and Human Services under an approved computer matching program for further release to state child support enforcement agencies when needed to locate noncustodial parents, to establish and/or enforce child support obligations, and to locate parents who may be involved in parental kidnapping or child custody cases.

l. Disclosure of records about current or former Postal Service employees may be made to the Department of the Treasury under Treasury Offset Program computer matching to establish the identity of the employee as an individual owing a delinquent debt to another federal agency and to offset the salary of the employee to repay that debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, Employee Identification Number, or duty or pay location.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Leave application and unauthorized overtime records are retained 3 years. Time and attendance records (other than payroll) and local payroll records are retained 3 years. Automated payroll records are retained 10 years.

2. Uniform allowance case files are retained 3 years; and automated records are retained 6 years.

3. Records of approved monetary awards are retained 4 years. Records of proposals not adopted are retained 2 years.

4. Injury compensation records are retained 5 years. Records resulting in affirmative identifications become part of a research case file, which if research determines applicability, become either part of an investigative case record or a remuneration case record that is retained 2 years beyond the determination.

5. Monetary claims records are retained 3 years.

6. Automated records of garnishment cases are retained 6 months. Records located at a Post Office are retained 3 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Vice President, Finance (Controller), United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and the dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisor or manager; other systems of records; claimants or their survivors or agents who make monetary claims; witnesses; investigative sources; courts; and insurance companies.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system relating to injury compensation that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.500

SYSTEM NAME:

Personnel Resource Management Records.

SYSTEM LOCATION:

Post Offices; area and district facilities; Human Resources and Operations, Headquarters; and Computer Operations Service Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former USPS employees.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, employee identification number(s), postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Employee resource management information:* Records related to workload, productivity, scheduling, availability, and absences, including family medical leave absences.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 404, 1001, 1003, and 1005; and 29 U.S.C. 2601 *et seq.*

PURPOSE(S):

1. To administer leave, attendance, and attendance-related awards; and to identify potential attendance problems.

2. To provide operations management with information about employee work schedules, mail volume, and productivity.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, employee identification number(s), route number, duty or pay location, or pay period.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Restricted medical information is maintained in a separate locked cabinet under control of the FMLA Coordinator. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Resource management records related to leave application and time and attendance are retained 3 years. Other categories of resource management records are retained 1 year. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Senior Vice President, Operations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in

this system must address inquiries to the facility head where currently or last employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and the dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisor or manager; and other systems of records.

USPS 100.600

SYSTEM NAME:

Personnel Research Records.

SYSTEM LOCATION:

USPS Headquarters; National Test Administration Center; Integrated Business Solutions Services Centers (IBSSC); and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for USPS employment, USPS employee applicants for reassignment and/or promotion, and employees whose work records or solicited responses are used in research projects.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Applicant and employee information:* Name, Social Security Number or respondent identification code, date of birth, place of birth, postal assignment information, work contact information, home address and phone number(s), finance number(s), duty location, and pay location.

2. *Personnel research information:* Records related to race, sex, national origin, disability status (only if volunteered by the individual); research project identifiers; and other information pertinent to personnel research.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, and 1005.

PURPOSE(S):

1. To support research and development efforts on personnel assessment instruments, workforce analysis, and evaluation of personnel management practices.

2. To assess the impact of selection decisions on applicants in race, sex, national origin, and disability categories.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Disclosure of records about applicants for employment with USPS may be made to the Selective Service System under an approved computer matching program to identify individuals eligible for registration under the Military Selective Service Act, to determine whether those individuals have complied with registration requirements, and to enforce compliance when necessary.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By individual name, Social Security Number or respondent identification code, research project identifiers, duty or pay location, or location where test or survey was administered.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Retention depends on the type of research project, but does not exceed 30 years. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the head of the examination center that administered the test. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. In cases of studies involving information not collected through an examination, individuals must address inquiries to the system manager. Inquiries must contain full name, Social Security Number or Employee Identification Number, and date and location of their participation.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

USPS employees and applicants who provide information to personnel research programs; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose. The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.700

SYSTEM NAME:

Medical Records.

SYSTEM LOCATION:

USPS medical facilities and designee offices; USPS personnel offices; USPS Headquarters Corporate Health and

Fitness Center; National Personnel Records Center.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees.
2. Individuals who have been offered employment but failed the medical examination before being placed on the rolls, or who declined the offer.
3. Headquarters employees who participate in the Corporate Health and Fitness Program.
4. Employees who volunteer to join the USPS Blood Donor Program.
5. Current and former USPS employees who are or were required to have a commercial driver's license (CDL) or are otherwise subject to controlled substance and alcohol testing.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee or applicant information:* Name, Social Security Number, date of birth, postal assignment information, work contact information, finance number(s), duty location, and pay location.
2. *Employee Medical Folder:* Restricted medical records, administrative medical records, and OWCP-related medical records.
3. *Headquarters Corporate Health and Fitness Program:* Records volunteered about lifestyle and health.
4. *Voluntary blood donation information:* Blood type and date of each donation.
5. *Controlled substance and alcohol testing information:* Records related to alcohol and controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To provide all employees with necessary health care and to determine fitness for duty.
2. To provide for a Headquarters health promotion program.
3. To provide the USPS Blood Donation Program with a record of donations.
4. To implement a controlled substance and alcohol testing program for employees in safety-sensitive positions.
5. To provide for the uniform collection and compilation of controlled substance and alcohol test results.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Medical records may be disclosed to an employee's private treating physician and to medical personnel retained by USPS to provide medical examinations or treatment for an employee's health or physical condition related to employment.

b. Blood donor records may be disclosed to the American Red Cross in response to an inquiry for available donors having a particular blood type.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee or applicant name, Social Security Number, or duty or pay location.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. The Employee Medical Folder is retained by USPS until the employee is separated from USPS. On an annual basis, records of all employees separated during the prior year are transferred to the National Personnel Records Center and retained for 30 years.
2. Candidate medical information of failed eligible candidates (and those who were determined to be eligible but ultimately declined the offer) is retained 2 years. Computer data are archived from the active database to a history database after 3 years, and retained in the history database 30 years.
3. Corporate Health and Fitness Center records are retained 5 years beyond the membership termination date.
4. Blood donor records are retained 5 years after termination of employment.
5. Alcohol test results indicating a breath alcohol concentration of 0.02 or greater, verified positive controlled substance test results, refusals, medical review officer's evaluations, employee statements, and substance abuse professionals' evaluations and referrals are retained 5 years. Alcohol test results indicating a breath alcohol concentration of less than 0.02, and negative and canceled controlled substance test results, are retained 1 year.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system must address inquiries to the facility head where currently or last employed, or where job application was made. Headquarters employees must submit inquiries to the National Medical Director, Health and Resources, 475 L'Enfant Plaza, SW., Room 2641, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment or date of application.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; applicants for employment; USPS and Department of Veterans Affairs medical staff; USPS designee testing facilities; substance abuse professionals; and designated contractors.

USPS 100.800

SYSTEM NAME:

Employee Accident Records.

SYSTEM LOCATION:

Safety offices at USPS facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USPS employees who sustain an on-the-job accident or an occupational injury or illness.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, sex, age, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Accident information:* Records related to accidents and injuries such as circumstances and factors of accident or injury, statements of employee and witnesses, investigative documents, and compensation claims.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, and 1005.

PURPOSE(S):

1. To administer a program to collect and analyze occupational safety and health statistics.

2. To permit evaluation and correction of occupational safety and health hazards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, or Employee Identification Number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 5 years following the end of the calendar year of their creation. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently, or last, employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisor or manager; witnesses; physicians; USPS accident reports; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.850

SYSTEM NAME:

Office of Workers' Compensation Program (OWCP) Record Copies.

SYSTEM LOCATION:

USPS personnel offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USPS employees who file for injury compensation.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, date of birth, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Claim information:* Records and supporting information related to the claim, including copies of Department of Labor forms, postal forms and correspondence, and automated payment and accounting records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, and 1005.

PURPOSE(S):

To provide injury compensation to qualifying employees, and to support USPS management decisions and requirements.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, Social Security Number, or Employee Identification Number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer

systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 5 years beyond the end of the calendar year in which the employee's compensation is terminated. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently, or last, employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

For records maintained by the Department of Labor, individuals must apply as instructed by the Department of Labor.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

For records maintained by the Department of Labor, individuals must contest records as instructed by the Department of Labor.

RECORD SOURCE CATEGORIES:

Employees; employees' supervisor or manager; witnesses; physicians; other systems of records, and Department of Labor.

USPS 100.900

SYSTEM NAME:

Employee Inquiry, Complaint, and Investigative Records.

SYSTEM LOCATION:

USPS personnel offices; area and district facilities; Post Offices; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USPS employees who contact USPS with an inquiry or complaint, and employees who are subjects of management inquiries or investigations of workplace issues.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Inquiry, complaint, and investigative information:* Records related to the subject category of inquiry or complaint, assigned case number, background, and description of inquiry, complaint, or investigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To enable review and response to employee inquiries and complaints.

2. To enable management to initiate, review, process, track, and resolve inquiries, complaints, or concerns about the workplace.

3. To support administrative or court litigation and arbitration proceedings.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By employee name, subject category, or case number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 4 years after response to inquiry, resolution of complaint, or conclusion of investigation. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently, or last, employed. Headquarters employees must submit inquiries to Corporate Personnel Management, 475 L'Enfant Plaza, SW., Room 1831, Washington, DC 20260. Inquiries must include full name, Social Security Number or Employee Identification Number, name and address of facility where last employed, and dates of USPS employment.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees, supervisors and managers, and witnesses.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR

266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 100.950

SYSTEM NAME:

Employee Assistance Program (EAP) Records.

SYSTEM LOCATION:

EAP Offices at Philadelphia and Los Angeles USPS facilities. This system does not include records maintained by the Federal Occupational Health Service (FOHS) under an interagency agreement with USPS.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USPS employees and immediate family members who volunteer for or are referred to an internal EAP office at a USPS facility.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Employee information:* Name, Social Security Number, Employee Identification Number, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Assistance information:* Case number and other personal information acquired during the period of participation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401.

PURPOSE(S):

To provide EAP counselors with information needed to maintain program operations and to assist EAP participants.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name, Social Security Number, Employee Identification Number, or participant case number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 3 years from the date of the participant's last activity. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Employee Resource Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Employees wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently, or last, employed. Inquiries must include full name, Social Security Number or Employee Identification Number, and dates of USPS employment.

For records maintained by the Federal Occupational Health Service (FOHS) under an interagency agreement with USPS, individuals must inquire as instructed by FOHS.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Participating employee, other family members, and EAP counselors.

USPS 200.000

SYSTEM NAME:

Labor Relations Records.

SYSTEM LOCATION:

Labor Relations and Law Department, USPS Headquarters; EEO Compliance and Appeals Processing Centers; area and district facilities; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees, applicants for employment, third-party complainants, and mediators (USPS employees, other federal agency employees, or contract employees) involved in EEO discrimination complaints.

2. USPS employees involved in labor arbitration.

3. USPS employees who are candidates considered by promotion boards for an EEO staff position.

4. Individuals and organizations interested in providing alternative dispute resolution (ADR) services to all disputes, except those arising under USPS collective bargaining agreements.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *EEO discrimination complaint case information:* Individuals' names, Social Security Numbers, Employee Identification Numbers, postal assignment information, work contact information, finance number(s), duty location(s), pay location(s), case number, and other complaint, counseling, investigation, hearing, and appeal information describing the case.

2. *Labor arbitration information:* Records related to labor arbitration proceedings in which USPS is a party.

3. *EEO staff position information:* Records related to candidates for EEO staff positions, including name, Social Security Number, Employee Identification Number, date of birth, postal assignment information, work contact information, finance number(s), duty location, and pay location.

4. *ADR provider information:* Records related to ADR providers including name of individual or entity, contact information, capabilities, and performance.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 409, 410, 1001, 1005, and 1206.

PURPOSE(S):

1. To adjudicate complaints of alleged discrimination, and to evaluate USPS EEO program effectiveness.

2. To provide advice and representation to USPS in labor arbitration cases.

3. To accomplish EEO staff selection.

4. To determine ADR service provider qualifications.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

EEO discrimination complaint case records are retrieved by case number, complainant's name, Social Security Number, Employee Identification Number, or the location where the complaint was made. EEO staff selection records are retrieved by applicant name or pay location. Other records categories are retrieved by name of subject individual.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in secure file cabinets within locked rooms or within locked filing cabinets. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. *EEO discrimination complaint case records:* Precomplaint records are retained 1 year after submission of a final report. Formal complaint records of closed cases are removed from the system of records quarterly, and retained as follows: Official files are retained 4 years. Copies of official files are retained 1 year. Background documents not in official files are retained 2 years. Records of closed cases on computer storage media are removed 3 years after the closure date and moved to an inactive file for future comparative analyses.

2. *Labor arbitration records:* Field-level disciplinary and contract application cases are retained 5 years from the date of final decision. National-level contract interpretation cases and court actions are retained 15 years from the date of expiration of the agreement.

3. *EEO staff selection records:* Staff selection records are retained 3 years from the date the position became vacant.

4. *ADR provider records:* Records of active providers are retained 1 year beyond the date the provider is removed from or voluntarily withdraws from the program or is otherwise notified of their decertification. Records of prospective providers who are rejected are retained 1 year beyond the year in which their survey was received.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

For EEO discrimination complaint case records, labor arbitration records, EEO staff selection records, and REDRESS ADR staff providers: Vice President, Labor Relations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For records of non-REDRESS ADR staff providers: Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Inquiries about EEO discrimination complaint case records must be submitted to the EEO officer at the district, area, or Headquarters level, and must include complainant name, complainant Social Security Number or Employee Identification Number, location, and case number and year. Inquiries about labor arbitration records and ADR provider records must be submitted to the system manager. Inquiries about EEO staff selection records must be addressed to the head of the facility where application was made.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

For EEO discrimination complaint case information: complainants, witnesses, investigators, and respondents. For labor arbitration records: employees and other individuals involved in arbitration; counsel or other representatives for parties involved in a case; and arbitrators. For EEO staff position records: employee applicant and other systems of records. For ADR provider records, the provider.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt EEO discrimination complaint case records. Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 300.000

SYSTEM NAME:

Finance Records.

SYSTEM LOCATION:

Computer Operations Service Centers, Integrated Business Solutions Services Centers, Accounting Service Centers, area and district facilities, personnel offices, Headquarters, Post Offices, and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Debtors of USPS, including suppliers, customers, payees of money orders, and current and former employees.

2. Individuals or entities to whom USPS makes payments for materials and services received or expenses incurred in conjunction with official USPS business.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Accounts receivable information:* Debtor's name, contact information; Social Security Number or Employee Identification Number; invoice number, other invoice or claim information, and records obtained from or disclosed to consumer reporting or credit reporting agencies.

2. *Accounts payable information:* Creditors' name, contact information; vendor identification number, tax identification number, Social Security Number, or Employee Identification Number; and other transaction details such as account, credit card, or financial institution numbers, dates, amounts, and batch numbers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 404, 410, 1001, 1005, 1206, and 2008.

PURPOSE(S):

1. To facilitate debt collection by USPS.

2. To support payments to creditors of USPS.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 10 apply. In addition:

a. Disclosure of records about USPS customers who write insufficient funds checks for USPS services may be made to the permit holder or presenter of a mailing being made on the customer's behalf. Disclosure is limited to the identity of the customer, the date of the mailing, and the date and amount of the check.

b. Disclosure of records about individuals indebted to USPS may be made to the Office of Personnel Management (OPM) under an approved computer matching program, but limited to those data elements considered relevant to determine whether the indebted individual has retirement funds available for setoff, collecting debts when funds are available for setoff, and writing off debts determined to be uncollectible.

c. Disclosure of records about individuals indebted to USPS may be made to the Defense Manpower Data Center of the Department of Defense under an approved computer matching program to identify and locate such individuals in order to initiate collection of the debts through salary and/or administrative offset procedures.

d. Disclosure of records about individuals indebted to USPS may be made to the Internal Revenue Service under an approved computer matching program to obtain the mailing address of a taxpayer in order to locate the taxpayer to collect a debt owed to USPS.

e. Disclosure of records may be made to the Department of the Treasury under Treasury Offset Program computer matching to establish the identity of a current or former Postal Service Employee as an individual owing a delinquent debt to another federal agency and to offset the salary of or payments to the employee to repay that debt.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

Accounts receivable records are retrieved by debtor name, Social Security Number, Employee Identification Number, or invoice number. Accounts payable records are retrieved by creditor name, creditor identification number, credit card number, financial institution account number, transaction date, or batch number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Accounts receivable records are retained 3 years after the claim is paid. Accounts payable records are retained 3 years beyond the end of the fiscal year in which payment was made. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Finance (Controller), United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Inquiries about accounts receivable records must be submitted to the pertinent USPS facility. Inquiries about accounts payable records must be submitted to the system manager. Inquiries must include the individual's full name and tax identification number or Social Security Number.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Debtors and creditors; other systems of records; government travel card vendor; employee-designated financial institutions; and other federal agencies to which creditors have delinquent debts.

USPS 400.000

SYSTEM NAME:

Supplier and Tenant Records.

SYSTEM LOCATION:

USPS Headquarters; supply management offices; facilities service offices; and area and district facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Suppliers; prospective suppliers; owners and tenants of real property purchased or leased by USPS.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Supplier information:* Records related to suppliers, such as supplier name; Social Security Number or tax identification number; business contact information; contract number; and other contract information; fingerprint cards; and experience and qualifications to provide services including principals' names and company descriptions.

2. *Real property owner and tenant information:* Records related to compensation claims by occupants of property acquired by USPS, including name and address of claimant, address of vacated dwelling, and itemized expenses.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401.

PURPOSE(S):

1. To administer contracts.

2. To determine supplier suitability for assignments requiring access to mail.

3. To adjudicate claims by owners and tenants of real property acquired by USPS.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

Individual, business, lessor, or claimant name; contract name or

number, Social Security Number, tax identification number, business contact information, or address of leased facility.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Unsuccessful proposals and architect/engineering questionnaires are retained 1 year beyond contract award. Contract records are closed at the end of the fiscal year in which they become inactive, and are retained 6 years thereafter.

2. Contractor fingerprint records are retained 2 years beyond contractor termination date.

3. Leased property records are closed at the end of the calendar year in which the lease or rental agreement expires or terminates, and are retained 6 years and 3 months from that date.

4. Real property owner and tenant records are retained 6 years unless required longer for litigation purposes.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

For contracting records: Vice President, Supply Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For contractor fingerprint screening records: Chief Postal Inspector, Inspection Service, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For architecture-engineer selection and real property owner and tenant records: Vice President, Facilities, United States Postal Service, 4301 Wilson Blvd., Suite 300, Arlington, VA 22203.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the appropriate system manager. Inquiries about highway vehicle contracts must be made to the applicable USPS area office. Real property owner and tenant claimants must address inquiries to the same facility to which they submitted the claim. Inquiries must contain full individual or business name, Social Security Number, tax identification number, contract number, date of contract, or other pertinent identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Contract employees or businesses; previous dwelling owner or tenant claimant; and USPS claims reviewers and adjudicators.

USPS 500.000

SYSTEM NAME:

Property Management Records.

SYSTEM LOCATION:

All USPS facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Individuals who are granted regular access to USPS facilities through the issuance of a building access badge, or who are assigned accountable property.

2. Individuals with authorized access to USPS computers and information resources, including USPS employees, contractors, and other individuals.

3. Individuals who are members of carpools with USPS employees or otherwise regularly use USPS parking facilities.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Building access information:* Records related to issuance of building access badges, including name, Social Security Number, Employee Identification Number, date of birth, photograph, postal assignment information, work contact information, finance number(s), duty location, and pay location.

2. *Property issuance information:* Records related to issuance of accountable USPS property, equipment, and controlled documents, including name, Social Security Number, equipment description, equipment serial numbers, and issuance date.

3. *Computer access authorization information:* Records related to computer users, including logon ID, Social Security Number, Employee Identification Number, or other assigned identifier, employment status information or contractor status information, and extent of access granted.

4. *Carpool and parking information:* Records related to membership in carpools with USPS employees or about individuals who otherwise regularly use USPS parking facilities, including name, space number, principal's and others' license numbers, home address, and contact information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401.

PURPOSE(S):

1. To ensure personal and building safety and security by controlling access to USPS facilities.

2. To ensure accountability for property issued to persons.

3. To assign computer logon IDs; to identify USPS computer users to resolve their computer access problems by telephone; and to monitor and audit the use of USPS information resources as necessary to ensure compliance with USPS regulations.

4. To provide parking and carpooling services to individuals who use USPS parking facilities.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

1. Records about building access and issuance of accountable property are retrieved by name, Social Security Number, or Employee Identification Number.

2. Records about authorized access to computer and information resources are retrieved by name, logon ID, Employee Identification Number, or other unique identifier of the individual.

3. Records of carpools and parking facilities are retrieved by name, ZIP Code, space number, or parking license number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Building access and accountable property records are retained until termination of access or accountability.
2. Records of computer access privileges are retained 1 year after all authorizations are cancelled.
3. Records of carpool membership and use of USPS parking facilities are retained 6 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

For records of accountable property, carpool membership, and use of USPS parking facilities: Vice President, Facilities, United States Postal Service, 4301 Wilson Blvd., Suite 300, Arlington, VA 22203.

For records of building access and Postal Inspector computer access authorizations: Chief Postal Inspector, Inspection Service, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For other records of computer access authorizations: Vice President and Chief Technology Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Inquiries for records about building access, accountable property, carpool membership, and use of USPS parking facilities must be addressed to the facility head. Inquiries about computer access authorization records must be directed to the Manager, Corporate Information Security, 475 L'Enfant Plaza, SW., Suite 2141, Washington, DC 20260. For Inspection Service computer access records, inquiries must be submitted to the Inspector in Charge, Information Technology Division, 2111 Wilson Blvd., Suite 500, Arlington, VA 22201. Inquiries must include full name, Social Security Number or Employee Identification Number, and period of employment or residency at the location.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; contractors; subject individuals; and other systems of records.

USPS 500.100

SYSTEM NAME:

Carrier and Vehicle Operator Records.

SYSTEM LOCATION:

Headquarters; area and district facilities; processing and distribution centers; bulk mail centers; vehicle maintenance facilities; Post Offices; Integrated Business Solutions Services Centers; Accounting Service Centers; contractor or licensee locations; and facilities employing persons under a highway vehicle contract.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. City letter carriers.
2. Current and former USPS employees who operate or maintain USPS-owned or leased vehicles.
3. Contract highway vehicle operators.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Carrier information:* Records related to city letter carriers, including carrier's name, Social Security Number, Employee Identification Number, age, postal assignment information, work contact information, finance number(s), duty location, pay location, route number and work schedule, and effective date of agreement for use of a privately owned vehicle to transport the mail, if applicable.
2. *Vehicle operator information:* Records of employees' operation or maintenance of USPS-owned or leased vehicles, including employee name, Social Security Number, Employee Identification Number, age, postal assignment information, work contact information, finance number(s), duty location, pay location, work schedule, vehicle operation licensing and driving records, and other records of vehicle operation and maintenance.
3. *Highway vehicle contract employee information:* Records related to contract employee name, Social Security Number, date and place of birth, address and employment history, driver's license number, and contract assignment information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, 404, and 1206.

PURPOSE(S):

1. To reimburse carriers who use privately owned vehicles to transport the mail pursuant to a postmaster agreement.
2. To evaluate delivery and collection operations and to administer these functions.
3. To provide local Post Office managers, supervisors, and transportation managers with information to assign routes and vehicles, and to adjust workload, schedules, and type of equipment operated.
4. To determine contract vehicle operator suitability for assignments requiring access to mail.
5. To serve as a basis for vehicle operator corrective action and presentation of safe driving awards.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name, Social Security Number, Employee Identification Number, pay location, Postal Service facility name, route number, or vehicle number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers

are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Route inspection records and minor adjustment worksheets are retained 2 years where inspections or minor adjustments are made annually or more frequently. Where inspections are made less than annually, records are retained until a new inspection or minor adjustment, and an additional 2 years thereafter.

2. Statistical engineering records are retained 5 years, and may be retained further on a year-to-year basis.

3. Agreements for use of a privately-owned vehicle are retained 2 years. Post office copies of payment authorizations are retained 90 days.

4. Records of employees who operate or maintain USPS vehicles are retained 4 years.

5. Records of highway vehicle contract employees are retained 1 year after contract expiration or contract employee termination.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Operations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Current and former employees, and highway vehicle contract employees, wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently or last employed. Requests must include full name, Social Security Number or Employee Identification Number, and, where applicable, the route number and dates of any related agreements or contracts.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; contractors; carrier supervisors; route inspectors; and state motor vehicle departments.

USPS 500.200

SYSTEM NAME:

Controlled Correspondence, FOIA, and Privacy Act Disclosure Records.

SYSTEM LOCATION:

Postmaster General, Government Relations, and Consumer Advocate offices, Headquarters; Law Department, Headquarters and field offices; records custodian offices at USPS Headquarters and field facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Individuals who correspond directly with the Office of the Postmaster General.

2. Individuals who have written to non-USPS government officials; congressmen and other government officials who write USPS on behalf of USPS customers or employees; and individuals to whom USPS announcements or greetings are regularly directed.

3. Individuals who submit inquiries and requests for information, including under FOIA.

4. Individuals who submit an inquiry or request for information, or who contest a record, subject to the provisions of the Privacy Act.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Correspondence information:* Records related to controlled correspondence including correspondent's name, address, nature of inquiry, and response.

2. *FOIA and Privacy Act Inquiries:* Records related to individuals who request information under FOIA or the Privacy Act, or who request amendment of a record, including name, Social Security Number, date of birth, nature of inquiry, response, and records from other systems of records compiled in response to the inquiry.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410, and 412.

PURPOSE(S):

1. To maintain correspondence files for persons who communicate with the Office of the Postmaster General, and correspondence from other government officials.

2. To respond to FOIA and Privacy Act requests, and to comply with FOIA and Privacy Act disclosure accounting and reporting requirements.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Records may be provided to a federal agency, when that agency may maintain records relevant to a Privacy Act or FOIA request, for that agency's disclosure determination, or to obtain its assistance on a USPS disclosure determination.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

1. Correspondence records are retrieved by subject category, by the individual's name, or by the name of the official inquiring on his or her behalf.

2. FOIA and Privacy Act disclosure records are retrieved by case number, name of the requester, or the name of the attorney or agent acting on their behalf.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Correspondence records are retained 4 years. FOIA and Privacy Act-related records are cut off at the end of each fiscal or calendar year, respectively, and retained 6 years thereafter. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

For Postmaster General correspondence: Office of the Postmaster General, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For other correspondence in this system: Senior Vice President, Government Relations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For FOIA and Privacy Act requests: Vice President and Consumer Advocate, 475 L'Enfant Plaza, SW., Washington DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager. Inquiries about Office of the Postmaster General correspondence must include the full name of the originator, date, and subject of correspondence. Inquiries about other kinds of correspondence must contain the full name of the originator, the name of the government official to whom written, if applicable, and the date of the correspondence. Inquiries about FOIA and Privacy Act disclosure accounting records must contain the individual's name, or that of their agent, and the date of the request.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Individuals who submit correspondence, FOIA, or Privacy Act requests; their counsel or other representative; USPS officials who prepare responses; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system related to FOIA and Privacy Act inquiries that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 500.300

SYSTEM NAME:

Emergency Management Records.

SYSTEM LOCATION:

Headquarters and all field postal facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. USPS employees and other individuals having emergency management responsibilities officially designated by the Postal Service to mitigate, prepare for, respond to, or recover from any natural disaster or manmade hazard.

2. Individuals who are evacuees from postal facilities or who are unaccounted for in the event of a natural disaster or manmade hazard affecting a postal facility.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Emergency management information:* Records related to USPS employees and contractors having officially designated emergency management responsibilities, including: name; Social Security Number or Employee Identification Number; date of birth; postal or contract assignment information; home, work, and emergency contact information; duty location, work schedule; and assigned emergency management devices.

2. *Medical fitness and surveillance information:* Records related to medical tests of designated emergency management personnel, including determinations of fitness to wear protective equipment and surveillance for exposure to hazards.

3. *Emergency management training information:* Records related to specialized training in emergency management of natural disasters and manmade hazards completed by emergency management personnel.

4. *Evacuee information:* Records of individuals who are evacuees from postal facilities under emergency circumstances related to a natural disaster or manmade hazard and records of unaccounted for individuals, such as name; postal assignment information (if USPS employee), home, work, and emergency contact information; home and work address; location in facility and activities prior to evacuation; route of exit from facility; rallying point; and emergency medical treatment administered to evacuees.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401 and 410.

PURPOSE(S):

1. To permit collaboration among officially designated individuals who are responsible for mitigation of, preparation for, response to, and recovery from any natural disaster or manmade hazard affecting postal facilities.

2. To satisfy federal requirements for the training, fitness testing, and medical surveillance of officially designated emergency management personnel in response to a natural disaster or manmade hazard at a postal facility.

3. To test for the exposure to hazards by officially designated emergency management personnel.

4. To account for the whereabouts of individuals in response to a natural disaster or manmade hazard at a postal facility.

5. To assess the likelihood of an evacuee's exposure to a hazard and to contact the evacuee with important health-related information.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition: a. Medical records may be disclosed to an individual's private treating physician, to medical personnel retained by USPS, and to public health agencies to provide medical examinations or treatment to individuals covered by this system of records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name, Social Security Number, Employee Identification Number, and postal facility name.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon

identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Emergency management information and emergency management training information is retained 5 years beyond the end of the period for which the individual is assigned emergency management responsibilities.

2. Medical fitness and medical surveillance information is retained 30 years.

3. Evacuee information is retained 5 years beyond the date of collection.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Emergency Preparedness, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Vice President, Employee Resources Management, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Current and former employees and contractors wanting to know if information about them is maintained in this system of records must address inquiries to the facility head where currently or last employed. Headquarters employees or contractors must submit inquiries to the Vice President, Emergency Preparedness. Requests must include full name, Social Security Number or Employee Identification Number, and employment or contract dates. Individuals from whom evacuee information may have been collected must address inquiries to head of the facility from which they were evacuated.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Employees; contractors; medical staff of the Postal Service, designated contractors, federal public health agencies, emergency response providers, and first responders; and individuals evacuated from a postal facility in the event of a natural disaster or manmade hazard.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose.

USPS 600.000

SYSTEM NAME:

Legal Records Related to Mail.

SYSTEM LOCATION:

Law Department, USPS Headquarters and field offices; Prohibitory Order Processing Center (POPC).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Complainants, respondents, and opposing parties in cases of false representations, lotteries, or nonmailable matter; prohibitory orders; mail withheld from delivery; and denial or termination of Post Office box or caller service.

2. USPS attorneys, attorneys representing parties, subjects of investigations, and postal inspectors involved in such cases.

3. Addressees who request orders prohibiting further mailings to them by mailers of pandering advertisements, and the mailers against whom such orders are issued.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *False representation, mailability, and lotteries information:* Records related to administrative proceedings and litigation involving false representation, mailability, and lotteries, including names of involved individuals.

2. *Prohibitory order information:* Applications for prohibitory orders, issued orders, applications for order enforcement, complaints issued to alleged violators, and notices of court action, including names of involved individuals.

3. *Withholding of mail information:* Records related to the withholding of mail from delivery, including names of involved individuals.

4. *Denial or termination of Post Office box or caller service information:* Records related to the denial or termination of a Post Office box or caller service, including names of involved individuals.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 204, 401, 404, and 3001 et seq.; 18 U.S.C. 1301, 1302, 1341, and 1342.

PURPOSE(S):

1. To investigate and enforce USPS statutes about false representations, lotteries, and mailability.

2. To process applications for orders prohibiting mailers of pandering advertisements from making further mailings to the applicants, to determine whether violations of such orders have occurred, and to prevent them.

3. To enable representation of USPS in administrative proceedings when customers petition for review of cases in which USPS has withheld mail from delivery or refused or terminated Post Office box or caller service.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By individual name, USPS docket number, or prohibitory order number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Records about false representations, lotteries, or nonmailable matter through the mails are retained 20 years.

2. Records about prohibitory orders against pandering advertisers are retained 5 years following issuance of order or last application for enforcement.

3. Records about an appeal of withholding of mail are retained 1 year after final disposition of the case.

4. Records about refusal to provide, or involuntary termination of, Post Office box or caller service are retained 1 year after final disposition of the case.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager, and provide the following information: the full name of the subject individual; and, if applicable, the names of respondents, appellants, plaintiffs, attorneys or agents; and dates of appeals, filings, or proceedings.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subject individuals; their counsel or other representative; postal inspectors; Prohibitory Order Processing Center personnel; members of the Judicial Officer Department; attorneys for USPS; attorneys for mailers; witnesses; and postmasters.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 600.100

SYSTEM NAME:

General Legal Records.

SYSTEM LOCATION:

Law Department, USPS Headquarters and field offices; area and district facilities; Integrated Business Solutions Services Centers; Tort Claims Center; and Post Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current or former USPS employees who are parties to National Labor Relations Board (NLRB) cases, or on whose behalf NLRB charges are filed by a collective bargaining representative, and other individuals involved in labor or employment litigation.

2. Individuals who claim to be involved in accidents related to USPS operations and who seek money damages under the Federal Tort Claims Act.

3. Individuals investigated for possible infringement of USPS intellectual property rights, including inventors seeking patents for devices.

4. Individuals involved in other formal administrative proceedings or litigation in which USPS is a party or has an interest in which information or testimony is sought.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to proceedings, including individuals' names, Social Security Numbers, postal assignment information, work contact information, finance number(s), duty location, pay location, assigned case or docket numbers, and other details related to the nature of the litigants and litigation subject matter.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 409, 1206, and 1208.

PURPOSE(S):

1. To provide legal advice and representation in NLRB cases, labor or employment litigation, and miscellaneous civil actions and litigation.

2. To consider, settle, or defend against tort claims made under the Federal Tort Claims Act; to support program management by accident prevention and safety officers; and to provide pertinent information regarding safety, accidents, and claims to equipment providers and insurers.

3. To protect USPS intellectual property and patents.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Tort claims records may be disclosed to members of the American Insurance Association Index System; to insurance companies that have issued policies under which the United States is or may be an (additional) insured; to equipment manufacturers, suppliers, and their insurers for claims considerations and possible improvement of equipment and supplies; and in response to a subpoena or other appropriate court order.

b. A record may be transferred and information from it disclosed to the Patent and Trademark Office or the Library of Congress when relevant in any proceeding involving the registration of Postal Service trademarks or issuance of patents.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name of subject individual, litigant, claimant, charging party, or individual on whose behalf a charge has been filed; case number, docket number, or topic title.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Labor litigation records are retained 5 years.

2. Tort claim files are retained 7 years after final adjudication or other closure. Tort litigation files are retained 5 years after closure.

3. Records of investigations of possible infringement of USPS intellectual property rights are retained 25 years after closure of the case.

4. Records of miscellaneous civil actions and administrative proceedings are retained 10 years.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager. Inquiries must include full name of litigant, charging party, or individual on whose behalf a charge has been filed, case number or docket number, if known, and the approximate date the action was instituted.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subject individuals; their counsel or other representative; external authorities such as the NLRB, Equal Employment Opportunity Commission, or Merit System Protection Board; customers; police; postal inspectors; witnesses; American Insurance Association Index reports; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 600.200

SYSTEM NAME:

Privacy Act and FOIA Appeal and Litigation Records.

SYSTEM LOCATION:

Law Department, USPS Headquarters.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who submit administrative appeals or bring suit against USPS under the provisions of the Privacy Act of 1974 and/or FOIA.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names, Social Security Numbers, dates, case numbers, and other information related to individuals and the subject matter of the appeal and/or litigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 409, 410, and 412.

PURPOSE(S):

To process appeals, assist in litigation, and comply with reporting requirements related to the Privacy Act and FOIA.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. Records may be provided to a federal agency, when that agency may maintain records relevant to a Privacy Act or FOIA request, for that agency's disclosure determination, or to obtain its assistance on a USPS disclosure determination.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By case number, name of requester, or name of their attorney or agent.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 10 years. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager, and provide the following information: the name of the individual or agent who submitted the appeal, and the year in which the appeal was made, or, if applicable, the name of the plaintiff in the civil action and the year in which the civil action was filed.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subject individuals; their counsel or other representative; USPS officials; other agencies referring requests to USPS; and other systems of records.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 600.300

SYSTEM NAME:

Public and Confidential Financial Disclosure Reports.

SYSTEM LOCATION:

Law Department, USPS Headquarters and field law offices; other Headquarters offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Employees required to file public or confidential financial disclosure reports, including the postmaster general, deputy postmaster general, USPS ethical conduct officer, administrative law judges, the Governors of the Postal Service, and other USPS employees determined by regulation.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Public Financial Disclosure Report:* Standard Form (SF) 278 and supplemental statements including the individual's name, title, work location, employment status, personal financial records, and reports related thereto.

2. *Executive Branch Personnel Confidential Financial Disclosure Report:* Office of Government Ethics (OGE) Form 450 and supplemental statements including the individual's name, title, work location, employment status, personal financial records, and reports related thereto.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 410; and 5 U.S.C. Appendix 4.

PURPOSE(S):

To meet the statutory requirements of the Ethics in Government Act with respect to the filing of public and confidential financial disclosure reports by covered individuals.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition: a. Records may be disclosed to any source when necessary to obtain information relevant to a conflict-of-interest investigation or determination.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By individual's name.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 6 years. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries as follows:

For field OGE 450 filers, to the Managing Counsel of the Area Law Office serving the employee's work location.

For Headquarters OGE 450 filers, to their organization's ethics representative.

For field and Headquarters SF 278 filers, to the system manager.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6. Requests for SF 278 reports must be submitted using OGE Form 201.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subject individual; their counsel or representative; ethics officials; individuals alleging conflicts of interest; and persons contacted during any investigation of such allegations.

USPS 600.400

SYSTEM NAME:

Administrative Litigation Records.

SYSTEM LOCATION:

Law Department, USPS Headquarters; area and district facilities; and USPS facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Current and former USPS employees involved in MSPB appeals.

2. USPS employees and applicants for employment involved in EEO litigation.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to individuals involved in MSPB appeals or EEO litigation, including names, Social Security Numbers, Employee Identification Numbers, work locations, dates, case number, and other information related to the litigants and the subject matter of the litigation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401 and 409.

PURPOSE(S):

To provide advice and representation to USPS in MSPB appeals and EEO litigation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name of litigant or case number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls,

terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

MSPB appeals records are retained 7 years from the date of the last administrative or judicial decision. EEO litigation records are retained 4 years from the date of the final decision. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, Labor Relations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Senior Vice President, General Counsel, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager, and provide full name, case number, if known, and the approximate date the action was instituted.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subject employees; counsel or other representatives for parties; and other individuals involved in appeal or litigation.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Records in this system that have been compiled in reasonable anticipation of a civil action or proceeding are exempt from individual access as permitted by 5 U.S.C. 552a(d)(5). The USPS has also claimed exemption from certain provisions of the Act for several of its other systems of records at 39 CFR 266.9. To the extent that copies of exempted records from those other systems are incorporated into this system, the exemptions applicable to the original primary system continue to apply to the incorporated records.

USPS 700.000

SYSTEM NAME:

Inspection Service Investigative File System.

SYSTEM LOCATIONS:

Office of the Chief Postal Inspector, USPS Headquarters; Inspection Service Human Resources Service Center, Security Investigation Service Center, and Criminal Investigation Service Center; Inspectors-in-Charge.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Subjects of investigations; complainants, informants, witnesses, and other individuals in investigations.

2. Applicants, current and former USPS employees, contractors, and other individuals providing information related to employment suitability checks.

3. Applicants for and appointees to sensitive positions in USPS, and individuals providing information related to security clearance checks on those individuals.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to investigations, including person name(s), Social Security Number(s), case number, addresses, reports of postal inspectors and third parties; physical identifying characteristics (including fingerprints, voiceprints, handwriting samples, polygraph tests, photographs, or other biometrics); and employment and payroll information maintained by USPS.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401 and 404; and 18 U.S.C. 3061.

PURPOSE(S):

To support investigations of criminal, civil, or administrative matters, including applicant, employee, and contractor background investigations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. A record from this system may be disclosed to the public, news media, trade associations, or organized groups to provide information of interest to the public about the activities and the accomplishments of USPS or its employees.

b. A record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings or after conviction may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority or to any other agency or individual involved with the maintenance, transportation, or release of such a person.

c. A record relating to a case or matter may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, under an international treaty, convention, or executive agreement; or to the extent necessary to assist such country in apprehending or returning a fugitive to a jurisdiction that seeks that individual's return.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name or other personal identifier, subject category, or assigned case number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained up to 15 years. Exceptions may be granted for longer retention in specific instances. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Postal Inspector, Inspection Service, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager and include full name, address, and information sufficient to ascertain the investigation and the individual's involvement.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subjects, applicants, applicant references, employees, complainants, witnesses, other systems of records, other government agencies, and external public or private sources.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose.

USPS 700.100

SYSTEM NAME:

Mail Cover Program Records.

SYSTEM LOCATION:

Chief Postal Inspector, USPS Headquarters; Criminal Investigation Service Center; Inspection Service field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals on whom a mail cover has been duly authorized by USPS to obtain information in the interest of (a) protecting the national security; (b) locating a fugitive; and (c) obtaining evidence of the commission or attempted commission of a crime that is punishable by imprisonment for a term exceeding 1 year.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to names and addresses of individuals on whom a mail cover is authorized; interoffice memoranda and materials; and correspondence with other relevant agencies.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401 and 404.

PURPOSE(S):

To investigate the commission of, or attempted commission of, acts constituting a crime punishable by law.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By subject individual name.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained 5 years. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Postal Inspector, Inspection Service, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager. Inquiries must include full name of subject individual, current address, and other addresses during the previous 5 years.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

The requesting authority and postal inspectors.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose.

USPS 700.200

SYSTEM NAME:

Vehicular Violations Records System.

SYSTEM LOCATION:

Inspection Service, USPS Headquarters; and USPS facilities where postal police officers issue vehicular violations notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Vehicle operators.

CATEGORIES OF RECORDS IN THE SYSTEM:

Vehicle operator's and postal police officers' names; operator's state permit and permit number; state vehicle license number; date, number, and cause of citation; and dates of court appearances.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401.

PURPOSE(S):

To regulate traffic and parking on USPS premises.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By the subject individual name or vehicle license number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to

authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Vehicular violations records are retained 2 years. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Postal Inspector, Inspection Service, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Individuals at USPS Headquarters wanting to know if information about them is maintained in this system of records must address inquiries to: Inspector-in-Charge for Internal Affairs, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260. Individuals at other facilities must address inquiries to the facility's Inspector-in-Charge.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Vehicle operators; postal police officers; witnesses; state motor vehicle registration bureaus; USPS personnel offices; USPS parking control officers; prosecutive and judicial officials; and other systems of records.

USPS 700.300

SYSTEM NAME:

Inspector General Investigative Records.

SYSTEM LOCATION:

Office of the Inspector General (OIG), USPS Headquarters; OIG field offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Present and former USPS employees and applicants for employment, contractors, subcontractors, lessees, licensees, and other persons who are named individuals in investigations conducted by OIG or who are subjects of security checks or suitability determinations.

2. Complainants and subjects of complaints collected through the operation of the OIG Hotline.

3. Other individuals, including witnesses, sources, and members of the general public, who are named individuals in connection with investigations conducted by OIG.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records related to OIG investigations, including name(s), Social Security Number(s), assigned case number, addresses; reports of OIG investigators and third parties; investigative materials; physical identifying characteristics (including fingerprints, voiceprints, handwriting samples, polygraph tests, photographs, or other biometrics); and employment, payroll, financial, contractual, and property management records maintained by USPS.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 404; 18 U.S.C. 3061; and 5 U.S.C. Appendix 3.

PURPOSE(S):

To support the conduct of OIG investigations.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 9 apply. In addition:

a. A record from this system may be disclosed to the public, news media, trade associations, or organized groups to provide information of interest to the public about the activities and the accomplishments of USPS or its employees.

b. A record relating to a person held in custody pending or during arraignment, trial, sentence, or extradition proceedings or after conviction may be disseminated to a federal, state, local, or foreign prison, probation, parole, or pardon authority or to any other agency or individual involved with the maintenance, transportation, or release of such a person.

c. A record relating to a case or matter may be disseminated to a foreign country, through the United States Department of State or directly to the representative of such country, under an international treaty, convention, or executive agreement; or to the extent necessary to assist such country in apprehending or returning a fugitive to a jurisdiction that seeks that individual's return.

d. Records originating exclusively within this system of records may be disclosed to other federal offices of inspector general and/or to the President's Council on Integrity and Efficiency for purposes of conducting qualitative assessment reviews of internal safeguards and management procedures employed in investigative operations of the USPS OIG. Records originating from any other USPS systems of records, which may be duplicated in or incorporated into this system, may also be disclosed with all personally identifiable information redacted.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By name or other personal identifier, subject category, or assigned case number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge. Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections. Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Official investigative case files, evidence and custody files, and informant files are retained up to 20 years, or 5 years beyond the sentence of the subject individual, whichever is longer.

2. Information reports, investigative analysis reports, confidential fund files,

and inspection reports are retained 5 years.

3. Proactive project case files and briefing reports are retained 2 years after closeout.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Inspector General, United States Postal Service, 1735 N Lynn Street, Arlington, VA 22209.

NOTIFICATION PROCEDURE:

Individuals wanting to know if information about them is maintained in this system of records must address inquiries to the system manager and include full name, address, and information sufficient to ascertain the investigation and the individual's involvement.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Subjects, applicants, applicant references, employees, complainants, witnesses, other systems of records, other government agencies, and external public or private sources.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

Pursuant to 5 U.S.C. 552a(j) and (k), USPS has established regulations at 39 CFR 266.9 that exempt records in this system depending on their purpose.

USPS 800.000

SYSTEM NAME:

Address Change, Mail Forwarding, and Related Services.

SYSTEM LOCATION:

USPS National Customer Support Center (NCSC), Computerized Forwarding System (CFS) sites, Post Offices, and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers requesting change of address, mail forwarding or other related services either online or offline. Customers who are victims of a natural disaster who request mail forwarding services through the American Red Cross.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, title, signature, customer number, old address, new address, filing date, e-mail address(es), and other contact information.

2. *Verification and payment information:* Credit and/or debit card number, type, and expiration date; information for identity verification; billing information.

3. *Demographic information:* designation as individual/family/business.

4. *Customer preferences:* Permanent or temporary move; mail forwarding instructions; service requests and responses.

5. *Customer inquiries and comments:* Description of service requests and responses.

6. *Records from service providers,* including for move-related services, such as name of provider; customer name, number, and contact information; information related to products purchased, billing, and customer service; and records for identity verification.

7. *Optional customer information:* Information a customer chooses to save to apply to future transactions, such as names, addresses, proof of identification, billing, and other information used to request a service.

8. *Protective Orders.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide mail forwarding and change of address services.

2. To provide address correction services.

3. To provide address information to the American Red Cross about a customer who has been relocated because of disaster.

4. To provide customers the ability to contact providers of move-related services (e.g. moving vans or supplies).

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply. In addition:

a. Disclosure upon request. The new address of a specific business or organization that has filed a permanent change of address order may be furnished to any individual on request. (Note: The new address of an individual or family will not be furnished pursuant to this routine use, but only when authorized by one of the standard routine uses listed above or one of the specific routine uses listed below.)

b. Disclosure for Address Correction. Disclosure of any customer's new permanent address may be made to a mailer, only if the mailer is in possession of the name and old address: from the National Change of Address file if the mailer is seeking corrected addresses for a mailing list; from the Computerized Forwarding System (CFS) if a mailpiece is undeliverable as addressed; or from the Locatable Address Conversion System if an address designation has been changed or assigned. Copies of change of address orders may not be furnished.

c. Disclosure for Voter Registration. Any customer's permanent change of address may be disclosed to a duly formed election board or registration commission using permanent voter registration. Copies of change of address orders may be furnished.

d. Disclosure to Government Agency. Any customer's permanent or temporary change of address information may be disclosed to a federal, state, or local government agency upon prior written certification that the information is required for the performance of its duties. A copy of the change of address order may be furnished. Name and address information may be disclosed to government planning authorities, or firms under contract with those authorities, if an address designation has been changed or assigned.

e. Disclosure to Law Enforcement Agency. Any customer's permanent or temporary change of address information may be disclosed to a law enforcement agency, for oral requests made through the Postal Inspection Service, but only after the Postal Inspection Service has confirmed that the information is needed for a criminal investigation. A copy of the change of address order may be furnished.

f. Disclosure for Service of Process. Any customer's permanent or temporary change of address information may be disclosed to a person empowered by law to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is acting pro se, upon receipt of written information that meets prescribed certification requirements. Disclosure will be limited to the address of the specifically identified individual (not other family members or individuals whose names may also appear on the change of address order). A copy of the change of address order may not be furnished.

g. Disclosure for Jury Service. Any customer's change of address information may be disclosed to a jury

commission or other court official, such as a judge or court clerk, for purpose of jury service. A copy of the change of address order may be furnished.

h. Disclosure at Customer's Request. If the customer elects, change of address information may be disclosed to government agencies or other entities, and requests for move-related services may be forwarded to the specified service provider.

All routine uses are subject to the following exception: Information concerning an individual who has filed an appropriate protective court order with the postmaster/CFS manager will not be disclosed under any routine use except pursuant to the order of a court of competent jurisdiction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Change of address orders are maintained on file at the delivery unit. They are filed alphabetically by name and date. Records generated from the source document are recorded on the Forwarding Control System file server and on tapes at CFS units. Electronic change of address records and related service records are also stored on disk and/or magnetic tape in a secured environment. Change of address records are consolidated in a National Change of Address (NCOA) file at the NCSC. Selected extracts of NCOA are provided to a limited number of firms under contract or license agreement with USPS. Records pertaining to move-related services are also transmitted to specific service providers, including government agencies and private companies under contract to USPS.

For those delivery units under Postal Automated Redirection System (PARS), images of the change of address orders are maintained electronically in the Change of Address Reporting System (COARS) database. The physical COA is filed in the CFS unit by the date processed.

RETRIEVABILITY:

Records are retrieved by the following methods:

For paper records: By name, address, date, and ZIP Code.

For electronic records: by name, address, date, ZIP Code, and customer number for electronic change of address and related service records; by name, address, and e-mail address for customer service records; by service provider name or number for service provider records.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. National change of address records are retained 4 years from the effective date.

2. COA records are retained in the delivery unit up to 18 months. For delivery units using the PARS system, the physical change of address order is retained in the CFS unit for 30 days if it was scanned or 18 months if it was manually entered into the national database. The COARS database records are retained 2 years from the effective date.

3. Mail Forwarding records are retained for up to 3 years.

Records existing on paper are destroyed by shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Intelligent Mail and Address Quality, United States Postal Service, 475 L'Enfant Plaza, SW., Washington DC 20260.

Vice President, Delivery and Retail, United States Postal Service, 475 L'Enfant Plaza, SW., Washington DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records should address inquiries to their local postmaster. Inquiries should contain full name, address, effective date of change order, route number (if known), and ZIP Code. Customers wanting to know if information about them is also maintained in the NCOA File should address such inquiries to: Manager, NCOA, National Customer Support Center, United States Postal Service, 6060 Primacy Parkway, Memphis, TN 38188.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers, personnel, service providers, and, for call center operations, commercially available sources of names, addresses, and telephone numbers.

USPS 800.100

SYSTEM NAME:

Address Matching for Mail Processing.

SYSTEM LOCATION:

Computer Operations Service Center; Engineering; Processing and Distribution Centers; and contractor site(s).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

USPS customers, including individual and business customers.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names and mailing addresses of individuals and businesses.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

To improve the speed, accuracy, and certainty of mail delivery.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 6 and 11 apply. In addition:

a. A mailpiece containing a barcode that is encoded with the address, but not name, of a customer derived from this system may be disclosed to a mailer if the Postal Service is unable to deliver the mailpiece, and returns it to the mailer as part of a requested return service.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, electronic and computer storage media, with names and addresses stored separately.

RETRIEVABILITY:

Retrieval is accomplished by a computer-based system, using one or more of the following elements: name, ZIP Code(s), street name, primary number, secondary number, delivery point, and/or carrier route identification.

SAFEGUARDS:

The name and address database is obtained from a commercial vendor under strict contract and security controls. The database is maintained separately from USPS databases. Name data and address data within the commercial database are also stored separate from each other. In field deployment, name and address data are stored in an encrypted fashion. The database is not be commingled with any agency records or databases, and is not to be used to update any agency record or database. No information is provided from the USPS into the commercial database or back to the vendor.

The database only operates on secure systems. Electronic transmissions of records are protected by encryption and access authorization codes. Records are kept on computers in controlled-access areas, with access limited to authorized personnel. Computers are protected by a cipher lock system, card key system, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and use identifications, and file management. Contractors are subject to contract controls regarding security, as well as security compliance reviews.

RETENTION AND DISPOSAL:

The database will be maintained until 90 days after termination of the contract or program, and then destroyed. During contract performance, the database is replaced by the vendor in its entirety no less frequently than every 90 days. To destroy the replaced version, the Postal Service employs sanitization procedures that ensure the complete destruction of information as specified by its information security policies.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President for Operations, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is kept in this system of records must address inquiries in writing to the Manager, Image Recognition Processing, 8403 Lee Highway, Merrifield VA 22082.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and the Postal Service Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Commercially available source of names and mailing addresses.

USPS 810.100

SYSTEM NAME:

http://www.usps.com Registration.

SYSTEM LOCATION:

Computer Operations Service Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who register via the USPS Web site at *http://www.usps.com.*

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name; customer ID(s); company name; job title and role; home, business, and billing address; home and business phone and fax number; e-mail; URL; and Automated Clearing House (ACH) information.

2. *Identity verification information:* Question, answer, username, user ID, and password.

3. *Business specific information:* Business type and location, business IDs, annual revenue, number of employees, industry, nonprofit rate status, product usage information, annual and/or monthly shipping budget, payment method and information, planned use of product, and age of Web site.

4. *Customer preferences:* Preferences to receive USPS marketing information, preferences to receive marketing information from USPS partners, preferred means of contact, preferred e-mail format, product and/or service marketing preference.

5. *Customer feedback:* Method of referral to Web site.

6. *Registration information:* Date of registration.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide online registration with single sign on services for customers.

2. To obtain accurate contact information in order to deliver requested products, services, and other material.

3. To authenticate customer logon information for *http://www.usps.com.*

4. To permit customer feedback in order to improve *www.usps.com* or USPS products and services.

5. To enhance understanding and fulfillment of customer needs.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), phone number, or mail or e-mail address.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

For small business registration, computer storage tapes and disks are maintained in controlled-access areas or under general scrutiny of program personnel. Access is controlled by logon ID and password as authorized by the Marketing organization via secure Web site. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. ACH records are retained up to 2 years.

2. Records stored in the registration database are retained until the customer cancels the profile record, 3 years after

the customer last accesses records, or until the relationship ends.

3. For small business registration, records are retained 5 years after the relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries must contain name, address, and other identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 810.200

SYSTEM NAME:

http://www.usps.com Ordering, Payment, and Fulfillment.

SYSTEM LOCATION:

Computer Operations Service Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who place orders and/or make payment for USPS products and services through *http://www.usps.com.*

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, customer ID(s), phone and/or fax number, mail address and e-mail address.

2. *Payment information:* Credit and/or debit card number, type, and expiration date, billing information, ACH information.

3. *Shipping and transaction information:* Product and/or service ID numbers, descriptions, and prices; name and address(es) of recipients; order number and delivery status; electronic address lists; electronic documents or images; job number.

4. Claims submitted for defective merchandise.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To fulfill orders for USPS products and services.

2. To promote increased use of the mail by providing electronic document preparation and mailing services for customers.

3. To provide shipping supplies and services, including return receipts and labels.

4. To provide recurring ordering and payment services for products and services.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), phone number, mail or e-mail address, or job number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

Online data transmission is protected by encryption, dedicated lines, and authorized access codes. For shipping supplies, data is protected within a stand-alone system within a controlled-access facility.

RETENTION AND DISPOSAL:

1. Records related to mailing online and online tracking and/or Confirmation Services supporting a customer order are retained for up to 30 days from completion of fulfillment of the order, unless retained longer by request of the customer.

2. Records related to shipping services and domestic and international labels are retained 90 days.

3. Delivery Confirmation and return receipt records are retained 6 months.

4. Signature Confirmation records are retained 1 year.

5. ACH records are retained up to 2 years.

6. Other customer records are retained 3 years after the customer relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries must contain name, address, customer ID(s), and order number, if known.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 810.300

SYSTEM NAME:

Offline Registration, Payment, and Fulfillment.

SYSTEM LOCATION:

USPS Marketing Headquarters; Integrated Business Solutions Services Centers; Philatelic Fulfillment Service Center; area and district facilities; Post Offices; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who register for USPS programs, place orders and/or make payment for USPS products and services via offline means.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, customer ID(s), company name, job title, home, business, and billing address(es), phone number(s), fax number(s), e-mail, URL, verification question and answer, username, and password.

2. *Payment information:* Credit and/or debit card number, type, and expiration date; billing name and address; check; money order, ACH information.

3. *Shipping information:* Product and/or service ID number, name and address of recipient.

4. *Customer preferences:* Preferences to receive USPS marketing information, preferences to receive marketing information from USPS partners, preferred contact media, preferred e-mail format, product and/or service marketing preference.

5. *Customer feedback:* Method of referral.

6. *Order processing:* Inquiries on status of orders; claims submitted for defective merchandise; lists of individuals who have submitted bad checks.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide offline registration services for customers.

2. To fulfill requests for USPS products, services, and other materials.

3. To authenticate customer information and permit customer feedback.

4. To operate recurring ordering and payment services for products and services.

5. To enhance understanding and fulfillment of customer needs.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper forms.

RETRIEVABILITY:

By customer name, customer ID(s), phone number, mail or e-mail address, or order number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

Online data transmission is protected by encryption, dedicated lines, and authorized access codes. For shipping supplies, data is protected within a stand-alone system within a controlled-access facility.

RETENTION AND DISPOSAL:

1. ACH records are retained up to 2 years.

2. Other records are retained up to 3 years after the customer relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries must contain name, address, and other identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers and, for call center operations, commercially available sources of names, addresses, and telephone numbers.

USPS 820.100

SYSTEM NAME:

Mailer Services—Applications and Approvals.

SYSTEM LOCATION:

USPS Headquarters; Integrated Business Solutions Services Centers; National Customer Support Center (NCSC); district facilities; detached mailing units; and facilities that access USPS computers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who apply for mail management and tracking products or services.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Applicant and key contacts name, mail and e-mail address, phone number, fax number, customer ID(s), job title and/or role, employment status, company name, location, industry, monthly shipping budget, annual revenue, payment information, ACH information.

2. *Customer or product identification and authentication:* User and manager customer ID(s) and/or passwords; customer signature, date, last four digits of Social Security Number (SSN); USPS site; security personnel name, signature, date, telephone number, and last four digits of SSN; USPS location information; D–U–N–S ® Number; postage meter numbers; permit numbers; POSTNET code; mailer ID(s); publication name(s) and ID(s); and name(s) of authorized users.

3. *Mail practices and delivery information:* Type of mailing equipment and/or containers used, mail preparation information, drop shipment sites and codes, compatibility with mailing automation equipment, presort options and tests, frequency of mailings, mail volume, primary type of mailing, destination information, use of contracted mail services, names and addresses of contractors and advertisers, publication name(s) and ID(s), and appointment times.

4. *Technical information:* Hardware, software, and equipment names, types, versions, and specifications; media preferences; mail site specifications.

5. *Product usage and payment information:* Package volumes, package weights, product ordered, quantity ordered, billing information, products

used, ordered date, inventory date, and usage measure dates.

6. *Customer feedback:* Method of referral.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide application services for mail management and tracking products and services.

2. To authenticate applicant information, assign computer logon IDs, and qualify and assist users.

3. To provide product and/or service updates, service, and support.

4. To collect accurate technical data to ensure the proper operation of electronic data transmission and software.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), or logon ID.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. Logon records are retained 1 year after computer access.

2. ACH records are retained up to 2 years.

3. Security access records are retained 2 years after computer access privileges are cancelled.

4. Other customer records are retained 4 years after the customer relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries should contain name, customer ID(s), if any, and/or logon ID.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 820.200

SYSTEM NAME:

Mail Management and Tracking Activity.

SYSTEM LOCATION:

USPS Headquarters; Integrated Business Solutions Services Centers; and Mail Transportation Equipment Service Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who use USPS mail management and tracking services.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Customer or contact name, mail and e-mail address, title or role, and phone number.

2. *Identification information:* Customer ID(s), last four digits of Social Security Number (SSN), D–U–N–S Number; mailer and mailing ID, advertiser name/ID, username, and password.

3. *Data on mailings:* Paper and electronic data on mailings, including postage statement data (such as volume, class, rate, postage amount, date and time of delivery, mailpiece count), destination of mailing, delivery status, mailing problems, presort information, reply mailpiece information, container label numbers, package label, Special Services label, article number, and permit numbers.

4. *Payment information:* Credit and/or debit card number, type, and expiration date; ACH information.

5. *Customer preference data:* Hold mail begin and end date, redelivery date, delivery options, shipping and pickup preferences, drop ship codes, comments and instructions, mailing frequency, preferred delivery dates.

6. *Product usage information:* Special Services label and article number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide mail acceptance, induction, and scheduling services.

2. To fulfill orders for mail transportation equipment.

3. To provide customers with information about the status of mailings within the USPS network.

4. To help mailers identify performance issues regarding their mail.

5. To provide delivery units with information needed to fulfill requests for mail redelivery and hold mail service at the address and for the dates specified by the customer.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), or logon ID.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. CONFIRM records are retained for up to 30 days.
2. Records related to ePubWatch, Confirmation Services and hold mail services are retained for up to 1 year.
3. Special Services and drop ship records are retained 2 years.
4. ACH records are retained up to 2 years.
5. Other records are retained 4 years after the relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries should contain name, customer ID(s), if any, and/or logon ID.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers and, for call center operations, commercially available sources of names, addresses, and telephone numbers.

USPS 830.000

SYSTEM NAME:

Customer Service and Correspondence.

SYSTEM LOCATION:

USPS Consumer Advocate, Headquarters; Integrated Business Solutions Services Centers; the National Customer Support Center (NCSC); districts, Post Offices, contractor sites; and detached mailing units at customer sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains records relating to customers who contact customer service by online and offline channels. This includes customers making inquiries via e-mail, 1–800–ASK–USPS, other toll-free contact centers, or the BSN, as well as customers with product-specific service or support issues.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Customer and key contact name, mail and e-mail address, phone and/or fax number; customer ID(s); title, role, and employment status; company name, location, type and URL; vendor and/or contractor information.
2. *Identity verification information:* Last four digits of Social Security Number (SSN), username and/or password, D–U–N–S Number, mailer ID number, publisher ID number, security level and clearances, and business customer number.
3. *Product and/or service use information:* Product and/or service type, product numbers, technology specifications, quantity ordered, logon and product use dates and times, case number, pickup number, article number, and ticket number.
4. *Payment information:* Credit and/or debit card number, type, and expiration date; billing information; checks, money orders, or other payment method.
5. *Customer preferences:* Drop ship sites and media preference.
6. *Service inquiries and correspondence:* Contact history; nature of inquiry, dates and times, comments, status, resolution, and USPS personnel involved.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To enable review and response services for customer inquiries and concerns regarding USPS and its products and services.
2. To ensure that customer accounts and needs are attended to in a timely manner.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), mail or e-mail address, phone number, customer account number, case number, article number, pickup number, and last four digits of SSN, ZIP Code, or other customer identifier.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. Customer care records for usps.com products are retained 90 days.
2. Records related to 1–800-ASK-USPS, Delivery Confirmation service, Special Services, and international call centers are retained 1 year.
3. Customer complaint letters are retained 6 months and automated complaint records are retained 3 years.
4. Business Service Network records are retained 5 years.
5. Other records are retained 2 years after resolution of the inquiry.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President and Consumer Advocate, 475 L'Enfant Plaza, SW., Washington DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquiries to the system manager in writing. Inquiries should include name, address, and other identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers and, for call center operations, commercially available sources of names, addresses, and telephone numbers.

USPS 840.000

SYSTEM NAME:

Customer Mailing and Delivery Instructions.

SYSTEM LOCATION:

USPS Headquarters, Prohibitory Order Processing Center, districts, Integrated Business Solutions Services Centers, and Post Offices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Customers requesting delivery of mail through an agent and the agent to whom the mail is to be delivered.
2. Customers who are visually or physically disabled and unable to use or read conventionally printed materials and who are receiving postage-free matter in their delivery areas.
3. Customers whose mailboxes do not comply with USPS standards and regulations.
4. Customers who elect to have their names and addresses, or the name and address of their children under 19 years of age or a deceased spouse, placed on the list of individuals who do not want mailed to them sexually oriented advertisements (SOAs) or pandering advertisements.
5. Rural route customers.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, address, phone number, customer ID(s), signature, application number, names and birth dates of children under 19; reports of mailbox irregularities and date; postmaster signature.
2. *Verification information:* Photocopies of IDs, customer name, address, signature, statement from competent authority as being visually or physically impaired from being able to use or read conventional reading matter.
3. *Agency information:* Agent name, address, signature, and phone number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, 404, 3008, 3010, and 3403.

PURPOSE(S):

1. To provide for efficient and secure mail delivery services.
2. To permit authorized delivery of mail to the addressee's agent.
3. To enable the efficient processing of mail for visually or physically disabled customers.
4. To protect customers from mail fraud and identity theft.
5. To maintain a list of addressees that do not want SOA material mailed to them, available for mailers to comply with statutory requirements; and to maintain records as necessary to provide protections requested by an addressee against individual mailers under the Pandering Advertisement statutes.
6. To assist rural carrier leave replacements who might be unfamiliar with assigned route and box numbers of rural route customers.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply. In addition:

a. Information may be disclosed for the purpose of identifying an address as an address of an agent to whom mail is delivered on behalf of other persons. This routine use does not authorize the disclosure of the identities of persons on behalf of whom agents receive mail.

All routine uses are subject to the following exception: Information concerning an individual who has filed an appropriate protective court order with the postmaster will not be disclosed under any of the general routine uses except pursuant to the order of a court of competent jurisdiction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, address, and application number, or by customer ID(s).

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Records related to customer requests not to have mailed to them SOAs or pandering advertisements are retained up to 5 years after request.
2. Other records are retained 1 year from the date the customer relocates, cancels an order, corrects a cited mailbox irregularity, or terminates the special instruction.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

For SOA and pandering advertisement prohibitory orders: Vice President, Pricing and Classification, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

For other delivery records: Vice President, Delivery and Retail, 475 L'Enfant Plaza, SW., Washington DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system pertaining to mail delivery by agents, noncompliant mailboxes, with regard to free matter for the visually disabled, or pertaining to rural routes must address inquiries to their local postmasters. Customers should include name, address, and other identifying information.

Customers wanting to know if information about them is maintained in this system pertaining to requests not to have mailed to them SOAs and

pandering advertisements must address inquiries to the system manager. Customers should include name, address, application number, and the date of filing, if applicable.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers; cosigners of the request for delivery of mail through an agent; medical personnel or other competent authorities; and USPS personnel.

USPS 850.000

SYSTEM NAME:

Auction Files.

SYSTEM LOCATION:

USPS Mail Recovery Centers.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who participate in or request information about USPS auctions.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, customer ID(s), mail and e-mail address, and phone number.
2. *Payment information:* Credit and/or debit card number, type, and expiration date; check; or money order.
3. *Customer feedback:* Means of referral.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To maintain a list of names and addresses of customers participating in or requesting information about auctions.
2. To accurately process delivery and payment.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), or other identifier.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

Records are retained up to 1 year. Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President and Consumer Advocate, 475 L'Enfant Plaza, SW., Washington DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system must address inquiries to the system manager. Inquiries must contain full name, address, and other identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 860.000

SYSTEM NAME:

Financial Transactions.

SYSTEM LOCATION:

USPS Headquarters; Integrated Business Solutions Services Centers; Accounting Service Centers; anti-money laundering support group; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Customers who use online payment or funds transfer services.
2. Customers who file claims or make inquiries related to online payment services, funds transfers, money orders, and stored-value cards.
3. Customers who purchase funds transfers or stored-value cards in an amount of $1000 or more per day, or money orders in an amount of $3000 or more per day, or who purchase or redeem any such services in a manner requiring collection of information as potential suspicious activities under anti-money laundering requirements. Recipients of funds transfers and the beneficiaries of funds from money orders totaling $10,000 in one day.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, customer ID(s), mail and e-mail address, telephone number, occupation, type of business, and customer history.
2. *Identity verification information:* Date of birth, username and/or ID, password, Social Security Number (SSN) or tax ID number, and driver's license number (or other type of ID if driver's license is not available, such as Alien Registration Number, Passport Number, Military ID, Tax ID Number). (Note: For online payment services, SSNs are collected, but not retained, in order to verify ID.)
3. *Billers registered for online payment services:* Biller name and contact information, bill detail, and bill summaries.
4. *Transaction information:* Name, address, and phone number of purchaser, payee, and biller; amount, date, and location; credit and/or debit card number, type, and expiration; sales, refunds, and fees; type of service selected and status; sender and recipient bank account and routing number; bill detail and summaries; transaction number, serial number, and/or reference number or other identifying number, pay out agent name and address; type of payment, currency, and exchange rate; Post Office information such as location, phone number, and terminal; employee ID numbers, license number and state, and employee comments.
5. *Information to determine credit-worthiness:* Period at current residence, previous address, and period of time with same phone number.
6. *Information related to claims and inquiries:* Name, address, phone number, signature, SSN, location where

product was purchased, date of issue, amount, serial number, and claim number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404; 31 U.S.C. 5318, 5325, 5331, and 7701.

PURPOSE(S):

1. To provide financial products and services.
2. To respond to inquiries and claims related to financial products and services.
3. To fulfill requirements of anti-money laundering statutes and regulations.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply. Legally required disclosures to agencies for law enforcement purposes include disclosures of information relating to money orders, funds transfers, and stored-value cards as required by anti-money laundering statutes and regulations.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, microfiche, and paper.

RETRIEVABILITY:

For online payment and funds transfer services, information is retrieved by customer name, customer ID(s), transaction number, or address.

Claim information is retrieved by name of purchaser or payee, claim number, serial number, transaction number, check number, customer ID(s), or ZIP Code.

Information related to anti-money laundering is retrieved by customer name; SSN; alien registration, passport, or driver's license number; serial number; transaction number; ZIP Code; transaction date; data entry operator number; and employee comments.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. Summary records, including bill due date, bill amount, biller information, biller representation of account number, and the various status indicators, are retained 2 years from the date of processing.
2. For funds transfers, transaction records are retained 3 years.
3. Records related to claims are retained up to 3 years from date of final action on the claim.
4. Forms related to fulfillment of anti-money laundering requirements are retained 5 years from the end of the calendar quarter in which they were created.
5. Related automated records are retained the same 5-year period and purged from the system quarterly after the date of creation.
6. Enrollment records related to online payment services are retained 7 years after the subscriber's account ceases to be active or the service is cancelled.
7. Account banking records, including payment history, Demand Deposit Account (DDA) number, and routing number, are retained 7 years from the date of processing.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Financial Officer and Executive Vice President, 475 L'Enfant Plaza, SW., Washington DC 20260.

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

For online payment services, funds transfers, and stored-value cards, individuals wanting to know if information about them is maintained in this system must address inquiries in writing to the Chief Marketing Officer. Inquiries must contain name, address, and other identifying information, as well as the transaction number for funds transfers.

For money order claims and anti-money laundering documentation, inquiries should be addressed to the Chief Financial Officer. Inquiries must include name, address, or other identifying information of the purchaser (such as driver's license, Alien Registration Number, Passport Number, etc), and serial or transaction number. Information collected for anti-money laundering purposes will only be provided in accordance with Federal anti-money laundering laws and regulations.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers, recipients, financial institutions, and USPS employees.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

USPS has established regulations at 39 CFR 266.9 that exempt information contained in this system of records from various provisions of the Privacy Act in order to conform to the prohibition in the Bank Secrecy Act, 31 U.S.C. 5318(g)(2), against notification of the individual that a suspicious transaction has been reported.

USPS 870.100

SYSTEM NAME:

Trust Funds and Transaction Records.

SYSTEM LOCATION:

USPS Headquarters Marketing; Integrated Business Solutions Services Centers; district offices; Post Offices; and detached mailing units.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who are users of trust fund payment accounts.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Customer and key contact name, mail and e-mail address, phone and fax number(s); D–U–N–S Number; customer ID(s), taxpayer ID number.
2. *Transactional information:* Permit authorizations and numbers, postage paid, postage class transaction dates, volume, weight, and revenue of mailing,

postage indicium created, estimated annual postage, percent by mailing type, type of user, mailing data files including USPS location where the mail was entered.

3. *Information necessary for processing electronic payments:* Bank name, contact name, bank address and telephone number, bank account number, bank transit ABA number, voided check, credit and/or debit card number, type, and expiration date; ACH information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To establish and maintain trust fund accounts and process payments.
2. To ensure revenue protection.
3. To provide information and updates to users of these accounts.
4. To enhance understanding and fulfillment of customer needs.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated database, computer storage media, and paper.

RETRIEVABILITY:

By customer name or customer ID(s), account number, and/or address.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. ACH records are retained up to 2 years.
2. Other records in this system are retained up to 4 years after the relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

To access Permit records, customers must make a written request to their local postmaster. Correspondence must include name, address, account number, company name, mailing location, and a clear description of the issue.

To access all other records, customers must make a written request to the system manager. Correspondence must include name, address, account numbers, and other identifying information.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 870.200

SYSTEM NAME:

Postage Meter and PC Postage Customer Data and Transaction Records.

SYSTEM LOCATION:

USPS Headquarters Marketing, USPS facilities, Integrated Business Solutions Services Centers, and partner locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Postage evidencing system users.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Contact name, address, and telephone number; company name; and change of address information.
2. *Identification information:* Customer ID(s), date of device installation, device ID number, device model number, and certificate serial number.
3. *Transactional information:* Post Office where mail is entered; type (credit card, ACH, check, etc.), amount, and date of postage purchases; ascending and descending register values; amount of unused postage refunded; contact telephone number; package identification code, Customized Postage image data; declared value of contents and cost of insurance for insured packages; destination five-digit ZIP Code, date, and rate category of each indicium created; and transaction documents.
4. *Financial information:* Credit and/or debit card number, type, expiration date, and transaction number; check and electronic fund transfer information; ACH information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To enable responsible administration of postage evidencing system activities.
2. To enhance understanding and fulfillment of customer needs.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply. In addition:

a. The name and address of an authorized user of a postage meter or PC Postage product (postage evidencing systems), printing a specified indicium will be furnished to any person provided the user is using the postage meter or PC Postage product for business purposes.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name and by numeric file of postage evidencing systems ID number, or by customer ID(s).

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and

unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. ACH records are retained up to 2 years. Records of payment are retained up to 7 years.

2. Other records in this system are retained up to 4 years after a customer ceases using a postage evidencing system.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

Customers wanting to know if information about them is maintained in this system of records must address inquires in writing to: Manager, Postage Technology Management, United States Postal Service, 1735 N Lynn St., Arlington, VA 22209.

Inquiries should include the individual's name and customer ID.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers; authorized service providers of postage evidencing systems; and USPS personnel.

USPS 880.000

SYSTEM NAME:

Post Office and Retail Services.

SYSTEM LOCATION:

USPS Headquarters, Consumer Advocate; Integrated Business Solutions Services Centers; Accounting Service Centers; and USPS facilities, including Post Offices (New Jersey, as an exception, does not store passport information in Post Offices), international claims and inquiry offices, and contractor locations.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

1. Customers who apply for or purchase products and services at Post Offices or other retail sites. This includes products and services related to passports, Post Office boxes, caller services, and self-service equipment.

2. Senders and recipients of special mail services.

3. Authorized users of Post Office boxes and caller services.

4. Customers with inquiries or claims relating to special mail services.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, customer ID(s), company name, phone number, mail and e-mail address, record of payment, passport applications and a description of passport services rendered, Post Office box and caller service numbers.

2. *Identity verification and biometric information:* Driver's license; two forms of ID; signature; photographic image via self-service equipment; fingerprints, date of birth, and Social Security Numbers (SSNs) as required for passports by the State Department.

3. *Recipient information:* Name, address, and signature.

4. Names and addresses of persons authorized to access a Post Office box or caller service.

5. *Claim and inquiry information:* Mailer and addressee name, mail and e-mail address, and phone number; claimant SSN and signature; claim or inquiry description, number, and status.

6. *Payment information:* Credit and/or debit card number, type, and expiration date.

7. *Product information:* Article number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, 404, and 411; 22 U.S.C. 214; 31 U.S.C. 7701.

PURPOSE(S):

1. To enable customers to apply for and purchase nonfinancial products and services at Post Offices and other retail locations.

2. To ensure accurate mail delivery.

3. To respond to inquiries and claims related to special mail services.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply. In addition:

a. Disclosure of boxholder applicant name/address and the names of other persons listed as receiving mail on PS Form 1093, *Application for Post Office Box or Caller Service,* may be made to a federal, state, or local government agency upon prior written certification that the information is required for the performance of its duties. A copy of PS Form 1093 may be furnished.

b. Disclosure of boxholder applicant name/address may be made to a person empowered to serve legal process, or the attorney for a party in whose behalf service will be made, or a party who is acting pro se, on receipt of written information that meets prescribed certification requirements. A copy of PS Form 1093 will not be furnished.

c. Disclosure of boxholder applicant name/address and the names of other persons listed as receiving mail on PS Form 1093 may be made, on prior written certification from a foreign government agency citing the relevance of the information to an indication of a violation or potential violation of law and its responsibility for investigating or prosecuting such violation, and only if the address is (a) outside the United States and its territories, and (b) within the territorial boundaries of the requesting foreign government. A copy of PS Form 1093 may be furnished.

All routine uses are subject to the following exception: Information concerning an individual who has filed an appropriate protective court order with the postmaster will not be disclosed under any routine use except pursuant to the order of a court of competent jurisdiction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By name, customer ID(s), ZIP Code, article number, claim number, Post Office box or caller service number, check number, or debit and/or credit card number.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and

unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmissions are protected by encryption.

RETENTION AND DISPOSAL:

1. Passport applications are mailed on the day of acceptance with fees and documentation. Records related to passports are retained 4 months.

2. Records related to Special Services for domestic and International Express Mail are retained up to 1 year.

3. Domestic and international Special Services records are retained 2 years. Records relating to Post Office boxes and caller services are retained up to 2 years after the customer relationship ends.

4. Records collected via self-service equipment are retained up to 2 years.

5. Records related to credit and/or debit card transactions are retained 2 years.

6. Records related to inquiries and claims are retained up to 3 years from final action on the claim.

7. Records related to retail transactions are retained up to 5 years.

Records existing on paper are destroyed by shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Senior Vice President, Operations, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

For records relating to Post Office boxes, caller services, self-service, and passports, inquiries made in person must be made by the subject individual at the local Post Office. Requestors must identify themselves with a driver's license or military, government, or other form of acceptable identification.

Note: For passports, inquiries are best directed to the Department of State, which maintains the original case file.

For Special Services, information can be obtained from the facility where the service was obtained, or can be accessed on *www.usps.com.* Inquiries should include name, date of mailing, and article number. For Special Services claims, customers can write a letter, including name, date of claim, and claim number, to the head of the facility where the claim was filed, or can call 888–601–9328.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

USPS 890.000

SYSTEM NAME:

Sales, Marketing, Events, and Publications.

SYSTEM LOCATION:

USPS Headquarters Marketing and Public Policy; Integrated Business Solutions Services Centers; National Customer Service Center; Area and District USPS facilities; Post Offices; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who interact with USPS sales personnel, respond to direct marketing messages, request publications, respond to contests and surveys, and attend USPS events.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Customer and key contacts' names, mail and e-mail addresses, phone, fax and pager numbers; job descriptions, titles, and roles; other names and e-mails provided by customers.

2. *Identifying information:* Customer ID(s), D–U–N–S Numbers, USPS account numbers, meter numbers, and signatures.

3. *Business specific information:* Firm name, size, and years in business; number of employees; sales and revenue information; business sites and locations; URLs; company age; industrial classification numbers; use of USPS and competitors products and services; types of customers served; customer equipment and services; advertising agency and spending; names of USPS employees serving the firm; and calls made.

4. *Information specific to companies that act as suppliers to USPS:* Contract start and end dates, contract award number, contract value, products and/or services sold under contract.

5. *Information provided by customers as part of a survey or contest.*

6. *Payment information:* Credit and/or debit card number, type, expiration date, and check information; and ACH information.

7. *Event information:* Name of event; role at event; itinerary; and membership in a PCC.

8. *Customer preferences:* Preferences for badge name and accommodations.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, 404.

PURPOSE(S):

1. To understand the needs of customers and improve USPS sales and marketing efforts.

2. To provide appropriate materials and publications to customers.

3. To conduct registration for USPS and related events.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

For sales, events, and publications, information is retrieved by customer name or customer ID(s), mail or e-mail address, and phone number.

For direct marketing, information is retrieved by Standard Industry Code (SIC) or North American Industry Classification System (NAISC) number, and company name.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon

identifications, and operating system controls including access controls, terminal and transaction logging, and file management software. Online data transmission is protected by encryption.

RETENTION AND DISPOSAL:

1. Records relating to organizations and publication mailing lists are retained until the customer ceases to participate.

2. ACH records are retained up to 2 years. Records relating to direct marketing, advertising, and promotions are retained 5 years.

3. Other records are retained 3 years after the relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

For information pertaining to sales, inquiries should be addressed to: Office of Sales Performance Assessment, 475 L'Enfant Plaza, SW., Washington, DC 20260.

Customers wanting to know if other information about them is maintained in this system of records must address inquiries in writing to the Chief Marketing Officer, and include their name and address.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers, USPS personnel, and list providers.

USPS 900.000

SYSTEM NAME:

International Services.

SYSTEM LOCATION:

USPS Headquarters, Integrated Business Solutions Services Centers, and USPS facilities.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers shipping to or from international locations.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Customer name, customer ID(s), and contact information.

2. *Name and address of senders and addressees.*

3. *Information pertaining to mailings:* Contents, order number, volume, destination, weight, origin, and type of mailing.

4. *Customer barcode scan data.*

5. Company name; contact name, title, and phone and fax number; mail and e-mail address; after-hours contact name and phone number; Tax ID number; Permit account number; and CAPS account number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide international mailings and business services.

2. To provide USPS scan data to customers for mail tracking purposes.

3. To support customized mail agreements with international customers.

4. To satisfy reporting requirements for customs purposes.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, ID number(s).

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

RETENTION AND DISPOSAL:

1. Records related to the Pre-Customs Advisory System are retained 5 years, and then erased according to the requirements of domestic and foreign Customs services.

2. Other records are retained 3 years after the relationship ends.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Vice President, International Business, United States Postal Service, 1735 N. Lynn Street, Suite 6026, Arlington, VA 22209.

NOTIFICATION PROCEDURE:

Customers wanting to know if other information about them is maintained in this system of records must address inquiries in writing to the system manager, and include their name and address.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers and USPS personnel.

USPS 910.000

SYSTEM NAME:

Identity and Document Verification Services.

SYSTEM LOCATION:

USPS Marketing, Headquarters; Integrated Business Solutions Services Centers; and contractor sites.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Customers who apply for identity and document verification services.

CATEGORIES OF RECORDS IN THE SYSTEM:

1. *Customer information:* Name, address, customer ID(s), telephone

number, mail and e-mail address, date of birth, place of birth, company name, title, role, and employment status.

2. Names and contact information of users who are authorized to have access to data.

3. *Verification and payment information:* Credit and/or debit card information or other account number, government issued ID type and number, verification question and answer, and payment confirmation code. (Note: Social Security Number (SSN) and credit and/or debit card information are collected, but not stored, in order to verify ID.)

4. Biometric information including fingerprint, photograph, height, weight, and iris scans. (Note: Information may be collected, secured, and returned to customer or third parties at the direction of the customer, but not stored.)

5. *Digital certificate information:* Customer's public key(s), certificate serial numbers, distinguished name, effective dates of authorized certificates, certificate algorithm, date of revocation or expiration of certificate, and USPS-authorized digital signature.

6. *Transaction information:* Clerk signature; transaction type, date and time, location, source of transaction; product use and inquiries.

7. *Electronic information related to encrypted or hashed documents.*

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

39 U.S.C. 401, 403, and 404.

PURPOSE(S):

1. To provide services related to identity and document verification services.

2. To issue and manage public key certificates, user registration, email addresses, and/or electronic postmarks.

3. To provide secure mailing services.

4. To protect business and personal communications.

5. To enhance personal identity and privacy protections.

ROUTINE USES OF RECORDS IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Standard routine uses 1 through 7, 10, and 11 apply.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Automated databases, computer storage media, and paper.

RETRIEVABILITY:

By customer name, customer ID(s), distinguished name, certificate serial number, receipt number, and transaction date.

SAFEGUARDS:

Paper records, computers, and computer storage media are located in controlled-access areas under supervision of program personnel. Access to these areas is limited to authorized personnel, who must be identified with a badge.

Access to records is limited to individuals whose official duties require such access. Contractors and licensees are subject to contract controls and unannounced on-site audits and inspections.

Computers are protected by mechanical locks, card key systems, or other physical access control methods. The use of computer systems is regulated with installed security software, computer logon identifications, and operating system controls including access controls, terminal and transaction logging, and file management software.

Key pairs are protected against cryptanalysis by encrypting the private key and by using a shared secret algorithm to protect the encryption key, and the certificate authority key is stored in a separate, tamperproof, hardware device. Activities are audited, and archived information is protected from corruption, deletion, and modification.

For authentication services and electronic postmark, electronic data is transmitted via secure socket layer (SSL) encryption to a secured data center. Computer media are stored within a secured, locked room within the facility. Access to the database is limited to the system administrator, database administrator, and designated support personnel. Paper forms are stored within a secured area within locked cabinets.

RETENTION AND DISPOSAL:

1. Records related to Pending Public Key Certificate Application Files are added as received to an electronic database, moved to the authorized certificate file when they are updated with the required data, and records not updated within 90 days from the date of receipt are destroyed.

2. Records related to the Public Key Certificate Directory are retained in an electronic database, are consistently updated, and records are destroyed as they are superseded or deleted.

3. Records related to the Authorized Public Key Certificate Master File are retained in an electronic database for the life of the authorized certificate.

4. When the certificate is revoked, it is moved to the certificate revocation file.

5. The Public Key Certificate Revocation List is cut off at the end of each calendar year and records are retained 30 years from the date of cutoff. Records may be retained longer with customer consent or request.

6. Other records in this system are retained 7 years, unless retained longer by request of the customer.

Records existing on paper are destroyed by burning, pulping, or shredding. Records existing on computer storage media are destroyed according to the applicable USPS media sanitization practice.

SYSTEM MANAGER(S) AND ADDRESS:

Senior Vice President, Chief Marketing Officer, United States Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260.

NOTIFICATION PROCEDURE:

For authentication services, electronic postmarks, and digital certificates, inquiries should be addressed to:

Manager, Business Development and Identity Protection Services, United States Postal Service, 475 L'Enfant Plaza, SW., Room 5806, Washington, DC 20260.

Customers wanting to know if other information about them is maintained in this system of records must address inquiries in writing to the system manager, and include their name and address.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and USPS Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Customers.

Neva Watson,

Attorney, Legislative.

[FR Doc. 05–8444 Filed 4–28–05; 8:45 am]

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Federal Register

Friday,
April 29, 2005

Part IV

Department of Transportation

Federal Transit Administration

49 CFR Part 659

Rail Fixed Guideway Systems; State Safety Oversight; Final Rule

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

49 CFR Part 659

[Docket No. FTA–2004–17196]

RIN 2132–AA76

Rail Fixed Guideway Systems; State Safety Oversight

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Final rule.

SUMMARY: The Federal Transit Administration is revising its rule on state safety oversight of rail fixed guideway systems not regulated by the Federal Railroad Administration (FRA). Since January 26, 1996, when the rule took effect, the agency has gained experience and insight concerning the benefits of and recommended practices for implementing state safety oversight requirements. This final rule revises the State Safety Oversight rule and adds clarifying sections, further specification concerning what the state must require to monitor safety and security of non-FRA rail systems, and incorporates into the body of the regulation material previously incorporated by reference. The revised part should be easier to understand and ensure greater compliance of the State oversight agencies, and enhance the safety and security of the rail systems governed by this part.

DATES: The effective date of this rule is May 31, 2005. The compliance date of this rule is May 1, 2006.

FOR FURTHER INFORMATION CONTACT: For program issues, Jerry A. Fisher or Roy Field, Office of Safety and Security, Federal Transit Administration, (202) 366–2896 (telephone) or (202) 366–3394 (fax). For legal issues, Richard Wong, Office of Chief Counsel, Federal Transit Administration, (202) 366–4011.

SUPPLEMENTARY INFORMATION:

Availability of the Final Rule

You may download this rule and other safety rules from the FTA Office of Safety and Security home page at *http://transit-safety.volpe.dot.gov*. The rule may also be downloaded from the Government Printing Office's **Federal Register** Main Page at *http://www.gpoaccess.gov/fr/index.html*. Users may download an electronic copy of this document using a modem and suitable communications software from the GPO Electronic Bulletin Board Service at (202) 512–1661. To access all comments received by the U.S. DOT Dockets, Room PL–401, refer to the Dockets Management System (DMS) on the DOT home page at *http://dms.dot.gov*. The DMS is available 24 hours each day, 365 days each year. Follow the online instructions for more information.

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I. Background

This document adopts as final a new part 659, Rail Fixed Guideway Systems; State Safety Oversight. This preamble to the final rule contains a brief regulatory and program background about FTA's state safety oversight program. It also summarizes the final rule provisions, and discusses in detail the comments received on the proposed rule. We also include in the preamble a section by section description of the regulation. This is important, because, as discussed in the proposed rule, we have changed the organization of the rule to enhance usability. As a further aid, we are publishing at the end of this preamble, distribution and derivation tables, which track where old sections are in the revised part 659 and, conversely, the old section from which the new part 659 sections are derived.

The preamble to a proposed rule typically contains more detailed information than the final rule, because it lays out in detail the provisions to aid public comment. This is true for this proposed and final rule as well, but we have included a level of information in today's **Federal Register** document that will provide a cogent explanation of the intent and provisions of the program.

Regulatory Background. In 1991, Congress required for the first time that the Federal Transit Administration (FTA) establish a program providing for the State-conducted oversight of the safety and security of rail systems not regulated by the Federal Railroad Administration (FRA). (See Intermodal Surface Transportation Efficiency Act of 1991, Pub. L. 102–240, Sec. 3029, also codified at 49 U.S.C. 5330.) FTA published its final rule adopting a new part 659, Rail Fixed Guideway Systems; State Safety Oversight, on December 27, 1995 (60 FR 67034). The final rule went into effect January 26, 1996.

For reasons described in the next section of this preamble, the agency determined that improvements could be made to part 659. Accordingly, on March 9, 2004, FTA published a Notice of Proposed Rulemaking (NPRM) proposing changes to its state safety oversight rule contained in 49 CFR part 659. Today's document contains the final rule, making changes to the substance and format of the existing part 659. These changes are detailed later in this preamble.

Program Background. When FTA issued its final rule in 1995, only five (5) states maintained provisions for safety oversight of rail transit agencies. Today, twenty-six (26) state oversight agencies have developed and implemented state safety oversight programs affecting forty-four (44) rail fixed guideway systems. It is projected that over the next decade, an additional four (4) state oversight agencies and as many as twelve (12) new starts rail transit systems may be affected by part 659.

Since part 659 created a community of oversight agencies where previously few existed, the initial goal of the rulemaking was to ensure that states were provided with sufficient authority to establish programs that met the rule's statutory requirements. Now, after eight years of experience in implementing part 659 and evaluating its performance, FTA has identified changes that will improve the program. Today's final rule addresses many of these changes.

Since the beginning of the state safety oversight program, FTA has maintained outreach with a variety of groups, including the affected states, rail transit agencies, our DOT sister agency, FRA, the National Transportation Safety Board (NTSB), and the American Public

Transportation Association (APTA). In addition, FTA has instituted a regulatory compliance program to ensure compliance with the rule's provisions. Since the program went into effect, FTA has received several recommendations concerning possible program improvements, and has taken these recommendations into consideration in the development of the final rule.

For example, the final rule clarifies the role of the state oversight agency and the role of the rail transit provider. We have done this by reorganizing the regulation and including more complete descriptions of the responsibilities of the state, the state oversight agency, and what the state oversight agency must require of the rail transit property. The final rule also includes a new definition of hazard and contains a separate section on a hazard management plan.

In addition, in September 2002, the NTSB issued recommendations to FTA (R–02–18 and –19). NTSB stated that the *APTA Manual,* published on August 20, 1991, does ''not contain the necessary specific guidance for assessing the effectiveness of rules compliance programs; as a result, the guidelines are not effective tools for regulatory authorities or transit agencies.'' The NTSB recommended that rail transit agencies adopt, in their system safety program plans, specific standards covering rules compliance and efficiency testing programs for operations and maintenance personnel. NTSB also recommended to APTA that it update its *Manual* to address this concern and that FTA adopt the updated *APTA Manual*.

APTA may choose to update its Manual. However, to provide a more user-friendly regulation, the FTA determined that it is in the interest of our users to publish all of the provisions of the APTA Manual in the state safety oversight regulation. By eliminating a reference to the APTA manual in the regulation, and listing all requirements in full, this allows FTA to respond to changed circumstances and subsequent recommendations from NTSB directly through the rulemaking process. This listing also provides greater usability of the regulations, since all of the requirements are printed in one place.

II. Purpose

This rule is published to improve the performance of the State Safety Oversight Program and to ensure the following outcomes: (1) Enhance program efficiency; (2) increase responsiveness to recommendations from the NTSB and emerging safety and security issues; (3) improve consistency in the collection and analysis of accident causal factors through increased coordination with other Federal reporting and investigation programs; and (4) improve performance of the hazard management process. The rule also clarifies FTA's oversight management objectives, and streamlines current reporting requirements, including the change from paper reporting to electronic reporting. Finally, the rule addresses heightened concerns for rail transit security and emergency preparedness.

III. Rulemaking Overview/Summary of Rule Changes

FTA amended several sections of the State Safety Oversight rule. These changes are summarized below, according to their effect on state, oversight agency, rail transit agency, and FTA roles and responsibilities.

The State

Under this rule, the primary responsibility of the state remains designating an entity—other than the rail transit agency—to oversee the safety and security of a rail fixed guideway system. If a rail fixed guideway system operates in more than one state, each state may designate an entity as the oversight agency or may agree to designate one agency from one state to provide oversight. In either case, this rule requires that in all circumstances in which a rail fixed guideway system is operating in multiple states, the rail transit agency operating the rail fixed guideway system must be subject to only one program standard.

In addition, an affected state's designation of its oversight agency must now either coincide with the execution of any New Starts project grant agreement between FTA and the rail fixed guideway system within the state's jurisdiction, or occur before the application for funding under FTA's formula program for urbanized areas (49 U.S.C. 5307) by an entity meeting the definition of rail fixed guideway system.

Within sixty (60) days of designating the oversight agency, the state must make its designation submission to FTA. A state that has already designated an oversight agency before the implementation of this rule does not need to re-designate. Should a state change its designated oversight agency, it must submit its proposed designation to FTA for review and approval within thirty (30) days of its change. After FTA approves the oversight agency designation, the designated oversight agency must provide its initial submission within thirty (30) days of receiving FTA's approval.

The state may prohibit public disclosure of investigation reports. Furthermore, states are not required to make available the rail transit agency's security plan or referenced procedures. If states cannot protect rail transit agency security plans or supporting procedures from public disclosure, then the state must review these documents on-site at the rail transit agency.

The Oversight Agency

This rule identifies the minimum requirements for the oversight agency's development of its program standard and the rail transit agency's development of its system safety program plan and security plan. In the previous regulation some of these standards were contained in the APTA Manual, which was incorporated by reference into the regulation.

Each oversight agency must require the rail transit agency to develop and maintain a separate system safety program plan and system security plan that complies with the oversight agency's program standard and requirements specified in this part. The oversight agency must still require the rail transit agency to conduct internal safety and security audits.

The oversight agency must review and approve the rail transit agency's annual report, documenting rail transit agency internal safety and security audit findings. The rule also requires the oversight agency to oversee an annual review by the rail transit agency of its system safety program plan and system security plan to determine whether or not either plan must be modified or updated. The oversight agency must review and approve any modification or update.

The oversight agency must require the rail transit agency to develop a hazard management process as part of its system safety program plan, to be reviewed and approved by the oversight agency. The oversight agency must require the rail transit agency to develop, in coordination with the oversight agency, thresholds for the notification and reporting of hazards to the oversight agency. Measures to eliminate or control hazards and the associated corrective actions are to be managed through the hazard management process, including rail transit agency procedures for providing the oversight agency with reports to track mitigation.

FTA has modified the thresholds for the notification and investigation of accidents. The oversight agency must require rail transit agencies to report the occurrence of accidents within two (2) hours. In those instances where the rail

transit agency shares track with the general railroad system and is subject to FRA notification requirements, the rail transit agency must notify the oversight agency within two (2) hours of an incident for which FRA is notified.

The oversight agency must investigate—or cause to be investigated—all accidents meeting the notification and investigation thresholds. The oversight agency must review and approve all procedures—except those used by the NTSB—that will be used to conduct an investigation on its behalf. Should the oversight agency not accept the rail transit agency's investigation report, it must either conduct its own investigation or prepare its own report with the amended findings. If the NTSB investigates an accident, the oversight agency remains responsible for the development of the accident report and corrective actions. It may adopt, in whole or in part, NTSB's report and findings, just as it may adopt, in whole or in part, the rail transit agency's investigation report and findings.

The oversight agency must require the rail transit agency to develop corrective action plans to address findings from accidents and the oversight agency's three-year safety and security review. In the case of accident investigations, the oversight agency is responsible for ensuring that a corrective action plan is developed, implemented, and tracked, regardless of the entity that conducts the investigation on the oversight agency's behalf. Should the NTSB conduct the accident investigation, the oversight agency must identify a process for evaluating NTSB findings to determine whether or not corrective actions should be implemented. The oversight agency must also identify a dispute resolution process for corrective action plan implementation, should the rail transit agency disagree with the oversight agency.

The oversight agency must still submit three types of reports to FTA: the initial submission, annual reports, and periodic reports. The initial submission must be delivered to FTA not later than sixty (60) days prior to the commencement of passenger operations for any New Starts system. All designated oversight agencies must provide FTA with an initial submission by the rule's date of effectiveness. An oversight agency designated after the rule's date of effectiveness must make its initial submission by the date specified in its designation submission, but no later than sixty (60) days prior to the commencement of passenger operations. In the event a state changes its oversight agency, the initial submission is due within thirty (30) days of the new designation. The initial submission must include the oversight agency program standard, all referenced procedures, and certification that the rail transit agency system safety program plan and the system security plan have been developed, reviewed, and approved by the oversight agency.

Annual reports must summarize oversight activities for the preceding twelve (12) months, including: a description of the causal factors of investigated accidents and status of corrective actions, updates, and modifications to rail transit agency program documentation; a report that documents findings from three-year safety review activities, whether or not a three-year safety review has been completed since the last annual report was submitted; a description of the program standard and supporting procedures, if they have changed during the preceding year; and certification that any changes or modifications to the rail transit agency system safety program plan or system security plan have been reviewed and approved by the oversight agency.

FTA may request periodic reports from the oversight agency. All three types of reports must be submitted electronically to FTA.

The oversight agency must ensure that there is no conflict of interest by either the oversight agency or an entity operating on its behalf in providing oversight activities required in this rule.

Rail Transit Agency

FTA added the definition of ''rail transit agency'' as the agency responsible for operating the rail fixed guideway system. FTA modified the definition of ''rail fixed guideway system'' to ensure that states, their designated oversight agencies, and rail transit agencies have completed applicable requirements prior to the start of passenger operations.

The rail transit agency is still required to develop a system safety program plan and security plan that complies with the oversight agency's program standard and the minimum requirements specified in this rule. However, the two documents must be developed and maintained separately. The rail transit agency must review its system safety program plan and security plan annually. If either the system safety program plan or security plan must be modified, the rail transit agency must submit the modified plan to the oversight agency for review and approval.

The rail transit agency must ensure that all elements of its system safety program and security plan are reviewed in an ongoing manner over a three-year cycle, in accordance with internal audit requirements. The rail transit agency must provide the oversight agency at least thirty (30) days notice prior to the conduct of scheduled internal safety and security reviews. The rail transit agency must also submit to the oversight agency checklists and procedures to be used in conducting the reviews. The rail transit agency's chief executive must submit a statement of compliance or noncompliance with its system safety program plan or security plan, along with the rail transit agency's annual report, to the oversight agency. If the rail transit agency is in noncompliance, the report must identify the areas that do not conform to the rail transit agency's system safety program plan, and must list measures being taken to bring these areas into compliance.

The rail transit agency must develop and implement a hazard management process that includes, at a minimum, a definition of the rail transit agency's approach to the hazard management and resolution process, a list of the sources and mechanisms used to support the ongoing identification of hazards, the process by which identified hazards will be evaluated and prioritized for elimination or control, the mechanism used to track identified hazards to resolution, the minimum thresholds for notification and reporting hazards to the oversight agency, and the process for ongoing reporting of hazard resolution activities to the oversight agency.

The rail transit agency must notify the oversight agency within two (2) hours of accidents in a format defined by the oversight agency. The rail transit agency must provide verification that corrective actions to address the finding(s) from an accident investigation are implemented as described in a corrective action plan, or must propose an alternative action(s) to be implemented subject to oversight agency review and approval. The rail transit agency must provide periodic reports as requested by the oversight agency detailing the status of corrective action implementation.

Federal Transit Administration

The FTA will continue to evaluate whether states have complied with the rule or have made adequate efforts to comply with it. This rule directs FTA to approve state designation submittals, oversight agency initial submissions, and oversight agency annual submissions. FTA retains the authority to request periodic submissions from oversight agencies.

IV. Overview of the Comments

FTA received eighteen (18) comments in response to the NPRM. FTA considered all comments filed. The breakdown among commenter categories is as follows:

State DOTs	7
Transit Agencies	6
Public Utilities	2
Trade Associations	2
States	1

Our evaluation of the comments did not lead to substantial changes between the NPRM and this Final Rule. In Section V below, we discuss in detail the public comments addressing issues raised in the NPRM.

V. Section by Section Discussion of the Comments

General Comments

Historically, states have raised concern over the lack of Federal funding to assist them in the development and implementation of safety and security oversight programs. In response to FTA's NPRM, several commenters addressed the issue of what the states term an ''unfunded mandate.''

Two commenters stated that the proposed rule would increase the burden on the states to perform oversight without providing any funding. These commenters noted that the proposed increase in workload is beyond their current state funding levels. One of the commenters suggested that safety oversight could be monitored and enforced through FTA's Triennial Review Process instead of through the states. One commenter noted that FTA makes funds available to support the development of the oversight program. The commenter recommended that ''FTA provide funding for all capital projects includ[ing] monies to the [oversight agency] for the significant additional costs of safety and security certification.'' One commenter suggested that FTA identify ways to minimize the information collection burden without reducing the quality of the collected information.

Finally, one commenter suggested that the rule should take into account typical state funding cycles in relation to the schedule for implementing corrective actions.

FTA Response. For purposes of required analysis under Federal law applicable to Federal agencies, as discussed in Part VI of this preamble, this rule does not constitute an ''unfunded mandate.'' FTA has attempted to identify Federal funding sources to support state safety oversight. For states with New Starts projects, capital grant monies may be used for the initial development of state oversight agencies. However, neither operating nor capital grants can be used to support existing oversight agencies once passenger service commences.

FTA provides technical assistance to state oversight agencies under development or in existence in an effort to effectively promote safety and security in the rail transit environment and to reduce the learning curve of a state new to the program. The rule makes allowances for state funding cycles and corrective action implementation dates. The implementation cycle of corrective actions continues to be a local issue, and schedules for the implementation of corrective actions should be decided by the rail transit agency, with appropriate state oversight, taking into consideration the funds available to implement the corrective actions. FTA believes that the rule allows the rail transit agency and oversight agency to identify an appropriate schedule for corrective action implementation.

Definitions

One commenter recommended changing the definition of ''hazard'' to ''hazard means any real or potential conditions,'' rather than just stating ''hazard means any condition.'' The commenter recommended that FTA clearly define the context of real or potential condition. Two commenters suggested that FTA replace the phrase ''hazardous condition'' with ''hazard.''

One commenter suggested including a definition of ''medical attention'' (a term used in § 659.33) and ''first aid.'' Three commenters suggested that definitions should be included for ''damage to a system'' and ''damage to the environment,'' terms used in the definition of ''hazard.'' These commenters suggested that the terms be quantifiable.

A few commenters suggested that FTA either remove the definition of ''rail transit-controlled property'' or limit its applicability to only areas that support operations, including revenue facilities.

A few commenters also suggested that changes be made to the definition of ''individual.'' The comments ranged from deleting the term to modifying the definition to make it less restrictive. Two commenters recommended that the definition on ''passenger'' include ''patron'' to address persons who have just used or intend to use the rail transit system.

One commenter requested that the rule include the definition of ''security breach.'' Finally, one commenter recommended that the rule define ''qualified professional.''

FTA Response. FTA believes that a Federal standard defining the real or potential condition for which a rail transit agency must mitigate as a hazard oversteps the intent of this rule. The rule's definition of hazard currently allows management and safety representatives from the rail transit agency—with approval by the oversight agency and potential review by FTA—the opportunity to identify and define the ''real or potential condition'' for which the rail transit agency must mitigate to a level that is acceptable by management and the state oversight agency.

In response to commenters recommending the replacement of ''hazardous condition'' with ''hazard,'' FTA concurs and has made this change throughout the rule.

FTA does not agree with the recommendation by the commenter to remove the definition of ''rail transit-controlled property.'' It is important to maintain consistency within FTA's data collection programs, specifically state safety oversight and the National Transit Database (NTD). Furthermore, through its definition of rail transit-controlled property, FTA expects that safety or security incidents occurring on property controlled by the rail transit agency that meet the accident notification thresholds must be reported to the oversight agency. We believe that the rail transit agency's hazard identification process should include all incidents that occur on its property, regardless of whether or not the activity supports revenue operations.

FTA has chosen to keep the definition of ''individual,'' but add the term ''person'' to the definition to ensure that anyone involved in an accident, meeting the thresholds specified in the notification and investigation sections, is covered by this part. This includes ''pedestrians'' and ''others,'' as specified in the NTD.

FTA does not believe it is appropriate to identify each type of medical attention that an individual could receive as a result of an accident, to support notification and investigation thresholds. The rule is clear that if two or more individuals receive immediate medical attention away from the scene, the incident qualifies as an accident under § 659.33 and § 659.35. FTA's intent is to capture serious events and believes that even if the injuries sustained by two or more individuals were minor, the accident itself, regardless of the type of injury, warrants notification and investigation.

FTA believes that a detailed definition of ''damage'' to the system or environment is most appropriately developed by the rail transit agency, with concurrence from the state oversight agency. The threshold for damage or potential damage to the system, equipment, property or the environment should be identified during the development of the rail transit agency's hazard management process. Each property must address its operating risk in accordance with management's policy for providing standard care to the rail transit agency's passengers and employees. It is the oversight agency's responsibility to ensure that the rail transit agency's level of accepted risk meets the intent of the oversight agency's program standard and this rule, as well as conform to the rail transit agency's requirements for mitigating system hazards and their potential to cause loss.

Defining a ''security breach'' is similar to defining all types of accidents. Notification and investigation thresholds are determined by the impact of the accident on the rail transit passengers, employees, system, and environment. Therefore, security breaches should be reported when thresholds under § 659.33 and § 659.35 have been met.

We have not defined ''qualified professional'' or attempted to regulate minimum qualifications of the individuals involved at either the state oversight agency or rail transit agency level. The state and respective rail transit agency should identify and enforce the qualifications necessary to meet the requirements of this part. Finally, FTA has made a technical correction to paragraph (2) in the definition of ''rail fixed guideway system'' to reflect the wording of the current rule.

Withholding of Funds for Noncompliance

FTA did not propose changes to its criteria for the withholding of funds for noncompliance. A few commenters recommended that FTA extend the judgment of noncompliance to include rail transit agencies, rather than just states. The commenters noted that some states have difficulty in enforcing part 659 requirements. Two commenters recommended that FTA also identify the process by which withheld funds would be released.

FTA Response. FTA has clarified that funds will be released if the Administrator determines that an affected state has achieved compliance within two years in accordance with 49 U.S.C. 5330. We believe this provides an adequate level of detail for what is required.

With regard to state difficulties enforcing the part 659 provisions, FTA did not make changes. States are required to ensure compliance with the provisions of this part. Under 49 U.S.C. 5330, FTA does not have the authority to regulate state policies for managing noncompliance. We believe that each state needs to identify its own enforcement mechanism.

Designation of Oversight Agency

FTA proposed changes to this section to clarify its intent about event(s) that must prompt oversight agency designation, as well as FTA's expectation that once designated the oversight agency will ensure that its program is fully implemented before the initiation of passenger service.

One commenter recommended that FTA include a provision for when a state officially moves oversight responsibility to a ''new'' state organization.

FTA Response. FTA has added language to this section, as well as to the initial submission element of § 659.9(f) to require a new oversight agency to submit its initial submission to FTA for review.

Confidentiality of Investigation Reports and Security Plans

FTA did not propose changes to this section.

One commenter raised concerns over past and potential problems in obtaining accident information from rail transit agencies. The commenter explained that in their state, an existing Public Records Act makes accident information available to citizens. Because of the potential release of accident information, rail transit agencies have refused to provide their investigation information and reports to the oversight agency, citing their protection by the rail transit agencies' attorney-client privilege.

One commenter recommended that security plan directives should mention other documents that should be controlled, such as drill coordination plans, training, and emergency management plans.

FTA Response. FTA understands the need for and agrees that safety and security sensitive information should remain confidential. There is no language in this regulation that requires the state or rail transit agency to release information deemed safety or security-sensitive. FTA recommends that each state identify measures to be taken to ensure that safety and security sensitive information is not publicly disclosed.

Oversight Agency Program Standard

The NPRM proposed removing the reference to the *APTA Manual* from the requirements for a state oversight agency system safety program standard. This is necessary to facilitate FTA's ability to modify or revise the minimum requirements of the program standard through the Federal regulatory process, subject to notice and public comment, rather than through the revision of an industry manual. In addition, FTA must address the role of the oversight agency in the implementation of safety and security program requirements not currently covered in the *APTA Manual*. Finally, during FTA's management of the State Safety Oversight Program, states have requested FTA to identify specific requirements that states can legislate and subsequently develop state-specific program standards that, at a minimum, meet FTA's requirements, but also allow for greater flexibility in implementation.

In its comments to the docket, APTA raised concern over FTA's proposed elimination of the *APTA Manual* reference. APTA suggested that by placing program standard element requirements in the rule, ongoing changes and revisions would be difficult to implement. In addition, APTA noted that retention of the *APTA Manual* would permit the continued transit industry and Federal government collaboration on important safety and security issues. APTA noted that by dropping the *APTA Manual* reference, there would be significant impacts on system safety, including the possibility that each state will implement these specifications differently and a national standard will not be achieved, and states will only move to meet the minimum requirements, not the intent of system safety. Finally, APTA suggested that its adoption of the system safety approach was intended to promote a self-regulatory process, a process that would be put at risk if the NPRM were to proceed as written.

One commenter suggested that FTA require the oversight agency to send a copy of its program standard to all managers of the rail transit agencies within its jurisdiction. Another commenter recommended FTA clarify the role of the oversight agency during construction and pre-revenue phases.

FTA Response. FTA has adopted the proposed rule provision. FTA does not think it is detrimental to remove the mandatory reference to the *APTA Manual* and that it is appropriate to include the program standard requirements in this rule. FTA does not believe that the rule processes

undermine system safety. The requirements in the rule for oversight agency program standard development and rail transit agency system safety program plan and security plan development is more comprehensive than the private sector standards. Additional sections have been included in the regulation to address NTSB recommendations, to strengthen the internal safety audit process, to improve coordination with the state oversight agency, and to formalize reporting requirements. By including all of the provisions in one place, it helps us meet our goals of maximizing the usability of our regulation and encouraging full compliance with its provisions. Further, this part allows for flexibility in application of safety and security principles, while maintaining the delicate balance of mandatory compliance for performance.

Federal law, 49 U.S.C. 5330, does not address the authority to be provided to states to oversee rail transit capital projects before passenger operations commence. In 1995, FTA concluded that this lack of definition prevented application of the state safety oversight rule during the planning, design, and construction of New Starts projects. However, states with New Starts projects must be in compliance with each element of part 659 before the initiation of passenger operations. To facilitate compliance, the rule requires that states make their oversight agency designation prior to a rail transit agency application for formula grant money, or at the same time as the execution of a grant agreement between FTA and the grantee applicant for a New Starts project. Furthermore, FTA requires that each state submit documentation identified in § 659.9(d) to FTA within sixty (60) days of designating its oversight agency.

FTA believes that state oversight agency participation in a project's developmental phases is critical to the success of the State Safety Oversight Program and the state's ability to provide effective oversight during operations. FTA supports states' efforts to participate during pre-operation by providing a funding mechanism through its New Starts projects process that allows capital grant monies to be used for the initial state safety oversight agency program development.

For those capital projects in states with existing rail transit agencies and safety oversight agencies and where the rail system is being modified, extended, or rehabilitated, FTA expects each oversight agency to participate in the pre-operation phases under the requirements of this part (§ 659.15 and § 659.19(g) and (h)), but FTA funds may not be used.

Furthermore, there is no requirement in this part that limits a state's ability to extend its safety oversight in all phases of project development. FTA encourages this practice and a handful of states currently have authority to conduct their safety and security oversight program during the planning, design and construction of a New Starts system.

System Safety Program Plan

In lieu of the *APTA Manual* reference, the NPRM laid out the minimum safety program elements from which states can ensure rail transit agencies address, as a minimum, their system safety program plans. FTA's requirements represent a minimum standard that must be addressed by each rail transit agency and enforced by the state oversight agency. The NPRM retained the requirement for state oversight agencies to review and approve a rail transit agency's system safety program plan.

One commenter requested a clarification of the meaning of ''approved''—whether it meant the system safety program plan would be approved by the oversight agency or the rail transit agency. Another commenter suggested that the regulation should require a formal letter of approval from the state oversight agency, accompanied by the checklist used to review the rail transit agency's system safety program plan and security plan.

FTA received one comment proposing an ''hours of service'' requirement, limiting the number of hours that safety sensitive employees can work and providing a minimum number of required hours off.

Finally, two commenters suggested removing or combining specific sections of the system safety program plan minimum elements to reduce what the commenters believed to be redundant—namely removing § 659.19(s) and combining § 659.19(g) and § 659.19(r) under the heading of ''System Modifications and Configuration Control.''

FTA Response. The final rule requires that the oversight agency must review and approve the rail transit agency's system safety program plan. Furthermore, this section requires that the oversight agency, using a checklist developed by the oversight agency, review the rail transit agency's system safety program plan against the requirements of this Part, in addition to the state's own program standard. FTA recommends that oversight agencies have sufficient authority to carry out their role; this includes the responsibility for the review and approval of rail transit agency safety and security plans. FTA intends that oversight agencies include in their review and approval process the rail transit agency's operating and maintenance procedures, rulebook, and special orders.

FTA proposed, and maintains, that the oversight agency issue a formal letter of approval to the rail transit agency after reviewing the system safety program plan and security plan. FTA agrees with the commenter that the oversight agency should include in its formal submittal to the rail transit agency the checklist used to conduct the system safety program plan and security plan review.

FTA did not propose an ''hours of service'' requirement in this part. FTA does not have the authority to regulate in this area.

System Security Plan

The NPRM proposed minimum requirements for an agency security plan that must be maintained as a separate document.

One commenter recommended that security breaches and other security issues such as threat and vulnerability assessments should be covered similarly to safety issues. Another commenter recommended that FTA modify the security audit requirement so that such audits are conducted periodically and by qualified professionals.

One commenter suggested that the rule require a security plan that includes a description of a positive ID program identifying all contractors, visitors and employees requiring access to the system or facilities, and tracks all security related IDs, uniforms, or equipment that may be used as part of the positive ID program.

Finally, two commenters recommended that FTA not require the oversight agency to conduct an ''on-site'' review of the rail transit agency security plan.

FTA Response. While FTA has not provided the same level of detail relating to the security management processes identified by the commenter, rail transit agencies are required to notify and investigate security breaches that meet the accident notification and investigation thresholds in § 659.33 and 35.

While FTA agrees with the importance of positive ID programs and other access control measures to enhance security at rail transit systems, FTA does not intend that this rule specify the type of security strategy to be used by the rail transit agency and monitored by the state oversight agency.

Conversely, there is no language in this rule that prevents a rail transit agency from using such a strategy and, as noted above, FTA encourages rail transit agencies to monitor access to key areas of the rail system.

In the NPRM ''Section-by-Section Analysis'' FTA proposed that the oversight agency conduct its review of the rail transit agency's security plan on-site at the rail transit agency. FTA agrees with the commenters who suggested that this requirement places an unnecessary burden on the oversight agencies in the conduct of their review. Therefore, we have modified the Final Rule to require that the rail transit agency must submit its security plan to the oversight agency if the state has established protocols to protect the security plan from public disclosure. If the state cannot provide these protections, the oversight agency must review the security plan on-site at the rail transit agency. Finally, FTA intends that state oversight agencies always identify in-house representatives or contract personnel whose qualifications are sufficient to review a rail transit agency's system safety program plan and security plan.

Rail Transit Agency Review of its System Safety Program Plan

The NPRM proposed a requirement for the oversight agency to require the rail transit agency to conduct an annual review of its safety and security plans.

One commenter requested clarification regarding the level of system modification that would require resubmission of the rail transit agency's system safety program plan.

FTA Response. It is the responsibility of the state oversight agency to develop the criteria for which rail transit agency system modifications prompt the resubmission and consequent review of the system safety program plan.

Rail Transit Agency Internal Safety and Security Reviews

FTA proposed a section that requires the oversight agency to require the rail transit agency to develop and document a process for performing on-going internal safety and security reviews.

A commenter recommended FTA require a rail transit agency general manager to sign off on all conducted internal safety and security audits to ensure management is aware of internal operations and processes, and that they are effective. Three commenters voiced concern over outstanding issues at time of certification, suggesting that the requirement of the rail transit agency's general manager to certify compliance in its annual report does not address the instance when a rail transit agency may not be in full compliance with its system safety program plan, but is still required to certify as such. One of these commenters proposed specific language indicating certification by the agency's chief executive officer.

Another commenter requested that FTA shorten the time period requirement for notifying state oversight agencies of internal safety audits from 30 days to 10 days. Three commenters recommended lengthening the time requirement for notifying state oversight agencies of scheduled internal safety audits, 45 days and 60 days. Finally, one commenter suggested that the internal safety audit process not be ''reset'' to coincide with the implementation of the new rule, inasmuch as certain transit operators might currently be dealing with safety issues in the midst of their audit cycles.

FTA Response. We believe that the § 659.27 proposal that a certification of compliance issued by the rail transit agency general manager or executive director be included with the annual report compiled by the rail transit agency, documenting its internal safety audit activities, addresses the commenter's request for general management endorsement. FTA also agrees that the general manager should not be required to certify compliance if internal safety audits have identified areas of noncompliance. Consequently, FTA has added the condition that in those cases where the rail transit agency is not in compliance with its system safety program plan—or security plan—the chief executive must identify those areas of noncompliance for the oversight agency, accompanied with a list of activities the rail transit agency will take to achieve compliance.

We have not reduced the timeframe for rail transit agency notification to the state before the conduct of internal safety audits from at least thirty (30) days to ten (10) days. Internal safety audits are the means by which a rail transit agency can assess effectiveness of its own safety program and how well it is being implemented agency-wide. A rail transit agency must be able to develop a schedule for these audits and make the schedule available to its oversight agency thirty (30) days before conducting the internal review. Other commenters requested the timeframe be expanded to forty-five (45) or sixty (60) days. FTA believes that thirty (30) days is sufficient for oversight agency notification since the oversight agency is not required—but strongly encouraged—to participate in the internal safety review process.

FTA agrees with the last commenter and will not require the internal safety audits to be ''reset.'' Instead, the rail transit agency should continue its cycle of audits in compliance with all other terms of this rule, regardless of the date this rule goes into effect. It should be noted, however, that any changes to internal safety audit procedures or processes as the result of this rule must be implemented at the date this rule goes into effect.

Oversight Agency Safety and Security Reviews

FTA proposed that the oversight agency must conduct an on-site review of the rail transit agency's safety and security plans every three years or in an on-going manner.

One commenter requested that the regulation outline what should be included in the state oversight agency safety and security review report. Another commenter recommended that the proposed rule be amended to clarify that the state oversight agency reserves the right to conduct an on-site review more frequently than every three years. This commenter also recommended adding the following language, ''[t]he oversight agency must prepare and issue a report containing findings, recommendations, corrective actions, and the rail transit agency's response to each finding that requires additional action. The rail transit agency's response shall set a time frame to implement the corrective actions resulting from the review. The report, at a minimum, must include an analysis of the efficacy of the system safety program plan and a determination of whether it should be updated.''

FTA Response. The oversight agency should be able to determine the extent of its three-year safety reviews, to effectively evaluate rail transit agency compliance with state safety oversight requirements. FTA has shared checklists with oversight agencies and will continue to facilitate information exchange and coordination within the community. Many states have slightly different requirements within their respective program standards. However, FTA disagrees that this part should identify each element of the safety or security review since it could limit oversight agencies in their approach to the three-year safety review.

There is no language in this requirement that precludes the oversight agency from establishing the right to conduct an on-site review of the rail transit agency more frequently than every three years. FTA agrees that the reviews may be conducted in an ''ongoing manner.''

FTA disagrees with the commenter that additional language is needed to address oversight findings from the three-year safety or security review. Section 659.37 requires that rail transit agencies develop corrective action plans to address three-year review findings. Subsequently, the corrective actions must be implemented and tracked according to § 659.37 requirements.

Hazard Management Process

FTA proposed that each rail transit agency develop and implement a hazard management process that has been reviewed and approved by the state oversight agency. Two comments were received. One commenter agreed with FTA's process while another recommended that FTA delete the hazard management process section and make reference to it only in the proposed § 659.13 (system safety program standard) in the NPRM.

FTA Response. We disagree with the commenter who suggested referencing the hazard management process solely in the system safety program standard section. The hazard management process is central to system safety and warrants its own section within this rule.

Accident Notification and Investigation

In the NPRM, FTA proposed revisions to the definition of accident to provide greater consistency with the notification and investigation requirements used by the NTSB as well as reporting thresholds established by FTA's NTD. Further, FTA proposed defining accident in relation to the activities required by the rail transit agency and oversight agency after the occurrence of an event deemed an accident. FTA proposed in the NPRM that the oversight agency must require the rail transit agency to notify the oversight agency within two (2) hours of any event involving a rail transit vehicle or taking place on rail transit-controlled property where one or more of the following occurs:

(1) A fatality, where an individual is confirmed dead within thirty (30) days of a transit-related incident, excluding suicides and deaths from illness;

(2) Injuries requiring immediate medical attention away from the scene for two or more individuals;

(3) Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities that equals or exceeds $25,000;

(4) An evacuation due to life safety reasons; or

(5) A main-line derailment.

In addition the oversight agency must require rail transit agencies that share track with the general railroad system and are subject to the Federal Railroad Administration notification requirements to notify the oversight agency within two (2) hours of an incident for which the rail transit agency must notify the Federal Railroad Administration.

A majority of the commenters addressed the definition or thresholds for accident notification and investigation in several ways. Two commenters suggested that the two-hour notification requirement adds an unreasonable burden on the rail transit agency, especially during a catastrophic event, and recommended that FTA change the time period to four hours. One commenter recommended that FTA further define what constitutes ''notification,'' questioning whether or not an individual from the state oversight agency should be required to be available to receive the notification twenty-four (24) hours a day, seven (7) days a week or if it is sufficient that a message is left or fax is sent within the two (2) hour window. The commenter suggested that this might influence state resource allocation.

Several commenters expressed concern over the definition of fatality, noting that a fatality may be difficult to ''[confirm] within thirty (30) days of a transit incident,'' given increased constraints on retrieving patient information due to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). A few commenters suggested that the 30-day confirmation period should be removed, while one commenter suggested it be reduced to twenty-four (24) hours.

Several commenters recommended that state oversight agencies be notified of all fatalities, including suicides. Several of these commenters noted that the determination of cause of death might not be made within the first two hours after the incident. Other commenters noted that FRA and NTSB do not make distinctions between a fatality and a suicide, and that a situation may occur where the NTSB or FRA may be notified of a fatality but the state oversight agency would not.

Relating to the notification threshold for injuries, some commenters recommended that FTA maintain the current definition, which requires notification by the rail transit agency when an incident occurs resulting in a single injury instead of ''two or more persons'' in the NPRM. These commenters suggested that under FTA's proposed threshold for injury, an incident in which a person is struck by a train and is transported to the hospital would not be reported to the oversight agency. One commenter also noted that FTA's NTD requires the reporting of one person injured in a collision occurring on a rail right-of-way. Other commenters suggested that while the NPRM attempted to align definitions with NTD, in some areas conflicts remain.

Several commenters objected to the reduction in the property damage threshold from $100,000 in the current rule to $25,000 in the NPRM. Many of these commenters indicated that in lowering the threshold, rail transit agencies and state oversight agencies would face an unnecessary increase in notifications, and there would be an increased burden in investigating and tracking these accidents. Most commenters recommended that FTA maintain the $100,000 property damage notification threshold. One commenter suggested that the qualification of property damage to only ''rail transit vehicles, non-rail transit vehicles, [or] other rail transit property or facilities'' limits applicable items, and that since the current rule includes all property damage and provides the necessary information, it should be retained.

Several commenters proposed that FTA either delete the definition of individual for threshold purposes, or make it broader to ensure that pedestrians are included. Another commenter suggested that the term ''person'' be used, as no fatality should go unreported.

Some commenters recommended that FTA either add a definition for ''medical attention'' or clarify the term ''injury,'' to clarify that the intent of the rule is not to require immediate notification for very minor items.

Some commenters objected to the proposed location of the incident ''involving a rail transit vehicle or taking place on rail transit-controlled property,'' suggesting that FTA should limit the requirement for notification to those instances where an event has occurred only when it involves the operation of the rail transit vehicle, and not in such places as offices, parking lots and other areas that do not involve rail transit operations.

In reference to requirements for accident investigation, § 659.29, FTA proposed, ''[t]he oversight agency must investigate, or cause to be investigated, at a minimum, any event involving a rail transit vehicle or taking place on rail transit-controlled property meeting the fatality, injury, or property damage thresholds identified in § 659.27(a).'' Relating to the threshold for investigations, one commenter suggested that the NPRM creates a large investigative workload. Some

commenters recommended that FTA also make a distinction between FTA-reportable (those meeting the fatality, injury, and property damage thresholds for notification) and non-reportable (namely, the evacuation and main-line derailment thresholds), to ensure that the non-reportable incidents are still logged, reviewed and tracked for possible identification of trends and patterns.

Additionally, the NPRM proposed, ''(b) The oversight agency must use approved investigation procedures that have been submitted to FTA as required in the initial submission or annual submission'' and ''(c) In the event the oversight agency designates the rail transit agency to conduct investigations on its behalf, it must do so formally and require the rail transit agency to use investigation procedures that have been formally approved by the oversight agency.''

Some commenters recommended that the required investigation process for the analysis of probable or multiple causal determinations be standardized across the industry. Another commenter recommended that the state oversight agency's procedures include the rail transit agency's own investigation of the accident.

The NPRM proposed, ''(d) Each investigation must be documented in a final report that includes a description of investigation activities, identified causal factors, and a corrective action plan. (1) The final investigation report must be submitted to the oversight agency in a format and timeframe specified by the oversight agency. (2) The oversight agency must review and formally approve each final investigation report. (3) The oversight agency shall have the authority to require periodic status reports that document investigation activities and findings in a time frame determined by the oversight agency.''

One commenter objected to the requirement for the state oversight agency to approve the rail transit agency investigation report, indicating that the investigating party must be given autonomy for findings in the final report and that any state comments should be made during the drafting phase. Another commenter suggested that the proposed rule for accident investigations relied on transparency between the agencies and that the rail transit agencies must release, or make available, all essential information to the state oversight agency in order for the state to adequately review the determination of cause(s).

Finally, one commenter recommended that FTA require sending the final investigation report to the rail transit agency's executive director or general manager.

FTA Response. In light of the comments submitted relating to the accident notification and investigation sections of the rule, FTA has made changes to these requirements. For instance, we will require the rail transit agency to notify an oversight agency of all fatalities, and will not exclude suicides from the notification process. We agree with those commenters who suggested that the cause of death might not be readily apparent and that it should not be the role of the rail transit agency or state oversight agency to make that determination. In addition, suicides on urban rail systems are a visible problem and the oversight agency should be notified when they occur. Safety issues may be involved in these incidents, and corrective actions could potentially prevent additional suicides.

In reference to the notification threshold for a fatality, FTA disagrees with the commenters who noted that it might be difficult to track the status of an individual for thirty (30) days to determine whether or not the individual has been confirmed dead, thus requiring notification of the state oversight agency and compliance with subsequent investigation and corrective action plan requirements. Furthermore, FTA believes that the rail transit agency's representative(s) responsible for risk management, legal duties, or claims will either be notified of the confirmed death or will track status information. In addition, rail transit agencies must currently track this information for NTD reporting. For these reasons we did not revise the 30-day tracking period.

FTA agrees with commenters indicating that noteworthy incidents, such as a collision between a train and a person would go unreported under the notification threshold for two (2) or more injuries in the NPRM. Furthermore, we agree that there are still discrepancies between notification and investigation thresholds in the NPRM and those of the data reporting thresholds for ''major events'' within the NTD Program and notification thresholds for NTSB. While we believe that minor inconsistencies will remain, we have made changes to the accident notification and investigation thresholds in an effort to increase the coordination between the above stated programs. Most significantly, FTA has changed the accident notification and investigation thresholds to mirror all eight (8) NTD ''Major Event'' thresholds, not just the first five (5) thresholds identified in the NPRM. In addition to the five (5) thresholds identified in the NPRM, rail transit agencies are now also required to notify state oversight agencies in the event of a mainline derailment, a collision with person(s) on a rail right-of-way, and a collision between a rail transit vehicle and another rail transit vehicle or a transit non-revenue vehicle.

We agree with several commenters who requested greater clarity for key definitions within the accident notification and investigation thresholds, namely individual and medical attention. We have more clearly identified the definition of ''individual'' to include pedestrians and other persons. While there are distinctions between the types of individuals, FTA intends that all persons who suffer injuries that require medical attention away from the scene of the incident or end in fatality are individuals under this rule. Historically, FTA excluded the reporting of fatalities and injuries of employees and trespassers under the State Safety Oversight Program.

FTA agrees with one commenter who recommended FTA clarify that the intent of this rule is not to require state safety oversight agency notification for very minor injuries. For consistency, the use of ''immediate medical attention'' in this rule should be interpreted as it is used under FTA's NTD program. The following is an excerpt from the NTD reporting manual and clarifies FTA's intent within this rule:

> The definition of injury requires immediate medical attention away from the scene. Immediate medical attention includes, but is not limited to, transport to the hospital by ambulance. If an individual is transported immediately from the incident scene to a hospital or physician's office by another type of emergency vehicle, by passenger vehicle, or through other means of transport, this is also considered an injury. An individual seeking medical care several hours after an incident or in the days following an incident is not considered to have received immediate medical attention. In cases that are less clear-cut, reporters should apply their judgment in determining whether the injury sustained caused the individual to immediately seek medical attention.
>
> The medical attention received must be at a location other than the location at which the incident occurred. The intent of this distinction is to exclude incidents that only require minor first aid or other assistance received at the scene. This distinction is not, however, intended to be burdensome for the [rail] transit agency. It is not a requirement that an agency follow-up on each person transported by ambulance, for example, to ensure that they actually received medical attention at the hospital. It is acceptable to count each person immediately transported by ambulance as an injury. If, however, an agency representative does choose to follow-up with the hospital and finds that, though an individual was transported to the hospital, he did not receive any medical attention, this

individual does not need to be reported as an injury.''

We disagree with commenters suggesting that the two-hour notification requirement does not provide an adequate amount of time for the rail transit agency to notify the oversight agency, especially during catastrophic events. While we understand that a catastrophic event can overwhelm rail transit agency personnel, we believe that two (2) hours is reasonable and mirrors requirements by the NTSB, and may provide more time than the ''immediate notification'' required by FRA.

In reference to the format in which notifications are made and state oversight agency personnel availability, we believe that these decisions are best left to the state to identify and define. FTA believes it is reasonable to expect state oversight agency and rail transit agency representatives to identify a practical process that ensures the oversight agency is notified appropriately and can carry out subsequent activities.

We agree with commenters who noted that the qualifying of property damage as applying only to ''rail transit vehicles, non-rail transit vehicles, [or] other rail transit property or facilities'' limits applicable items. To clarify FTA's intent, FTA has removed the qualifiers and requires notification when an accident equals or exceeds $25,000 in total accident damage. Consistent with NTD and NTSB requirements, property damage to both transit and non-transit property should be included in the estimate. While many commenters objected to the reduction in the property damage threshold, we believe that the $25,000 notification and investigation threshold is appropriate and reflects the current requirements of the NTSB.

FTA disagrees with recommendations to constrain the applicability of the accident notification and investigation thresholds to only those incidents ''involving the operation of a transit vehicle,'' ignoring incidents that occur in parking lots, stations, and other areas of rail transit property and responsibility. We believe that this rule limits notification and investigation to only the most serious events that might occur on rail transit property. As such, we believe that in accordance with the intent of state safety oversight, these events should be reported to the state in a timely manner to ensure the state's ability to investigate and require corrective actions, as required under Section 5330 of the enabling legislation. Furthermore, FTA has interpreted the state safety oversight legislation to include security considerations. In so doing, FTA requires the rail transit agency to report security incidents that meet the notification thresholds to the oversight agency. We believe that passenger safety and security are often interrelated and each passenger should expect to be free from danger, unintentional or intentional, to the extent that it is reasonably practicable. As such, we believe that efforts by the rail transit agency, in accordance with state oversight, should be applied system-wide and not limited to only specific passenger or vehicle operations.

As mentioned above, accident investigation thresholds have been changed to accurately reflect thresholds identified in the NTD major event category. FTA disagrees with the commenter who suggested that the NPRM creates a large investigative workload. Under the old definition of accident, states were required to investigate all single person events in which an individual was treated for injuries away from the scene (the majority of these events were slips, trips and falls in transit stations and vehicles). The new accident investigation thresholds actually lessen the investigative burden by only requiring investigation of single person events in which there has been a train/person collision or a collision between a rail transit vehicle and another rail transit vehicle or a transit non-revenue vehicle. Some commenters expressed concern over the exclusion of all single person events meeting the injury threshold under the old rule. FTA requires this threshold to be identified in the hazard management process developed by the rail transit agency. We believe that an effective identification process within a hazard management resolution program would include single person events as a source for hazards or potential hazards. We believe that the changes are necessary to capture incidents with serious consequences. FTA acknowledges that while one set of thresholds will not necessarily accommodate different modal considerations or state and local resource allocation and burden, they support our intent to standardize the reporting and investigation of accident causal factors and mitigating activities, and allow us to identify proactive activities that prevent fatalities, serious injury and major system loss. Finally, we believe it is imperative that oversight agencies are notified of accidents within a timeframe consistent with that of the NTSB notification requirement.

FTA has clarified the investigation reporting requirements to ensure that rail transit agency investigation reports maintain their autonomy, while assuring the state's right to conduct its own investigation. However, FTA kept the requirement for state oversight agencies to review and approve corrective action plans.

With reference to the requirements for state approval of investigation reports, FTA agrees with the commenter recommendation to not require such approval. FTA did not intend the state oversight agency to formally review and approve the rail transit agency's investigation report. In those instances where the oversight agency has authorized the rail transit agency to conduct an investigation on its behalf, FTA intends that the oversight agency review and approve the report for the oversight agency's own internal process, not for the rail transit agency. This investigation report is now the responsibility of the oversight agency, which must either formally approve it or amend the report prior to adopting it as its final investigation report.

FTA also allows the oversight agency to contract for this service and/or allow the rail transit agency to conduct some of the investigations. For each accident that meets the investigation thresholds, the oversight agency must approve the investigation report. They must also require the rail transit agency to develop corrective action plans to address accident findings. These plans must then be reviewed and approved by the oversight agency. In addition, the oversight agency must establish a process to resolve any disagreements in the event that the two agencies cannot reach an agreement on the corrective action plan.

FTA disagrees with the recommendation to require the submission of the final investigation report to the rail transit agency's chief executive. While FTA encourages inter and intra-agency communication and coordination, we did not specify the distribution list for the final investigation report. However, there is no language in this part that limits the rail transit agency safety manager from providing the chief executive with a copy of the investigation report, and FTA encourages this level of intra-agency coordination.

Finally, FTA recommends that rail transit agencies and oversight agencies develop investigation procedures and apply them consistently. However, FTA did not require standardization of the investigation process across the industry as some commenters recommended. We believe that there are different, yet equally effective, methods of conducting accident investigations. Furthermore, we believe it is the responsibility of rail

transit agencies and their state oversight agency counterparts to determine which investigative methodology is most effective.

Corrective Action Plans

FTA proposed that oversight agencies review and formally approve corrective action plans.

Two commenters recommended that FTA should not require state oversight agencies to approve corrective action plans. Three commenters suggested that FTA require corrective actions plans be developed after safety and security internal audits and any annual reviews that may be performed by the rail transit agency.

One commenter proposed a clarification change in the language from ''* * * its process for the review and approval of a corrective action plan,'' to ''* * * the Transit Agency's process for the review and approval of the corrective action plan.''

FTA Response. FTA disagrees with commenters who suggested that FTA not require oversight agency review and approval. Given that oversight agency approval is only necessary for corrective actions developed resulting from three-year safety and security reviews and the results from accident investigations, FTA believes that oversight agency participation is not intrusive or overbearing. State oversight agencies are required by the enabling legislation to investigate and approve corrective actions, and FTA believes that an independent assessment of the developed corrective actions not only meets the intent of safety oversight, but also provides the necessary objectivity to ensure that rail transit agencies have prioritized safety and security activities to meet the most critical and pressing needs.

FTA also disagrees with the commenters that recommend developing corrective action plans to address findings from rail transit agency internal audits. FTA believes that some level of autonomy is necessary when the rail transit agency conducts its own internal safety and security audit process. We recommend that the state oversight agency work with the rail transit agency to identify the criteria for which findings from internal safety and security audits are subject to the hazard identification and subsequent resolution process.

Oversight Agency Reporting to the Federal Transit Administration

One commenter suggested spreading the reporting requirements specified in the NPRM over a two-year period so that states operating under a deficit are not unnecessarily burdened. Two commenters requested that FTA allow a minimum one-year grace period to states for implementation of new regulations. One of these commenters went on to recommend that the rule identify the records required to be maintained and specify the required retention periods.

One commenter recommended that the rule explicitly specify the requirements of the initial submission, including its program standard, procedures or process for reviewing and approving the rail transit agencies' system safety program plans, investigatory procedures, and criteria for the development of the rail transit agencies' corrective action plans to correct, eliminate, minimize or control investigated hazardous conditions. The commenter went on to recommend that the rule explicitly name the types of periodic submissions that FTA may request.

Three commenters suggested that the rule provide a list of any records that must be maintained by the oversight agency and specify the required retention periods. Two of those commenters stated that the rule should also provide the same information for transit agencies.

Finally, one commenter suggested that reporting requirements were too burdensome to states and FTA should identify a mechanism to improve the effectiveness of annual reporting without affecting the quality of reporting.

FTA Response. FTA asked commenters to make recommendations in reference to the timeframe for requiring initial submissions, once the state safety oversight rule takes effect. Two commenters recommended providing one year from the rule's date of effectiveness to achieve compliance. One commenter suggested that one year may be too ambitious and requested that states be allowed extensions if needed, due to legislation issues. FTA agrees and will allow one year from the rule's date of effectiveness for states to comply with rule requirements. However, in those cases where state legislatures may only meet once every two years, FTA may entertain an exception to the compliance date. FTA will address this subject through future guidance.

FTA expects that each oversight agency will submit its entire program standard and all program procedures developed to support the oversight activities required by this rule. This includes all procedures associated with the oversight agency's implementation of its program identified in § 659.19 and each procedure that requires action by the oversight agency. FTA disagrees that we should identify every procedure to be submitted and believes that it is not necessary to burden the rule with what may be redundant requirements, without greater justification.

While one commenter presented an exhaustive list of information FTA may request as part of a periodic submission, FTA believes it is unnecessary to identify each potential submission in the text of the rule. Instead, FTA will identify needed material on a case-by-case basis and work with the oversight agency to obtain needed material. Similarly, FTA decided not to identify records that the oversight agency should maintain. We believe that the oversight agency should maintain the necessary records for the effective development, management, and implementation of its oversight duties.

FTA is requiring electronic data collection for oversight agency reporting. FTA agrees that the quality of information collected is of the greatest importance.

Conflict of Interest

The NPRM proposed that the oversight agency must prohibit a party or entity from providing services to both the oversight agency and the rail transit agency, when a conflict of interest exists.

A few commenters suggested that FTA either define conflict of interest in the rule, or provide a clarification of the scope of services to be performed by a contractor. One commenter also suggested that this might limit the number of contractors eligible to compete for proposals.

FTA Response. The intent of state safety oversight is to establish an independent agency to oversee the implementation of safety and security programs by the rail transit agency. The independent agency must adhere to the requirements in this rule and ensure that any rail transit agency within its jurisdiction also adheres to these requirements. FTA believes that the state designated agency must function without prejudice; this extends to procuring a contractor to perform oversight activities. The selected contractor must be able to perform its duties on behalf of the state with the same level of impartiality, without conflict of interest. FTA believes it is in the best interest of the State Safety Oversight Program to take steps to ensure that contractors can effectively perform their duties without bias. FTA also believes that each state is in a better position to define the conflict of interest provisions necessary to meet the intent

of state safety oversight while contracting for services.

VI. Section-by-Section Analysis

Purpose (§ 659.1)

This section explains that FTA is implementing the requirements of 49 U.S.C. 5330, which requires a state to establish an agency to oversee the safety of rail fixed guideway systems. This rule directs the oversight agency to develop a program standard, including a security element, and to require the rail transit agency to develop a security plan and a separate system safety program plan that complies with the program standard and requirements of this rule. In addition, the oversight agency must conduct safety and security reviews and ensure the conduct of accident and hazard investigations. The oversight agency must also ensure that corrective action plans are developed and implemented to address findings from accident and hazard investigations and track implementation to resolution. The oversight agency must ensure that the rail transit agency implements its system safety program plan and security plan effectively.

Scope (§ 659.3)

This section explains that the rule applies only to states with rail fixed guideway systems, as defined in this part.

Definitions (§ 659.5)

Contractor

''Contractor'' means an entity that performs tasks required by this part on behalf of the oversight or ''rail transit agency.'' The ''rail transit agency'' may not be a ''contractor'' for the ''oversight agency.''

Corrective Action Plan

''Corrective action plan'' means a plan developed to set forth the actions the ''rail transit agency'' will take to minimize, control, correct, or eliminate ''hazards,'' and the schedule for implementation for those actions.

FRA

''FRA'' means the Federal Railroad Administration, an agency within the U.S. Department of Transportation.

FTA

''FTA'' means the Federal Transit Administration, an agency within the U.S. Department of Transportation.

Hazard

''Hazard'' means any real or potential condition (as defined in the ''rail transit agency's'' hazard management process) that can cause injury, illness, or death; damage to or loss of a system, equipment or property; or damage to the environment.

Individual

''Individual'' means a passenger; employee; contractor; other rail transit facility worker; pedestrian; trespasser; or any person on rail transit-controlled property.

Investigation

''Investigation'' means the process used to determine the causal and contributing factors of an accident or hazard, so that actions can be identified to prevent recurrence. The oversight agency is ultimately responsible for the conduct of the investigation and the resulting findings. An investigation may be conducted by an entity acting on behalf of the oversight agency, providing the procedures to be used during the investigation have been reviewed and approved by the oversight agency and submitted to FTA. If the rail transit agency conducts the investigation on behalf of the oversight agency, the oversight agency must either adopt the findings from the investigation or successfully negotiate any disputes that result from the findings. In the event there is a dispute over investigation findings, if there is no resolution, the oversight agency must either conduct its own investigation or amend the rail transit agency findings with its opinion. There must not be conflicting corrective actions to address investigation findings.

New Starts Project

''New Starts Project'' means any rail fixed guideway system funded under FTA's 49 U.S.C. 5309 discretionary construction program.

Oversight Agency

''Oversight Agency'' means the entity, other than the rail transit agency, designated by the state or several states to implement this part.

Passenger

''Passenger'' means a person who is on board, boarding, or alighting from a rail transit vehicle for the purpose of travel. The intent of this definition is to make a distinction between individuals that are physically on the rail transit vehicle, or those in the process of entering or leaving the rail transit vehicle, and non-passengers such as pedestrians or trespassers as categorized under the National Transit Database (NTD).

Passenger Operations

''Passenger operations'' means the period of time commencing when any aspect of rail transit agency operation is initiated with the intent to carry passengers. In the previous rule, there was confusion over the definition of revenue service; did it mean the period the agency opened its doors to the public, or simply when a passenger boarded the first rail transit vehicle of the day. In this rule, FTA uses the former definition. Once the rail transit agency initiates its first action with the intent to carry passengers, it is considered to be in passenger operations.

Program Standard

''Program standard'' means a written document developed and adopted by the oversight agency, that describes the policies, objectives, responsibilities, and procedures used to provide rail transit agency safety and security oversight.

Rail Fixed Guideway System

''Rail fixed guideway system'' means any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway that:

(1) is not regulated by the Federal Railroad Administration; and

(2) is included in FTA's calculation of fixed guideway route miles, or receives funding under FTA's formula program for urbanized areas (49 U.S.C. 5336); or

(3) has submitted documentation to FTA indicating its intent to be included in FTA's calculation of fixed guideway route miles to receive funding under FTA's formula program for urbanized areas (49 U.S.C. 5336).

Rail Transit Agency

''Rail transit agency'' means an entity that operates a rail fixed guideway system. If the grantee has contracted out operations and maintenance of the rail fixed guideway system, it maintains full accountability to ensure that all requirements identified in the oversight agency's program standard and this rule are met.

Rail Transit-Controlled Property

''Rail transit-controlled property'' means property that is used by the rail transit agency and may be owned, leased, or maintained by the rail transit agency. FTA does not distinguish between different types of rail transit-controlled property, meaning that an accident meeting the notification and investigation thresholds of this section must prompt notification of the oversight agency, regardless of where it occurred on rail transit-controlled property.

Rail Transit Vehicle

''Rail transit vehicle'' means the rail transit agency's rolling stock. This definition includes vehicles used for carrying ''passengers'' and providing maintenance (*i.e.*, high-rail vehicle).

Safety

''Safety'' means freedom from harm resulting from unintentional acts or circumstances.

Security

''Security'' means freedom from harm resulting from intentional acts or circumstances. Intentional danger includes crimes and must be reported to the oversight agency if the intentional act meets the thresholds for notification as specified in this rule.

State

''State'' means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

System Safety Program Plan

''System safety program plan'' means a document developed and adopted by the rail transit agency, describing its safety policies, objectives, responsibilities, and procedures.

System Security Plan

''System security plan'' means a document developed and adopted by the rail transit agency, describing its security policies, objectives, responsibilities, and procedures. The system security plan must be a separate document from the system safety program plan.

Withholding of Funds for Noncompliance (§ 659.7)

Authority for this section is based on 49 U.S.C. 5330, which directs FTA to withhold federal funding from a state or an urbanized area in the state. FTA is authorized to withhold up to five percent of an affected urbanized area's apportionment if FTA determines the state is not in compliance or making adequate efforts to comply with the rule. Withheld formula funds will be restored if the state is in compliance within two (2) years.

Designation of Oversight Agency (§ 659.9)

This section directs the state to select an agency to oversee the rail fixed guideway system and prohibits the state from selecting the rail transit agency to perform this role. It also prohibits the state from selecting an agency for which a conflict of interest—as determined by FTA—exists that would prevent the oversight agency from carrying out its activities in an unbiased manner.

The rule requires that the state's designation, at a minimum, coincides with the execution of a grant agreement between FTA and the rail transit agency for a New Starts project or prior to the application for any formula funds.

Designation means that the Governor for the affected state would identify an agency, and a point of contact from that agency who will assume oversight responsibility. Designation, for purposes of the final rule, may occur prior to the passage of enabling legislation or other activities that may be necessary for the oversight agency to assume its responsibilities for implementing part 659 requirements.

After designation, the state would have sixty (60) days to provide FTA with a designation submission, which would include: (1) Identification of the agency most likely to provide oversight; (2) a description of its current authorities relating to rail transit safety and security oversight; (3) a point of contact within the designated agency to coordinate program development with FTA; (4) identification of any potential conflicts of interest between the designated agency and the rail transit agency, based on financial or shared management responsibilities; and (5) a proposed schedule describing major milestones to ensure implementation of the state's oversight program before the start of passenger operations at the rail transit agency.

For rail transit agencies that operate, or will operate, in more than one state, the affected states may each designate an agency of the state to implement state safety oversight requirements, or may agree to designate one agency of one state, or an agency representative of each state. After the states designate an agency, a single program standard, adopted by each state, must be developed to implement state safety oversight program requirements. This will allow the rail transit agency to develop a seamless program that is equally applicable in all affected states, rather than being burdened with requirements from two or more states.

States that have already designated an approved agency to FTA are not required to re-designate. However, if a state changes its designation, the new oversight agency must submit a new initial submission to FTA within thirty (30) days of the change, consistent with § 659.39.

Confidentiality of Investigation Reports (§ 659.11)

This section allows states to prohibit an investigation report prepared or adopted by the oversight agency from being admitted into evidence or used in a civil action. In addition, this part does not require public availability of the rail transit agency's security plan.

Oversight Agency Overview and Program Standard (§ 659.13–15)

This rule removes the reference to the *APTA Manual* from the requirements for a State Safety Oversight Program standard. FTA has prepared a list of nine (9) elements that must be included in a program standard, including minimum requirements to address oversight agency authority and specific interfaces with the rail transit agency.

The program standard must address both safety and security and be submitted to FTA with the oversight agency's initial submission. If the oversight agency modifies its program standard it must submit the revised version to FTA.

System Safety Program Plan (§§ 659.17–19)

The rule stipulates that the oversight agency must require the rail transit agency to develop and implement a written system safety program plan that complies with the oversight agency's program standard. FTA has identified twenty-one (21) elements that, at a minimum, must be addressed by the rail transit agency. The rail transit agency must submit its system safety program plan—and any subsequent revisions—to the oversight agency for review and approval.

System Security Plan (§§ 659.21–23)

The rule requires that the system security plan is developed and maintained separately from the rail transit agency's system safety program plan. FTA considers the system security plan to be sensitive information and has not established any requirements preventing the state, oversight agency, or rail transit agency from protecting the system security plan and any referenced procedures from public disclosure. The oversight agency and rail transit agency must identify a process by which the oversight agency can review and approve the system security plan without compromising sensitive information. Throughout this process, the transit system and the oversight agency must comply with all regulations relating to the non-disclosure of sensitive information in 49 CFR part 1520.

FTA, to the best of its knowledge, has not established any requirements for the system security plan that are in conflict with Department of Homeland Security (DHS) directives. The DHS is the lead Federal agency on security matters, including transportation, and FTA collaborates closely with them.

Annual Review of System Safety Program Plan and System Security Plan (§ 659.25)

The rule specifies that the oversight agency must require the rail transit agency to conduct an annual review of its system safety program plan and system security plan. This review may simply result in the determination that no update is necessary in either plan, or it may result in more substantive changes to one or both plans.

In the event that the system safety program plan is modified, the rail transit agency must submit the modified plan and any subsequently modified procedures to the oversight agency for review and approval. When the plan is approved, the oversight agency must issue a formal letter of approval to the rail transit agency.

In the event that the system security plan is modified, the rail transit agency is required to make it available to the oversight agency for review and approval. When the plan is approved, the oversight agency must issue a formal letter of approval to the rail transit agency.

Internal Safety and Security Reviews (§ 659.27)

Each rail transit agency must conduct internal safety and security reviews as described in its procedures. The rail transit agency must document this process in its system safety program plan for review and approval by the oversight agency. The rail transit agency must notify the oversight agency at least thirty (30) days before conducting a scheduled review, in a manner acceptable to the oversight agency without placing undue burden on the rail transit agency.

The internal safety and security reviews must be conducted throughout the year, with all elements to be reviewed completed within a three-year cycle. The rail transit agency must provide the oversight agency with all checklists and procedures used to conduct its safety reviews, and make available checklists and procedures for conducting security reviews, provided this does not compromise sensitive information.

The oversight agency must require the rail transit agency to submit an annual report documenting internal safety and security review activities and the status of subsequent findings and recommendations. The security section of this report must be made available to the oversight agency in a manner that does not compromise sensitive information. The annual report must be accompanied by a formal letter of certification signed by the rail transit agency's executive director or general manager, indicating that the rail transit agency is in compliance with its system safety program plan and system security plan. In the event that the rail transit agency is not in compliance with its own system safety program plan or security plan, the rail transit agency must identify the actions it is taking to achieve compliance, including a schedule and the department that is responsible. The oversight agency must formally review and approve this report.

Oversight Agency Safety and Security Reviews (§ 659.29)

At least every three (3) years, the oversight agency must conduct an on-site review of the rail transit agency's implementation of its system safety program plan and system security plan. The rule also requires that the oversight agency prepares and issues a report containing findings and recommendations resulting from that review, which, at a minimum, must include an analysis of the effectiveness of the system safety program plan and the security plan and a determination of whether either should be updated. Based on the results of this on-site review, the oversight agency must ensure that corrective action plans are developed to address review findings.

The rail transit agency's system safety program plan and system security plan may be reviewed in an ongoing manner over the three-year timeframe, or in a comprehensive on-site review, once every three years.

Hazard Management Process (§ 659.31)

The rule requires the rail transit agency to develop a process to identify and resolve hazards during operation, system extensions, modifications, or changes (including procedural changes). This process would replace the current requirements for the notification and investigation of unacceptable hazardous conditions, and ensure that the oversight agency has an ongoing role in the rail transit agency's hazard identification and resolution process.

As part of the system safety program plan, the oversight agency must require the rail transit agency to develop a hazard management process, to be reviewed and approved by the oversight agency. This process must, at a minimum: (1) Define the rail transit agency's approach to hazard management and the implementation of an integrated system-wide hazard resolution process; (2) specify the sources of, and the mechanisms to support, the on-going identification of hazards; (3) define the process by which identified hazards will be evaluated and prioritized for elimination or control; (4) identify the mechanism used to track to resolution the identified hazards; (5) define minimum thresholds for the notification and reporting to oversight agencies of hazards; and (6) specify the process by which the rail transit agency will provide on-going reporting of hazard resolution activities to the oversight agency.

Accident Notification (§ 659.33)

The oversight agency must require the rail transit agency to notify the oversight agency within two (2) hours of any incident involving a rail transit vehicle or taking place on rail transit-controlled property, where one or more of the following occurs:

(1) A fatality at the scene; or where an individual is confirmed dead within thirty (30) days of a rail transit-related incident;

(2) Injuries requiring immediate medical attention away from the scene for two or more individuals;

(3) Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities, and non-transit property that equals or exceeds $25,000;

(4) An evacuation due to life safety reasons;

(5) A collision at a grade crossing;

(6) A main-line derailment;

(7) A collision with an individual on a rail right of way; or

(8) A collision between a rail transit vehicle and another rail transit vehicle or a rail transit non-revenue vehicle.

These events could take place on a rail transit vehicle or on rail transit-controlled property, and could involve rail transit passengers, employees, contractors, rail transit facility occupants, other workers, trespassers, or other persons.

For rail transit agencies that share track with the general railroad system and are subject to FRA notification requirements, the rule requires notifying the oversight agency within two (2) hours of an incident for which the rail transit agency must notify the FRA. FTA believes this is necessary to address the role of the State Safety Oversight Program in the FRA's waiver process at 49 CFR parts 209 and 211.

The rule requires that the oversight agency identify in its program standard

the information to be provided by the rail transit agency with the method of notification.

Investigations (§ 659.35)

At a minimum the oversight agency must investigate, or cause to be investigated, any incident involving a rail transit vehicle or taking place on rail transit-controlled property meeting the notification thresholds identified in the notification § 659.33(a).

These thresholds correspond closely to the thresholds required by the NTSB for rail transit agency notification of events that may be subsequently investigated by the NTSB, as well as the thresholds identified in the NTD for major incidents.

In meeting this requirement, the oversight agency must ensure that the investigation is conducted according to procedures reviewed and approved by the oversight agency and submitted to FTA. In the event the oversight agency designates the rail transit agency to conduct the investigation on its behalf, it must do so formally and require the rail transit agency to use investigation procedures that have been formally approved by the oversight agency and submitted to FTA to fulfill the oversight agency's initial or annual submission requirements.

The rule specifies that each investigation must be documented in a final report that includes a description of investigation activities, causal factors and contributing factors, and a corrective action plan. The rule provides the oversight agency with the flexibility to determine, in its program standard, when the final investigation report must be submitted to the oversight agency, the format of the final report, and whether status updates or preliminary findings should also be submitted according to a timeframe specified by the oversight agency.

The oversight agency is ultimately responsible for the investigation and the final report. The oversight agency may adopt the final report, findings, and corrective actions submitted by the rail transit agency or conduct its own investigation to determine findings. If a dispute relating to investigation findings should arise between the oversight agency and the rail transit agency, the oversight agency is responsible for resolving the dispute to ensure that corrective actions are developed to address report findings and requiring periodic status reports that document investigation activities and findings.

Corrective Action Plans (§ 659.37)

The rule consolidates all requirements for corrective action plans into a single section. The rule specifies that the oversight agency, at a minimum, require the rail transit agency to develop a corrective action plan for the following occurrences: (1) results from investigations in which identified causal and contributing factors are determined by the rail transit agency or oversight agency as requiring corrective actions; and (2) findings from safety and security reviews performed by the oversight agency. Requirements for corrective action plan development for identified hazards are to be specified by the rail transit agency in the hazard management process.

The rule specifies that each corrective action plan must identify the action to be taken by the rail transit agency, the schedule for its implementation, and the department responsible for its implementation. The corrective action plan must be reviewed and formally approved by the oversight agency. The oversight agency is required to monitor the implementation of each approved corrective action plan.

The rule specifies that the oversight agency must require the rail transit agency to provide (1) verification that the corrective action(s) has been implemented as detailed in the corrective action plan or a proposed alternate action(s) subject to oversight agency review and approval and (2) periodic reports as requested by the oversight agency describing the status of each corrective action(s) not completely implemented as described in the corrective action plan.

Oversight Agency Report to the Federal Transit Administration (§ 659.39)

The rule requires that all submissions to FTA be made electronically. At the current time, FTA anticipates that this reporting would occur in an Internet-based format, as a secure page on FTA's existing safety and security Web site. Until the system is in place, FTA requires that annual submissions be made through electronic mail or on CD-ROM through regular mail. Oversight agencies will be notified when the Internet-based system is operational.

For initial submissions, the rule specifies that each designated oversight agency must submit to FTA: (1) oversight agency program standard and referenced procedures; and (2) certification that the system safety program plan and the system security plan have been developed, reviewed, and approved. In states with rail fixed guideway systems in passenger operations, as of the publication date of this rule, the designated oversight agency must make its initial submissions to FTA no later than one year after the publication of the final rule. In states with rail fixed guideway systems entering passenger operations *after* the publication date of this rule, the designated oversight agency must make its initial submission within the time frame proposed by the state in its designation submission and approved by FTA.

This rule requires that oversight agencies make annual submissions prior to March 15 of each year using a reporting system specified by FTA. The annual submission would require the following: (1) Publicly available annual report summarizing its oversight activities for the preceding twelve months; (2) report documenting and tracking findings from three-year safety and security review activities, and whether a three-year safety or security review has been completed since the last annual report was submitted; and (3) program standard and supporting procedures that have changed during the preceding year.

Finally, FTA has the authority to request periodic submissions from oversight agencies, which may include status reports for accident investigations, hazards, and corrective action plans.

Conflict of Interest (§ 659.41)

This rule requires the oversight agency to prohibit a person or entity from providing services to both the state safety oversight agency and rail transit agency when a conflict of interest exists.

Certification of Compliance (§ 659.43)

This rule requires that each oversight agency annually certify electronically to FTA that it has complied with the requirements of the State Safety Oversight Program. The oversight agency must maintain a signed copy of each annual certification, subject to audit by FTA.

VII. Distribution and Derivation Tables

DISTRIBUTION TABLE

Old section	New section(s)
659.1	659.1
659.3	659.3
659.5	659.5
659.7	659.7
659.21	659.9
659.23	659.11
659.31	659.13 and 659.15
659.33	659.17, 659.19, and 659.21
659.23	N.A.
N.A.	659.25
659.35	659.27
659.37	659.29
659.39	659.31 and 659.33
659.41	659.35

DISTRIBUTION TABLE—Continued

Old section	New section(s)
659.43	659.37
659.45	659.39
N.A.	659.41
659.47	None
659.49	659.43

DERIVATION TABLE

New section	Old section(s)
659.1	659.1
659.3	659.3
659.5	659.5
659.7	659.7
659.9	659.21
659.11	659.23
659.13	659.31
659.15	659.31
659.17	659.33
659.19	New
659.21	659.33
659.23	New
659.25	New
659.27	659.37
659.29	659.39
659.31	New
659.33	659.39
659.35	659.41
659.37	659.43
659.39	659.45
659.41	New
659.43	659.49

VIII. Regulatory Process Matters

Executive Order 12866

The Office of Management and Budget (OMB) has determined that OMB review under EO 12866 is not necessary. While the economic impact of this rulemaking is not anticipated to be significant because the changes are incremental in nature, FTA recognizes that this rule affects state governments, may be of congressional interest and makes changes to important DOT policy. These changes include replacing a referenced industry manual as the guideline for program compliance with proposed minimum requirements, revised thresholds for accident notification and investigation, clarification of critical processes such as the management of hazardous conditions, and additional definitions. For these reasons, this rule is a significant regulation under the Department's Regulatory Policies and Procedures.

In 1995, FTA evaluated the industry-wide costs and benefits of part 659 before this revision. The economic analysis is available from FTA. In its analysis, FTA estimated the total costs for the first ten years to be approximately $9.1 million. However, when factoring in projections for program growth and new starts, the estimated annual burden between years five (5) and ten (10) increased approximately 15 percent. FTA estimates the annual cost of this rule (*i.e.*, the annual cost of the entire rule as amended, as distinct from incremental costs of the proposed changes) to be approximately $2.1 million—this represents a nearly $800,000 increase over the previous rule. The $800,000 difference between the previous cost of implementing the rule and the annual cost of implementing this revised rule over the next 10 years is mostly caused by continued program growth (*i.e.*, addition of seven (7) rail transit agencies and new states by the year 2013). When estimating costs for this rule, FTA increased the assumed hourly rate for personnel responsible for implementing rule requirements from $25 per hour to $35 per hour. This increase reflects FTA experience with the implementation of the previous rule's requirements and outreach with state and rail transit agency representatives. FTA believes that while the estimate for the annual cost burden has increased, the proposed changes will not cause the regulated parties to drastically change their behavior or substantially increase the number of resources needed to meet rule requirements.

Regulatory Flexibility Act

In accordance with the *Regulatory Flexibility Act* (Pub. L. 96–354, 5 U.S.C. 601–612), FTA has evaluated the effects of these rule changes on small entities and has determined that there will not be a significant impact on a substantial number of these entities; only larger rail transit agencies and oversight agencies (such as state departments of transportation and public utility commissions) will be affected. The original analysis for the 1995 final rule determined that there would be no significant impact on small entities. This rule merely makes modest administrative changes to the original rule. For these reasons, FTA certifies that this action will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

This rule will not impose unfunded mandates as defined by the *Unfunded Mandates Reform Act of 1995* (Pub. L. 104–4, March 22, 1995, 109 Stat. 48). This rule will not result in state, local, and tribal governments or the private sector incurring aggregate expenditures of $100 million or more in any one year, adjusted for inflation (2 U.S.C. 1532). As noted above, the estimated $2.1 million annual cost of implementing the rule is well below this threshold.

Executive Order 13132 (Federalism Assessment)

Prior to the publication of the original State Safety Oversight rule, FTA conducted a Federalism Assessment according to the requirements of Executive Order 12612, which has since been revoked and replaced by the above-referenced order. Refer to 60 FR 67041 (December 27, 1995). Because the state safety oversight requirements are already in place, and this rule only provides more detailed requirements for greater clarification and performance-based evaluation to the existing rule, FTA has determined that Federalism impacts are minimal.

FTA has also determined that this action does not preempt any state law or state regulation or affect the states' ability to discharge traditional state governmental functions. As noted in the original analysis, there may be instances in which a state or local agency faces a conflict between compliance with this rule and state and local requirements. Because compliance with this rule is a condition of Federal financial assistance, state and local governments have the option of not seeking the Federal funds if they choose not to comply.

Paperwork Reduction Act

Under the *Paperwork Reduction Act of 1995* (PRA) (44 U.S.C. 3501, *et. seq.*), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct, sponsor, or require through regulations. This rule includes information collection requirements subject to PRA. OMB approved FTA's collection requirements in the original rule, and reviewed and approved an updated submission in November 2002 (OMB #2132–0558). Since this rule will result in additional or altered paperwork collection burdens, FTA will submit this requirement to the Office of Information and Regulatory Affairs of the OMB for review.

The estimated burden for information collection requirements is an annualized 26,502 hours and $927,600 for oversight agencies and 33,244 hours and $1,163,540 for rail transit agencies. These numbers relate to the burdens of the entire rule as amended, distinct from incremental burdens of the changes.

National Environmental Policy Act

FTA has analyzed this action for the purpose of compliance with the

National Environmental Policy Act (42 U.S.C. 4321 *et seq.*) and has determined that this rulemaking will not have any effect on the quality of the human environment.

List of Subjects in 49 CFR Part 659

Grant Programs—Transportation, Mass Transportation, Reporting and recordkeeping requirements, Safety, Security, Transportation.

■ For the reasons described in the preamble, FTA revises part 659 to read as follows:

PART 659—RAIL FIXED GUIDEWAY SYSTEMS; STATE SAFETY OVERSIGHT

Subpart A—General Provisions

Sec.
659.1 Purpose.
659.3 Scope.
659.5 Definitions.

Subpart B—Role of the State

659.7 Withholding of funds for noncompliance.
659.9 Designation of oversight agency.
659.11 Confidentiality of investigation reports and security plans.

Subpart C—Role of the State Oversight Agency

659.13 Overview.
659.15 System safety program standard.
659.17 System safety program plan: general requirements.
659.19 System safety program plan: contents
659.21 System security plan: general requirements.
659.23 System security plan: contents.
659.25 Annual review of system safety program plan and system security plan.
659.27 Internal safety and security reviews.
659.29 Oversight agency safety and security reviews.
659.31 Hazard management process.
659.33 Accident notification.
659.35 Investigations.
659.37 Corrective action plans.
659.39 Oversight agency reporting to the Federal Transit Administration.
659.41 Conflict of interest.
659.43 Certification of compliance.

Authority: 49 U.S.C. 5330.

Subpart A—General Provisions

§ 659.1 Purpose.

This part implements 49 U.S.C. 5330 by requiring a state to oversee the safety and security of rail fixed guideway systems through a designated oversight agency.

§ 659.3 Scope.

This part applies only to states with rail fixed guideway systems, as defined in this part.

§ 659.5 Definitions.

Contractor means an entity that performs tasks required on behalf of the oversight or rail transit agency. The rail transit agency may not be a contractor for the oversight agency.

Corrective action plan means a plan developed by the rail transit agency that describes the actions the rail transit agency will take to minimize, control, correct, or eliminate hazards, and the schedule for implementing those actions.

FRA means the Federal Railroad Administration, an agency within the U.S. Department of Transportation.

FTA means the Federal Transit Administration, an agency within the U.S. Department of Transportation.

Hazard means any real or potential condition (as defined in the rail transit agency's hazard management process) that can cause injury, illness, or death; damage to or loss of a system, equipment or property; or damage to the environment.

Individual means a passenger; employee; contractor; other rail transit facility worker; pedestrian; trespasser; or any person on rail transit-controlled property.

Investigation means the process used to determine the causal and contributing factors of an accident or hazard, so that actions can be identified to prevent recurrence.

New Starts Project means any rail fixed guideway system funded under FTA's 49 U.S.C. 5309 discretionary construction program.

Oversight Agency means the entity, other than the rail transit agency, designated by the state or several states to implement this part.

Passenger means a person who is on board, boarding, or alighting from a rail transit vehicle for the purpose of travel.

Passenger Operations means the period of time when any aspect of rail transit agency operations are initiated with the intent to carry passengers.

Program Standard means a written document developed and adopted by the oversight agency, that describes the policies, objectives, responsibilities, and procedures used to provide rail transit agency safety and security oversight.

Rail Fixed Guideway System means any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway that:

(1) Is not regulated by the Federal Railroad Administration; and

(2) Is included in FTA's calculation of fixed guideway route miles or receives funding under FTA's formula program for urbanized areas (49 U.S.C. 5336); or

(3) Has submitted documentation to FTA indicating its intent to be included in FTA's calculation of fixed guideway route miles to receive funding under FTA's formula program for urbanized areas (49 U.S.C. 5336).

Rail Transit Agency means an entity that operates a rail fixed guideway system.

Rail Transit-Controlled Property means property that is used by the rail transit agency and may be owned, leased, or maintained by the rail transit agency.

Rail Transit Vehicle means the rail transit agency's rolling stock, including but not limited to passenger and maintenance vehicles.

Safety means freedom from harm resulting from unintentional acts or circumstances.

Security means freedom from harm resulting from intentional acts or circumstances.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

System Safety Program Plan means a document developed and adopted by the rail transit agency, describing its safety policies, objectives, responsibilities, and procedures.

System Security Plan means a document developed and adopted by the rail transit agency describing its security policies, objectives, responsibilities, and procedures.

Subpart B—Role of the State

§ 659.7 Withholding of funds for noncompliance.

(a) The Administrator of the FTA may withhold up to five percent of the amount required to be distributed to any state or affected urbanized area in such state under FTA's formula program for urbanized areas, if:

(1) The state in the previous fiscal year has not met the requirements of this part; and

(2) The Administrator determines that the state is not making adequate efforts to comply with this part.

(b) The Administrator may agree to restore withheld formula funds, if compliance is achieved within two years (See 49 U.S.C. 5330).

§ 659.9 Designation of oversight agency.

(a) *General requirement*. Each state with an existing or anticipated rail fixed guideway system regulated by this part shall designate an oversight agency consistent with the provisions of this section. For a rail fixed guideway system that will operate in only one state, the state must designate an agency of the state, other than the rail transit

agency, as the oversight agency to implement the requirements in this part. The state's designation or re-designation of its oversight agency and submission of required information as specified in this section, are subject to review by FTA.

(b) *Exception*. States which have designated oversight agencies for purposes of this part before May 31, 2005 are not required to re-designate to FTA.

(c) *Timing*. The state designation of the oversight agency shall:

(1) Coincide with the execution of any grant agreement for a New Starts project between FTA and a rail transit agency within the state's jurisdiction; or

(2) Occur before the application by a rail transit agency for funding under FTA's formula program for urbanized areas (49 U.S.C. 5336).

(d) *Notification to FTA*. Within (60) days of designation of the oversight agency, the state must submit to FTA the following:

(1) The name of the oversight agency designated to implement requirements in this part;

(2) Documentation of the oversight agency's authority to provide state oversight;

(3) Contact information for the representative identified by the designated oversight agency with responsibility for oversight activities;

(4) A description of the organizational and financial relationship between the designated oversight agency and the rail transit agency; and

(5) A schedule for the designated agency's development of its State Safety Oversight Program, including the projected date of its initial submission, as required in § 659.39(a).

(e) *Multiple states*. In cases of a rail fixed guideway system that will operate in more than one state, each affected state must designate an agency of the state, other than the rail transit agency, as the oversight agency to implement the requirements in this part. To fulfill this requirement, the affected states:

(1) May agree to designate one agency of one state, or an agency representative of all states, to implement the requirements in this part; and

(2) In the event multiple states share oversight responsibility for a rail fixed guideway system, the states must ensure that the rail fixed guideway system is subject to a single program standard, adopted by all affected states.

(f) *Change of designation*. Should a state change its designated oversight agency, it shall submit the information required under paragraph (d) of this section to FTA within (30) days of its change. In addition, the new oversight agency must submit a new initial submission, consistent with § 659.39(b), within (30) days of its designation.

§ 659.11 Confidentiality of investigation reports and security plans.

(a) A state may withhold an investigation report that may have been prepared or adopted by the oversight agency from being admitted as evidence or used in a civil action for damages resulting from a matter mentioned in the report.

(b) This part does not require public availability of the rail transit agency's security plan and any referenced procedures.

Subpart C—Role of the State Oversight Agency

§ 659.13 Overview.

The state oversight agency is responsible for establishing standards for rail safety and security practices and procedures to be used by rail transit agencies within its purview. In addition, the state oversight agency must oversee the execution of these practices and procedures, to ensure compliance with the provisions of this part. This subpart identifies and describes the various requirements for the state oversight agency.

§ 659.15 System safety program standard.

(a) *General requirement*. Each state oversight agency shall develop and distribute a program standard. The program standard is a compilation of processes and procedures that governs the conduct of the oversight program at the state oversight agency level, and provides guidance to the regulated rail transit properties concerning processes and procedures they must have in place to be in compliance with the state safety oversight program. The program standard and any referenced program procedures must be submitted to FTA as part of the initial submission. Subsequent revisions and updates must be submitted to FTA as part of the oversight agency's annual submission.

(b) *Contents*. Each oversight agency shall develop a written program standard that meets the requirements specified in this part and includes, at a minimum, the areas identified in this section.

(1) *Program management section*. This section shall include an explanation of the oversight agency's authority, policies, and roles and responsibilities for providing safety and security oversight of the rail transit agencies within its jurisdiction. This section shall provide an overview of planned activities to ensure on-going communication with each affected rail transit agency relating to safety and security information, as well as FTA reporting requirements, including initial, annual and periodic submissions.

(2) *Program standard development section*. This section shall include a description of the oversight agency's process for the development, review, and adoption of the program standard, the modification and/or update of the program standard, and the process by which the program standard and any subsequent revisions are distributed to each affected rail transit agency.

(3) *Oversight of rail transit agency internal safety and security reviews*. This section shall specify the role of the oversight agency in overseeing the rail transit agency internal safety and security review process. This includes a description of the process used by the oversight agency to receive rail transit agency checklists and procedures and approve the rail transit agency's annual reports on findings, which must be submitted under the signature of the rail transit agency's top management.

(4) *Oversight agency safety and security review section*. This section shall lay out the process and criteria to be used at least every three years in conducting a complete review of each affected rail transit agency's implementation of its system safety program plan and system security plan. This section includes the process to be used by the affected rail transit agency and the oversight agency to manage findings and recommendations from this review. This also includes procedures for notifying the oversight agency before the rail transit agency conducts an internal review.

(5) *Accident notification section*. This section shall include the specific requirements for the rail transit agency to notify the oversight agency of accidents. This section shall also include required timeframes, methods of notification, and the information to be submitted by the rail transit agency. Additional detail on this portion is included in § 659.33 of this part.

(6) *Investigations section*. This section contains the oversight agency identification of the thresholds for incidents that require an oversight agency investigation. The roles and responsibilities for conducting investigations shall include: coordination with the rail transit agency investigation process, the role of the oversight agency in supporting investigations and findings conducted by the NTSB, review and concurrence of investigation report findings, and procedures for protecting the confidentiality of investigation reports.

(7) *Corrective actions section*. This section shall specify oversight agency criteria for the development of corrective action plan(s) and the process for the review and approval of a corrective action plan developed by the rail transit agency. This section shall also identify the oversight agency's policies for the verification and tracking of corrective action plan implementation, and its process for managing conflicts with the rail transit agency relating to investigation findings and corrective action plan development.

(8) *System safety program plan section*. This section shall specify the minimum requirements to be contained in the rail transit agency's system safety program plan. The contents of the system safety plan are discussed in more detail in § 659.19 of this part. This section shall also specify information to be included in the affected rail transit agency's system safety program plan relating to the hazard management process, including requirements for on-going communication and coordination relating to the identification, categorization, resolution, and reporting of hazards to the oversight agency. More details on the hazard management process are contained in § 659.31 of this part. This section shall also describe the process and timeframe through which the oversight agency must receive, review, and approve the rail transit agency system safety program plan.

(9) *System security plan section*. This section shall specify the minimum requirements to be included in the rail transit agency's system security plan. More details about the system security plan are contained in §§ 659.21 through 659.23 of this part. This section shall also describe the process by which the oversight agency will review and approve the rail transit agency system security program plan. This section also shall identify how the state will prevent the system security plan from public disclosure.

§ 659.17 System safety program plan: general requirements.

(a) The oversight agency shall require the rail transit agency to develop and implement a written system safety program plan that complies with requirements in this part and the oversight agency's program standard.

(b) The oversight agency shall review and approve the rail transit agency system safety program plan.

(c) After approval, the oversight agency shall issue a formal letter of approval to the rail transit agency, including the checklist used to conduct the review.

§ 659.19 System safety program plan: contents.

The system safety plan shall include, at a minimum:

(a) A policy statement signed by the agency's chief executive that endorses the safety program and describes the authority that establishes the system safety program plan.

(b) A clear definition of the goals and objectives for the safety program and stated management responsibilities to ensure they are achieved.

(c) An overview of the management structure of the rail transit agency, including:

(1) An organization chart;

(2) A description of how the safety function is integrated into the rest of the rail transit organization; and

(3) Clear identification of the lines of authority used by the rail transit agency to manage safety issues.

(d) The process used to control changes to the system safety program plan, including:

(1) Specifying an annual assessment of whether the system safety program plan should be updated; and

(2) Required coordination with the oversight agency, including timeframes for submission, revision, and approval.

(e) A description of the specific activities required to implement the system safety program, including:

(1) Tasks to be performed by the rail transit safety function, by position and management accountability, specified in matrices and/or narrative format; and

(2) Safety-related tasks to be performed by other rail transit departments, by position and management accountability, specified in matrices and/or narrative format.

(f) A description of the process used by the rail transit agency to implement its hazard management program, including activities for:

(1) Hazard identification;

(2) Hazard investigation, evaluation and analysis;

(3) Hazard control and elimination;

(4) Hazard tracking; and

(5) Requirements for on-going reporting to the oversight agency relating to hazard management activities and status.

(g) A description of the process used by the rail transit agency to ensure that safety concerns are addressed in modifications to existing systems, vehicles, and equipment, which do not require formal safety certification but which may have safety impacts.

(h) A description of the safety certification process required by the rail transit agency to ensure that safety concerns and hazards are adequately addressed prior to the initiation of passenger operations for New Starts and subsequent major projects to extend, rehabilitate, or modify an existing system, or to replace vehicles and equipment.

(i) A description of the process used to collect, maintain, analyze, and distribute safety data, to ensure that the safety function within the rail transit organization receives the necessary information to support implementation of the system safety program.

(j) A description of the process used by the rail transit agency to perform accident notification, investigation and reporting, including:

(1) Notification thresholds for internal and external organizations;

(2) Accident investigation process and references to procedures;

(3) The process used to develop, implement, and track corrective actions that address investigation findings;

(4) Reporting to internal and external organizations; and

(5) Coordination with the oversight agency.

(k) A description of the process used by the rail transit agency to develop an approved, coordinated schedule for all emergency management program activities, which include:

(1) Meetings with external agencies;

(2) Emergency planning responsibilities and requirements;

(3) Process used to evaluate emergency preparedness, such as annual emergency field exercises;

(4) After action reports and implementation of findings;

(5) Revision and distribution of emergency response procedures;

(6) Familiarization training for public safety organizations; and

(7) Employee training.

(l) A description of the process used by the rail transit agency to ensure that planned and scheduled internal safety reviews are performed to evaluate compliance with the system safety program plan, including:

(1) Identification of departments and functions subject to review;

(2) Responsibility for scheduling reviews;

(3) Process for conducting reviews, including the development of checklists and procedures and the issuing of findings;

(4) Review of reporting requirements;

(5) Tracking the status of implemented recommendations; and

(6) Coordination with the oversight agency.

(m) A description of the process used by the rail transit agency to develop, maintain, and ensure compliance with rules and procedures having a safety impact, including:

(1) Identification of operating and maintenance rules and procedures subject to review;

(2) Techniques used to assess the implementation of operating and maintenance rules and procedures by employees, such as performance testing;

(3) Techniques used to assess the effectiveness of supervision relating to the implementation of operating and maintenance rules; and

(4) Process for documenting results and incorporating them into the hazard management program.

(n) A description of the process used for facilities and equipment safety inspections, including:

(1) Identification of the facilities and equipment subject to regular safety-related inspection and testing;

(2) Techniques used to conduct inspections and testing;

(3) Inspection schedules and procedures; and

(4) Description of how results are entered into the hazard management process.

(o) A description of the maintenance audits and inspections program, including identification of the affected facilities and equipment, maintenance cycles, documentation required, and the process for integrating identified problems into the hazard management process.

(p) A description of the training and certification program for employees and contractors, including:

(1) Categories of safety-related work requiring training and certification;

(2) A description of the training and certification program for employees and contractors in safety-related positions;

(3) Process used to maintain and access employee and contractor training records; and

(4) Process used to assess compliance with training and certification requirements.

(q) A description of the configuration management control process, including:

(1) The authority to make configuration changes;

(2) Process for making changes; and

(3) Assurances necessary for formally notifying all involved departments.

(r) A description of the safety program for employees and contractors that incorporates the applicable local, state, and federal requirements, including:

(1) Safety requirements that employees and contractors must follow when working on, or in close proximity to, rail transit agency property; and

(2) Processes for ensuring the employees and contractors know and follow the requirements.

(s) A description of the hazardous materials program, including the process used to ensure knowledge of and compliance with program requirements.

(t) A description of the drug and alcohol program and the process used to ensure knowledge of and compliance with program requirements.

(u) A description of the measures, controls, and assurances in place to ensure that safety principles, requirements and representatives are included in the rail transit agency's procurement process.

§ 659.21 System security plan: general requirements.

(a) The oversight agency shall require the rail transit agency to implement a system security plan that, at a minimum, complies with requirements in this part and the oversight agency's program standard. The system security plan must be developed and maintained as a separate document and may not be part of the rail transit agency's system safety program plan.

(b) The oversight agency may prohibit a rail transit agency from publicly disclosing the system security plan.

(c) After approving the system security plan, the oversight agency shall issue a formal letter of approval, including the checklist used to conduct the review, to the rail transit agency.

§ 659.23 System security plan: contents.

The system security plan must, at a minimum address the following:

(a) Identify the policies, goals, and objectives for the security program endorsed by the agency's chief executive.

(b) Document the rail transit agency's process for managing threats and vulnerabilities during operations, and for major projects, extensions, new vehicles and equipment, including integration with the safety certification process;

(c) Identify controls in place that address the personal security of passengers and employees;

(d) Document the rail transit agency's process for conducting internal security reviews to evaluate compliance and measure the effectiveness of the system security plan; and

(e) Document the rail transit agency's process for making its system security plan and accompanying procedures available to the oversight agency for review and approval.

§ 659.25 Annual review of system safety program plan and system security plan.

(a) The oversight agency shall require the rail transit agency to conduct an annual review of its system safety program plan and system security plan.

(b) In the event the rail transit agency's system safety program plan is modified, the rail transit agency must submit the modified plan and any subsequently modified procedures to the oversight agency for review and approval. After the plan is approved, the oversight agency must issue a formal letter of approval to the rail transit agency.

(c) In the event the rail transit agency's system security plan is modified, the rail transit agency must make the modified system security plan and accompanying procedures available to the oversight agency for review, consistent with requirements specified in § 659.23(e) of this part. After the plan is approved, the oversight agency shall issue a formal letter of approval to the rail transit agency.

§ 659.27 Internal safety and security reviews.

(a) The oversight agency shall require the rail transit agency to develop and document a process for the performance of on-going internal safety and security reviews in its system safety program plan.

(b) The internal safety and security review process must, at a minimum:

(1) Describe the process used by the rail transit agency to determine if all identified elements of its system safety program plan and system security plan are performing as intended; and

(2) Ensure that all elements of the system safety program plan and system security plan are reviewed in an on-going manner and completed over a three-year cycle.

(c) The rail transit agency must notify the oversight agency at least thirty (30) days before the conduct of scheduled internal safety and security reviews.

(d) The rail transit agency shall submit to the oversight agency any checklists or procedures it will use during the safety portion of its review.

(e) The rail transit agency shall make available to the oversight agency any checklists or procedures subject to the security portion of its review, consistent with § 659.23(e).

(f) The oversight agency shall require the rail transit agency to annually submit a report documenting internal safety and security review activities and the status of subsequent findings and corrective actions. The security part of this report must be made available for oversight agency review, consistent with § 659.23(e).

(g) The annual report must be accompanied by a formal letter of certification signed by the rail transit agency's chief executive, indicating that the rail transit agency is in compliance

with its system safety program plan and system security plan.

(h) If the rail transit agency determines that findings from its internal safety and security reviews indicate that the rail transit agency is not in compliance with its system safety program plan or system security plan, the chief executive must identify the activities the rail transit agency will take to achieve compliance.

(i) The oversight agency must formally review and approve the annual report.

§ 659.29 Oversight agency safety and security reviews.

At least every three (3) years, beginning with the initiation of rail transit agency passenger operations, the oversight agency must conduct an on-site review of the rail transit agency's implementation of its system safety program plan and system security plan. Alternatively, the on-site review may be conducted in an on-going manner over the three year timeframe. At the conclusion of the review cycle, the oversight agency must prepare and issue a report containing findings and recommendations resulting from that review, which, at a minimum, must include an analysis of the effectiveness of the system safety program plan and the security plan and a determination of whether either should be updated.

§ 659.31 Hazard management process.

(a) The oversight agency must require the rail transit agency to develop and document in its system safety program plan a process to identify and resolve hazards during its operation, including any hazards resulting from subsequent system extensions or modifications, operational changes, or other changes within the rail transit environment.

(b) The hazard management process must, at a minimum:

(1) Define the rail transit agency's approach to hazard management and the implementation of an integrated system-wide hazard resolution process;

(2) Specify the sources of, and the mechanisms to support, the on-going identification of hazards;

(3) Define the process by which identified hazards will be evaluated and prioritized for elimination or control;

(4) Identify the mechanism used to track through resolution the identified hazard(s);

(5) Define minimum thresholds for the notification and reporting of hazard(s) to oversight agencies; and

(6) Specify the process by which the rail transit agency will provide on-going reporting of hazard resolution activities to the oversight agency.

§ 659.33 Accident notification.

(a) The oversight agency must require the rail transit agency to notify the oversight agency within two (2) hours of any incident involving a rail transit vehicle or taking place on rail transit-controlled property where one or more of the following occurs:

(1) A fatality at the scene; or where an individual is confirmed dead within thirty (30) days of a rail transit-related incident;

(2) Injuries requiring immediate medical attention away from the scene for two or more individuals;

(3) Property damage to rail transit vehicles, non-rail transit vehicles, other rail transit property or facilities and non-transit property that equals or exceeds $25,000;

(4) An evacuation due to life safety reasons;

(5) A collision at a grade crossing;

(6) A main-line derailment;

(7) A collision with an individual on a rail right of way; or

(8) A collision between a rail transit vehicle and a second rail transit vehicle, or a rail transit non-revenue vehicle.

(b) The oversight agency shall require rail transit agencies that share track with the general railroad system and are subject to the Federal Railroad Administration notification requirements, to notify the oversight agency within two (2) hours of an incident for which the rail transit agency must also notify the Federal Railroad Administration.

(c) The oversight agency shall identify in its program standard the method of notification and the information to be provided by the rail transit agency

§ 659.35 Investigations.

(a) The oversight agency must investigate, or cause to be investigated, at a minimum, any incident involving a rail transit vehicle or taking place on rail transit-controlled property meeting the notification thresholds identified in § 659.33(a).

(b) The oversight agency must use its own investigation procedures or those that have been formally adopted from the rail transit agency and that have been submitted to FTA.

(c) In the event the oversight agency authorizes the rail transit agency to conduct investigations on its behalf, it must do so formally and require the rail transit agency to use investigation procedures that have been formally approved by the oversight agency.

(d) Each investigation must be documented in a final report that includes a description of investigation activities, identified causal and contributing factors, and a corrective action plan.

(e) A final investigation report must be formally adopted by the oversight agency for each accident investigation.

(1) If the oversight agency has conducted the investigation, it must formally transmit its final investigation report to the rail transit agency.

(2) If the oversight agency has authorized an entity other than itself (including the rail transit agency) to conduct the accident investigation on its behalf, the oversight agency must review and formally adopt the final investigation report.

(3) If the oversight agency does not concur with the findings of the rail transit agency investigation report, it must either:

(i) Conduct its own investigation according to paragraphs (b), (d) and (e)(1) of this section; or

(ii) Formally transmit its dissent to the findings of the accident investigation, report its dissent to the rail transit agency, and negotiate with the rail transit agency until a resolution on the findings is reached.

(f) The oversight agency shall have the authority to require periodic status reports that document investigation activities and findings in a time frame determined by the oversight agency.

§ 659.37 Corrective action plans.

(a) The oversight agency must, at a minimum, require the development of a corrective action plan for the following:

(1) Results from investigations, in which identified causal and contributing factors are determined by the rail transit agency or oversight agency as requiring corrective actions; and

(2) Findings from safety and security reviews performed by the oversight agency.

(b) Each corrective action plan should identify the action to be taken by the rail transit agency, an implementation schedule, and the individual or department responsible for the implementation.

(c) The corrective action plan must be reviewed and formally approved by the oversight agency.

(d) The oversight agency must establish a process to resolve disputes between itself and the rail transit agency resulting from the development or enforcement of a corrective action plan.

(e) The oversight agency must identify the process by which findings from an NTSB accident investigation will be evaluated to determine whether or not a corrective action plan should be developed by either the oversight agency or rail transit agency to address NTSB findings.

(f) The rail transit agency must provide the oversight agency:

(1) Verification that the corrective action(s) has been implemented as described in the corrective action plan, or that a proposed alternate action(s) has been implemented subject to oversight agency review and approval; and

(2) Periodic reports requested by the oversight agency, describing the status of each corrective action(s) not completely implemented, as described in the corrective action plan.

(g) The oversight agency must monitor and track the implementation of each approved corrective action plan.

§ 659.39 Oversight agency reporting to the Federal Transit Administration.

(a) *Initial submission.* Each designated oversight agency with a rail fixed guideway system that is in passenger operations as of April 29, 2005 or will begin passenger operations by May 1, 2006, must make its initial submission to FTA by May 1, 2006. In states with rail fixed guideway systems initiating passenger operations after May 1, 2006, the designated oversight agency must make its initial submission within the time frame specified by the state in its designation submission, but not later than at least sixty (60) days prior to initiation of passenger operations. Any time a state changes its designated oversight agency to carry out the requirements identified in this part, the new oversight agency must make a new initial submission to FTA within thirty (30) days of the designation.

(b) An initial submission must include the following:

(1) Oversight agency program standard and referenced procedures; and

(2) Certification that the system safety program plan and the system security plan have been developed, reviewed, and approved.

(c) *Annual submission.* Before March 15 of each year, the oversight agency must submit the following to FTA:

(1) A publicly available annual report summarizing its oversight activities for the preceding twelve months, including a description of the causal factors of investigated accidents, status of corrective actions, updates and modifications to rail transit agency program documentation, and the level of effort used by the oversight agency to carry out its oversight activities.

(2) A report documenting and tracking findings from three-year safety review activities, and whether a three-year safety review has been completed since the last annual report was submitted.

(3) Program standard and supporting procedures that have changed during the preceding year.

(4) Certification that any changes or modifications to the rail transit agency system safety program plan or system security plan have been reviewed and approved by the oversight agency.

(d) *Periodic submission.* FTA retains the authority to periodically request program information.

(e) *Electronic reporting.* All submissions to FTA required in this part must be submitted electronically using a reporting system specified by FTA.

§ 659.41 Conflict of interest.

The oversight agency shall prohibit a party or entity from providing services to both the oversight agency and rail transit agency when there is a conflict of interest, as defined by the state.

§ 659.43 Certification of compliance.

(a) Annually, the oversight agency must certify to the FTA that it has complied with the requirements of this part.

(b) The oversight agency must submit each certification electronically to FTA using a reporting system specified by FTA.

(c) The oversight agency must maintain a signed copy of each annual certification to FTA, subject to audit by FTA.

Issued on: April 4, 2005.

Jennifer L. Dorn,

Administrator.

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