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**WHO:** The Office of the Federal Register.

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**WHY:** To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 23

**[Docket No. 115CE, Special Condition 23–ACE–74]**

### Special Conditions; Cessna Model 526 Airplane

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are being issued for the Cessna Aircraft Company Model 526 airplanes. These airplanes will have novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards. These design features include engine location, performance characteristics, and acrobatic maneuver capabilities, for which the applicable regulations do not contain adequate or appropriate airworthiness standards. These special conditions contain the additional airworthiness standards that the Administrator considers necessary to establish a level of safety equivalent to that provided by the current airworthiness standards.

**EFFECTIVE DATE:** March 21, 1994.

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

**SUPPLEMENTARY INFORMATION:**

#### Background

On January 18, 1993, the Cessna Aircraft Co., P.O. Box 7704, Wichita, KS 67277 made application for acrobatic category type certification of the Model 526 airplane. This airplane is a two place (tandem seating), all metal, low wing, twin turbofan engine-powered monoplane with fully enclosed retractable landing gear. The Model 526 has engines mounted on the fuselage sides aft and above the wing rear spar. The Model 526 is capable of acrobatic flight, including inverted maneuvers, and Mach .700 performance.

#### Type Certification Basis

Type certification basis of the Cessna Model 526 airplane is as follows: Federal Aviation Regulations (14 CFR part 23), effective February 1, 1965, through amendment 23–42, effective February 4, 1991; 14 CFR part 36, effective December 1, 1969, through amendment effective on the date of type certification; exemptions, if any; and the special conditions adopted by this rulemaking action.

#### Discussion

Cessna plans to incorporate certain novel and unusual design features into the airplane for which the airworthiness regulations do not contain adequate or appropriate safety standards. These features include electronic systems, acrobatic flight capability, engine location, and certain performance characteristics necessary for this type of airplane that were not envisaged by the existing regulations.

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

*Protection of Systems From High Intensity Radiated Fields (HIRF)*

Recent advances in technology have given rise to the application in aircraft designs of advanced electrical and electronic systems that perform functions required for continued safe flight and landing. Due to the use of sensitive solid state components in analog and digital electronics circuits, these advanced systems are readily responsive to the transient effects of induced electrical current and voltage caused by the HIRF incident on the external surface of aircraft. These induced transient currents and voltages can degrade electronic systems performance by damaging components or upsetting system functions.

Furthermore, the electromagnetic environment has undergone a transformation that was not envisioned when the current requirements were developed. Higher energy levels are radiated from transmitters that are used for radar, radio, and television. Also, the population of transmitters has increased significantly.

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

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

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

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

| Field strength (volts/meter) | | |
|---|---|---|
| Frequency | Peak | Average |
| 10–100 KHz | 50 | 50 |
| 100–500 KHz | 60 | 60 |
| 500–2000 KHz | 70 | 70 |
| 2–30 MHz | 200 | 200 |
| 30–70 MHz | 30 | 30 |

| Field strength (volts/meter) | | |
|---|---|---|
| Frequency | Peak | Average |
| 70–100 MHz | 30 | 30 |
| 100–200 MHz | 150 | 33 |
| 200–400 MHz | 70 | 70 |
| 400–700 MHz | 4020 | 935 |
| 700–1000 MHz | 1700 | 170 |
| 1–2 GHz | 5000 | 990 |
| 2–4 GHz | 6680 | 840 |
| 4–6 GHz | 6850 | 310 |
| 6–8 GHz | 3600 | 670 |
| 8–12 GHz | 3500 | 1270 |
| 12–18 GHz | 3500 | 360 |
| 18–40 GHz | 2100 | 750 |

(2) The applicant may demonstrate by a laboratory test that the electrical and electronic systems that perform critical functions can withstand a peak of electromagnetic field strength of 100 volts per meter (v/m) in a frequency range of 10 KHz to 40 GHz. When using a laboratory test to show compliance with the HIRF requirements, no credit is given for signal attenuation due to installation.

In view of the revised HIRF envelope, the requirement for the fixed value test has been changed to 100 v/m from the previously used value of 200 v/m. The applicant opting for the fixed value laboratory test, instead of the HIRF envelope, may be subject to post certification reassessment based on the finalized rule requirements. The applicant should be cautioned that choosing 100 v/m may make it difficult, under post certification reassessment requirements, to qualify the installations without upgrading the design. If the system should not meet the post certification reassessment requirements, additional protection provisions and/or testing may be required.

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

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

*Thrust Attenuation*

The Model 526 design includes a system that permits the attenuating of engine thrust. Attenuation is accomplished by movable panels, mounted on the engine pylons downstream of the exhaust cones, that can be deployed into the exhaust streams. The thrust attenuators are designed to be used in both ground and flight operations and differ from thrust reversers in that attenuators do not provide for either zero or reverse thrust levels. These special conditions provide requisite standards for thrust attenuating systems.

*Flight*

Previous certification and operational experience with jet powered airplanes has not included an airplane of similar design or approval in the acrobatic category.

Current standards in 14 CFR part 23 did not envisage this type of airplane and the associated performance and maneuvering capabilities. Based upon the knowledge and experience gained during certification and operation of previous part 23 jet airplanes and other acrobatic airplanes, special conditions similar to the requirements included in the draft Joint Airworthiness Regulations (JAR) 23, Issue 4 are proposed instead of the performance and flight characteristics requirements of subpart B of part 23.

*Operating Limitations and Information*

Current standards in part 23 did not envisage this type of airplane and the associated performance and maneuvering capabilities.

To maintain a level of safety consistent with other acrobatic category and jet powered airplanes, special conditions similar to the requirements included in the draft JAR 23, Issue 4 are proposed instead of the marking, placards, and flight manual requirements of subpart G of part 23.

*Effects of Contamination on Natural Laminar Flow Airfoils*

Airfoil configurations similar to the Cessna Model 526 have been found to have measurable degradation of handling qualities and performance when laminar flow was lost due to airfoil contamination. Tripping of the boundary layer could be caused from flight in precipitation or by the presence of contamination such as insects. If measurable effects are detected, it should be determined that the minimum flight characteristics standards continue to be met, and that any degradation to performance information are identified. This may be accomplished by a combination of analysis and testing. Current standards in part 23 did not envisage this type of airplane and the associated airfoil contamination. Special conditions are proposed since existing regulations do not require these adverse effects to be evaluated.

**Discussion of Comments**

Notice of Proposed Special Conditions, Notice No. 23–ACE–74, was published in the **Federal Register** on October 12, 1993, and no comments were received. These special conditions are adopted as proposed with minor editorial corrections, except that Special Condition 23.49(a)(1) is reworded to correct an error in publication and Special Condition 23.161(d)(2) is added due to its omission from the original publication.

**Conclusion**

This action is not a rule of general applicability and affects only the model of airplane identified in these special conditions.

**List of Subjects in 14 CFR Part 23**

Aircraft, Aviation safety, Signs and symbols.

**Citation**

The authority citation for these special conditions is as follows:

**Authority:** Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g); 14 CFR 21.16 and 21.17; and 14 CFR 11.28 and 11.29(b).

**Adoption of Special Conditions**

Accordingly, pursuant to the authority delegated to me by the Administrator, the following special conditions are issued as part of the type certification basis for the Cessna Model 526 airplane:

**Note:** To provide for clarity and continuity within the proposed special conditions, some sections of subparts B and G of part 23 are included without change in the following special conditions. These unchanged sections are marked with an asterisk (*) preceding the section number to permit them to be readily identified from the different/added

requirements of the proposed special conditions.

*1. Protection of Systems From High Intensity Radiated Fields (HIRF)*

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

*2. Thrust Attenuating Systems*

Thrust attenuating systems must be designed and installed so that no unsafe condition will result during normal operation of the systems, or from any failure (or reasonably likely combination of failures) of the thrust attenuation systems under any anticipated condition of operation of the airplane, including ground operation. Failure of structural elements need not be considered if the probability of this kind of failure is extremely remote.

*3. Flight*

Instead of compliance with the sections contained in subpart B of part 23, the following sections apply:

**General**

*SC23.21 Proof of Compliance

(a) Each requirement of this subpart must be met at each appropriate combination of weight and center of gravity within the range of loading conditions for which certification is requested. This must be shown—

(1) By tests upon an airplane of the type for which certification is requested, or by calculations based on, and equal in accuracy to, the results of testing; and

(2) By systematic investigation of each probable combination of weight and center of gravity, if compliance cannot be reasonably inferred upon combinations investigated.

(b) The following general tolerances are allowed during flight testing. However greater tolerances may be allowed in particular tests—

| Item | Tolerance |
|---|---|
| Weight | +5%, −10% |
| Critical items affected by weight. | +5%, −1% |
| CG | ±7% total travel |

SC23.23 Load Distribution Limits

(a) Ranges of weight and center of gravity within which the airplane may be safely operated must be established. If a weight and center of gravity combination is allowable only within certain lateral load distribution limits that could be inadvertently exceeded, these limits must be established for the corresponding weight and center of gravity combinations.

(b) The load distribution must not exceed:

(1) The selected limits;

(2) The limits at which the structure is proven; or

(3) The limits at which compliance with each applicable flight requirement of this subpart is shown.

SC23.25 Weight Limits

(a) *Maximum weight.* The maximum weight is the highest weight at which compliance with each applicable requirement of part 23 (other than those complied with at the design landing weight) is shown. The maximum weight must be established so that it is—

(1) Not more than the least of—

(i) The highest weight selected by the applicant; or

(ii) The design maximum weight, which is the highest weight at which compliance with each applicable structural loading condition of part 23 (other than those complied with at the design landing weight) is shown; or

(iii) The highest weight at which compliance with each applicable flight requirement is shown; and

(2) With each seat occupied, assuming a weight of 190 pounds, not less than the weight with—

(i) Oil at full tank capacity, and at least enough fuel for maximum continuous thrust operation of at least 45 minutes; or

(ii) The required minimum crew, and fuel and oil to full tank capacity.

(b) *Mimimum weight.* The minimum weight (the lowest weight at which compliance with each applicable requirement of this part is shown) must be established so that it is not more than the sum of—

(1) The empty weight determined under SC23.29;

(2) The weight of the required minimum crew (assuming a weight of 170 pounds for each crew member); and

(3) The weight of 5 percent of the total fuel capacity of that particular fuel tank arrangement under investigation.

SC23.29 Empty Weight and Corresponding Center of Gravity

(a) The empty weight and corresponding center of gravity must be determined by weighing the airplane with—

(1) Fixed ballast;

(2) Unusable fuel determined under § 23.959; and

(3) Full operating fluids, including—

(i) Oil;

(ii) Hydraulic fluid; and

(iii) Other fluids required for normal operation of airplane systems.

(b) The condition of the airplane at the time of determining empty weight must be one that is well defined and can be easily repeated.

*SC23.31 Removable Ballast

Removable ballast may be used in showing compliance with the flight requirements of this subpart, if—

(a) The place for carrying ballast is properly designed and installed, and is marked under SC23.1557; and

(b) Instructions are included in the Airplane Flight Manual, approved manual material, or markings and placards, for the proper placement of the removable ballast under each loading condition for which removable ballast is necessary

SC23.45 Performance—General

(a) The performance requirements of this subpart must be met for: Still air; and Ambient atmospheric conditions.

(b) Unless otherwise prescribed, performance data must be provided over not less than the following ranges of conditions:

(1) Airport altitude from seal level to 10,000 feet; and

(2) Temperature from standard to 30 °C above standard, or the maximum ambient atmospheric temperature at which compliance with the cooling provisions of §§ 23.1041 to 23.1045 is shown, if lower.

(c) Performance data must be determined with the means for controlling the engine cooling air supply in the position used in the cooling tests required by §§ 23.1041 to 23.1045.

(d) The available propulsive thrust must correspond to engine thrust not exceeding the approved thrust, less:

(1) Installation losses; and

(2) The equivalent thrust absorbed by the accessories and services appropriate to the particular ambient atmospheric conditions and the particular flight condition.

(e) The performance as affected by engine thrust must be based on a relative humidity of:

(1) 80 percent at and below standard temperature; and

(2) 34 percent at and above standard temperature plus 50 °F

Between the two temperatures the relative humidity must vary linearly

(f) Unless otherwise prescribed in determining the takeoff and landing distances, changes in the airplane's configuration, speed and thrust must be made in accordance with procedures established by the applicant for operation in service. The procedures must be able to be executed consistently by pilots of average skill in atmospheric conditions reasonably expected to be encountered in service

(g) The takeoff and landing distances must be determined on a smooth dry hard-surfaced runway. The effect on these distances of operation on other types of surface (for example, grass, gravel) when dry may be derived and these surfaces listed under SC23.1583(o).

SC23.49 Stalling Speed

(a) $V_{SO}$ and $V_{S1}$ are the stalling speeds or the minimum steady fight speed, in knots (CAS), at which the airplane is controllable with—

(1) The propulsive thrust not greater than zero at the stalling speed, or, if the resultant thrust has no appreciable effect on the stalling speed, with engines idling and throttles closed;

(2) The airplane in the condition existing in the test in which $V_{SO}$ and $V_{S1}$ are being made;

(3) Center of gravity in the position which results in the highest value of $V_{SO}$ and $V_{S1}$ and

(4) Weight used when $V_{SO}$ and $V_{S1}$ are being used as a factor to determine compliance with a required performance standard.

(b) $V_{SO}$ and $V_{S1}$ must be determined by flight tests using the procedure and meeting the flight characteristics specified in SC23.201

SC23.51 Takeoff Speeds

(a) The rotation speed $V_R$, is the speed at which the pilot makes a control input with

the intention of lifting the airplane out of contact with the runway. $V_R$ must not be less than the greater of 1.05 $V_{MC}$ and 1.10 $V_{S1}$.

(b) The speed at 50 feet must not be less than the highest of:

(1) A speed that is shown to be safe for continued flight (or emergency landing, if applicable) under all reasonably expected conditions, including turbulence and complete failure of the critical engine; or

(2) 1.10 $V_{MC}$; or

(3) 1.20 $V_{S1}$.

SC23.53 Takeoff Distance

(a) The takeoff distance must be determined in accordance with subparagraph (b), using speeds determined in accordance with SC23.51(a) and (b).

(b) The distance required to takeoff and climb to a height of 50 feet above the takeoff surface must be determined for each weight, altitude and temperature within the operational limits established for takeoff with—

(1) Takeoff thrust on each engine;

(2) Wing flaps in the takeoff position(s); and

(3) Landing gear extended.

SC23.63 Climb: General

(a) Compliance with the requirements of SC23.65, SC23.66, SC23.67, SC23.69 and SC23.77 must be shown—

(1) Out of ground effect; and

(2) At speeds that are not less than those at which compliance with the powerplant cooling requirements of §§ 23.1041 to 23.1045 have been demonstrated.

(b) Compliance must be shown, at weights, as a function of airport altitude and ambient temperature, within the operational limits established for takeoff and landing respectively, with—

(1) SC23.65 and SC23.67(a) and (b) for takeoff; and

(2) SC23.67(b) and SC23.77 for landing.

SC23.65 Climb: All Engines Operating

The airplane must have a steady gradient of climb after takeoff of at least 4 percent with—

(a) Takeoff thrust on each engine;

(b) Landing gear extended except that, if the landing gear can be retracted in not more than 7 seconds, it may be assumed to be retracted;

(c) Wing flaps in the takeoff position(s); and

(d) A climb speed not less than the greater of 1.1 $V_{MCA}$ and 1.2 $V_{S1}$.

SC23.66 Takeoff Climb: One-Engine Inoperative

The steady gradient of climb or descent must be determined at each weight, altitude and ambient temperature within the operational limits established by the applicant with—

(a) Critical engine inoperative;

(b) Remaining engine at takeoff thrust;

(c) Landing gear extended except that, if the landing gear can be retracted in not more than 7 seconds, it may be assumed to be retracted;

(d) Wing flaps in the takeoff position(s);

(e) Wings level; and

(f) Climb speed equal to that achieved at 50 feet in the demonstration of SC23.53.

SC23.67 Climb: One-Engine Inoperative

(a) The steady gradient of climb at an altitude of 400 feet above the takeoff surface must be measurably positive with the—

(1) Critical engine inoperative;

(2) Remaining engine at takeoff thrust;

(3) Landing gear retracted;

(4) Wing flaps in the takeoff position(s); and

(5) Climb speed equal to that achieved at 50 feet in the demonstration of SC23.53.

(b) The steady gradient of climb may not be less than 0.75 percent at an altitude of 1500 feet above the takeoff or landing surface, as appropriate, with the—

(1) Critical engine inoperative;

(2) Remaining engine at not more than maximum continuous thrust;

(3) Landing gear retracted;

(4) Wing flaps retracted; and

(5) Climb speed not less than 1.2 $V_{S1}$.

SC23.69 En-Route Climb/Descent

(a) *All engines operating.*

The steady gradient and rate of climb must be determined at each weight, altitude and ambient temperature within the operational limits established by the applicant with—

(1) Not more than maximum continuous thrust on each engine;

(2) Landing gear retracted;

(3) Wing flaps retracted; and

(4) Climb speed not less than 1.3 $V_{S1}$.

(b) *One-engine inoperative.*

The steady gradient and rate of climb/descent must be determined at each weight, altitude and ambient temperature within the operational limits established by the applicant with—

(1) Critical engine inoperative;

(2) Remaining engine at not more than maximum continuous thrust;

(3) Landing gear retracted;

(4) Wing flaps retracted; and

(5) Climb speed not less than 1.2 $V_{S1}$.

SC23.73 Reference Landing Approach Speed

The reference landing approach speed, $V_{REF}$, must not be less than the greater of $V_{MC}$, determined under SC23.149(c) with the wing flaps in the landing position, and 1.3 $V_{SO}$.

SC23.75 Landing Distance

The horizontal distance necessary to land and come to a complete stop from a point 50 feet above the landing surface must be determined, for standard temperatures at each weight and altitude within the operational limits established for landing, as follows:

(a) A steady approach at not less than $V_{REF}$ must be maintained down to the 50-foot height and—

(1) The steady approach must be at a gradient of descent not greater than 5.2 percent (3 degrees) down to the 50-foot height; and

(2) In addition, an applicant may demonstrate by tests that a maximum steady approach gradient, steeper than 5.2 percent, down to the 50-foot height is safe. The gradient must be established as an operating limitation and the information necessary to display the gradient must be available to the pilot by an appropriate instrument.

(b) A constant configuration must be maintained throughout the maneuver.

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

(d) It must be shown that a safe transition to the balked landing conditions of SC23.77 can be made from the conditions that exist at the 50-foot height, at maximum landing weight or the maximum landing weight for altitude and temperature of SC23.63(b)(2), as appropriate.

(e) The brakes must not be used so as to cause excessive wear of brakes or tires.

(f) Retardation means other than wheel brakes may be used if that means—

(1) Is safe and reliable;

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

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

SC23.77 Balked Landing

The steady gradient of climb must not be less than 2.5 percent with—

(a) Not more than the thrust that is available 8 seconds after initiation of movement of the thrust controls from the minimum flight idle position;

(b) The landing gear extended;

(c) The wing flaps in the landing position; and

(d) A climb speed equal to $V_{REF}$, as defined in SC23.73.

**Flight Characteristics**

SC23.141 General

The airplane must meet the requirements of SC23.143 through SC23.253 at all practical loading conditions and operating altitudes for which certification has been requested, not exceeding the maximum operating altitude established under SC23.1527 and without requiring exceptional piloting skill, alertness, or strength.

**Controllability and Maneuverability**

SC23.143 General

(a) The airplane must be safely controllable and maneuverable during all flight phases including—

(1) Takeoff;

(2) Climb;

(3) Level flight;

(4) Descent;

(5) Go-around; and

(6) Landing (power on and power off) with the wing flaps extended and retracted.

(b) It must be possible to make a smooth transition from one flight condition to another (including turns and slips) without danger of exceeding the limit load factor, under any probable operating condition, including those conditions normally encountered in the sudden failure of any engine.

(c) If marginal conditions exist with regard to required pilot strength, the control forces required must be determined by quantitative

tests. In no case may the control forces under the conditions specified in paragraphs (a) and (b) exceed those prescribed in the following table:

| Values in pounds force applied to the relevant control | Pitch | Roll | Yaw |
|---|---|---|---|
| For temporary application: | | | |
| Stick | 60 | 30 | ..... |
| Rudder pedal | ..... | ..... | 150 |
| For prolonged application | 10 | 5 | 20 |

SC23.145 Longitudinal Control

(a) With the airplane as nearly as possible in trim at 1.3 $V_{S1}$, it must be possible, at speeds below the trim speed, to pitch the nose downward so that the rate of increase in airspeed allows prompt acceleration to the trim speed with—

(1) Maximum continuous thrust on each engine;

(2) Power off; and

(3) Wing flaps and landing gear—

(i) Retracted; and

(ii) Extended.

(b) It must be possible to carry out the following maneuvers without requiring the application of control forces exceeding those specified in SC23.143(c). The trimming controls must not be adjusted during the maneuvers:

(1) With landing gear extended and flaps retracted and the airplane as nearly as possible in trim at 1.4 $V_{S1}$, extend the flaps as rapidly as possible and allow the airspeed to transition from 1.4 $V_{S1}$ to 1.4 $V_{SO}$, with—

(i) Power off; and

(ii) Thrust necessary to maintain level flight in the initial condition.

(2) With landing gear and flaps extended, power off and the airplane as nearly as possible in trim at 1.3 $V_{SO}$, quickly apply takeoff thrust and retract the flaps as rapidly as possible to the recommended balked landing setting and allow the airspeed to transition from 1.3 $V_{SO}$ to 1.3 $V_{S1}$. Retract the gear when a positive rate of climb is established.

(3) With landing gear and flaps extended, thrust for and in level flight at 1.1 $V_{SO}$ and the airplane as nearly as possible in trim, it must be possible to maintain approximately level flight while retracting the flaps as rapidly as possible with simultaneous application of not more than maximum continuous thrust. If gated flap positions are provided, the flap retraction may be demonstrated in stages with thrust and trim reset for level flight at 1.1 $V_{S1}$ in the initial configuration for each stage—

(i) From the fully extended position to the most extended gated position;

(ii) Between intermediate gated positions, if applicable; and

(iii) From the least extended gated position to the fully retracted position.

(4) With power off, flaps and landing gear retracted and the airplane as nearly as possible in trim at 1.4 $V_{S1}$, apply takeoff thrust rapidly while maintaining the same airspeed.

(5) With power off, landing gear and flaps extended and the airplane as nearly as possible in trim at $V_{REF}$, obtain and maintain airspeeds between 1.1 $V_{SO}$ and either 1.7 $V_{SO}$ or $V_{FE}$, whichever is lower.

(6) With maximum takeoff thrust, landing gear retracted, flaps in the takeoff position(s) and the airplane as nearly as possible in trim at $V_{FE}$ appropriate to the takeoff flap position, retract the flaps as rapidly as possible while maintaining speed constant.

(c) At speeds above $V_{MO}/M_{MO}$ and up to the maximum speed shown under SC23.251, a maneuvering capability of 1.5g must be demonstrated to provide a margin to recover from upset or inadvertent speed increase.

(d) It must be possible, with a pilot control force of not more than 10 pounds, to maintain a speed of not more than $V_{REF}$ during a power-off glide with landing gear and wing flaps extended.

(e) By using normal flight and thrust controls, except as otherwise noted in paragraphs (e)(1) and (e)(2) of this section, it must be possible to establish a zero rate of descent at an attitude suitable for a controlled landing without exceeding the operational and structural limitations of the airplane, as follows:

(1) Without the use of the primary longitudinal control system;

(2) Without the use of the primary directional control; and

(3) If a single failure of any one connecting or transmitting link would affect both the longitudinal and directional primary control system, without the primary longitudinal and directional control system.

SC23.147 Directional and Lateral Control

(a) It must be possible, while holding the wings level within 5 degrees, to make sudden changes in heading safely in both directions. This must be shown at 1.4 $V_{S1}$ with heading changes up to 15 degrees (except that the heading change at which the rudder force corresponds to the limits specified in SC23.143 need not be exceeded), with the—

(1) Critical engine inoperative;

(2) Remaining engine at maximum continuous thrust;

(3) Landing gear—

(i) Retracted; and

(ii) Extended.

(4) Flaps retracted.

(b) It must be possible to regain full control of the airplane without exceeding a bank angle of 45 degrees, reaching a dangerous attitude or encountering dangerous characteristics, in the event of a sudden and complete failure of the critical engine, making allowance for a delay of 2 seconds in the initiation of recovery action appropriate to the situation, with the airplane initially in trim, in the following conditions—

(1) Maximum continuous thrust on each engine;

(2) Wing flaps retracted;

(3) Landing gear retracted; and

(4) Speed equal to that at which compliance with SC23.69(a) has been shown.

(c) It must be shown that the airplane is safely controllable without the use of the primary lateral control system in any configuration and at any speed or altitude within the approved operating envelope and that the airplane's flight characteristics are not impaired below a level needed to permit continued safe flight and the ability to maintain attitudes suitable for a controlled landing without exceeding the operational and structural limitations of the airplane. If a single failure of any one connecting or transmitting link in the lateral control system would also cause the loss of additional control system(s), the above requirement is equally applicable with those additional systems also assumed to be inoperative.

SC23.149 Minimum Control Speed

(a) $V_{MC}$ is the calibrated airspeed at which, when the critical engine is suddenly made inoperative, it is possible to recover control of the airplane, with that engine still inoperative, and thereafter maintain straight flight at the same speed with an angle of bank not more than 5 degrees. The method used to simulate critical engine failure must represent the most critical mode of powerplant failure with respect to controllability expected in service.

(b) $V_{MC}$ for takeoff must not exceed 1.2 $V_{S1}$, (where $V_{S1}$ is determined at the maximum takeoff weight) and must be determined with the most unfavorable weight and center of gravity position and with the airplane airborne and the ground effect negligible, for the takeoff configuration(s) with—

(1) Maximum available takeoff thrust initially on each engine;

(2) The airplane trimmed for takeoff;

(3) Flaps in the takeoff position(s); and

(4) Landing gear retracted.

(c) The $V_{MC}$ requirements of (a) must also be met for the landing configuration with—

(1) Maximum available takeoff thrust initially on each engine;

(2) The airplane trimmed for an approach with all engines operating at $V_{REF}$ at an approach gradient equal to the steepest used in the landing distance demonstration of SC23.75;

(3) Flaps in the landing position; and

(4) Landing gear extended.

(d) At $V_{MC}$ the rudder pedal force required to maintain control must not exceed 150 pounds and it must not be necessary to reduce thrust of the operative engine. During recovery, the airplane must not assume any dangerous attitude and it must be possible to prevent a heading change of more than 20 degrees.

(e) A minimum speed to intentionally render the critical engine inoperative must be established and designated as the safe, intentional, one-engine-inoperative speed, $V_{SSE}$.

SC23.151 Acrobatic Maneuvers

(a) The airplane must be able to perform safely acrobatic maneuvers for which certification is requested. Safe entry speeds for these maneuvers must be determined.

(b) It must be possible to safely recover control of the airplane following inadvertent upsets encountered during the acrobatic maneuvers for which certification is requested.

(c) The airplane must meet the emergency egress requirements of § 23.807(b)(5).

(d) The airplane must meet the following spin requirements:

(1) *One-turn spins.* The airplane must recover from a one-turn spin or a three second spin, whichever takes longer, in not more than one additional turn, after initiation

of the first control action for recovery. In addition—

(i) For both the flaps retracted and flaps extended conditions, the applicable airspeed limit and positive limit maneuvering load factor must not be exceeded;

(ii) No control forces or characteristics encountered during the spin or recovery may adversely affect prompt recovery;

(iii) It must be impossible to obtain unrecoverable spins with any use of the flight or engine power controls either at the entry into or during the spin; and

(iv) For the flaps extended condition, the flaps may be retracted during the recovery, but not before rotation has ceased.

(2) *Six-turn (or greater) spins:* The following requirements must be met in each configuration for which approval for spinning is requested:

(i) The airplane must readily recover from any point in a spin up to and including six turns, or any greater number of turns for which certification is requested, in not more than one and one half additional turns after initiation of the first control action for recovery. However, beyond three turns, the spin may be discontinued if spiral characteristics appear;

(ii) The applicable airspeed limits and limit maneuvering load factors must not be exceeded. For flaps extended configurations for which approval is requested, the flaps must not be retracted during the recovery;

(iii) It must be impossible to obtain unrecoverable spins with any use of the flight or engine power controls either at the entry into or during the spin; and

(iv) There must be no characteristics during the spin (such as excessive rates of rotation or extreme oscillatory motion) that might prevent a successful recovery due to disorientation or incapacitation of the pilot.

SC23.153 Control During Landings

It must be possible, while in the landing configuration, to safely complete a landing without exceeding the control force limits specified in SC23.143(c) following an approach to land—

(a) At a speed of $V_{REF}$—5 kts;

(b) With the airplane in trim, or as nearly as possible in trim and without the trimming control being moved throughout the maneuver;

(c) At an approach gradient equal to the steepest used in the landing distance demonstration of SC23.75; and

(d) With only those thrust changes, if any, which would be made when landing normally from an approach at $V_{REF}$.

SC23.155 Elevator Control Force in Maneuvers

(a) The elevator control force needed to achieve the positive limit maneuvering load factor may not be less than W/140 (where W is the maximum weight) or 15 pounds, whichever is greater, except that it need not be greater than 35 pounds.

(b) The requirement of paragraph (a) of this section must be met at maximum continuous thrust with the wing flaps and landing gear retracted—

(1) In a turn, with the trim setting used for wings level flight at $V_O$; and

In a turn, with the trim setting used for the maximum wings level flight speed, except that the speed need not exceed $V_{MO}/M_{MO}$.

(c) There must be no excessive decrease in the gradient of the curve of stick force versus maneuvering load factor with increasing load factor.

SC23.157 Rate of Roll

(a) *Takeoff.* It must be possible, using a favorable combination of controls, to roll the airplane from a steady 30 degree banked turn through an angle of 60 degrees, so as to reverse the direction of the turn within W+500÷1300 seconds, where W is the weight in pounds.

(b) The requirement of paragraph (a) of this section must be met when rolling the airplane in each direction with—

(1) Flaps in the takeoff position(s);

(2) Landing gear retracted;

(3) With the critical engine inoperative and the remaining engine at maximum takeoff thrust; and

(4) The airplane trimmed at a speed equal to the greater of 1.2 $V_{S1}$ or 1.1 $V_{MC}$ or as nearly as possible in trim for straight flight.

(c) *Approach.* It must be possible using a favorable combination of controls, to roll the airplane from a steady 30 degree banked turn through an angle of 60 degrees, so as to reverse the direction of the turn within W+2800÷2200 seconds, where W is the weight in pounds.

(d) The requirement of paragraph (c) of this section must be met when rolling the airplane in each direction in the following conditions:

(1) Flaps in the landing position(s);

(2) Landing gear extended;

(3) All engines operating at the thrust for a 3 degree approach; and

(4) The airplane trimmed at $V_{REF}$.

**Trim**

SC23.161 Trim

(a) *General.* Each airplane must meet the trim requirements of this section after being trimmed and without further pressure upon, or movement of, the primary controls or their corresponding trim controls by the pilot or the automatic pilot. In addition, it must be possible, in other conditions of loading, configuration, speed and thrust to ensure that the pilot will not be unduly fatigued or distracted by the need to apply residual control forces exceeding those for prolonged application specified in SC23.143(c) This applies in normal operation of the airplane and, if applicable, to those conditions associated with the failure of one engine for which performance characteristics are established.

(b) *Lateral and directional trim.* The airplane must maintain lateral and directional trim in level flight at 0.9 $V_H$, $V_C$ or $V_{MO}/M_{MO}$, whichever is lowest, with the landing gear and wing flaps retracted.

(c) *Longitudinal trim.* The airplane must maintain longitudinal trim under each of the following conditions:

(1) A climb with:

(i) Takeoff thrust, landing gear retracted, wing flaps in the takeoff position(s), at the speeds used in determining the climb performance required by SC23.65; and

(ii) Maximum continuous thrust at the speeds and in the configuration used in determining the climb performance required by SC23.69(a).

(2) Level flight at all speeds from the lesser of $V_H$ and $V_{MO}/M_{MO}$ (as appropriate), to 1.4 $V_{S1}$, with the landing gear and flaps retracted.

(3) A descent at $V_{MO}/M_{MO}$ with power off and with the landing gear and flaps retracted.

(4) Approach with landing gear extended and with—

(i) A 3 degree angle of descent, with flaps retracted and at a speed of 1.4 $V_{S1}$;

(ii) A 3 degree angle of descent, flaps in the landing position(s) at $V_{REF}$; and

(iii) An approach gradient equal to the steepest used in the landing distance demonstrations of SC23.75, flaps in the landing position(s) at $V_{REF}$.

(d) The airplane must maintain longitudinal and directional trim and the lateral control force must not exceed 5 pounds, at the speed used in complying with SC23.67(b) with—

(1) The critical engine inoperative;

(2) The remaining engine at maximum continuous thrust;

(3) The landing gear retracted;

(4) The wing flaps retracted; and

(5) An angle of bank of not more than 5 degrees.

**Stability**

*SC23.171 General

The airplane must be longitudinally, directionally and laterally stable under SC23.173 through SC23.181. In addition, the airplane must show suitable stability and control "feel" (static stability) in any condition normally encountered in service if flight tests show it is necessary for safe operation.

SC23.173 Static Longitudinal Stability

Under the conditions specified in SC23.175 and with the airplane trimmed as indicated, the characteristics of the elevator control forces and the friction within the control system must be as follows:

(a) A pull must be required to obtain and maintain speeds below the specified trim speed and a push required to obtain and maintain speeds above the specified trim speed. This must be shown at any speed that can be obtained, except that speeds requiring a control force in excess of 40 pounds or speeds above the maximum allowable speed or below the minimum speed for steady unstalled flight, need not be considered.

(b) The airspeed must return to within plus or minus 10 percent of the original trim speed when the control force is slowly released at any speed within the speed range specified in paragraph (a) of this section.

(c) The stick force must vary with speed so that any substantial speed change results in a stick force clearly perceptible to the pilot.

SC23.175 Demonstration of Static Longitudinal Stability

Static longitudinal stability must be shown as follows:

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

(1) Flaps retracted;

(2) Landing gear retracted;

(3) Maximum continuous thrust; and

(4) The airplane trimmed at the speed used in determining the climb performance required by SC23.69(a).

(b) *Cruise.* With flaps and landing gear retracted and the airplane in trim with thrust for level flight at representative cruising speeds at high and low altitudes, including speeds up to $V_{MO}/M_{MO}$, as appropriate, except that the speed need not exceed $V_H$.

(1) The stick force curve must have a stable slope at all speeds within a range that is the greater of 15 percent of the trim speed plus the resulting free return speed range, or 40 knots plus the resulting free return speed range, above and below the trim speed, except that the slope need not be stable—

(i) At speeds less than 1.3 $V_{S1}$; and

(ii) At speeds greater than $V_{FC}/M_{FC}$.

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

(1) Flaps in the landing position(s);

(2) Landing gear extended; and

(3) The airplane trimmed at—

(i) $V_{REF}$, or the minimum trim speed if higher, with power off; and

(ii) $V_{REF}$ with enough thrust to maintain a 3 degree angle of descent.

SC23.177 Static Directional and Lateral Stability

(a) The static directional stability, as shown by the tendency to recover from a skid with the rudder free, must be positive for any landing gear and flap position appropriate to the takeoff, climb, cruise, approach and landing configurations. This must be shown with symmetrical thrust up to maximum continuous thrust and at speeds from 12 $V_{S1}$ up to maximum allowable speed for the condition being investigated. The angle of sideslip for these tests must be appropriate to the type of airplane. At larger angles of sideslip up to that at which full rudder is used or a control force limit in SC23.143 is reached, whichever occurs first, and at speeds from 1.2 $V_{S1}$ to $V_O$ the rudder pedal force must not reverse.

(b) The static lateral stability, as shown by the tendency to raise the low wing in a sideslip, must be positive for all landing gear and flap positions. This must be shown with symmetrical power up to 75 percent maximum continuous thrust at speeds above 1.2 $V_{S1}$ in the takeoff configuration(s) and at speeds above 1.3 $V_{S1}$ in other configurations, up to the maximum allowable speed for the configuration being investigated, in the takeoff, climb, cruise, and approach configurations. For the landing configuration, the power must be up to that necessary to maintain a 3 degree angle of descent in coordinated flight. The static lateral stability must not be negative at 1.2 $V_{S1}$ in the takeoff configuration(s), or at 1.3 $V_{S1}$ in other configurations. The angle of sideslip for these tests must be appropriate to the type of airplane but in no case may the constant heading sideslip angle be less than that obtainable with a 10 degree bank, or if less, the maximum bank angle obtainable with full rudder deflection or 150 pound rudder force.

(c) Paragraph (b) of this section does not apply to acrobatic category airplanes certificated for unlimited inverted flight.

(d) In straight, steady sideslips at 1.2 $V_{S1}$ for any landing gear and flap positions and for any symmetrical thrust conditions up to 50 percent of maximum continuous thrust, the aileron and rudder control movements and forces must increase steadily (but not necessarily in constant proportion) as the angle of sideslip is increased up to the maximum appropriate to the type of airplane. At larger sideslip angles up to the angle at which full rudder or aileron control is used or a control force limit contained in SC23.143 is obtained, the aileron and rudder control movements and forces must not reverse as the angle of sideslip is increased. Rapid entry into, or recovery from, a maximum sideslip considered appropriate for the airplane must not result in uncontrollable flight characteristics.

SC23.181 Dynamic Stability

(a) Any short period oscillation not including combined lateral-directional oscillations occurring between the stalling speed and the maximum allowable speed appropriate to the configuration of the airplane must be heavily damped with the primary controls—

(1) Free; and

(2) In a fixed position.

(b) Any combined lateral-directional oscillations ("Dutch roll") occurring between the stalling speed and the maximum allowable speed appropriate to the configuration of the airplane must be damped to 1/10 amplitude in 7 cycles with the primary controls—

(1) Free; and

(2) In a fixed position.

(c) If it is determined that the function of a stability augmentation system, reference § 23.672, is needed to meet the flight characteristic requirements of this part, the primary control requirements of paragraphs (a)(2) and (b)(2) of this section are not applicable to the tests needed to verify the acceptability of that system.

(d) During the conditions as specified in SC23.175, when the longitudinal control force required to maintain speeds differing from the trim speed by at least plus and minus 15 percent is suddenly released, the response of the airplane must not exhibit any dangerous characteristics nor be excessive in relation to the magnitude of the control force released. Any long-period oscillation of flight path, phugoid oscillation, that results must not be so unstable as to increase the pilot's workload or otherwise endanger the airplane.

**Stalls**

SC23.201 Wings Level Stall

(a) It must be possible to produce and to correct roll by unreversed use of the rolling control and to produce and to correct yaw by unreversed use of the directional control, up to the time the airplane stalls.

(b) The wings level stall characteristics must be demonstrated in flight as follows. Starting from a speed at least 10 knots above the stall speed, the elevator control must be pulled back so that the rate of speed reduction will not exceed one knot per second until a stall is produced, as shown by either:

(1) an uncontrollable downward pitching motion of the airplane; or

(2) the control reaching the stop.

(c) Normal use of elevator control for recovery is allowed after the downward pitching motion of paragraph (b)(1) of this special condition has unmistakably been produced, or after the control has been held against the stop for not less than the longer of two seconds or the time employed in the minimum steady flight speed determination of SC23.49.

(d) During the entry into and the recovery from the maneuver, it must be possible to prevent more than 15 degrees of roll or yaw by the normal use of controls.

(e) Compliance with the requirements of this section must be shown under the following conditions:

(1) *Wing flaps:* Retracted, fully extended and each intermediate normal operating position;

(2) *Landing gear:* Retracted and extended;

(3) *Power:* Power off and 75 percent maximum continuous thrust. If the thrust-to-weight ratio at 75 percent maximum continuous thrust results in extremely nose-high attitudes, the test may be accomplished with the power required for level flight in the landing configuration at maximum landing weight and a speed of 1.4 $V_{SO}$, but the power may not be less than 50 percent of maximum continuous thrust.

(4) *Trim:* The airplane trimmed at a speed as near 1.5 $V_{S1}$ as practicable.

SC23.203 Turning Flight and Accelerated Turning Stalls

Turning flight and accelerated turning stalls must be demonstrated in tests as follows:

(a) Establish and maintain a coordinated turn in a 30 degree bank. Reduce speed by steadily and progressively tightening the turn with the elevator until the airplane is stalled, as defined in SC23.201(b). The rate of speed reduction must be constant, and—

(1) For a turning flight stall, may not exceed one knot per second; and

(2) For an accelerated turning stall, be 3 to 5 knots per second with steadily increasing normal acceleration.

(b) After the airplane has stalled, as defined in SC23.201(b) it must be possible to regain wings level flight by normal use of the flight controls but without increasing thrust and without—

(1) Excessive loss of altitude;

(2) Undue pitch up;

(3) Uncontrollable tendency to spin;

(4) Exceeding a bank angle of 60 degrees in the original direction of the turn or 30 degrees in the opposite direction in the case of turning flight stalls;

(5) Exceeding a bank angle of 90 degrees in the original direction of the turn or 60 degrees in the opposite direction in the case of accelerated turning stalls; and

(6) Exceeding the maximum permissible speed or allowable limit load factor.

(c) Compliance with the requirements of this section must be shown under the following conditions:

(1) *Wing flaps:* Retracted, fully extended and each intermediate normal operating position;

(2) *Landing gear:* Retracted and extended;

(3) *Power:* Power off and 75 percent maximum continuous thrust. If the thrust-to-

weight ratio at 75 percent maximum continuous thrust results in extremely nose-high attitudes, the test may be accomplished with the power required for level flight in the landing configuration at maximum landing weight and a speed of 1.4 $V_{SO}$, but the power may not be less than 50 percent of maximum continuous thrust;

(4) *Trim:* The airplane trimmed at a speed as near 1.5 $V_{S1}$ as practicable.

SC23.207 Stall Warning

(a) There must be a clear and distinctive stall warning, with the flaps and landing gear in any normal position, in straight and turning flight.

(b) The stall warning may be furnished either through the inherent aerodynamic qualities of the airplane or by a device that will give clearly distinguishable indications under expected conditions of flight. However, a visual stall warning device that requires the attention of the crew within the cockpit is not acceptable by itself.

(c) During the stall tests required by SC23.201(b) and SC23.203(a)(1), the stall warning must begin at a speed exceeding the stalling speed by a margin of not less than 5 knots and must continue until the stall occurs.

(d) When following the procedures of SC23.1585, the stall warning must not occur during a takeoff with all engines operating, a takeoff continued with one engine inoperative, or during an approach to landing.

(e) During the stall tests required by SC23.203(a)(2), the stall warning must begin sufficiently in advance of the stall for the stall to be averted by pilot action taken after the stall warning first occurs.

(f) An artificial stall warning may be mutable, provided that it is armed automatically during takeoff and re-armed automatically in the approach configuration.

**Ground Handling Characteristics**

SC23.231 Longitudinal Stability and Control

The airplane may have no uncontrollable tendency to nose over in any reasonably expected operating condition, including rebound during landing or takeoff. Wheel brakes must operate smoothly and may not induce any undue tendency to nose over.

SC23.233 Directional Stability and Control

(a) A 90 degree cross-component of wind velocity, demonstrated to be safe for taxiing, takeoff and landing must be established and must be not less than 0.2 $V_{SO}$.

(b) The airplane must be satisfactorily controllable in power-off landings at normal landing speed, without using brakes or engine thrust to maintain a straight path until the speed has decreased to at least 50 percent of the speed at touchdown.

(c) The airplane must have adequate directional control during taxiing.

SC23.235 Operation on Unpaved Surfaces

The airplane must be demonstrated to have satisfactory characteristics and the shock-absorbing mechanism must not damage the structure of the airplane when the airplane is taxied on the roughest ground that may reasonably be expected in normal operation and when takeoffs and landings are performed on unpaved runways having the roughest surface that may reasonably be expected in normal operation.

**Miscellaneous Flight Requirements**

SC23.251 Vibration and Buffeting

There must be no vibration or buffeting severe enough to result in structural damage and each part of the airplane must be free from excessive vibration, under any appropriate speed and power conditions up to $V_D/M_D$. In addition, there must be no buffeting in any normal flight condition severe enough to interfere with the satisfactory control of the airplane or cause excessive fatigue to the flight crew. Stall warning buffeting within these limits is allowable.

SC23.253 High Speed Characteristics

The following speed increase and recovery characteristics must be met—

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

(b) Allowing for pilot reaction time after occurrence of the effective inherent or artificial speed warning specified in § 23.1303, it must be shown that the airplane can be recovered to a normal attitude and its speed reduced to $V_{MO}/M_{MO}$ without—

(1) Exceptional piloting strength or skill;

(2) Exceeding $V_D/M_D$, the maximum speed shown under SC23.251, or the structural limitations; or

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

(c) There may be no control reversal about any axis at any speed up to the maximum speed shown under SC23.251. Any reversal of elevator control force or tendency of the airplane to pitch, roll, or yaw must be mild and readily controllable, using normal piloting techniques.

*4. Operating Procedures and Information*

Instead of compliance with the sections contained in subpart G of part 23, the following sections apply:

*SC23.1501 General

(a) Each operating limitation specified in SC23.1505 through SC23.1527 and other limitations and information necessary for safe operation must be established.

(b) The operating limitations and other information necessary for safe operation must be made available to the crew members as prescribed in SC23.1541 through SC23.1589.

SC23.1505 Airspeed Limitations

The maximum operating limit speed ($V_{MO}/M_{MO}$ airspeed or Mach number, whichever is critical at a particular altitude) must be established as a speed that may not be deliberately exceeded in any regime of flight (climb, cruise, or descent) unless a higher speed is authorized for flight test or pilot training operations. $V_{MO}/M_{MO}$ must be established so that it is not greater than the design cruising speed $V_C/M_C$ and so that it is sufficiently below $V_D/M_D$ and the maximum speed shown under SC23.251 to make it highly improbable that the latter speeds will be inadvertently exceeded in operations. The speed margin between $V_{MO}/M_{MO}$ and $V_D/M_D$ or the maximum speed shown under SC23.251 may not be less than the speed margin established between $V_C/M_C$ and $V_D/M_D$ under § 23.335(b), or the speed margin found necessary in the flight tests conducted under SC23.253.

SC23.1507 Operating Maneuvering Speed

The maximum operating maneuvering speed $V_O$ must be established as an operating limitation, where $V_O$ must not be greater than the $V_S\sqrt{N}$ established in § 23.335(c).

SC23.1511 Flap Extended Speed

(a) The flap extended speed $V_{FE}$ must be established so that it is—

(1) Not less than the minimum value of $V_F$ allowed in § 23.345(b); and

(2) Not more than $V_F$ established under § 23.345 (a), (c), and (d).

(b) Additional combinations of flap setting, airspeed, and engine thrust may be established if the structure has been proven for the corresponding design conditions.

SC23.1513 Minimum Control Speed

The minimum control speed(s) $V_{MC}$, determined under SC23.149 (b) and (c) must be established as an operating limitation(s).

SC23.1519 Weight and Center of Gravity

The weight and center of gravity ranges, determined under SC23.23 must be established as operating limitations.

SC23.1521 Powerplant Limitations

(a) *General.* The powerplant limitations prescribed in this section must be established so that they do not exceed the corresponding limits for which the engines are type certificated. In addition, other powerplant limitations used in determining compliance with this part must be established.

(b) *Takeoff operation.* The powerplant takeoff operation must be limited by—

(1) The maximum rotational speed (rpm);

(2) The maximum allowable gas temperature;

(3) The maximum allowable oil temperature; and

(4) The time limit for the use of the thrust corresponding to the limitations established in paragraphs (1) and (2) of this special condition.

(c) *Continuous operation.* The continuous operation must be limited by—

(1) The maximum rotational speed (rpm);

(2) The maximum allowable gas temperature; and

(3) The maximum allowable oil temperature.

(d) *Fuel designation.* The fuel designation(s) must be established so that it is not less than that required for the operation of the engines within the limitations in paragraphs (b) and (c) of this section.

(e) *Ambient temperature.* Ambient temperature limitations must be established as the maximum ambient atmospheric

temperature at which compliance with the cooling provisions of §§ 23.1041 through 23.1045 is shown.

SC23.1523 Minimum Flight Crew

The minimum flight crew must be established so that it is sufficient for safe operation considering—

(a) The workload on individual crew members;

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

(c) The kinds of operation authorized under SC23.1525.

SC23.1525 Kinds of Operation

The kinds of operation (such as VFR, IFR, day or night) and the meteorological conditions (such as icing) to which the operation of the airplane is limited or from which it is prohibited, must be established appropriate to the installed equipment.

SC23.1527 Maximum Operating Altitude

(a) The maximum altitude up to which operation is allowed, as limited by flight, structural, powerplant, functional, or equipment characteristics, must be established.

(b) A maximum operating altitude limitation of not more than 25,000 feet must be established for pressurized airplanes, unless compliance with § 23.775(e) is shown.

SC23.1529 Instructions for Continued Airworthiness

The applicant must prepare Instructions for Continued Airworthiness in accordance with Appendix G that are acceptable to the FAA. The instructions may be incomplete at type certification if a program exists to ensure their completion prior to the delivery of the first airplane.

**Markings and Placards**

SC23.1541 General

(a) The airplane must contain—

(1) The markings and placards specified in SC23.1545 through SC23.1567; and

(2) Any additional information, instrument markings and placards required for the safe operation if it has unusual design, operating, or handling characteristics.

(b) Each marking and placard prescribed in paragraph (a) of this section—

(1) Must be displayed in a conspicuous place; and

(2) May not be easily erased, disfigured or obscured.

SC23.1543 Instrument Markings: General

For each instrument—

(a) When markings are on the cover glass of the instrument, there must be means to maintain the correct alignment of the glass cover with the face of the dial;

(b) Each arc and line must be wide enough and located to be clearly visible to the pilot; and

(c) All related instruments must be calibrated in compatible units.

SC23.1545 Airspeed Indicator

Each airspeed indicator must be marked as follows:

(a) For the flap operating range, a white arc with the lower limit at $V_{SO}$ at the maximum weight and the upper limit at the flaps extended speed $V_{FE}$ established under SC23.1511.

(b) A maximum allowable airspeed indication showing the variation of $V_{MO}/M_{MO}$ with altitude or compressibility limitations (as appropriate), or a radial red line marking for $V_{MO}/M_{MO}$ must be made at the lowest value of $V_{MO}/M_{MO}$ established for any altitude up to the maximum operating altitude for the airplane.

SC23.1547 Magnetic Direction Indicator

(a) A placard meeting the requirements of this section must be installed on or near the magnetic direction indicator.

(b) The placard must show the calibration of the instrument in level flight with the engines operating.

(c) The placard must state whether the calibration was made with radio receivers on or off.

(d) Each calibration reading must be in terms of magnetic headings in not more than 30 degree increments.

(e) If a magnetic non-stabilized direction indicator can have a deviation of more than 10 degrees caused by the operation of electrical equipment, the placard must state which electrical loads, or combination of loads, would cause a deviation of more than 10 degrees when turned on.

SC23.1549 Powerplant Instruments

For each required powerplant instrument, as appropriate to the type of instruments—

(a) Each maximum and, if applicable, minimum safe operating limit must be marked with a red radial or a red line;

(b) Each normal operating range must be marked with a green arc or green line not extending beyond the maximum and minimum safe limits;

(c) Each takeoff and precautionary range must be marked with a yellow arc or a yellow line; and

(d) Each engine range that is restricted because of excessive vibration stresses must be marked with red arcs or red lines.

*SC23.1551 Oil Quantity Indicator

Each oil quantity indicator must be marked in sufficient increments to indicate readily and accurately the quantity of oil.

SC23.1553 Fuel Quantity Indicator

A red radial line must be marked on each indicator at the calibrated zero reading, as specified in § 23.1337(b)(1).

SC23.1555 Control Markings

(a) Each cockpit control, other than primary flight controls and simple push-button type starter switches, must be plainly marked as to its function and method of operation.

(b) Each secondary control must be suitably marked.

(c) For powerplant fuel controls—

(1) Each fuel tank selector control must be marked to indicate the position corresponding to each tank and to each existing crossfeed position;

(2) If safe operation requires the use of any tanks in a specific sequence, that sequence must be marked on or near the selector for those tanks;

(3) The conditions under which the full amount of usable fuel in any restricted usage fuel tank can safely be used must be stated on a placard adjacent to the selector valve for that tank; and

(4) Each valve control must be marked to indicate the position corresponding to each engine controlled.

(d) Usable fuel capacity must be marked as follows:

(1) The usable fuel capacity available at each selector control position must be indicated near the selector control.

(e) For accessory, auxiliary and emergency controls—

(1) The landing gear indicator required by § 23.729 must be marked so that the pilot can, at any time, ascertain that the wheels are secured in the extreme positions; and

(2) Each emergency control must be red and must be marked as to method of operation. No control other than an emergency control shall be this color.

SC23.1557 Miscellaneous Markings and Placards

(a) *Baggage and cargo compartments and ballast location.* Each baggage and cargo compartment, and each ballast location, must have a placard stating any limitations on contents, including weight, that are necessary under the loading requirements.

(b) *Fuel and oil filler openings.* The following apply—

(1) Fuel filler openings must be marked at or near the filler cover with—

(i) The words "Jet Fuel"; and

(ii) The permissible fuel designations, or references to the Airplane Flight Manual (AFM) for permissible fuel designations.

(iii) For pressure fueling systems, the maximum permissible fueling supply pressure and the maximum permissible defueling pressure.

(2) Oil filler openings must be marked at or near the filler cover with—

(i) The word "Oil"; and

(ii) The permissible oil designation, or references to the Airplane Flight Manual (AFM) for permissible oil designations.

(c) *Emergency exit placards.* Each placard and operating control for each emergency exit must be red. A placard must be near each emergency exit control and must clearly indicate the location of that exit and its method of operation.

(d) The system voltage of each direct current installation must be clearly marked adjacent to its external power connection.

SC23.1559 Operating Limitations Placard

(a) There must be a placard in clear view of the pilot stating—

(1) That the airplane must be operated in accordance with the approved Flight Manual; and

(2) The certificated category to which the placards apply.

(b) There must be a placard in clear view of the pilot that specifies the kind of operations to which the operation of the airplane is limited or from which it is prohibited under SC23.1525.

SC23.1561 Safety Equipment

(a) Safety equipment must be plainly marked as to method of operation.

(b) Stowage provisions for required safety equipment must be marked for the benefit of occupants.

SC23.1563 Airspeed Placards

There must be an airspeed placard in clear view of the pilot and as close as practicable to the airspeed indicator. This placard must list—

(a) The design maneuvering speed, $V_O$; and

(b) The maximum landing gear operating speed, VLO;

(c) The maximum value of the minimum control speed, $V_{MC}$ (one-engine inoperative), determined under SC23.149 (b) and (c).

SC23.1567 Flight Maneuver Placard

There must be a placard in clear view of the pilot—

(a) Listing the control actions for recovery from spinning maneuvers; and

(b) Stating that recovery must be initiated when spiral characteristics appear, or after not more than six turns or not more than any greater number of turns for which the airplane has been certificated.

**Airplane Flight Manual**

SC23.1581 General

(a) An FAA-Approved Airplane Flight Manual must be furnished with each airplane and it must contain the following—

(1) Information required by SC23.1583 through SC23.1589.

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

(3) Further information necessary to comply with the relevant operating rules.

(b) Each part of the Airplane Flight Manual containing information prescribed in SC23.1583 through SC23.1589 must be approved, segregated, identified, and clearly distinguished from each unapproved part of the Airplane Flight Manual.

(c) The units used in the Airplane Flight Manual must be the same as those marked on the appropriate instruments and placards.

(d) All Airplane Flight Manual operational airspeeds must, unless otherwise stated, be presented as indicated airspeeds.

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

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

SC23.1583 Operating Limitations

The Airplane Flight Manual must contain operating limitations determined under the applicable regulations, including the following:

(a) *Airspeed limitations.*

(1) Information necessary for the marking of the airspeed limits on the indicator as required in SC23.1545, and the significance of each of those limits and of the color coding used on the indicator.

(2) The speeds $V_{MC}$, $V_O$, $V_{LE}$, and $V_{LO}$ and their significance.

(b) *Powerplant limitations.*

(1) Limitations required by SC23.1521.

(2) Explanation of the limitations marking the instruments required by SC23.1549 through SC23.1553.

(c) *Weight.*

(1) The maximum weight; and

(2) The maximum landing weight, if the design landing weight selected by the applicant is less than the maximum weight.

(3) The maximum takeoff weight for each airport altitude and ambient temperature within the range selected by the applicant not exceeding the weight at which the airplane complies with the climb requirements of SC23.63.

(4) The maximum landing weight for each airport altitude and ambient temperature within the range selected by the applicant not exceeding the weight at which the airplane complies with the climb requirements of SC23.63(b)(2).

(5) The maximum zero fuel weight, where relevant.

(d) *Center of gravity.* The established center of gravity limits.

(e) *Maneuvers.* The following authorized maneuvers, appropriate airspeed limitations, and unauthorized maneuvers, as prescribed in this section:

(1) A list of approved acrobatic flight maneuvers demonstrated in the type flight tests, together with recommended entry speeds and any other associated limitations.

(2) Spin recovery procedure established to show compliance with SC23.151(d).

(f) *Maneuver load factor.* The positive and negative limit load factors in g's.

(g) *Minimum flight crew.* The number and functions of the minimum flight crew determined under SC23.1523.

(h) *Kinds of operation.* A list of the kinds of operation to which the airplane is limited or from which it is prohibited under SC23.1525, and also a list of installed equipment that affects any operating limitation and identification as to the equipment's required operational status for the kinds of operation for which approval has been granted.

(i) *Maximum operating altitude.* The maximum altitude established under SC23.1527.

(j) *Allowable lateral fuel loading.* The maximum allowable lateral fuel loading differential, if less than the maximum possible.

(k) *Baggage and cargo loading.* The following information for each baggage and cargo compartment or zone—

(1) The maximum allowable load; and

(2) The maximum intensity of loading.

(l) *Systems.* Any limitations on the use of airplane systems and equipment.

(m) *Ambient temperatures.* Where appropriate, maximum and minimum ambient air temperatures for operation.

(n) *Smoking.* Any restrictions on smoking in the airplane.

(o) *Types of surface.* A statement of the types of surface on which operations may be conducted must be provided.

SC23.1585 Operating Procedures

Information concerning normal, abnormal (if applicable) and emergency procedures, and other pertinent information necessary for safe operation and the achievement of the scheduled performance, must be furnished, including—

(a) An explanation of significant or unusual flight or ground handling characteristics.

(b) The maximum demonstrated values of crosswind for takeoff and landing and procedures and information pertinent to operations in crosswinds.

(c) Procedures, speeds, and configuration(s) for making a normal takeoff in accordance with SC23.51 and SC23.53 and the subsequent climb in accordance with SC23.65 and SC23.69.

(d) Procedures for abandoning a takeoff due to engine failure or other cause.

(e) A recommended speed for flight in rough air. This speed must be chosen to protect against the occurrence, as a result of gusts, of structural damage to the airplane and loss of control (for example, stalling).

(f) Procedures, speeds, and configuration(s) for making a normal approach and landing in accordance with SC23.73 and SC23.75 and a transition to the balked landing condition.

(g) Procedures for restarting any engine in flight, including the effects of altitude.

(h) Procedures and speeds for continuing a takeoff following engine failure and the conditions under which takeoff can safely be continued, or a warning against attempting to continue the takeoff.

(i) Procedures, speeds, and configurations for continuing a climb following engine failure, after takeoff in accordance with SC23.67 and en route in accordance with SC23.69.

(j) Procedures, speeds, and configuration(s) for making an approach and landing with one engine inoperative.

(k) Procedures, speeds, and configuration(s) for making a balked landing with one engine inoperative and the conditions under which a balked landing can safely be performed or a warning against attempting a balked landing.

(l) The $V_{SSE}$ determined in SC23.149.

(m) Information identifying each operating condition in which the fuel system independence prescribed in § 23.953 is necessary for safety must be furnished, together with instructions for placing the fuel system in a configuration used to show compliance with that section.

(n) For each airplane showing compliance with § 23.1353 (g)(2) or (g)(3), the operating procedures for disconnecting the battery from its charging source must be furnished.

(o) Information on the total quantity of usable fuel for each fuel tank and the effect on the unusuable fuel quantity as a result of a failure of any pump, must be furnished.

(p) Procedures for the safe operation of the airplane's systems and equipment, both in normal use and in the event of malfunction, must be furnished.

SC23.1587 Performance Information

Unless otherwise prescribed, the following information must be furnished over the altitude and temperature ranges required by SC23.45(b)—

(a) The stalling speeds $V_{SO}$, and $V_{S1}$ with the landing gear and wing flaps retracted, determined at maximum weight under SC23.49 and the effect on these stalling speeds of angles of bank up to 60 degrees.

(b) The takeoff distance, determined under SC23.53 and the type of runway surface for which it is valid.

(c) The steady rate and gradient of climb with all engines operating, determined under SC23.69(a).

(d) The landing distance, determined under SC23.75, and the type of runway surface for which it is valid.

(e) The effect on takeoff and landing distances of operation on other than smooth hard surfaces, when dry, determined under SC23.45(g).

(f) The effect on takeoff and landing distances of runway slope and 50 percent of the headwind component and 150 percent of the tailwind component.

(g) The steady rate and gradient of climb/descent with one engine inoperative, determined under SC23.69(b).

(h) The steady gradient of climb/descent, determined under SC23.66.

SC23.1589 Loading Information

The following loading information must be furnished:

(a) The weight and location of each item of equipment that can easily be removed, relocated, or replaced and that is installed when the airplane was weighed under SC23.25.

(b) Appropriate loading instructions for each possible loading condition between the maximum and minimum weights established under SC23.25, to facilitate the center of gravity remaining within the limits established under SC23.23.

*5. Effects of Contamination on Natural Laminar Flow Airfoils*

In the absence of specific requirements for airfoil contamination, airplane airfoil designs that have airfoil pressure gradient characteristics and smooth aerodynamic surfaces that may be capable of supporting natural laminar flow must comply with the following:

(a) It must be shown by tests, or analysis supported by tests, that the airplane complies with the requirements of SC23.141 through SC23.253 and special condition 4 with any airfoil contamination that would normally be encountered in service and that would cause significant adverse effects on the handling qualities of the airplanes resulting from the loss of laminar flow.

(b) Significant performance degradations identified as resulting from the loss of laminar flow must be provided as part of the information required by special condition 4.

Issued in Kansas City, Missouri, on January 31, 1994.

**Barry D. Clements,**

*Manager, Small Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 94–3620 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

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**14 CFR Part 39**

**[Docket No. 94–NM–11–AD; Amendment 39–8827; AD 94–04–07]**

## Airworthiness Directives; Beech Model 400A Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Final rule; request for comments.

**SUMMARY:** This amendment adopts a new airworthiness directive (AD) that is applicable to certain Beech Model 400A airplanes. This action requires rework or replacement of certain hubcaps on the main landing gear. This AD also requires incorporation of procedures into the FAA-approved maintenance program for inspections of the transducer drive clip to ensure that the drive clip gap does not exceed a specified limit. This amendment is prompted by a report that a Beech Model 400A airplane lost its anti-skid braking system during landing roll out. The actions specified in this AD are intended to prevent degradation or loss of braking performance.

**DATES:** Effective March 7, 1994.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 7, 1994.

Comments for inclusion in the Rules Docket must be received on or before April 19, 1994.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 94–NM–11–AD, 1601 Lind Avenue, SW., Renton, Washington 98055–4056.

The service information referenced in this AD may be obtained from Beech Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201–0085. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dale A. Vassalli, Aerospace Engineer, Systems and Equipment Branch, ACE–130W, FAA, Small Airplane Directorate, Wichita Aircraft Certification Office, 1801 Airport Road, room 100, Mid-Continent Airport, Wichita, Kansas 67209; telephone (316) 946–4132; fax (316) 946–4407.

**SUPPLEMENTARY INFORMATION:** The FAA has received a report that a Beech Model 400A airplane lost its anti-skid braking system during landing roll out. In addition, the FAA has received reports that other Model 400A airplanes have also experienced similar problems with the anti-skid system. Although the exact cause of the brake failure is undetermined, results of tests and inspections of the brakes and the anti-skid system on these airplanes have revealed that only marginal engagement may occur between the main wheel hubcap drive clip and the anti-skid wheel speed transducer. Lack of adequate engagement between the drive clip and the transducer could cause the transducer to send erroneous signals to the anti-skid control box. This condition, if not corrected, could result in degradation or loss of braking performance.

Model 400A airplanes are equipped with a back-up emergency braking system. Power brake failure procedures contained in the Emergency Procedures section of the FAA-approved Airplane Flight Manual (AFM) specify that the required landing distance will increase by approximately 50 percent when the brakes have failed and the emergency brake system is activated. This increase assumes that brake failure is recognized. In certain brake failure conditions caused by the drive clip not being fully engaged, the pilot may not immediately recognize the degradation of braking performance. In this case, the required landing distance could increase by 70 percent or more.

Federal Aviation Regulation (FAR) 25.735 specifies, in part, that single failures in brake systems are acceptable, as long as the airplane can be brought to rest under the landing performance conditions specified in FAR 25.125 with a mean deceleration during the landing roll of at least 50 percent of that obtained during normal landing performance. Since Beech Model 400A airplanes operate under part 91 of the FAR, the AFM allows landings on a runway as short as the actual landing distance determined under FAR 25.125, if the normal brake system is operating. If the normal brake system fails and the pilot must revert to the emergency brake system, the actual landing distance required could easily exceed the actual runway length available.

The FAA has reviewed and approved Beechcraft Service Bulletin No. 2549, dated January 1994, that describes procedures for replacement of certain hubcaps on the main landing gear with new hubcaps, or rework and reidentification of certain hubcaps. The rework involves adding a spacer between the hubcap drive clip and the hubcap, and reidentifying the hubcap assembly with a specified part number. Accomplishment of these actions will prevent loss of anti-skid braking action due to intermittent wheel speed transducer signals. The service bulletin also describes procedures for an

inspection of the transducer drive clip to ensure that the drive clip gap does not exceed a specified limit. The Beechcraft service bulletin references Crane Hydro-Aire Service Bulletin No. 140–031–32–1, dated December 17, 1993, as an additional source of service information.

Since an unsafe condition has been identified that is likely to exist or develop on other Model 400A airplanes of the same type design, this AD is being issued to prevent degradation or loss of braking performance. This AD requires rework or replacement of certain hubcaps on the main landing gear. This AD also requires incorporation of procedures into the FAA-approved maintenance program for inspections of the transducer drive clip to ensure that the drive clip gap does not exceed a specified limit. The rework or replacement is required to be accomplished in accordance with the Beechcraft service bulletin described previously. The inspection procedure is also referenced in that service bulletin.

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

**Comments Invited**

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

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

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 94–NM–11–AD." The postcard will be date stamped and returned to the commenter.

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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

**List of Subjects in 14 CFR Part 39**

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

**Adoption of the Amendment**

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

## PART 39—AIRWORTHINESS DIRECTIVES

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

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

**§ 39.13 [Amended]**

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

**94–04–07 Beech Aircraft Corporation:** Amendment 39–8827. Docket 94–NM–11–AD.

*Applicability:* Model 400A airplanes; serial numbers RK–1 through RK–23 inclusive, on which BEECHCRAFT Kit No. 128–8001–1 S (increased landing weight modification) is installed; and serial numbers RK–24 through RK–76 inclusive; certificated in any category.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent degradation or loss of braking performance, accomplish the following:

(a) Within 25 hours time-in-service or 30 days after the effective date of this AD, whichever occurs first, accomplish the requirements of paragraphs (a)(1) and (a)(2) of this AD:

(1) Replace the existing left- and right-hand hubcaps on the main landing gear with new hubcaps, part number 140–03121–1; or rework the existing hubcaps by adding a spacer between the hubcap drive clip and the hubcap and reidentifying the hubcap assembly as part number 140–03121–1; in accordance with Beechcraft Service Bulletin No. 2549, dated January 1994.

(2) Incorporate into the FAA-approved maintenance inspection program the procedure described in Beechcraft Service Bulletin No. 2549, dated January 1994, for inspecting the transducer drive clip to ensure that the drive clip gap does not exceed 0.20 inch, which must be accomplished each time a hubcap is removed.

**Note 1:** The Beechcraft service bulletin references Crane Hydro-Aire Service Bulletin No. 140–031–32–1, dated December 17, 1993, as an additional source of service information.

(b) After the effective date of this AD, no person shall install a hubcap assembly, part number 140–03121, on any airplane.

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

**Note 2:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Wichita ACO.

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

(e) The rework and replacement shall be done in accordance with Beechcraft Service Bulletin No. 2549, dated January 1994. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Beech

Aircraft Corporation, P.O. Box 85, Wichita, Kansas 67201–0085. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the FAA, Wichita Aircraft Certification Office, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(f) This amendment becomes effective on March 7, 1994.

Issued in Renton, Washington, on February 10, 1994.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 94–3582 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–U

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## 14 CFR Part 71

**[Airspace Docket No 93–ASW–31]**

## Alteration of Jet Route J–142

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action removes a segment of Jet Route J–142 between San Simon, AZ, and Socorro, NM. J–142 was initially established for air traffic control (ATC) purposes when Restricted Area R–5113 was in use. Since R–5113 is used for thunderstorm research approximately one month per year, this segment of J–142 is rarely utilized. When R–5113 is active, aircraft will be vectored clear of the area.

**EFFECTIVE DATE:** 0901 u.t.c., April 28, 1994.

**FOR FURTHER INFORMATION CONTACT:** Lewis W. Still, Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–9250.

**SUPPLEMENTARY INFORMATION:**

### History

On October 14, 1993, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to remove a portion of J–142 between San Simon, AZ, and Socorro, NM (58 FR 53166). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Jet routes are published in paragraph 2004 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 (58 FR 36298; July 6, 1993). The jet route listed in this document will be published subsequently in the Order.

### The Rule

This amendment to part 71 of the Federal Aviation Regulations removes a portion of J–142 between San Simon, AZ, and Socorro, NM. J–142 is a dogleg route established for use when R–5113 is in use. R–5113 is used for thunderstorm research approximately one month a year. Since that portion of J–142 is rarely used, the FAA is removing that segment. Aircraft will be vectored clear of the area when R–5113 is active. This action will reduce chart clutter.

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. It, therefore—(1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) 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 rule 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—[AMENDED]

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

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9A, Airspace Designations and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

*Paragraph 2004—Jet Routes*

* * * * *

**J–142 [Revised] From Anton Chico, NM; to Borger, TX.**

* * * * *

Issued in Washington, DC, on February 8, 1994.

**Harold W. Becker,**

*Manager, Airspace-Rules and Aeronautical Information Division.*

[FR Doc. 94–3742 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

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## 14 CFR Part 71

**[Airspace Docket No. 93–ANM–37]**

## Amendment of Class D Airspace; Ogden, UT

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the Ogden, Hill Air Force Base (AFB) Utah (UT), Class D airspace. This action corrects an error in the airspace description inadvertently committed during the airspace reclassification process. This action reduces the size of the Ogden, Hill AFB, UT, Class D airspace. Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "control zone," replacing it with the designation "Class D airspace." The airspace will be depicted on aeronautical charts for pilot reference.

**EFFECTIVE DATE:** 0901 u.t.c., April 28, 1994.

**FOR FURTHER INFORMATION CONTACT:** James E. Riley, ANM–537, Federal Aviation Administration, Docket No. 93–ANM–37, 1601 Lind Avenue SW., Renton, Washington 98055–4056, telephone: (202) 227–2537.

**SUPPLEMENTARY INFORMATION:**

### History

On December 3, 1993, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) by amending the Ogden, Hill AFB, UT, Class D airspace (58 FR 63904). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "control zone," replacing it with the designation "Class

D airspace." Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 (58 FR 36298; July 6, 1993). The Class D airspace designation listed in this document will be published subsequently in the Order.

**The Rule**

This amendment to part 71 of the Federal Aviation Regulations amends the Class D airspace at Ogden, Hill AFB, UT, to correct an error in the airspace description inadvertently committed during the airspace reclassification process. This action reduces the size of the Ogden, Hill AFB, UT, Class D airspace.

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. It, therefore—(1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) 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 rule 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—[AMENDED]**

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

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9A, Airspace Designations and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

*Paragraph 5000 General*

* * * * *

**ANM UT D Ogden, Hill AFB, UT [Revised]**

Ogden, Hill AFB, UT
(Lat. 41°07′25″ N, long. 111°58′23″ W)
Ogden-Hinckley Airport
(Lat. 41°11′46″ N, long. 112°00′44″ W)

That airspace extending upward from the surface to, but not including, 7,800 feet MSL within the 4.3-mile radius of the Ogden-Hinckley Airport and the 4.3-mile radius of the Hill AFB; excluding that airspace within the Ogden-Hinckley Airport, UT, Class D area when it is effective.

* * * * *

Issued in Seattle, Washington, on February 4, 1994.

**Temple H. Johnson, Jr.,**

*Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 94–3740 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Parts 430, 436, and 441

**[Docket No. 93N–0366]**

### Antibiotic Drugs; Updates, Technical Changes, and Correction

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the antibiotic drug regulations by updating, making noncontroversial technical changes, and making a correction in accepted standards of antibiotic and antibiotic-containing drugs for human use. These changes will result in more accurate and usable regulations.

**DATES:** Effective February 18, 1994; written comments, notice of participation, and request for a hearing by March 21, 1994; data, information, and analyses to justify a hearing by April 19, 1994.

**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857.

**FOR FURTHER INFORMATION CONTACT:** Peter A. Dionne, Center for Drug Evaluation and Research (HFD–520), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–0335.

**SUPPLEMENTARY INFORMATION:** FDA is amending the antibiotic drug regulations by updating, making noncontroversial technical changes, and making a correction in certain antibiotic drug regulations that provide for accepted standards of antibiotic and antibiotic containing drugs intended for human use.

In § 430.6(b)(89) (21 CFR 430.6(b)(89)), the amount of imipenem master standard that is equivalent to 1 microgram of imipenem activity (potency) is revised from "1.07" to "1.085" micrograms to reflect the total moisture content and impurities in the master standard.

In § 436.215(b) (21 CFR 436.215(b)), the rotation rate of the paddle in the dissolution test for cephalexin hydrochloride monohydrate tablets of "100" revolutions per minute (rpm) is corrected to read "150" rpm. In the **Federal Register** of November 28, 1989 (54 FR 48859), the rotation rate of the apparatus in the dissolution test for cephalexin hydrochloride tablets was incorrectly given as "100" rpm. The only manufacturer of this product brought this error to the agency's attention and requested that the rotation rate be revised to read "150" rpm. The manufacturer has presented data that show that a rotation rate of "100" rpm causes wide variation in the dissolution results for the 500-milligram tablets. This variation causes an increase in the relative standard deviation of the data to the point that a significant number of lots would be rejected. The manufacturer has also submitted data that show that these rejected lots are fully bioavailable. FDA agrees that the 100 rpm rate was an error and that a 150 rpm rotation rate should be used.

In § 441.20a(a)(1)(i) (21 CFR 441.20a(a)(1)(i)), the potency specification for sterile imipenem monohydrate is revised from "not less than 849 micrograms and not more than 990 micrograms" to "not less than 900 micrograms and not more than 1,050 micrograms" of imipenem per milligram on an anhydrous basis. The former potency specification incorrectly reflects the monohydrate form rather than the anhydrous form of the bulk material.

**Environmental Impact**

The agency has determined under 21 CFR 25.24(c)(6) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

**Submitting Comments and Filing Objections**

These amendments institute changes that are corrective, editorial, or of a minor technical nature. Because the amendments are not controversial, and because when effective they provide notice of accepted standards, FDA finds that notice, public procedure, and delayed effective date are unnecessary and not in the public interest. This final rule, therefore, becomes effective February 18, 1994. However, interested persons may, on or before March 21, 1994, submit written comments to the Dockets Management Branch (address above). Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this final rule may file objections to it and request a hearing. Reasonable grounds for the hearing must be shown. Any person who decides to seek a hearing must file: (1) On or before March 21, 1994, a written notice of participation and request for a hearing, and (2) on or before April 19, 1994, the data, information, and analyses on which the person relies to justify a hearing, as specified in 21 CFR 314.300. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for a hearing that no genuine and substantial issue of fact precludes the action taken by this order, or if a request for a hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who request(s) the hearing, making findings and conclusions and denying a hearing. All submissions must be filed in three copies, identified with the docket number appearing in the heading of this document and filed with the Dockets Management Branch.

The procedures and requirements governing this order, a notice of participation and request for a hearing, a submission of data, information, and analyses to justify a hearing, other comments, and grant or denial of a hearing are contained in 21 CFR 314.300.

All submissions under this order, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

**List of Subjects**

*21 CFR Part 430*

Administrative practice and procedure, Antibiotics.

*21 CFR Parts 436 and 441*

Antibiotics.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR parts 430, 436, and 441 are amended as follows:

## PART 430—ANTIBIOTIC DRUGS; GENERAL

1. The authority citation for 21 CFR part 430 continues to read as follows:

**Authority:** Secs. 201, 501, 502, 503, 505, 507, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 351, 352, 353, 355, 357, 371); secs. 215, 301, 351 of the Public Health Service Act (42 U.S.C. 216, 241, 262).

2. Section 430.6 is amended by revising paragraph (b)(89) to read as follows:

**§ 430.6 Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.**

* * * * *

(b) * * *

(89) *Imipenem.* The term "microgram" applied to imipenem monohydrate means the imipenem activity (potency) contained in 1.085 micrograms of the imipenem master standard.

* * * * *

## PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

3. The authority citation for 21 CFR part 436 continues to read as follows:

**Authority:** Sec. 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357).

4. Section 436.215 is amended in the table in paragraph (b) by revising the entry for "Cephalexin hydrochloride monohydrate tablets" to read as follows:

**§ 436.215 Dissolution test.**

* * * * *

(b) * * *

| Dosage form | Dissolution medium | Rotation rate[1] | Sampling time(s) | Apparatus |
|---|---|---|---|---|
| * * | * | * | * * | * |
| Cephalexin hydrochloride monohydrate tablets | 900 mL distilled water | 150 | 45 min | 1 |
| * * | * | * | * * | * |

[1] Rotation rate of basket or paddle stirring element (revolutions per minute).

## PART 441—PENEM ANTIBIOTIC DRUGS

5. The authority citation for 21 CFR part 441 continues to read as follows:

**Authority:** Sec. 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357).

6. Section 441.20a is amended by revising paragraph (a)(1)(i) to read as follows:

**§ 441.20a Sterile imipenem monohydrate.**

(a) * * *

(1) * * *

(i) Its potency is not less than 900 micrograms and not more than 1,050 micrograms of imipenem per milligram on an anhydrous basis.

* * * * *

Dated: February 9, 1994.

**Stephanie R. Gray,**

*Office of Compliance, Center for Biologics Evaluation and Research.*

[FR Doc. 94–3730 Filed 2–17–94; 8:45 am]

BILLING CODE 4160–01–F

**21 CFR Part 558**

**[Docket No. 93N–0471]**

## New Animal Drugs for Use in Animal Feeds; Maduramicin Ammonium With Chlortetracycline

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule.

**SUMMARY:** The Food and Drug Administration (FDA) is amending the

animal drug regulations to remove those portions of the regulations that reflect approval of a new animal drug application (NADA) held by American Cyanamid Co. The NADA provides for the use of 4.54 to 5.45 grams (g) per ton of maduramicin ammonium combination with 500 g per ton of chlortetracycline in the feed of broiler chickens for the prevention of coccidiosis and as an aid in the reduction of mortality due to *Escherichia coli* infections. In a notice published elsewhere in this issue of the **Federal Register**, FDA is withdrawing approval of the NADA.

**EFFECTIVE DATE:** February 28, 1994.

**FOR FURTHER INFORMATION CONTACT:** Mohammad I. Sharar, Center for Veterinary Medicine (HFV–216), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–594–0749.

**SUPPLEMENTARY INFORMATION:** In a notice published elsewhere in this issue of the **Federal Register**, FDA is withdrawing approval of NADA 140–837 held by American Cyanamid Co., Agricultural Research Division, Box 400, Princeton, NJ 08450. The sponsor requested withdrawal of approval of the NADA. The NADA provides for the use of 4.54 to 5.45 g per ton of maduramicin ammonium combination with 500 g per ton of chlortetracycline in the feed of broiler chickens for the prevention of coccidiosis and as an aid in the reduction of mortality due to *E. coli* infections. This document amends 21 CFR 558.128(c)(5)(xiii) and 558.340(c)(2)(i) and (c)(2)(ii) to reflect the withdrawal of approval of the NADA.

**List of Subjects in 21 CFR Part 558**

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 558 is amended as follows:

## PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR part 558 continues to read as follows:

**Authority:** Secs. 512, 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b, 371).

**§ 558.128 [Amended]**

2. Section 558.128 *Chlortetracycline* is amended by removing paragraph (c)(5)(xiii).

**§ 558.340 [Amended]**

3. Section 558.340 *Maduramicin ammonium* is amended by removing and reserving paragraph (c)(2).

Dated: February 10, 1994.

**Richard H. Teske,**

*Acting Director, Center for Veterinary Medicine.*

[FR Doc. 94–3715 Filed 2–17–94; 8:45 am]

BILLING CODE 4160–01–F

## DEPARTMENT OF THE TREASURY

**Office of Foreign Assets Control**

**31 CFR Part 580**

### Haitian Transactions Regulations; Extension of Assembly Sector Licenses

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Policy statement.

**SUMMARY:** The Office of Foreign Assets Control is extending until March 31, 1994, the expiration date for all current assembly sector licenses issued pursuant to the Haitian Transactions Regulations.

**EFFECTIVE DATE:** January 31, 1994.

**FOR FURTHER INFORMATION CONTACT:** Steven I. Pinter, Chief of Licensing (tel: 202/622–2480), or William B. Hoffman, Chief Counsel (tel.: 202/622–2410), Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220.

**SUPPLEMENTARY INFORMATION:**

**Electronic Availability**

This document is available as an electronic file on *The Federal Bulletin Board* the day of publication in the **Federal Register**. By modem dial 202/512–1387 or call 202/512–1530 for disks or paper copies. This file is available in Postscript, WordPerfect 5.1 and ASCII.

**Background**

Licenses issued pursuant to § 580.515 of the the Haitian Transactions Regulations, 31 CFR part 580 (the "Regulations"), authorize transactions in connection with both the exportation to Haiti of articles containing specified parts or materials, and the importation into the United States of specified articles assembled in Haiti containing materials or parts exported from the United States. By a policy statement issued on January 6, 1993, the expiration date of those licenses was extended to January 31, 1994 (58 FR 3228, Jan. 8, 1993). The Office of Foreign Assets Control has determined to extend the licenses for an additional 60 days. Accordingly, under the authority of 50 U.S.C. 1701 through 1706; E.O. 12775, 3 CFR, 1991 Comp., p. 349; and E.O. 12779, 3 CFR, 1991 Comp., p. 367, the Office of Foreign Assets Control gives notice that:

1. The expiration date of all licenses issued pursuant to § 580.515 of the Regulations and in effect as of January 31, 1994, is extended to March 31, 1994.

2. Holders of such licenses need not file requests for renewal with the Office of Foreign Assets Control.

Dated: January 27, 1994.

**R. Richard Newcomb,**

*Director, Office of Foreign Assets Control.*

Approved: January 31, 1994.

**John P. Simpson,**

*Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).*

[FR Doc. 94–3736 Filed 2–15–94; 11:53 am]

BILLING CODE 4810–25–F

## ENVIRONMENTAL PROTECTION AGENCY

**40 CFR Part 60**

**[IL39–3–6269; FRL–4835–6]**

### Standards of Performance for New Stationary Sources; Fossil-Fuel-Fired Steam Generators; Correction

**AGENCY:** Environmental Protection Agency.

**ACTION:** Correcting amendments.

**SUMMARY:** This document contains corrections to the final regulations which were published Monday, May 17, 1993. The regulations pertain to appendix G—Provisions for an Alternative Method of Demonstrating Compliance with 40 CFR 60.43 for the Newton Power Station of Central Illinois Public Service Company.

**EFFECTIVE DATE:** July 16, 1993.

**FOR FURTHER INFORMATION CONTACT:** Fayette Bright (312) 886–6069.

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations that are the subject of these corrections, superseded 40 CFR part 60, subpart D, appendix G, § 60.43 on the effective date as it applies to sulfur dioxide emissions from the two steam generating units at the Central Illinois Public Service Company's Newton Power Station in Jasper County, Illinois. Appendix G provides provisions for alternative methods of compliance with 40 CFR 60.43 for the Newton Power Station of Central Illinois Public Service Company. Appendix G was revised in the CFR under the

authority section 307(b)(1) of the Clean Air Act.

**Need for Correction**

As published, the last page of the revisions to the final regulations of appendix G was omitted and needs to be added since the regulation as it appears in the CFR is now incomplete.

**List of Subjects in 40 CFR Part 60**

Environmental protection, Air pollution control, Fossil-fuel-fired steam generating units, Intergovernmental relations, Reporting and recordkeeping requirements.

Dated: January 26, 1994.

**Valdas V. Adamkus,**

*Regional Administrator.*

Accordingly, 40 CFR part 60 is corrected by making the following correcting amendments.

## PART 60—STANDARDS OF PERFORMANCE FOR NEW STATIONARY SOURCES

1. The authority citation for part 60 continues to read as follows:

**Authority:** 42 U.S.C. 7411, 7414, and 7601(a).

2. Section 6.2.9 is added to appendix G to read as follows:

**Appendix G—Provisions for an Alternative Method of Demonstrating Compliance With 40 CFR 60.43 for the Newton Power Station of Central Illinois Public Service Company**

* * * * *

6.2.9 Identify any periods of time that any exhaust gases were discharged to the DAFGDS bypass stack and the hourly gas flow rate through the DAFGDS stack and through the DAFGDS bypass stack during such periods and reason for bypass operation.

* * * * *

3. Section 6.2.10 of appendix G is removed and reserved.

6.2.10 [Reserved]

[FR Doc. 94–3431 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–P

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**40 CFR Part 180**

**[PP 1F3974/R2040; FRL–4757–8]**

**RIN 2070–AC18**

## Pesticide Tolerances for 1-[[2-(2,4-Dichlorophenyl)-4-Propyl-1,3-Dioxolan-2-yl]Methyl]-1H-1,2,4-Triazole and its Metabolites

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule.

**SUMMARY:** This rule establishes tolerances for the fungicide 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2yl-]methyl]-1*H*-1,2,4-triazole and its metabolites, determined as 2,4-dichlorobenzoic acid and expressed as parent compound, in or on the raw agricultural commodities grass forage, hay (straw), and seed screenings and kidney and liver of cattle, goats, hogs, horses, and sheep. This rule to establish the maximum permissible levels for residues of propiconazole in or on the commodities listed above was requested in petitions submitted by the Ciba-Geigy Corp.

**EFFECTIVE DATE:** This regulation is effective January 28, 1994.

**ADDRESSES:** Written objections, identified by the document control number, [PP 1F3974/R2040], may be submitted to: Hearing Clerk (A-110), Environmental Protection Agency, Rm. M3708, 401 M St., SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** By mail: Sidney C. Jackson, Acting Product Manager (PM) 21, Registration Division (7505C), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 227, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-6900.

**SUPPLEMENTARY INFORMATION:** EPA issued a notice, published in the **Federal Register** of February 22, 1989 (54 FR 7597), which announced that the Ciba-Geigy Corp., P.O. Box 18300, Greensboro, NC 27419, had submitted a pesticide petition (PP 9F3706) to EPA requesting that the Administrator, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 346a(d), propose to amend 40 CFR 180.434 by establishing tolerances for the fungicide 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1*H*-1,2,4-triazole and its metabolites, determined as 2,4-dichlorobenzoic acid and expressed as parent compound, in or on the commodities grass hay at 5.0 parts per million (ppm) and grass forage at 0.5 ppm. EPA issued a notice, published in the **Federal Register** of April 19, 1989 (54 FR 15802), which announced that the petition was subsequently amended by Ciba-Geigy Corp. by retaining the previously proposed tolerances for grass hay and grass forage while proposing to increase the established tolerance level for kidney and liver of cattle, goats, hogs, horses, and sheep to 2.0 ppm. EPA issued a notice, published in the **Federal Register** of March 15, 1989 (54 FR 10715), which announced that Ciba-Geigy amended the petition by proposing a tolerance for residues of the fungicide for the commodity grass seed screenings at 10 ppm.

In the **Federal Register** of June 21, 1989 (54 FR 26044), EPA established tolerances, on an interim basis, in 40 CFR 180.434 for residues of this chemical in or on the raw agricultural commodities grass forage, hay and seed screenings and liver and kidney of cattle, goats, hogs, horses, and sheep. An expiration date of June 21, 1991, was imposed for the tolerances. The interim tolerances were established based upon the condition that data be submitted to the Agency to fully support permanent tolerances for these commodities. Available data were insufficient to completely characterize the metabolism of the compound in ruminants, and residue data were inadequate due to insufficient geographic distribution and grass species representation.

Data were submitted in response to the conditions of the interim tolerances within the required time imposed. However, review of these data indicated that the data did not reflect use of the chemical according to label use direction, and the data were considered to be inadequate. The reasons for the inadequacies in the submitted data were not under the control of the company but a result of excessively heavy rainfall during the grass growing season. Label directions pertaining to both the application interval and the prescribed preharvest interval could not be followed.

Subsequently, EPA issued a notice, published in the **Federal Register** of July 1, 1991 (56 FR 29900), which announced that the tolerances described above were extended from June 21, 1991, to June 21, 1993.

A notice of filing to establish tolerance levels in or on grass seed screenings at 70 ppm, grass straw at 40 ppm, and grass forage at 2.0 ppm was published in the **Federal Register** of May 15, 1991 (56 FR 22428). The Agency did not receive any objections in response to this notice. On January 14, 1993, Ciba-Geigy proposed revisions to the earlier published tolerances to include 60 ppm for grass seed screenings, 40 ppm for grass straw, and 0.5 ppm for grass forage. These revised tolerance levels are based on the most recent residue data submitted and are intended to avoid any possible over-tolerance residues in the affected commodities.

The data submitted in the petition and other relevant materials have been evaluated. The data considered include the following.

1. Plant and animal metabolism studies.

2. Residue data for crop and livestock commodities.

3. Two enforcement methodologies and multiresidue method testing data.

4. A rat oral lethal dose ($LD_{50}$) of 1,517 milligrams/kilogram (mg/kg) of body weight.

5. A 90-day rat feeding study with a no-observable-effect level (NOEL) of 12 mg/kg/day.

6. A 90-day dog feeding study with a NOEL of 1.25 mg/kg/day.

7. A rabbit developmental toxicity study with a maternal NOEL of 100 mg/kg/day and a developmental toxicity NOEL of greater than 400 mg/kg/day (highest dose tested (HDT)).

8. A rat teratology study with a maternal toxicity NOEL of 30 mg/kg/day and a developmental toxicity NOEL of 30 mg/kg/day.

9. A two-generation rat reproduction study with a reproductive NOEL of 125 mg/kg/day (HDT) and a developmental toxicity NOEL of 25 mg/kg/day.

10. A 1-year dog feeding study with a NOEL of 1.25 mg/kg/day.

11. A 2-year rat chronic feeding/carcinogenicity study with a NOEL of 5 mg/kg/day with no carcinogenic potential under the conditions of the study up to and including approximately 125 mg/kg, the highest dose tested.

12. A 2-year mouse chronic feeding/carcinogenicity study with a NOEL of 15 mg/kg/day and with a statistically significant increase in combined adenomas and carcinomas of the liver in male mice at approximately 375 mg/kg/day, the highest dose tested.

13. Ames test with and without activation, negative.

14. A mouse dominant-lethal assay, negative.

15. Chinese hamster nucleus anomaly, negative.

16. Cell transformation assay, negative.

Ciba-Geigy submitted information which resolved the previously outstanding concerns about the nature of the residue in ruminants, an explanation of recovery calculations, and an explanation of the crop field trial protocol. Data gaps exist concerning dosing in the mouse carcinogenicity study. These data requirements were required under reregistration, pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. 136 et seq.

As part of EPA's evaluation of potential human health risks, propiconazole has been the subject of five Peer Reviews and one Scientific Advisory Panel (SAP) meeting.

Propiconazole was originally evaluated by the Peer Review Committee on January 15, 1987, and classified as a Group C (possible human) carcinogen with a recommendation made for the quantification of estimated potential human risk using a linearized low-dose extrapolation. The method resulted in the establishment of a $Q^*$ of $7.9 \times 10^{-2}$ $(mg/kg/day)^{-1}$.

The Peer Review Committee's decision was presented to the FIFRA Scientific Advisory Panel on March 2, 1988. The Panel did not concur with the committee's overall assessment of the weight-of-evidence on the carcinogenicity of propiconazole. The Panel recommended placing the chemical in Group D, indicating that the Group C classification was based on minimal evidence. The Panel's determination that EPA's Group C classification was based on minimal evidence was due to the fact that the incidence of liver tumors in male mice only occurred when the mice were given an excessive chemical dose.

In the second, third, and fourth Peer Reviews that followed, the Peer Review Committee considered recommendations of the SAP as well as rebuttals by the registrant. Its conclusion, however, that propiconazole should be classified as a Group C carcinogen with a quantification of potential human risk remained unchanged.

As part of a fifth Peer Review, EPA considered additional information provided by the registrant in support of the registrant's argument that the high dose was excessively toxic in the mouse carcinogenicity study. It further argued that the data from the high dose (2,500 ppm) should not be included in the evaluation of carcinogenic potential of propiconazole. In support of these arguments, the registrant provided two subchronic oral toxicity studies in mice. Ciba-Geigy also provided a reread of the pathology slides from a mouse oncogenicity study which it felt indicated sufficient concurrent liver toxicity at 2,500 ppm to document that this dose was excessive. These findings were not present in the original pathology report. Owing to the inconsistency in Ciba-Geigy's report and the original report, the Agency requested that an independent (third) evaluation of the pathology slides be made to determine if the pathology reported could be confirmed. The results of this (third) pathology evaluation were used in the fifth Peer Review in place of data resulting from the earlier evaluations provided by Ciba-Geigy.

The Peer Review Committee considered the following facts regarding the toxicology data on propiconazole in a weight-of-evidence determination of carcinogenic potential:

1. Increased numbers of adenomas (increased trend and pairwise comparison) were found in the livers of male CD1 mice given 2,500 ppm of propiconazole in the diet.

2. The treated animals had earlier fatalities than the controls.

3. The numbers of carcinomas were increased (trend only) in male mice only at the 2,500 ppm dose level. Tumors were not significantly increased at the 500 ppm dose level. Adenomas observed in the treated animals were larger and more numerous than those in controls; however, the tumor type (adenoma) was the same.

4. No excessive number of tumors was found in female mice.

5. In a rat study conducted with acceptable doses of propiconazole, no excessive numbers of tumors were found.

The Peer Review Committee determined, based on the additional information submitted by Ciba-Geigy from two 90-day subchronic studies in mice that the 2,500-ppm dose used in the 2-year chronic study exceeded the maximum tolerated dose (MTD) based on the endpoint of hepatic necrosis, and the 500-ppm dose used in the chronic study was inadequate to assess the carcinogenicity of propiconazole. Based on the third pathology evaluation of the chronic study, the Peer Review Committee disagreed with Ciba-Geigy's argument that the study showed excessive toxicity at the 2,500 ppm-dose. However, the Peer Review Committee concluded that the 90-day subchronic studies are a better measure of what would be an MTD.

Based upon these findings, the Peer Review Committee agreed that the classification for propiconazole should remain a Group C (possible human) carcinogen and recommended against the previously used $Q^*$ (viz. 0.079) for risk assessment purposes. For the purpose of risk characterization the Peer Review Committee recommended that the reference dose (RfD) approach should be used for quantification of human risk. This decision was based on the disqualification of the high dose (2,500 ppm), making the data inappropriate for the calculation of $Q^*$. Because the middle dose (500 ppm) was not considered sufficiently high enough for assessing the carcinogenetic potential of propiconazole, EPA has requested an additional mouse study at intermediate dose levels in male mice only. EPA does not expect that these data will significantly change the above cancer assessment that propiconazole

poses a negligible cancer risk to humans.

The reference dose (RfD) for propiconazole is 0.013 mg/kg/day, based on a no-observable-effect level (NOEL) of 1.25 mg/kg/day and an uncertainty factor of 100. The NOEL is taken from a 1-year feeding study in dogs which demonstrated as an effect irritation of the stomach in males.

The Agency has evaluated dietary exposure to the fungicide residues based on the proposed tolerances and the commodities which have established tolerances using data on anticipated residues and percent crop treated data. The livestock burden was calculated using anticipated residues in feed items multiplied by the expected percent contribution to the diet. This dietary burden was then compared with available data from feeding studies to determine anticipated residues in meat and milk. Based on current registered uses of this chemical only 4 percent of the RfD is being utilized for the general U.S. population. The tolerances are expected to elicit only a minor increase in the percent utilization of the RfD for the general U.S. population. The most highly exposed subgroups, nursing and nonnursing infants < 1 year, have Anticipated Residue Contributions (ARCs) from all published tolerances of $1.9 \times 10^{-3}$ and $3.7 \times 10^{-3}$ mg/kg bwt/day. These ARCs represent 15% and 28% of the Reference Dose for these subgroups, respectively.

The nature of the residue in plants and animals is adequately understood, and adequate analytical methods (gas chromatography) are available for enforcement purposes. Because of the long lead time for establishing these tolerances and food additive regulations to publication of the enforcement methodology in the Pesticide Analytical Manual, Vol. II, the analytical methodology is being made available in the interim to anyone interested in pesticide enforcement when requested from: Calvin Furlow, Public Information Branch, Field Operations Division (7506C), 401 M St., SW., Washington, DC 20460. Office location and telephone number: Rm. 1128C, CM #2, 1921 Jefferson Davis Hwy., Arlington, VA 22202, (703)-305-5232.

The pesticide is considered useful for the purpose for which the tolerances are being sought. For the reasons described above, the Agency is establishing tolerances for residues of 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1*H*-1,2,4-triazole and its metabolites, determined as 2,4-dichlorobenzoic acid and expressed as parent compound, in or on the following raw agricultural commodities: grass forage, 0.5 ppm; grass hay (straw), 40 ppm; grass seed screenings, 60 ppm; kidney and liver of cattle, goats, hogs, horses, and sheep, 2.0 ppm.

Based on the above information the Agency concludes that the tolerances will protect the public health. Therefore, the tolerances are proposed as set forth below.

Any person adversely affected by this regulation may, within 30 days after publication of this document in the **Federal Register**, file written objections with the Hearing Clerk, at the address given above (40 CFR 178.20). The objections submitted must specify the provisions of the regulation deemed objectionable and the grounds for the objections (40 CFR 178.25). Each objection must be accompanied by the fee prescribed by 40 CFR 180.33(i). If a hearing is requested, the objections must include a statement of the factual issue(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27) A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established, resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issue(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1164, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new tolerances or food additive regulations or raising tolerance levels or food additive regulations or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the **Federal Register** of May 4, 1981 (40 FR 24950).

The Office of Management and Budget has exempted this rule from the requirements of Executive Order 12866.

**List of Subjects in 40 CFR Part 180**

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

Dated: January 28, 1994.

**Douglas D. Campt,**

*Director, Office of Pesticide Programs.*

Therefore, 40 CFR part 180 is amended as follows:

**PART 180—[AMENDED]**

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

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

2. In § 180.434, by revising paragraph (a), to read as follows:

**§ 180.434 1-[[2-(2,4-Dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1H-1,2,4-triazole; tolerances for residues.**

(a) Tolerances are established for residues of 1-[[2-(2,4-dichlorophenyl)-4-propyl-1,3-dioxolan-2-yl]methyl]-1*H*-1,2,4-triazole and its metabolites determined as 2,4-dichlorobenzoic acid and expressed as parent compound, in or on the following raw agricultural commodities:

| Commodity | Parts per million |
|---|---|
| Apricots | 1.0 |
| Bananas | 0.2 |
| Barley, grain | 0.1 |
| Barley, straw | 1.5 |
| Cattle, fat | 0.1 |
| Cattle, kidney | 2.0 |
| Cattle, liver | 2.0 |
| Cattle, meat | 0.1 |
| Cattle, mbyp (except kidney and liver) | 0.1 |
| Celery | 5.0 |
| Eggs | 0.1 |
| Goats, fat | 0.1 |
| Goats, kidney | 2.0 |
| Goats, liver | 2.0 |
| Goats, meat | 0.1 |
| Goats, mbyp (except kidney and liver) | 0.1 |
| Grass, forage | 0.5 |
| Grass, hay (straw) | 40 |
| Grass, seed screenings | 60 |
| Hogs, fat | 0.1 |
| Hogs, kidney | 2.0 |
| Hogs, liver | 2.0 |
| Hogs meat | 0.1 |
| Hogs, mbyp (except kidney and liver) | 0.1 |
| Horses, fat | 0.1 |
| Horses, kidney | 2.0 |
| Horses, liver | 2.0 |
| Horses, meat | 0.1 |
| Horses, mbyp (except kidney and liver) | 0.1 |
| Milk | 0.05 |
| Nectarines | 1.0 |
| Peaches | 1.0 |
| Pecans | 0.1 |
| Plums | 1.0 |
| Poultry, fat | 0.1 |
| Poultry, kidney | 0.2 |
| Poultry, liver | 0.2 |
| Poultry, meat | 0.1 |
| Poultry, mbyp (except kidney and liver) | 0.1 |

| Commodity | Parts per million |
|---|---|
| Prunes, fresh | 1.0 |
| Rice, grain | 0.1 |
| Rice, straw | 3.0 |
| Rye, grain | 0.1 |
| Rye, straw | 1.5 |
| Sheep, fat | 0.1 |
| Sheep, kidney | 2.0 |
| Sheep, liver | 2.0 |
| Sheep, meat | 0.1 |
| Sheep, mbyp (except kidney and liver) | 0.1 |
| Wheat, grain | 0.1 |
| Wheat, straw | 1.5 |

* * * * *

[FR Doc. 94–3761 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–F

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Care Financing Administration

### 42 CFR Parts 435, 436, and 440

[MB–001–N]

RIN 0938–AA58

### Medicaid Program; Eligibility and Coverage Requirements

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

**ACTION:** Notice of delay of effective dates and compliance dates.

**SUMMARY:** This document delays by an additional 6 months the effective dates of the final rule with comment period on Medicaid Eligibility and Coverage Requirements published January 19, 1993, in the **Federal Register** (58 FR 4908). It also extends the compliance dates for this rule in light of the delay in the effective dates. This delay will give the administration additional time necessary to fully review the policies in these regulations.

**DATES:** Effective February 17, 1994, the effective and compliance dates are delayed as follows:

*Effective Dates:* The regulations published January 19, 1993, at 58 FR 4908, are effective on August 18, 1994, except for §§ 435.604, 435.606, 436.604, and 436.606, which are effective October 19, 1994.

*Compliance Dates:* We will not hold a State out of compliance with the requirements of this final rule published January 19, 1993, at 58 FR 4908, if the State submits preprinted plan amendments and required attachments by October 19, 1994, for all provisions other than §§ 435.604, 435.606, 436.604, and 436.606. States must comply with §§ 435.604, 435.606, 436.604, and 436.606, and submit preprinted plan amendments and required attachments for these sections, by the latest of: (1) January 19, 1995; (2) the first day of the next fiscal year following July 19, 1994, if State legislation is needed to appropriate funds to implement the provisions of these sections; or (3) the first day of the calendar quarter following the end of the next session of the State legislature that convenes after July 19, 1994, if the State needs authorizing legislation to implement the provisions of these sections.

**FOR FURTHER INFORMATION CONTACT:** Marinos Svolos, (410) 966–4451.

**SUPPLEMENTARY INFORMATION:** On January 19, 1993, we published in the **Federal Register** a final rule with comment period that amends the requirements for coverage of certain groups of individuals under Medicaid and the requirements for determining Medicaid eligibility. Because the new administration wanted to fully review the policies in these regulations, on February 19, 1993, we published a notice in the **Federal Register** (58 FR 9120) delaying the effective dates and compliance dates of the final rule with comment period for 6 months. On August 23, 1993, we published a second notice (58 FR 44457) delaying these effective dates and compliance dates an additional 6 months. Because this review is not complete, we are now issuing a third extension. We are extending the effective dates of the rule an additional 6 months. We also have extended the compliance dates for all provisions other than §§ 435.604, 435.606, 436.604, and 436.606 for an additional 6 months. For §§ 435.604, 435.606, 436.604, and 436.606, we have extended the compliance dates to the latest of: (1) January 19, 1995; (2) the first day of the next fiscal year following July 19, 1994, if State legislation is needed to appropriate funds to implement the provisions of these sections; or (3) the first day of the calendar quarter following the end of the next session of the State legislature that convenes after July 19, 1994, if the State needs authorizing legislation to implement the provisions of these sections.

These regulations incorporate into the Medicaid regulations substantive changes made in the composition of eligibility groups of individuals and in the criteria used to determine their financial eligibility under Medicaid. The substantive changes were initially made by the Omnibus Budget Reconciliation Act of 1981 (OBRA '81), Public Law 97–35 and the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Public Law 97–248, and further amended by the Deficit Reduction Act of 1984 (DRA), Public Law 98–369; the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), Public Law 99–272; the Omnibus Budget Reconciliation Act of 1986 (OBRA '86), Public Law 99–509; the Medicare and Medicaid Patient and Program Protection Act of 1987, Public Law 100–93; the Omnibus Budget Reconciliation Act of 1987 (OBRA '87), Public Law 100–203; the Medicare Catastrophic Coverage Act of 1988 (MCCA), Public Law 100–360; the Family Support Act of 1988, Public Law 100–485; the Omnibus Budget Reconciliation Act of 1989 (OBRA '89), Public Law 101–239; and the Omnibus Budget Reconciliation Act of 1990 (OBRA '90), Public Law 101–508. In addition, the document contains changes made as a result of administrative decisions to improve program administration and efficiency.

(Catalog of Federal Domestic Assistance Program No. 93.778—Medical Assistance Program)

Dated: February 15, 1994.

**Bruce C. Vladeck,**

*Administrator, Health Care Financing Administration.*

Dated: February 16, 1994.

**Donna E. Shalala,**

*Secretary.*

[FR Doc. 94–3885 Filed 2–17–94; 8:45 am]

BILLING CODE 4120–01–P

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### 50 CFR Part 17

RIN 1018–AB83

### Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for Myrcia Paganii and Calyptranthes Thomasiana

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Final rule.

**SUMMARY:** The Service determines *Myrcia paganii* (no common name) and *Calyptranthes thomasiana* (no common name) to be endangered species pursuant to the Endangered Species Act (Act) of 1973, as amended. *Myrcia paganii*, a small evergreen tree, is endemic to Puerto Rico and known from only three locations in the limestone hills of the northwestern part of the island. *Calyptranthes thomasiana*, an

evergreen shrub or small tree, is only known from one area on the island of Vieques in Puerto Rico, one area in St. John, U.S. Virgin Islands, and from Gorda Peak, Virgin Gorda, British Virgin Islands. Modification and loss of habitat, coupled with low numbers and restricted distribution, represent the primary threats to these species. This final rule will provide *Myrcia paganii* and *Calyptranthes thomasiana* with the protection and recovery provisions afforded by the Act for endangered plants.

**EFFECTIVE DATE:** March 21, 1994.

**ADDRESSES:** The complete file for this rule is available for inspection, by appointment, during normal business hours, at the Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622; and at the Service's Southeast Regional Office, Suite 1282, 75 Spring Street SW., Atlanta, Georgia 30303.

**FOR FURTHER INFORMATION CONTACT:** Ms. Susan Silander at the Caribbean Field Office address (809/851–7297) or Mr. Dave Flemming at the Atlanta Regional Office address (404/331–3583).

**SUPPLEMENTARY INFORMATION:**

**Background**

*Myrcia paganii* was first collected by Paul Sintenis during the last part of the nineteenth century. However, the type specimen was destroyed during World War II and no duplicates are known to exist. *Myrcia paganii* was not collected again until Roy Woodbury rediscovered the species in 1959 in the Biafara-Arrozal area to the south of the city of Arecibo, located in northern Puerto Rico. Six individuals are known from this privately owned site (Vivaldi and Woodbury 1981). The species has been reported more recently from two other locations, one individual at each, in the Quebradillas area of northwestern Puerto Rico (Department of Natural Resources 1992).

*Myrcia paganii* is an evergreen tree which may reach 9 meters (30 feet) in height and 13 centimeters (5 inches) in diameter. The bark is mottled and flaky and the inner bark is orange-brown. Young twigs are flattened and have numerous soft brownish hairs. The leaves are opposite, simple, entire, coriaceous, aromatic, and glandular punctate below. The leaf blade is elliptic to elliptic-oblong, villous when young but glabrescent, 10 to 16 centimeters (4 to 6¼ inches) long, and 4 to 9 centimeters (1½ to 3½ inches) wide. The leaf base is acute, the apex obtuse, and the midvein is clearly impressed above. Petioles are 4 to 5 millimeters long. The flowers and fruit have not been described.

*Calyptranthes thomasiana* was described in 1855 from specimens collected from St. Thomas, U.S. Virgin Islands. Although collected from St. Thomas, it has not been reported from the island in recent years. It was previously thought to be endemic to Puerto Rico and the U.S. Virgin Islands, but was recently reported from Virgin Gorda, British Virgin Islands, where it occurs within the National Park (Center for Plant Conservation 1992; G. Proctor, pers. comm.). It is currently known from only three locations: Monte Pirata on the island of Vieques in Puerto Rico; Bordeaux Mountain on the island of St. John, U.S. Virgin Islands; and Gorda Peak in Virgin Gorda, British Virgin Islands.

*Calyptranthes thomasiana* is an evergreen shrub or small tree that may reach 9 meters (30 feet) in height and 13 centimeters (5 inches) in diameter. Leaves are opposite, obovate to oblong, 2 to 4 centimeters (¾ to 1¾ inches) long, blunt at the apex, and short pointed at the base. The leaves are coriaceous, with gland dots, shiny on the upper surface, and dull on the lower surface. Flowers and fruit have not been described.

Some 10 to 12 individuals of *Calyptranthes thomasiana* are known to occur on Vieques near the summit of Monte Pirata. This site is located on U.S. Navy property and is in close proximity to naval communications facilities. It is not known if any individuals were eliminated during the construction of these facilities (Department of Natural Resources 1992). Currently in effect is a 1983 Memorandum of Understanding that designates this area as an ecological conservation zone for the protection of *C. thomasiana* and other species of concern. This area was severely affected by Hurricane Hugo in 1989. On St. John as many as 100 mature individuals are known from a small area on Bordeaux Mountain, which is within the Virgin Islands National Park, National Park Service, U.S. Department of the Interior (G. Ray, pers. comm., Woodbury and Weaver 1987). On Virgin Gorda *C. thomasiana* is found within a National Park owned by the British Virgin Islands government, but the species is rare and localized and may be impacted by park management practices (Center for Plant Conservation 1992; G. Proctor, pers. comm.).

*Myrcia paganii* and *Calyptranthes thomasiana* were recommended for Federal listing by the Smithsonian Institution (Ayensu and DeFilipps 1978). The species were included among the plants being considered as endangered or threatened by the Service, as published in the **Federal Register** notice of review dated December 15, 1980 (45 FR 82480), the November 28, 1983 update (48 FR 53680), the revised notice of September 27, 1985 (50 FR 39526), and the February 21, 1990 (55 FR 6184) notice of review. Both species were designated as category 1 species (species for which the Service has substantial information supporting the appropriateness of proposing to list them as endangered or threatened) in the notice of review published on February 21, 1990.

In a notice published in the **Federal Register** on February 15, 1983 (48 FR 6752), the Service reported the earlier acceptance of the new taxa in the Smithsonian's 1978 book as under petition within the context of section 4(b)(3)(A) of the Act, as amended in 1982. Beginning in October 1983, and in each October thereafter, the Service found that listing *Myrcia paganii* and *Calyptranthes thomasiana* was warranted but precluded by other pending listing actions of a higher priority, and that additional data on vulnerability and threats were still being gathered. A proposed rule to list *Myrcia paganii* and *Calyptranthes thomasiana*, published on January 5, 1993 (58 FR 339), constituted the final 1-year finding in accordance with section 4(b)(3)(B)(ii) of the Act.

**Summary of Comments and Recommendations**

In the January 5, 1993, proposed rule and associated notifications, all interested parties were requested to submit factual reports of information that might contribute to the development of a final rule. Appropriate agencies of the Commonwealth of Puerto Rico, Federal agencies, scientific organizations and other interested parties were contacted and requested to comment. A newspaper notice inviting general public comment was published in the *San Juan Star* on January 25, 1993. Five letters of comment were received, none of which opposed the listing. Some additional information supplied by the Department of the Navy, U.S. Naval Station, Roosevelt Roads, has been incorporated into this final rule. A public hearing was neither requested nor held.

**Summary of Factors Affecting the Species**

After a thorough review and consideration of all information available, the Service has determined that *Myrcia paganii* and *Calyptranthes thomasiana* should be classified as

endangered species. Procedures found at section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act were followed. A species may be determined to be endangered or threatened due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Myrcia paganii* Krug & Urban and *Calyptranthes thomasiana* Berg. are as follows:

*A. The Present or Threatened Destruction, Modification, or Curtailment of Its Habitat or Range*

Two populations of *Myrcia paganii* are found on privately owned land currently subject to intense pressure for agricultural, rural and tourist development. Adjacent land is being cleared for grazing by cattle and goats. One individual has been reported from the Guajataca Commonwealth Forest, where it may be affected by forest management practices. Although on Vieques Island *Calyptranthes thomasiana* is found on U.S. Navy property, near the summit of Monte Pirata, this area has been severely modified for the construction of Navy facilities. The area is presently designated by the Navy as an ecological conservation zone, with *C. thomasiana* being one of the species of concern. However, should the need arise to expand the existing facilities, *C. thomasiana* could be impacted unless appropriate measures are taken to protect the species. Known individuals on St. John are found within the National Park; nevertheless, these may be affected by park management practices and the presence of feral pigs and donkeys.

*B. Overutilization for Commercial, Recreational, Scientific, or Educational Purposes*

Taking for these purposes has not been a documented factor in the decline of these species.

*C. Disease or Predation*

Disease and predation have not been documented as factors in the decline of these species.

*D. The Inadequacy of Existing Regulatory Mechanisms*

The Commonwealth of Puerto Rico as well as the U.S. Virgin Islands have adopted regulations that recognize and provide protection for certain Commonwealth or Territorial listed species. However, although *Calyptranthes thomasiana* is on the U.S. Virgin Island list, *Myrcia paganii* and *C. thomasiana* are not yet on the Commonwealth list. Federal listing provides immediate protection and enhances their protection and possibilities for funding needed research.

*E. Other Natural or Manmade Factors Affecting Its Continued Existence*

One of the most important factors affecting the continued survival of these species is their limited distribution. Because so few individuals are known to occur in a limited area, the risk of extinction is extremely high. Hurricane Hugo in 1989 dramatically affected the Monte Pirata area of Vieques, felling large trees and creating numerous canopy gaps.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by these species in determining to make this rule final. Based on this evaluation, the preferred action is to list *Myrcia paganii* and *Calyptranthes thomasiana* as endangered. *M. paganii* and *C. thomasiana* are each known from only three locations. Deforestation for rural, agricultural, residential and tourist development are imminent threats to the survival of the species. Therefore, endangered rather than threatened status seems an accurate assessment of the species' condition. The reasons for not proposing critical habitat for these species are discussed below.

**Critical Habitat**

Section 4(a)(3) of the Act, as amended, requires that, to the maximum extent prudent and determinable, the Secretary propose critical habitat at the time the species is proposed to be endangered or threatened. The Service's regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist: (i) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of such threat to the species, or (ii) Such designation of critical habitat would not be beneficial to the species. Both situations apply to *C. thomasiana* and *M. paganii*.

Critical habitat would not be beneficial in terms of adding additional protection for the species under section 7 of the Act. Regulations promulgated for the implementation of section 7 provide for both a "jeopardy" standard and a "destruction or adverse modification" of critical habitat standard. Because of the highly limited distribution of these species and their precarious status, any Federal action that would destroy or have any significant adverse effect on their habitat would likely result in a jeopardy biological opinion under section 7. Under these conditions, no additional benefits would accrue from designation of critical habitat that would not be available through listing alone.

The Service also finds that designation of critical habitat is not prudent for these species due to the potential for taking. The number of individuals of *C. thomasiana* and *M. paganii* is so small that vandalism and collection could seriously affect the survival of these species. Publication of critical habitat descriptions and maps in the **Federal Register** would increase the likelihood of such activities. The Service believes that Federal involvement in the areas where these plants occur can be identified without the designation of critical habitat. All involved parties and landowners have been notified of the location and importance of protecting these species' habitat. Protection of these species' habitat will also be addressed through the recovery process and by utilizing the jeopardy standard under the section 7 consultation process.

**Available Conservation Measures**

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, Commonwealth, Territorial and private agencies, groups and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the Commonwealth or Territory, and requires that recovery actions be carried out for all listed species. Such actions are initiated by the Service following listing. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, required Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy

or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service. No critical habitat is being proposed for these two species, as discussed above. Federal involvement is anticipated for the population of *Calyptranthes thomasiana* located on Monte Pirata in Vieques, U.S. Navy property, and for the population located in the Virgin Islands National Park in St. John.

The Act and its implementing regulations found at 50 CFR 17.61, 17.62, and 17.63 set forth a series of general prohibitions and exceptions that apply to all endangered plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.61, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export any endangered plant, transport it in interstate or foreign commerce in the course of commercial activity, sell or offer it for sale in interstate or foreign commerce, or remove it from areas under Federal jurisdiction and reduce it to possession. In addition, for endangered plants, the 1988 amendments (Pub. L. 100–478) to the Act prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any State (Commonwealth/Territory) law or regulation, including criminal trespass law. Certain exceptions can apply to agents of the Service and Commonwealth or Territorial conservation agencies.

The Act and 50 CFR 17.62 and 17.63 also provide for the issuance of permits to carry out otherwise prohibited activities involving endangered species under certain circumstances. It is anticipated that few trade permits for these two species will ever be sought or issued, since the species are not known to be in cultivation and are uncommon in the wild. Requests for copies of the regulations on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, room 420C, Arlington, Virginia 22203 (703/358–2104).

### National Environmental Policy Act

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

### References Cited

Ayensu, E.S. and R.A. Defilipps. 1978. Endangered and threatened plants of the United States. Smithsonian Institution and World Wildlife Fund. Washington, D.C. xv + 403 pp.

Center for Plant Conservation. 1992. Report on the Rare Plants of Puerto Rico. Missouri Botanical Garden, St. Louis, Missouri.

Department of Natural Resources. 1992. Natural Heritage Program status information of *Myrcia paganii* and *Calyptranthes thomasiana*. San Juan, Puerto Rico.

Vivaldi, J.L. and R.O. Woodbury. 1981. Status Report on *Myrcia paganii* Krug & Urban. Unpublished report submitted to the U.S. Fish and Wildlife Service, Atlanta, Georgia. 24 pp.

Woodbury, R.O. and P.L. Weaver. 1987. The Vegetation of St. John and Hassel Island, U.S. Virgin Islands. U.S. Department of the Interior, National Park Service, Southeast Regional Office, Research/Resources Management Report SER–83. 103 pp.

### Author

The primary author of this proposed rule is Ms. Susán Silander, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622 (809/851–7297).

### List of Subjects in 50 CFR Part 17

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

### Regulations Promulgation

Accordingly, part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations is amended as set forth below:

## PART 17—[AMENDED]

1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Public Law 99–625, 100 Stat. 3500; unless otherwise noted.

2. Section 17.12(h) is amended by adding a new family, "Myrtaceae—Myrtle family," in alphabetical order to the list of Endangered and Threatened Plants to read as follows:

**§ 17.12 Endangered and threatened plants.**

* * * * *

(h) * * *

| Species | | Historic range | Status | When listed | Critical habitat | Special rules |
|---|---|---|---|---|---|---|
| Scientific name | Common name | | | | | |
| * * | * | * | * | * | * | * |
| Myrtaceae—Myrtle family: | | | | | | |
| Calyptranthes thomasiana. | None | U.S.A. (PR,VI), British VI ... | E | 529 | NA | NA |
| *Myrcia paganii* | None | U.S.A. (PR) | E | 529 | NA | NA |
| * * | * | * | * | * | * | * |

Dated: February 10, 1994.

**Mollie H. Beattie,**

*Director, Fish and Wildlife Service.*

[FR Doc. 94–3792 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–55–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

### 50 CFR Part 675

**[Docket No. 93110–3300; I.D. 021494B]**

### Groundfish of the Bering Sea and Aleutian Islands Area

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

**ACTION:** Closure.

**SUMMARY:** NMFS is closing the directed fishery for Atka mackerel in the Eastern Aleutian District of the Bering Sea and Aleutian Islands (BSAI) management area. This action is necessary to prevent exceeding the total allowable catch (TAC) of Atka mackerel in this area.

**EFFECTIVE DATE:** 12 noon, Alaska local time (A.l.t.), February 13, 1994, until 12 midnight, A.l.t., December 31, 1994.

**FOR FURTHER INFORMATION CONTACT:** Andrew N. Smoker, Resource Management Specialist, Fisheries Management Division, NMFS, 907–586–7228.

**SUPPLEMENTARY INFORMATION:** The groundfish fishery in the BSAI exclusive economic zone is managed by the Secretary of Commerce according to the Fishery Management Plan for the Groundfish Fishery of the BSAI Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson Fishery Conservation and Management Act. Fishing by U.S. vessels is governed by regulations implementing the FMP at 50 CFR parts 620 and 675.

In accordance with § 675.20(a)(7)(ii), the Atka mackerel TAC for the Eastern Aleutian District was established by the final 1994 initial specifications of groundfish for the BSAI (filed by the Office of Federal Register February 10, 1994) as 11,454 metric tons (mt).

The Director of the Alaska Region, NMFS (Regional Director), has determined, in accordance with § 675.20(a)(8), that the Atka mackerel TAC in the Eastern Aleutian District soon will be reached. Therefore, the Regional Director has established a directed fishing allowance of 11,054 mt after determining that 400 mt will be taken as incidental catch in directed fishing for other species in the Eastern Aleutian District. Consequently, NMFS is prohibiting directed fishing for Atka mackerel in the Eastern Aleutian District, effective from 12 noon A.l.t., February 13, 1994, until 12 midnight, A.l.t., December 31, 1994.

Directed fishing standards for applicable gear types may be found in the regulations at § 675.20(h).

### Classification

This action is taken under § 675.20.

### List of Subjects in 50 CFR Part 675

Fisheries, Reporting and recordkeeping requirements.

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

Dated: February 14, 1994.

**David S. Crestin,**

*Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.*

[FR Doc. 94–3695 Filed 2–14–94; 4:23 pm]

BILLING CODE 3510–22–M

# Proposed Rules

Federal Register
Vol. 59, No. 34
Friday, February 18, 1994

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.

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 71

[Docket No. PRM–71–11]

### U.S. Department of Energy, Receipt of a Petition for Rulemaking

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Petition for rulemaking; Notice of receipt.

**SUMMARY:** The Nuclear Regulatory Commission (NRC) has received and requests public comment on a petition for rulemaking filed by the U.S. Department of Energy (DOE). The petition has been docketed by the Commission and has been assigned Docket No. PRM–71–11. The petitioner requests that the NRC amend its regulations governing packaging and transportation of radioactive materials to specifically exempt canisters containing vitrified high-level waste from the double containment requirement specified in NRC's regulations. The petitioner believes such an amendment would permit more cost-effective high-level radioactive waste management by DOE in the geologic repository and would not adversely affect the safety of the transportation package.

**DATES:** Submit comments by May 4, 1994. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

**ADDRESSES:** Submit comments to: Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Docketing and Service Branch.

Deliver comments to 11555 Rockville Pike, Rockville, Maryland, between 7:45 am and 4:15 pm on Federal workdays.

For a copy of the petition, write: Rules Review Section, Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

**FOR FURTHER INFORMATION CONTACT:** Michael T. Lesar, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: 301–492–7758 or Toll Free: 800–368–5642.

**SUPPLEMENTARY INFORMATION:**

#### Background

The Nuclear Regulatory Commission (NRC) received a petition for rulemaking dated November 30, 1993, submitted by the U.S. Department of Energy (DOE). The petition was docketed as PRM–71–11 on December 6, 1993. The petitioner requests that the NRC amend its regulations specified in 10 CFR part 71 that govern packaging and transport of radioactive materials. Specifically, the petitioner is seeking a specific exemption for canisters containing vitrified high-level waste (HLW) from the requirements currently contained in 10 CFR 71.63(b) regarding special requirements for plutonium shipments. The petitioner notes that current NRC special requirements for plutonium shipments (10 CFR 71.63) specify that all shipments of plutonium with an activity greater than 20 curies per package must meet the double containment requirement in 10 CFR 71.63(b).

Under the Nuclear Waste Policy Act of 1982 (NWPA), as amended, DOE is responsible for developing a geologic repository for the disposal of high-level radioactive waste and spent fuel. Shipments of HLW must be approved for shipment through DOE's Civilian Radioactive Waste Management System (CRWMS) for transport to and disposal in the geologic repository. Also, under the NWPA, all packages used to transport spent fuel and HLW must be certified by NRC. On June 17, 1974 (39 FR 20960), the NRC published a final rule requiring that shipments of plutonium with activity greater than 20 curies per package meet the double containment requirement of 10 CFR 71.63(b).

The petitioner admits that 10 CFR 71.63(b) applies to the shipments of vitrified HLW. However, the petitioner also claims that these shipments should be exempt from the double containment requirement because this material is analogous to spent fuel. As the petitioner notes, the preamble to the final rule states that spent fuel is exempt from the double containment requirement specified in 10 CFR 71.63(b) because these solid forms of plutonium were determined to be "essentially nonrespirable." The petitioner also indicates that the evaluation of the respirability potential of canisters filled with vitrified HLW is based mainly on the results of impact tests.

In support of the petition for rulemaking, the petitioner has included a document entitled "Technical Justification to Support the PRM by the DOE to Exempt HLW Canisters from 10 CFR 71.63(b)" (technical justification). The petitioner claims that the tests described in the technical justification demonstrate that the canisters containing vitrified HLW compare favorably with the physical integrity of the metal cladding surrounding the spent fuel pellets in reactor assemblies. The petitioner believes that because canisters containing vitrified HLW are analogous to spent fuel, these canisters should be exempt from the double containment requirement specified in 10 CFR 71.63(b).

The NRC is soliciting public comment on the petition submitted by DOE that requests the changes to the regulations in 10 CFR part 71 as discussed below.

#### The Petitioner

Pursuant to the Nuclear Waste Policy Act of 1982, as amended (NWPA), the petitioner is the Federal agency responsible for developing and administering a geologic repository for the deep disposal of high-level radioactive waste and spent fuel. The petitioner proposes to ship the HLW from each of its three storage locations at Aiken, South Carolina; Hanford, Washington; and West Valley, New York, directly to the geologic repository in casks certified by the NRC. The HLW currently exists mostly in the form of liquid and sludge resulting from the reprocessing of defense reactor fuels. The petitioner proposes to solidify (vitrify) this material into a borosilicate glass form in which the HLW is dispersed and immobilized and place it into stainless steel canisters for storage and transport to the geologic repository. The petitioner indicates that it is submitting this petition for rulemaking to amend 10 CFR part 71 so that it can

manage the transportation and disposal of high-level waste in a cost-effective and efficient manner without adversely affecting the safety of the transportation package.

**Discussion of the Petition**

The petitioner has submitted this petition for rulemaking because it believes it will be adversely affected by the current regulations that require plutonium shipments with activity greater than 20 curies per package to be shipped in a double containment format. The petitioner's primary concern is that the double containment requirement specified in 10 CFR 71.63(b) will prevent it from effectively performing its responsibility under the NWPA to administer the transportation of canisters containing vitrified high-level radioactive waste for disposal in the geologic repository in an efficient and cost-effective manner.

The petitioner states that although the current regulations are appropriate in exempting reactor fuel elements from the double containment requirement specified in 10 CFR 71.63(b), canisters containing vitrified HLW should also be exempted. The petitioner states that spent fuel was exempted from the double containment requirement in 10 CFR 71.63(b) because the fuel pellet itself and the surrounding metal cladding were found to provide adequate protection against the possible dispersion of plutonium particles both under normal transport conditions and during hypothetical accident conditions. The petitioner believes that the tests described in the technical justification provide sufficient technical information to indicate that the borosilicate glass mixture and the storage canisters are analogous to spent fuel that is exempt from the double containment requirement.

In the technical justification, the petitioner describes the physical characteristics of the austenitic stainless steel canisters that will house the vitrified HLW and indicates that the packages will pass a 7-meter drop test onto a flat, essentially unyielding surface without a release of its contents. The petitioner emphasized that this test should not be confused with the hypothetical accident tests specified in 10 CFR 71.73, "Hypothetical Accident Conditions." The petitioner also clarifies that the 9-meter drop test required in 10 CFR 71.73(c)(1) applies to the entire package, including the cask which must be certified by the NRC used to transport the canisters containing the vitrified HLW.

The petitioner provides a detailed comparison in the technical justification between the steel canister that will house vitrified HLW and the reactor fuel elements that are exempt from the double containment requirement in 10 CFR 71.63(b). The petitioner notes that the plutonium contained in reactor fuel elements is encased in solid ceramic fuel pellets surrounded by a sealed, sturdy metal cladding that inhibits dispersion of radioactive particles. The petitioner believes the impact tests performed during the past 20 years on canisters containing simulated HLW glass forms indicate that these canisters qualify for exemption from the double containment requirement.

Helium leak tests and dye penetrant tests performed after the impact testing have demonstrated that the vitrified HLW canisters can withstand a 9-meter drop test. The petitioner acknowledges that reactor fuel elements were exempted from the double containment requirement in 10 CFR 71.63(b) because they are considered to be "essentially nonrespirable." The petitioner believes that because the canisters have not been exposed to the high levels of radiation present in a commercial reactor, these packages will not be subject to molecular-level changes in material properties, such as increased embrittlement, unlike spent reactor fuel cladding. The petitioner concludes that the numerous impact and followup tests on simulated vitrified HLW canisters indicate that the canisters provide, at minimum, protection comparable to that provided by spent fuel cladding.

In the technical justification, the petitioner also compares the physical and chemical characteristics of the vitrified HLW glass mixture to spent fuel pellets. The petitioner notes that production of potentially respirable particles from the glass mixture could result from cooldown processes after being poured into the HLW canister, normal handling and transport conditions, and hypothetical accident conditions. Because impact studies of simulated waste glass from the DOE Savannah River site have shown comparable levels of fracture resistance and similar fractions of respirable particles when compared to unirradiated uranium fuel pellets and other potential waste form materials, the petitioner believes that the fracture resistance of simulated HLW glass is comparable to that of uranium fuel pellets. The petitioner asserts that leak tests performed for both normal transport and hypothetical accident scenarios indicate that the quantity of respirable material produced is minute and fully supports the conclusion that the vitrified HLW canister waste form is "essentially nonrespirable" and, therefore, analogous to reactor fuel elements.

The petitioner also notes that evaluations show that the total concentration of plutonium in an individual fuel assembly is more than 100 times greater than that in an HLW canister from the Savannah River site. The petitioner indicates that the maximum quantity of plutonium projected for the Hanford and West Valley HLW canisters is much less than that of the Savannah River HLW canisters. The petitioner also notes that canisters containing vitrified HLW will be enclosed within a shipping cask that has been certified by NRC during actual transport conditions. The petitioner concludes that this arrangement will further reduce the potential for canister damage and for a release of respirable particles of radionuclides.

The petitioner asserts that proposed disposal criteria would result in a cost-effective option that would not adversely affect public health, environmental quality, the safety of the transportation package, or the safety of workers who handle the transportation package. The petitioner also asserts that the current regulatory limits on radioactivity in the transportation package are intended to protect not only individuals who transport and handle the waste but also the general public if a transportation accident en route to the geologic repository site results in a release of radioactive material.

**Adverse Effects on the Petitioner**

The petitioner believes that it will be adversely affected if the double containment requirement in 10 CFR 71.63(b) is applied to canisters containing vitrified HLW. The petitioner notes that the only alternative would be to design and construct a double containment transportation cask. The petitioner believes that a double containment requirement would add additional handling steps to the loading and unloading of the HLW canister, resulting in an increase of time and expense in HLW shipments. The additional handling process would increase the radiation dose received by workers and create additional contaminated metal hardware, resulting in increased disposal effort and expense. The petitioner also asserts that a double containment requirement for this HLW form would require additional shipments because of a potential decrease in payload capacity of the cask. Additional shipments would create a corresponding increase in risk to affected populations along the transportation route to the geologic repository. The petitioner believes that

the double containment requirement would impose an unnecessary and unduly burdensome rule that cannot be justified in terms of any incremental benefits to public health and safety.

**The Petitioner's Proposed Amendment**

The petitioner requests that 10 CFR part 71 be amended to overcome the problems the petitioner has itemized and recommends the following revision to the regulations:

The petitioner proposes that § 71.63 be amended by revising paragraph (b) to redesignate paragraph (b)(3) as paragraph (b)(4) and adding a new paragraph (b)(3) to read as follows:

**§ 71.63 Special requirements for plutonium shipments.**

* * * * *

(b) Plutonium in excess of 20 curies per package must be packaged in a separate inner container placed within outer packaging that meets the requirements of Subparts E and F for packaging of material in normal form. If the entire package is subjected to the tests specified in § 71.71 (Normal Conditions of Transport), the separate inner container must not release plutonium, as demonstrated to a sensitivity of $10^{-6}$ $A_2$ per hour. If the entire package is subjected to the tests specified in § 71.73 (Hypothetical Accident Conditions), the separate inner container must restrict the loss of plutonium to not more than $A_2$ in one week. Solid plutonium in the following forms is exempt from the requirements of this paragraph:

(1) Reactor fuel elements;

(2) Metal or metal alloy;

(3) Canisters containing vitrified high-level waste; and

(4) Other plutonium-bearing solids that the Commission determines should be exempt from the requirements of this section.

**The Petitioner's Conclusion**

The petitioner has concluded that the double containment requirement specified in 10 CFR 71.63(b) should not be applied to shipments of canisters containing vitrified HLW because this waste form is analogous to spent reactor fuel elements, which are exempt. The petitioner believes that impact and leak tests on the canisters, chemical analyses of spent fuel and simulated HLW borosilicate glass mixtures, and other studies of the levels of radioactivity present in the proposed transportation packages demonstrate that canisters containing vitrified HLW are analogous to spent reactor fuel elements and, therefore, should be exempt from the double containment requirement in 10 CFR 71.63(b). The petitioner has proposed an amendment to the current regulations in 10 CFR part 71 that it believes will permit more cost-effective disposal of high-level waste without adversely affecting the safety of the transportation package, the workers who handle the package, affected populations along the transportation corridor, or the environment.

Dated at Rockville, Maryland, this 14th day of February, 1994.

For the Nuclear Regulatory Commission.

**Samuel J. Chilk,**

*Secretary of the Commission.*

[FR Doc. 94–3766 Filed 2–17–94; 8:45 am]

BILLING CODE 7590–01–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

### 14 CFR Part 39

**[Docket No. 93–NM–217–AD]**

### Airworthiness Directives; British Aerospace Model ATP Airplanes

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This document proposes the adoption of a new airworthiness directive (AD) that is applicable to certain British Aerospace Model ATP airplanes. This proposal would require inspections of the DC connections and cooling fans in certain transformer rectifier units (TRU) to detect damage or overheating and to ensure correct operation, and repair or replacement, if necessary. This proposal is prompted by a report of the loss of all DC electrical power, except for the battery emergency bus, due to failure of the TRU's, which occurred during flight. The actions specified by the proposed AD are intended to prevent loss of essential electrical power required to continue safe flight of the airplane.

**DATES:** Comments must be received by April 18, 1994.

**ADDRESSES:** Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–217–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041–6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington.

**FOR FURTHER INFORMATION CONTACT:** William Schroeder, Aerospace Engineer, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate, 1601 Lind Avenue SW., Renton, Washington 98055–4056; telephone (206) 227–2148; fax (206) 227–1320.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications shall identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

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

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 93–NM–217–AD." The postcard will be stamped and returned to the commenter.

**Availability of NPRMs**

Any person may obtain a copy of this NPRM by submitting a request to the FAA, Transport Airplane Directorate, ANM–103, Attention: Rules Docket No. 93–NM–217–AD, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

**Discussion**

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain British Aerospace Model ATP airplanes. The CAA advises

that it has received a report of the loss of all DC electrical power, except for the battery emergency bus, which occurred during flight on a Model ATP airplane. The DC electrical power was lost due to a failure in each of the two transformer rectifier units (TRU's.) A loose DC connection in the first TRU caused its failure. The second TRU failed due to overheat damage to a cooling fan blade in the unit. The airplane landed safely while operating on battery power. Failure of both TRU's during flight could result in loss of essential electrical power required to continue safe flight of the airplane.

Jetstream has issued Service Bulletin ATP–24–58, dated October 29, 1993, which references two Ferranti service bulletins as additional sources of service information. (Ferranti is the manufacture of the TRU's). The Ferranti service bulletins are described below. The CAA classified the Jetstream service bulletin as mandatory.

Ferranti Service Bulletin 24–20–171, dated September 1993, describes procedures for repetitive visual inspections of the DC connections to detect any damage or overheating. This service bulletin also describes procedures for repetitive torque loading inspections of each DC connection to ensure that torque loads are within specified limits, and repetitive verification that each terminal stud is secure in its mounting by visually observing that the stud does not rotate.

Ferranti Service Bulletin 24–20–172, dated September 1993, describes procedures for repetitive visual inspections of the cooling fan blades to detect any damage due to overheating, and a test of the operation of the cooling fan by energizing the relay and confirming that cooling air exists from the grill on the top of the unit.

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

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require:

1. Repetitive visual inspections of the DC connections to detect any damage or overheating, and repair, if necessary;

2. Repetitive torque loading inspections of each DC connection to ensure that torque loads are within specified limits, and verification that each terminal stud is secure in its mounting;

3. Repetitive visual inspections of the cooling fan blades to detect any damage due to overheating, and replacement of the fan blade, if necessary; and

4. Repetitive functional tests of the operation of the cooling fan by energizing the relay and confirming that cooling air exits from the grill on the top of the unit, and repair or replacement of any malfunctioning or damaged cooling fan or cooling fan relay.

The inspection would be required to be accomplished in accordance with the Ferranti service bulletins described previously. Replacement and repair actions would be required to be accomplished in accordance with the airplane maintenance manual or a method approved by the FAA.

The FAA estimates that 10 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is $55 per work hour. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be $1,100, or $110 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

The regulations proposed herein would not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

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

### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

### The Proposed Amendment

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

## PART 39—AIRWORTHINESS DIRECTIVES

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

**Authority:** 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

### § 39.13 [Amended]

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

**British Aerospace (Commercial Aircraft), Limited:** Docket 93–NM–217–AD.

*Applicability:* Model ATP airplanes equipped with Ferranti Transformer Rectifier Unit TR202A (Pt. No. 84/59100) or TR202B (Pt. No. 84/60040), certificated in any category.

*Compliance:* Required as indicated, unless accomplished previously.

To prevent loss of essential electrical power required to continue safe flight of the airplane, accomplish the following:

(a) Within 225 hours time-in-service after the effective date of this AD, and thereafter at intervals not to exceed 625 hours time-in-service, accomplish paragraphs (a)(1), (a)(2), (a)(3), and (a)(4) of this AD.

(1) Perform a visual inspection of the DC connections to detect any damage or overheating, in accordance with Ferranti Service Bulletin 24–20–171, dated September 1993. If any damage or overheating is found, prior to further flight, repair in accordance with a method approved by Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate.

(2) Perform a torque loading inspection of each DC connection to ensure that torque loads are within the limits specified in Ferranti Service Bulletin 24–20–171, dated September 1993; and, during this inspection, ensure that each terminal stud is secure in its mounting by visually observing that the stud does not rotate; in accordance with Ferranti Service Bulletin 24–20–171, dated September 1993.

(3) Perform a visual inspection of the cooling fan blades to detect any damage due to overheating, in accordance with Ferranti Service Bulletin 24–20–172, dated September 1993. If any damage is found, prior to further flight, replace the fan blade with a serviceable part in accordance with the airplane maintenance manual.

(4) Perform a functional test of the operation of the cooling fan by energizing the relay and confirming that cooling air exits from the grill on top of the unit, in accordance with Ferranti Service Bulletin 24–20–172, dated September 1993. Prior to further flight, repair or replace any malfunctioning or damaged cooling fan or cooling fan relay, in accordance with the airplane maintenance manual.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM–113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch, ANM–113.

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

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on February 14, 1994.

**Darrell M. Pederson,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 94–3755 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

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## 14 CFR Part 71

**[Airspace Docket No. 93–ANM–25]**

## Proposed Modification of Class E Airspace; Rifle, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would amend Class E airspace to accommodate a new instrument approach procedure (VOR/DME–C) at the Rifle Garfield County Airport, Rifle, Colorado. Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "transition area," replacing it with the designation "Class E airspace." The area would be depicted on aeronautical charts to provide reference for pilots.

**DATES:** Comments must be received on or before March 26, 1994.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, System Management Branch, ANM–530, Federal Aviation Administration, Docket No. 93–ANM–25, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Brown, ANM–535, Federal Aviation Administration, Docket No. 93–ANM–25, 1601 Lind Avenue SW., Renton, Washington 98055–4056, Telephone (206) 227–2535.

**SUPPLEMENTARY INFORMATION:**

### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 93–ANM–25." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

### Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, System Management Branch, ANM–530, 1601 Lind Avenue SW., Renton, Washington 98055–4056. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to modify the Class E airspace at Rifle, Colorado, to accommodate a new instrument approach procedure at the Rifle Garfield County Airport. The area would be depicted on aeronautical charts for pilot reference. Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "transition area," and airspace extending upward from 700 feet or more above the surface of the earth is now Class E airspace. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 as of September 16, 1993 (58 FR 36298; July 6, 1993). The Class E designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) 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 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).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

## PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–

1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9A, Airspace Designations and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward 700 feet or more above the surface of the earth.*

* * * * *

**ANM CO E5 Rifle, CO [Revised]**

Rifle Garfield County Airport, CO
(lat. 39°31'35"N, long. 107°43'37"W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Garfield County Airport, and within 4.3 miles each side of the 090° bearing from the Garfield County Airport, extending from the 7-mile radius to 18.3 miles east of the airport, and within 4.5 miles each side of the 321° bearing from the Garfield County Airport, extending from the 7 mile radius to 14.5 miles northwest of the airport.

* * * * *

Issued in Seattle, Washington, on January 31, 1994.

**Temple H. Johnson, Jr.,**

*Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 94-3743 Filed 2-17-94; 8:45 am]

BILLING CODE 4910-13-M

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**14 CFR Part 71**

**[Airspace Docket No. 93-ANM-45]**

## Proposed Amendment to Class E Airspace; Twin Falls, ID

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would amend the Twin Falls, Idaho, Class E airspace to accommodate arrival/departure aircraft transitioning between the en route and terminal area southwest of Twin Falls Airport. Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "transition area," replacing it with the designation "Class E airspace." The area would be depicted on aeronautical charts to provide reference for pilots.

**DATES:** Comments must be received on or before March 25, 1994.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, System Management Branch, ANM-530, Federal Aviation Administration, Docket No. 93-ANM-45, 1601 Lind Avenue SW., Renton, Washington 98055-4056.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Robert L. Brown, ANM-535, Federal Aviation Administration, Docket No. 93-ANM-45, 1601 Lind Avenue SW., Renton, Washington 98055-4056, telephone (206) 227-2530.

**SUPPLEMENTARY INFORMATION:**

**Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 93-ANM-45." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, System Management Branch, ANM-530, 1601 Lind Avenue SW., Renton, Washington 98055-4056. Comunications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2A, which describes the application procedure.

**The Proposal**

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to amend Class E airspace at Twin Falls, Idaho, to accommodate arrival/departure aircraft transitioning between the en route and terminal environment southwest of the Twin Falls Airport. The area would be depicted on aeronautical charts for pilot reference. Airspace reclassification, in effect of September 16, 1993, has discontinued the use of the term "transition area," and airspace extending upward from 700 feet or more above the surface of the earth is now Class E airspace. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 as of September 16, 1993 (58 FR 36298; July 6, 1993). The Class E designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will affect air traffic procedures and air navigation, it is certified that this 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).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

## PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

### §71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9A, Airspace Designations and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

* * * * *

**ANM ID E5 Twin Falls, ID [Revised]**

Twin Falls-Sun Valley Regional, Joslin Field, ID
(lat. 42°28′55″N, long. 114°29′16″W)
Twin Falls VORTAC
(lat. 42°28′47″N, long. 114°29′22″W)

That airspace extending upward from 700 feet above the surface within 8.3 miles north and 4.3 miles south of the Twin Falls VORTAC 086° and 281° radials extending from the VORTAC to 26.1 miles east and 16.1 miles west, and within 4.3 miles each side of the Twin Falls 156° radial extending from the VORTAC to 8.3 miles southeast of the VORTAC; that airspace extending upward from 1,200 feet above the surface bounded on the northeast by a line beginning at the intersection of long. 114°01′03″W and V–500, extending south along long. 114°01′03″W to V–269, southwest along V–269 to the 18.3-mile radius of the Twin Falls VORTAC, thence clockwise via the 18.3-mile radius to V–484, northwest along V–484 to the 14.4-mile radius of the Twin Falls VORTAC, thence clockwise along the 14.4-mile radius to V–293, southwest along V–293 to the intersection of V–293 and long. 115°00′00″W, thence north along long. 115°00′00″W to a point 7.9 miles southwest of V–253, thence northwest and parallel to V–253 for 25.9 miles, thence to the intersection of V–4, V–253, and V–330, east along V–330 to V–293, north along V–293 to V–500, then to the point of beginning; excluding that airspace within Federal airways.

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Issued in Seattle, Washington, on January 31, 1994.

**Temple H. Johnson, Jr.,**

*Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 94–3741 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

## 14 CFR Part 71

**[Airspace Docket No. 93–ANM–41]**

## Proposed Establishment of Class E Airspace; Longmont, CO

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would establish Class E airspace to accommodate a new instrument approach procedure and missed approach holding pattern at Vance Brand Airport, Longmont, Colorado. Airspace reclassification, in effect as of September 16, 1993, has discontinued the use of the term "transition area," replacing it with the designation "Class E airspace." The area would be depicted on aeronautical charts to provide reference for pilots.

**DATES:** Comments must be received on or before March 28, 1994.

**ADDRESSES:** Send comments on the proposal in triplicate to: Manager, System Management Branch, ANM–530, Federal Aviation Administration, Docket No. 93–ANM–41, 1601 Lind Avenue SW., Renton, Washington 98055–4056.

The official docket may be examined at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

**FOR FURTHER INFORMATION CONTACT:** Robert Brown, ANM–535, Federal Aviation Administration, Docket No. 93–ANM–41, 1601 Lind Avenue SW., Renton, Washington 98055–4056, Telephone: (206) 227–2535.

**SUPPLEMENTARY INFORMATION:**

### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 93–ANM–41." The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

### Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, System Management Branch, ANM–530, 1601 Lind Avenue, SW., Renton, Washington 98055–4056. Communications must identify the notice number of this NPRM. Persons interested in being placed on mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedure.

### The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish Class E airspace at Longmont, Colorado, to accommodate a new instrument approach procedure and missed approached holding pattern at Vance Brand Airport. The area would be depicted on aeronautical charts for pilot reference. Airpsace reclassification, in effect as of September 16, 1993, has discontinued use of the term "transition area," and airspace extending upward from 700 feet or more above the surface of the earth is now Class E airspace. The coordinates for this airspace docket are based on North American Datum 83. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 as of September 16, 1993 (58 FR 36298; July 6, 1993). The Class E designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It,

therefore, (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) 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 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).

**The Proposed Amendment**

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71, as follows:

**PART 71—[AMENDED]**

1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9A, Airspace Designations and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

*Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.*

* * * * *

**ANM CO E5 Longmont, CO [New]**

Vance Brand Airport, CO

(lat. 40°09'51"N., long. 105°09'47"W.)

That airspace extending upward from 700 feet above the surface within a 6.6-mile radius of the Vance Brand Airport, excluding the Fort Collins and Denver International Airport, Colorado, Class E airspace areas.

* * * * *

Issued in Seattle, Washington, on January 31, 1994.

**Temple H. Johnson, Jr.,**

*Manager, Air Traffic Division, Northwest Mountain Region.*

[FR Doc. 94–3744 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

**36 CFR Part 1220**

**RIN 3095–AA48**

**Agency Program Evaluations**

**AGENCY:** National Archives and Records Administration.

**ACTION:** Proposed rule; reopening of comment period and notice of meeting.

**SUMMARY:** The National Archives (NARA) is reopening the comment period for the proposed rule which was published on December 10, 1993 at 58 FR 64915 and will hold a meeting on the proposed revision of NARA regulations on Federal agency records management program evaluations. NARA is taking this action to ensure that any concerns agencies may have about these proposed changes have been addressed and that NARA is fully informed concerning the impact that the changes may have on agency records management programs. The proposed rule affects Federal agencies.

**DATES:** Comments must be received by March 21, 1994.

A meeting for agency records officers will be held on February 28, 1994, at 10 a.m. The public is invited to attend, space permitting.

**ADDRESSES:** Comments should be submitted to Acting Director, Policy and Program Analysis Division, National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740–6001, or faxed to 301–713–7270.

The meeting will be held in the Multipurpose Room at the National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740–6001.

**FOR FURTHER INFORMATION CONTACT:**

Mary Ann Hadyka or Nancy Allard at (301) 713–6730 about the proposed rule or Nina Frederick at (301) 713–7142 about the meeting.

Dated: February 10, 1994.

**Trudy Huskamp Peterson,**

*Acting Archivist of the United States.*

[FR Doc. 94–3906 Filed 2–16–94; 2:30 pm]

BILLING CODE 7515–01–M

## ENVIRONMENTAL PROTECTION AGENCY

**40 CFR Parts 52 and 81**

**[OH06–1–5069, OH01–1–5046, OH32–1–5776; FRL–4838–9]**

**Approval of Maintenance Plan and Designation of Areas for Air Quality Planning Purposes; Ohio; Reopening of Comment Period**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; reopening of comment period.

**SUMMARY:** USEPA is reopening the comment period for a proposed rule published on December 20, 1993 (58 FR 66334). On December 20, 1993, USEPA proposed disapproval of the ozone redesignation requests for Preble, Columbiana and Jefferson Counties.

The USEPA is reopening the comment period for this action to honor requests from the Ohio Environmental Protection Agency and the Regional Air Pollution Control Agency to extend the comment period ninety days.

**DATES:** Comments regarding the proposed disapproval of the ozone redesignation request for Preble County must be received by April 19, 1994.

**ADDRESSES:** Written comments should be sent to: William L. MacDowell, Chief, Regulation Development Section, Air Enforcement Branch (AE–17J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604 (312) 886–6798.

U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois, 60604.

**FOR FURTHER INFORMATION CONTACT:** Angela Lee, Regulation Development Section, Air Enforcement Branch (AE–17J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois, 60604, (312) 353–5142.

Dated: January 28, 1994.

**Valdas V. Adamkus,**

*Regional Administrator*

[FR Doc. 94–3746 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–P

**40 CFR Part 437**

**[FRL–4839–3]**

**Public Meeting on Planned Effluent Guidelines for the Centralized Waste Treatment Category (Waste Treatment Phase I)**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Announcement of public meeting.

**SUMMARY:** The U.S. Environmental Protection Agency (EPA) is announcing a public meeting prior to proposing effluent limitations guidelines and standards for the Centralized Waste Treatment Category (formerly called Waste Treatment Phase I). The EPA intends to propose later this year, and this is the only public meeting that the Agency plans to sponsor prior to proposal. The meeting is intended to be a forum in which EPA can report on the status of the regulatory development and in which interested parties can provide information and ideas to the Agency on key technical, scientific, and other issues.

**DATES:** The public meeting will be held on March 8, 1994, from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at the U.S. Geological Survey (USGS) National Center Auditorium, 12201 Sunrise Valley Drive, Reston, VA. Seating will be available for approximately 300 attendees.

The USGS National Center is located approximately five miles from Dulles International Airport. To reach USGS, take the Dulles Toll Road to Reston Parkway, go south on Reston Avenue to Sunrise Valley Drive, right on Sunrise Valley Drive, ¼ mile to the USGS entrance on the left side of the road.

**FOR FURTHER INFORMATION CONTACT:** Debra DiCianna, Engineering and Analysis Division (4303), U.S. EPA, 401 M Street SW., Washington, DC 20460. Telephone (202) 260–7141, fax (202) 260–7185.

**SUPPLEMENTARY INFORMATION:** EPA is developing effluent limitations guidelines and standards for the Centralized Waste Treatment Category (CWT) under authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*). The Centralized Waste Treatment Category includes facilities which treat industrial waste received from off-site facilities. The following operations are not included: thermal destruction, incineration, stabilization, fuel blending, or solvent recycling.

The public meeting will include a discussion of the scope of the regulation, summary of industry information, preliminary plans for technology-based regulatory options, and general CWT issues. The meeting will not be recorded by a reporter or transcribed for inclusion in the record for the Centralized Waste Treatment Category rulemaking.

Documents relating to the topics mentioned above and a more detailed agenda will be available at the meeting.

Dated: February 14, 1994.

**Tudor T. Davies,**

*Director, Office of Science and Technology.*

[FR Doc. 94–3747 Filed 2–17–94; 8:45 am]

**BILLING CODE 6560–50–P**

## GENERAL SERVICES ADMINISTRATION

### 41 CFR Part 101–41

**RIN: 3090–AE77**

### Update of Transportation Documentation and Audit Regulations

**AGENCY:** Federal Supply Service, GSA.

**ACTION:** Proposed rule

**SUMMARY:** The General Services Administration proposes to amend part 101–41 of the Federal Property Management Regulations by revising text to reflect administrative decisions and procedural changes; eliminating or correcting obsolete material; and updating addresses, correspondence symbols, codes, and legal citations. This action updates policies and procedures governing the audit of payments for domestic and foreign freight and passenger transportation services furnished for the account of the United States.

**DATES:** Comments must be received by no later than 4 p.m. April 19, 1994.

**ADDRESSES:** Written comments must be sent to the General Services Administration (FWPA), 18th & F Streets, NW., Washington, DC 20405.

**FOR FURTHER INFORMATION CONTACT:** John W. Sandfort, Chief, Policy, Procedures and Liaison Branch, Office of Transportation Audits (202–219–3164).

**SUPPLEMENTARY INFORMATION:** The General Services Administration (GSA) had determined that this rule is not a significant regulatory action for the purpose of Executive Order 12866 of September 30, 1993, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a regulatory impact analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of this rule; has determined that potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

This rule contains reporting requirements which have been approved under OMB clearance number 3090–0242.

**Regulatory Flexibility Act**

Pursuant to the Regulatory Flexibility Act, it is determined that this rule will not have a significant economic impact on a substantial number of small entities. Therefore, no regulatory flexibility analysis has been prepared.

**List of Subjects in 41 CFR Part 101–41**

Accounting, Air carriers, Claims, Freight, Freight forwarders, Government property management, Maritime carriers, Moving of household goods, Passenger services, Railroads, Transportation.

GSA proposes to amend 41 CFR part 101–41 as follows:

## PART 101–41—TRANSPORTATION DOCUMENTATION AND AUDIT

1. The authority citation for 41 CFR part 101–41 continues to read as follows:

**Authority:** 31 U.S.C. 3726 and 40 U.S C. 486(c).

2. Section 101–41.002 is amended by revising paragraph (b) to read as follows:

**§ 101–41.002 Definitions.**

* * * * *

(b) *Carrier* means any transportation services provider, including forwarder, exempt or not exempt from regulation, or other duly authorized agent, subject to the provisions of section 322 of the Transportation Act of 1940, as amended (31 U.S.C. 3726), offering to provide transportation services for the account of the United States.

* * * * *

3. Section 101–41.003 is revised to read as follows:

**§ 101–41.003 Exceptions to regulations.**

Exceptions to the regulations in this part 101–41 shall be granted only by the Administrator of General Services or the Administrator's designee. Requests for exceptions shall be made in writing to the General Services Administration (FW), Washington, DC 20405. A copy of the authorizing statement for each deviation, including the nature of the deviation, the reasons for such special action, and the Administrator's approval will be made available for public inspection in accordance with subpart 105–60.3 of this title.

4. Section 101–41.004 is amended by revising paragraph (a) to read as follows:

**§ 101.41.004 Agency implementation.**

(a) Agencies shall issue new or revise existing regulations and procedures to

conform to the provisions of this part 101–41 and shall forward one copy of such new or revised regulations and procedures to the General Services Administration (FWP), Washington, DC 20405.

* * * * *

5. Section 101–41.006 is amended by revising paragraph (a) to read as follows:

**§ 101–41.006 Electronic data interchange (EDI) records.**

(a) For the purposes of EDI only, a paper or microform record need not be created to satisfy the requirements of this part if the record is initially prepared in a coordinated electronic exchange medium. Each record kept in such a coordinated medium shall be accompanied by a statement clearly indicating the type of data included in the record and certifying that the information contained in it has been accurately duplicated. This statement shall be executed by the person duplicating the records. The records shall be indexed and retained in such a manner that they are easily accessible and the carrier or the agency shall have the facilities available to locate, identify, and reproduce the records in readable form without loss of clarity.

* * * * *

6. Section 101–41.104 is redesignated as 101–41.008.

## Subpart 101–41.1—General

7. In § 101–41.101, paragraph (b)(3) is redesignated as paragraph (c) and revised to read as follows:

**§ 101–41.101 Examination of payments, settlement of claims, and review of requirements.**

* * * * *

(c) The Administrator of General Services or the Administrator's designee will give due consideration to decisions of the Comptroller General of the United States, which are advisory in nature, resulting from Federal agency or common and contract carrier appeals involving disputed claims by and against the United States or issued under the authority vested in the Comptroller General by the Budget and Accounting Act of 1921, as amended (31 U.S.C. 702), and the Accounting and Auditing Act of 1950, as amended (31 U.S.C. 3501 *et seq.*).

8. Section 101–41.102 is amended by revising paragraph (b) and removing paragraph (e) to read as follows:

**§ 101–41.102 GSA responsibilities and functions.**

* * * * *

(b) In carrying out the foregoing functions, a designee head of an agency, acting in substance as GSA's audit surrogate, shall forward direct to the General Accounting Office (GAO) matters for consideration by the Comptroller General of the United States or by a division of GAO or shall forward direct to the Department of Justice matters for its consideration of collection action, litigation, and related proceedings, as prescribed in 4 CFR part 105. A claimant who disagrees with the settlement of his claim by GSA's audit surrogate may request reconsideration by the agency head or review by the Comptroller General of the United States in accordance with the guidelines set forth in subpart 101–41.7. These matters are subject to the provisions of § 101–41.101(c) and need not be forwarded through GSA.

* * * * *

9. Section 101–41.103 is amended by revising paragraphs (c), (d), (i)(1), (i)(3)(i) through (i)(3)(vii), (i)(4), (i)(5), (j), (k), (n)(1), (n)(2), (n)(3), and (n)(5) to read as follows:

**§ 101–41.103 Procedures, conditions, and limitations relevant to the delegation of authority to perform prepayment audits of selected transportation bills.**

* * * * *

(c) Each request shall include a detailed model of the audit process from receipt to payment of carrier bills and the subsequent submission of paid vouchers to GSA for postpayment audit.

(d) The requester shall demonstrate the capability not only to complete an accurate audit within 5 calendar days of receipt of a carrier's bill, but also evidence the ability to generate an accurate notice to the carrier which specifically describes the reason for any full or partial rejection of the carrier's charges, citing the rate authority applicable thereto.

* * * * *

(i) * * *

(1) Notwithstanding any other provision herein, GSA may request that agencies forward unpaid transportation bills approved for payment after prepayment audit by a designee agency (if any), in lieu of payment to the carrier, in order to adequately protect the Government's right to setoff or where the best interests of the Government so require.

* * * * *

(3) * * *

(i) The carrier is involved in a proceeding under the Bankruptcy Code as a debtor or possible debtor, or is subject to the control of a receiver, trustee, or other similar representative;

(ii) The carrier consistently fails to refund overcharges without assertion of substantial defense or other valid reasons when notified by GSA or any other interested Government agency;

(iii) The carrier, without good cause, fails to make timely disposition or settlement of loss or damage or other claims asserted by agencies of the United States;

(iv) The carrier owes substantial sums of money to the United States for which no adequate arrangements for settlement have been made;

(v) The carrier, as a person or business entity, was determined administratively to be ineligible for payment, unless after review of the facts and in the absence of objection by the U.S. General Accounting Office, it is determined administratively that the best interests of the United States will not be jeopardized by such payment;

(vi) The carrier voluntarily withdraws or is otherwise involuntarily terminated from an agency-wide transportation program; or

(vii) Any other circumstances where a reasonable person, in the exercise of ordinary prudence, would conclude that the carrier is in such financial condition that its ability to pay debts owed to the Government is questionable.

(4) Carriers subject to prepayment audit by GSA for the reasons outlined in § 101–41.103(i)(3), may offer substitute arrangements to adequately protect the Government's right to setoff in consideration for the avoidance of prepayment audit and/or a release of funds deemed adequate by the Government to pursue its right of setoff.

(5) The exercise of actual setoff shall be conducted in accordance with the Federal Claims Collection Standards.

(j) All forms used by the designee or its audit activity in performing the prepayment audit must be approved by GSA (Attn: FWP) prior to usage, and no rules or procedures relative to the prepayment audit may be published by the designee or its audit activity without GSA approval.

(k) The designee and any audit activity under him/her will be guided by applicable Comptroller General decisions and Federal Property Management Regulations, instructions, and precedents regarding substantive and procedural matters.

* * * * *

(n) * * *

(1) Failure to accomplish an accurate audit (less than 85 percent accuracy).

(2) A pattern of failure to make timely payments, or failure to inform carriers within 7 days of defective invoices (Prompt Payment Act time limitations).

(3) Audit results not cost-effective; i.e., where the cost of the audit exceeds the benefits derived.

* * * * *

(5) Failure of the designee, or any audit authority under it to be guided by applicable Comptroller General decisions, Federal Property Management Regulations, and instructions, or precedents regarding substantive and procedural matters.

* * * * *

## Subpart 101–41.2—Passenger Transportation Services Furnished for the Account of the United States

10. Section 101–41.202 is amended by revising the introductory text to read as follows:

### § 101–41.202 Standard forms relating to passenger transportation.

The Standard forms listed in paragraphs (a) through (h) of this section are prescribed for use in connection with the procurement of passenger transportation services for the account of the United States.

* * * * *

11. Section 101–41.202–5 is revised to read as follows:

### § 101–41.202–5 Procurement of Standard forms by agencies and carriers.

(a) Agencies may obtain supplies of SF 1169 and SF 1170 assemblies from GSA by submitting a requisition in FEDSTRIP format to GSA's Federal Supply Service, Furniture Commodity Center (3FNI–CO), Washington, DC 20406. With respect to the GTR assemblies, 3FNI–CO maintains a record of the serial numbers imprinted on the forms and the names and mailing addresses of the receiving agencies. Where feasible, agencies should request that the name and address of the office to be billed for payment of charges be preprinted on each SF 1169 and that the name and address of the office to receive the refund be preprinted on each SF 1170. No other overprinting on SF 1169, SF 1170, or SF 1170–EDP (computer-generated) is permitted unless specifically approved in writing by the Director, Office of Transportation Audits (FW), GSA.

(b) Carriers may purchase SF 1113 and SF 1113–A from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or have these printed commercially. When printing these forms commercially, carriers shall ensure that the forms conform to the exact size, wording, and arrangement of the approved Standard forms as well as be printed on a similar grade of paper stock. Carriers may have SF 1113 and SF 1113–A printed also in continuous-feed format for machine billing by adding pin-feed strips on the margins. The tear-off slip may be moved from the bottom to the right edge of SF 1113, to aid in machine use of the form, but it must be perforated on all edges to measure 8½ by 3⅜₁₆ inches when detached from the body of SF 1113 and from the pin-feed strips. The forms must conform in all other respects to the exact size, wording, color, and arrangement of the approved Standard forms. Any deviations must be approved in writing by the Director, Office of Transportation Audits (FW), GSA, Washington, DC 20405.

12. Section 101–41.203 is revised to read as follows:

### § 101–41.203 Procurement of passenger transportation services.

Government travel should be via the lowest cost fare available for which the traveler meets all conditions. The issuing officer must ensure that a request is conveyed to the carrier or its agent for the lowest cost fare available by entering "lowest fare for which the traveler qualifies" in the class of service block on the GTR.

13. Section 101–41.203–4 is revised to read as follows:

### § 101–41.203–4 Reduced rate services.

When Government travel is on an air carrier the use of discount fares offered by contract air carriers between certain cities (city-pairs) is mandatory unless an exception is authorized under 41 CFR 301–15.27. For air travel between cities where no contract service exists, or for travel by other common carrier modes, travel must be performed using the lowest cost fare available, e.g., through, group, excursion, commutation, special, or reduced one-way or round-trip fare when it can be determined before the start of a trip that this type of service would be more practical and economical to the Government.

14. Section 101–41.203–5 is revised to read as follows:

### § 101–41.203–5 Joint procurement of rail transportation and accommodations.

When the need for sleeping or parlor car accommodations is known at the time the rail transportation services are authorized, a single GTR shall be issued for joint procurement of transportation and accommodations. A separate GTR may be used to procure accommodations if such service is authorized after procurement of the rail transportation ticket. The GTR shall bear the name of the carrier issuing the sleeping or parlor car ticket and, when known, the number of the GTR covering the rail transportation service.

15. Section 101–41.203–6 is amended by revising paragraph (b) to read as follows:

### § 101–41.203–6 Air excess baggage service.

* * * * *

(b) The GEBAT coupon shall be given to the traveler with the air ticket for presentation to the honoring carrier. Each carrier that is to provide excess baggage service shall lift the pertinent coupon, complete it to show the gross and net weights or number of pieces of baggage carried, and use the coupon to support the subsequent billing of charges. The carrier providing the service may bill its charges direct to the paying office or may forward the coupon to the carrier to which the GTR was tendered for billing.

16. Section 101–41.204–1 is revised to read as follows:

### § 101–41.204–1 Contracts.

With the exception of contracts for intracity bus service and contracts entered into by the Air Mobility Command and the Military Sealift Command, a copy of each contract, negotiated or otherwise, providing rates or charges for passenger transportation services shall be forwarded by agencies, promptly upon execution, to the General Services Administration (FWA), Washington, DC 20405.

17. Section 101–41.204–2 is revised to read as follows:

### § 101–41.204–2 Tenders.

Two copies of each tender or quotation of special rates, fares, charges, or concessions for common or contract carrier passenger transportation services, including those made under section 10721 of the Revised Interstate Commerce Act (49 U.S.C. 10721), formerly section 22 of the Interstate Commerce Act, shall be promptly submitted by the negotiating agencies to the General Services Administration (FWA), Washington, DC 20405.

### § 101–41.205–1 [Reserved]

18. Section 101–41.205–1 is removed and reserved.

19. Section 101–41.205–2 is revised to read as follows:

### § 101–41.205–2 Blanket ticket purchases.

(a) *Procedures for issuing and processing tickets under blanket GTR's.* A blanket GTR may be issued to cover all tickets issued during a mutually agreed upon period not exceeding 1 month if the number of required tickets is of sufficient volume. When a blanket GTR is used to purchase multiple tickets (issued during a designated payment period), the GTR must be given to carrier or its agent prior to issuance of the first ticket. GTR issuing officers are prohibited from giving only a GTR

number to the carrier or its agent in lieu of an actual GTR. Care must be taken that a request is conveyed to the carrier or its agent for the lowest cost fare available, which is done by entering "lowest fare for which the traveler qualifies" in the class of service block on the GTR. Tickets shall be issued as follows:

(1) At the beginning of each payment period, a blanket GTR shall be prepared by the agency and given the TMC. Each ticket issued by the TMC for the period of time covered by the blanket GTR shall bear the number of the procuring GTR.

(2) A separate ticket listing shall be prepared by the TMC for each GTR to show the number and value of the tickets issued during the payment period and such other information as may be agreed upon by the carrier or its agent and the Government agency.

(3) At the end of the payment period, payment shall be made as provided in 101–41.206.

(b) *Procedures for processing unused tickets.* A completely unused ticket procured on a GTR and returned to the carrier or its agent during the same week it is purchased shall be voided by the carrier or its agent and shall not appear on the billing invoice. The carrier or its agent shall issue a receipt for tickets returned within the same week of issuance. The agency shall check the appropriate invoice to ensure that the agency is not billed for the returned tickets. A completely unused ticket procured using a GTR that has already been paid and all partially unused tickets, whether paid or not, shall be processed through the carrier or its agent on Standard Form 1170 for refund under procedures set forth in § 101–41.210.

20. Section 101–41.206 is amended by revising the heading, and paragraphs (a), (b), (c)(3), and (d) to read as follows:

**§ 101–41.206 Special procedures for payment of blanket GTR charges for passenger transportation services.**

(a) At the end of the payment period for which a blanket GTR has been issued under § 101–41.205–2, the original GTR, copies of the agent's coupons or credit card coupons and individual itineraries for each ticket issued but not voided during the period, the original and two copies of the ticket listing and the SF 1113 shall be forwarded by the TMC to the responsible agency accounting activity for preparation of the appropriate disbursing documents and issuance of the check to the TMC for transportation charges. The payment check shall bear the name and location of the agency authorizing payment and the applicable GTR number.

(b) Agencies using the disbursing facilities of the Department of the Treasury shall issue Standard Form 1166 OCR, Voucher and Schedule of Payments (voucher-schedule), to the Department of Treasury for issuance of the check. The payee block of the voucher-schedule shall include the above-cited identifying information that is to appear on the payment check.

(c) * * *

(3) The agent's coupons or reproduced copy of the agent's coupons or credit card coupon copies and copies of itineraries for each ticket paid on the listing for air and/or rail service.

(d) The carrier/TMC shall be responsible for making settlement of all overcharges identified by GSA upon subsequent audit of the documents covering their respective transportation services and for stating valid claims for additional charges as prescribed in Subpart 101–41.6.

21. Section 101–41/207–3 is revised to read as follows:

**§ 101–41.207–3 Disposition of spoiled or canceled GTR's.**

A GTR spoiled in preparation, canceled, or prepared for issuance but not used shall be marked "CANCELED" across the face and forwarded immediately through the issuing office to the office maintaining the accountability records. General Records Schedule 9, Travel and Transportation Records (see 36 CFR chapter XII, § 1228.22), provides instructions for the disposal of a GTR.

**§ 101–41.208–4 [Reserved]**

22. Section 101–41.208–4 is removed and reserved.

23. Section 101–41.208–5 is revised to read as follows:

**§ 101–41.208–5 En route honoring of GTR's for rail service.**

When there is no ticket agent on duty, necessitating the purchase of a rail transportation ticket on-board, the conductor shall issue a coach, parlor car, or sleeping car ticket for service authorized on the GTR in exchange for the GTR. If a different service or service of lesser value than that shown on the GTR is furnished, the type of service furnished shall be entered on the reverse of the GTR and signed by the conductor and countersigned by the traveler. The traveler shall similarly endorse the memorandum card copy (SF 1169–A). If the original and the memorandum card copy are unavailable, the traveler shall promptly forward written notification of the change to the office that issued the GTR. The carrier shall bill charges for the changed or lesser cost service to avoid subsequent adjustments with the Government.

24. Section 101–41.208–6 is revised to read as follows:

**§ 101–41.208–6 En route honoring of GTR's for sleeping or parlor car services only.**

When a GTR is presented on the train for sleeping or parlor car accommodations only, it shall be honored provided such accommodations are available and the traveler has purchased a rail passage fare.

25. Section 101–41.210–1 is amended by revising the introductory text of paragraph (a) and paragraph (c) to read as follows:

**§ 101–41.210–1 Exchange or returned tickets.**

(a) Exchanged or returned tickets are tickets in a carrier's possession for which the carrier has issued a lesser valued ticket, receipt, or refund application showing a refund due the U.S. Government. Agencies shall not submit an SF 1170 to the carrier to claim a refund for the unused value of an exchanged or returned ticket. Carriers are required to make refunds to the "bill charges to" office indicated on the GTR within 60 calendar days from date of ticket exchange. Agencies must provide travelers with a "bill charges to" address by attaching a copy of the GTR or some other document containing the information to the ticket or to the travel authorization. If carriers cannot identify the issuing agency, refunds shall be sent to GSA (FWCA), Washington, DC 20405. These refunds are subject to the following procedures:

* * * * *

(c) When accepting exchanged or returned tickets purchased with a contractor-issued Government employee charge card, the carrier must issue a receipt to the traveler showing a credit is due the traveler.

26. Section 101–41.210–1a is amended by revising paragraph (c) to read as follows:

**§ 101–41.210–1a Agency monitoring and processing of exchanged ticket refunds.**

* * * * *

(c) Forward carrier ticket refund applications and any other pertinent information to GSA (FWCM), Washington, DC 20405, if refund has not been received within 90 calendar days of date of ticket exchange or return.

27. Section 101–41.210–2 is revised to read as follows:

**§ 101–41.210–2 Unused or unreturned tickets.**

An unused or unreturned ticket is one which has not been used for passenger service, exchanged, or returned to the carrier or travel management center (TMC) that issued it. Agencies shall demand the refund value of these tickets from carriers or TMC's through the use of an SF 1170, Redemption of Unused Tickets. A separate SF 1170 must be prepared for each GTR, though more than one ticket or adjustment transaction may be related to that GTR. Each ticket must be listed on the SF 1170. An unused or unreturned ticket purchased under a GTS account must be returned by the traveler to the Federal agency office that purchased the ticket. That office shall, in turn, return the ticket to the TMC that furnished the airline ticket. The TMC must issue a receipt to the agency office showing a credit is due the agency. An unused or unreturned ticket purchased with a contractor-issued Government employee charge card must be returned by the traveler to the TMC or air carrier that issued the original ticket. The TMC or air carrier must issue a receipt to the traveler showing a credit is due the employee. For procedures covering unused transportation services billed by foreign-flag carriers, see § 101–41.210–6.

28. Section 101–41.210–3 is amended by revising the introductory text and paragraph (c) to read as follows:

**§ 101–41.210–3 Agency processing of SF 1170 claims.**

Timely processing of SF 1170 claims is essential to facilitate prompt refunds from carriers. Agencies processing SF 1170 claims shall ensure that:

* * * * *

(c) All other copies, including copies of unused tickets, are retained by the agency for accounting control.

29. Section 101–41.210–3a is amended by revising the introductory text to read as follows:

**§ 101–41.210–3a Carrier processing of SF 1170 claims.**

Each carrier shall promptly refund monies to adjust items listed on an SF 1170, whether or not the related GTR has been submitted or paid. The carrier shall indicate on the original SF 1170 the amount credited to each ticket and the total amount being refunded, and shall return the original with its refund to the agency. A refund that is inconsistent with the information on the SF 1170 shall be explained or computed on the SF 1170 or in an attached letter. A carrier declining to refund shall furnish an explanation on the original SF 1170. If a carrier is unable to determine which agency submitted the SF 1170, the payment and refund information shall be sent directly to the General Services Administration (FWCA). Any refunds sent directly to GSA will be subject to the following procedures:

* * * * *

30. Section 101–41.210–4 is revised to read as follows:

**§ 101–41.210–4 Agency processing of SF 1170 refunds.**

Upon return of the original SF 1170 with the refund, the agency shall record and deposit the refund in conformity with its fiscal procedures. If the refund has previously been reported to GSA as uncollected under § 101–41.210–5, the agency shall, within 30 calendar days of receipt thereof, forward the original SF 1170 and file copy of the ticket together with any advice from the carrier regarding the basis of the refund, to the General Services Administration (FWCA), Washington, DC 20405.

31. Section 101–41.210–5 is amended by revising paragraph (a) and adding paragraph (c) to read as follows:

**§ 101–41.210–5 Agency processing of SF 1170 claims for which the carrier failed to refund or otherwise satisfy the claim.**

(a) Partial tickets. A partial ticket is one in which one or more (but not all) coupons have been used. If, within 90 calendar days from the date of issuance of the SF 1170, the carrier has failed to make refund for the unused portion of a partially used ticket or to furnish a satisfactory explanation as to why no refund is due, the agency shall transmit the triplicate of the SF 1170 and all related correspondence to the General Services Administration (FWCA), Washington, DC 20405, for appropriate action. An agency may remove from its active accounts those debts referred to GSA under this section. This shall be recorded in a manner sufficient to support its removal from agency accounting records. Should a refund or response be received from the carrier after referring the claim to GSA, the agency shall, within 30 calendar days of receipt thereof, forward the original SF 1170 and file copy of the ticket, together with any advice from the carrier regarding the basis of the refund, to the General Services Administration (FWCA) in accordance with § 101–41.210–4.

* * * * *

(c) Agencies shall send to the General Services Administration (FWC) all SF 1170 claims on complete tickets on which the carrier alleges that no refund is due or on which there is doubt as to whether the carrier has refunded the full value of the unused ticket. Agency accounting shall be the same as is prescribed for partial tickets forwarded to the General Services Administration.

**§ 101–41.210–5a [Reserved]**

**§ 101–41.210–5b [Reserved]**

**§ 101–41.210–5c [Reserved]**

32. Sections 101–41.210–5a, 210–5b, and 210–5c are removed and reserved.

33. Section 101–41.210.5d is revised to read as follows:

**§ 101–41.210–5d Agency recovery of carrier refunds sent directly to GSA.**

To recover carrier refunds sent directly to GSA (FWCA), agencies must forward either an F 1080, Voucher for Transfer Between Appropriations and/or Funds, or SF 1081, Voucher and Schedule of Withdrawals and Credits, to the General Services Administration (FWCA). Included on these forms must be the name of the carrier, carrier check number, date, and amount of check (obtained from carrier), as well as the GTR number and the appropriation number to be credited. Agency refund requests should be sent promptly to GSA (FWCA). Refunds from carriers which are not identified and claimed by agencies within 300 days after receipt by GSA (FWCA) will be returned to the U.S. Treasury as miscellaneous receipts.

34. Section 101–41.210–6 is amended by revising paragraph (c) to read as follows:

**§ 101–41.210–6 Refund procedures covering unused transportation services billed by foreign-flag carriers.**

* * * * *

(c) Adjustments for unfurnished transportation services not reported on SF 1170 but made by deduction or setoff shall be noted on the deduction voucher with a full description of each unused ticket or portion thereof. Reference shall also be made to the transportation request number and the disbursing office (D.O.) voucher or schedule number and the date of payment of the voucher on which the GTR was paid if other than the deduction voucher. The unused ticket or portion thereof shall be forwarded by the agency to the carrier and a copy of the transmittal letter shall be attached to the deduction voucher involved.

35. Section 101–41.211–2 is revised to read as follows:

**§ 101–41.211–2 Disposition of recovered GTR's previously reported lost or stolen.**

A GTR that has been reported as lost or stolen but subsequently recovered shall not be used to obtain transportation or accommodations. The recovered GTR, whether it is blank or

partially or completely filled out, shall be returned promptly to the issuing officer who shall mark it "CANCELED" and forward it through appropriate channels to the office keeping the accountability records. The National Archives and Records Administration General Records Schedule 9, Travel and Transportation Records, provides instructions for disposition of canceled GTR's (see 36 CFR chapter XII, § 1228.22).

36. Section 101–41.211–3 is revised to read as follows:

**§ 101–41.211–3 Billing charges for GTR's lost by carrier.**

(a) When a carrier has lost or misplaced a GTR, it shall bill the charges for the services furnished on the SF 1113, Public Voucher for Transportation Charges, annotated with the following signed certification: "I certify that all U.S. Government Transportation Requests (GTR's) honored by the above-named carrier or travel agent pass into my office; that ticket(s) (form and ticket number(s)), value of ticket(s), accommodations (number and type), points of travel (from and to) annotated below was (were) furnished in exchange for the specified GTR; that the stated value(s) is (are) true and correct; that the said GTR has been lost or misplaced and cannot be located; that the honoring carrier has not received payment for services rendered thereunder; and that, if the said GTR is later found, it will be marked "Canceled—SF 1113 with Signed Certification Issued in Lieu of Lost GTR" and transmitted to the General Services Administration (FWAA/C), Washington, DC 20405, and no claim made thereon. Copy/copies of ticket coupon(s), with the GTR number visible, will be attached in support of the SF 1113. A statement of any other pertinent facts and circumstances should be included. Each lost or misplaced GTR shall be billed on a separate SF 1113 to be distinguished from charges applicable to other GTR's. (See § 101–41.214 for billing of transportation charges.)

(b) Disbursing officers shall certify on the SF 1113 that the services specified thereon have been furnished, that payment has not been made to any claimant, and that the record has been annotated to prevent duplicate payment. The carrier may transmit its bill (SF 1113 with certification) to the General Services Administration (FWCA), Washington, DC 20405, if the paying agency is unknown.

37. Section 101–41.211–4 is revised to read as follows:

**§ 101–41.211–4 Disposition of GTR's previously certified lost by carrier.**

An original GTR that is located after payment has been made under § 101–41.211–3 shall be forwarded promptly to the General Services Administration (FWAA/C), Washington, DC 20405, together with a reference to the carrier's bill on which charges for the lost GTR were paid.

38. Section 101–41.211–5 is revised to read as follows:

**§ 101–41.211–5 Billing charges for air excess baggage coupons lost by carrier.**

(a) When a carrier has lost or misplaced its flight coupon copy of the GEBAT covering the air carriage of excess baggage, it shall bill the charges on an SF 1113 annotated with the following signed certification: "I certify that all GEBATS honored by the above-named carrier or travel agent pass into my office; that the authorizing GTR(s) (number(s)), applicable passenger ticket(s) (number(s)), name of traveler(s), weight or number of pieces of excess baggage authorized and carried, points between which service was authorized and rendered, and all other information pertinent to the transaction annotated below was (were) furnished in exchange for the specific GEBAT; that the stated value(s) is (are) true and correct; that the said GEBAT has been lost or misplaced and cannot be located; that the honoring carrier has not received payment for services rendered thereunder, and that, if the said GEBAT is later found, it will be marked 'Canceled—SF 1113 with Signed Certification Issued in Lieu of Lost GEBAT' and transmitted to the General Services Administration (FWAA/C), Washington, DC 20405, and no claim made thereon." The disbursing officer shall certify on the SF 1113 that the services specified therein have been furnished, that payment has not been made to any claimant, and that the record has been annotated to prevent duplicate payment.

(b) Excess baggage charges supported by a certified statement instead of a lost GEBAT shall be billed separately from other types of transportation charges. Where the paying agency cannot be determined, the carrier may submit its bill to the General Services Administration (FWCA), Washington, DC 20405, for forwarding to the responsible agency.

(c) An original GEBAT that is located after issuance of the certified statement instead of the lost GEBAT, together with a reference to the carrier's bill on which charges for the lost GEBAT were paid, shall be forwarded promptly to GSA (FWAA/C).

39. Section 101–41.213 is amended by revising paragraph (a)(3) to read as follows:

**§ 101–41.213 Carrier entries on GTR's.**

(a) * * *

(3) In the "Auditor's Value" space, the carrier audit officer shall enter the charges as specified in paragraph (a)(2) of this § 101–41.213 for the "Agents Value."

* * * * *

40. Section 101–41.214–3 is revised to read as follows:

**§ 101–41.214–3 Carrier machine punching on GTR's.**

Carriers using 80-column tabulating equipment have the option of keypunching certain information in the GTR's. Carriers electing to punch the GTR must punch all information in fields 1–20 as specified below. Fields 21–25 are for optional use by carriers. No other card fields may be used.

| Fields | Information |
|---|---|
| 1–5 | Carrier's code number as published in the Continental Directory of Standard Carrier Alpha Codes (SCAC) and Standard Tariff Agents Codes. Inquiries shall be addressed to NMFTA, 2200 Mill Road, Alexandria, VA 22314. |
| 6–10 | Carrier's bill number. |
| 11–18 | Total amount of transportation charges. |
| 19–20 | Federal account (appropriation) symbol. (To be obtained from the Department of the Treasury annual publication "Federal Account Symbols and Titles.") |
| 21–25 | Carrier's optional in-house code. |

41. Section 101–41.214–5 is amended by revising paragraph (e) to read as follows:

**§ 101–41.214–5 Preparation of carrier billing form.**

* * * * *

(e) Each carrier shall insert in the appropriate block on the SF 1113 (and SF 1113–A), the standard carrier alpha code (SCAC) assigned to that carrier in the National Motor Freight Traffic Association, Inc., Agent, Directory of Standard Multi-Modal Carrier and Tarif Agents Codes (SCAC and STAC), ICC NMF 101, applicable supplements thereto, or subsequent reissues thereof.

42. Section 101–41.214–7 is revised to read as follows:

**§ 101–41.214–7 Cross-reference on billings for additional or supplemental services.**

Vouchers supported by GTR's which extend or supplement services covered by other GTR's shall be endorsed by the paying office or issuing agency to show

the disbursing office (D.O.) voucher number or schedule number, date of payment, and date of the prior payment. Vouchers covering air excess baggage charges need not be so endorsed.

## Subpart 101–41.3—Freight Transportation Services Furnished for the Account of the United States

43. Section 101–41.300 is revised to read as follows:

### § 101–41.300 Scope and applicability of subpart.

This subpart sets forth regulations and procedures governing the procurement of and the billing and payment for freight or express transportation services for the account of the United States.

44. Section 101–41.302–2 is amended by revising the introductory text of paragraph (a), paragraphs (a)(1) and (a)(6), the introductory text of paragraph (c), paragraph (c)(4) and paragraph (d) to read as follows:

### § 101–41.302–2 Description and distribution of Government bills of lading.

(a) The U.S. Government bill of lading (GBL) is a nine-part set consisting of six basic forms. The sets are carbon-interleaved for simultaneous preparation. The GBL set is arranged in the following order:

(1) SF 1103 (original), which refers to subpart 101–41.3 for the terms and conditions of the contract of transportation and contains both the description of the articles comprising the shipment and the certificate of delivery, is given to the carrier upon tender of shipment for use as supporting documentation with the voucher covering the transportation charges involved.

* * * * *

(6) SF 1103–A (memorandum copy), of which there are four copies, is for use by the shipper for fiscal and administrative purposes.

* * * * *

(c) The U.S. Government Bill of Lading-Privately Owned Personal Property (PPGBL) is a seven-part form available in either snap-out or computer pin-feed formats. The sets are carbon interleaved for simultaneous preparation. The PPGBL is arranged in the following order:

* * * * *

(4) SF 1205 (freight waybill-original) is given to the origin carrier and is either carried to destination or is otherwise sent to destination in compliance with origin carrier's instructions. It also serves as the substitute billing document when the original PPGBL is lost or destroyed.

* * * * *

(d) The GBL continuation sheets (SF 1109 through 1112) are also available in nine-part sets and are arranged in order corresponding to the GBL sets. The continuation sheets are for use with the regular GBL and the personal property GBL.

45. Section 101–41.302–3 is amended by revising paragraph (i) to read as follows:

### § 101–41.302–3 Terms and conditions governing acceptance and use of GBLs.

* * * * *

(i) The nondiscrimination clauses contained in section 202 of Executive Order 11246, as amended by Executive Order 11375, relative to equal employment opportunity for all persons without regard to race, color, religion, sex, or national origin, and the implementing rules and regulations prescribed by the Secretary of Labor are incorporated by reference in the GBL.

46. Section 101–41.302–5 is amended by revising paragraph (b) to read as follows:

### § 101–41.302–5 Pickup and delivery services.

* * * * *

(b) When a shipper or consignee so requests and if the carrier furnishes delivery service at destination, the carrier shall check the appropriate box in the "Certificate of Carrier Billing" section on the GBL.

47. Section 101–41.303–4 is revised to read as follows:

### § 101–41.303–4 Lost original commercial bills of lading subsequently recovered.

When the original commercial bill of lading or commercial express receipt is recovered after conversion of an authentic copy of the commercial document to a GBL, the original commercial document shall be forwarded to the paying office of the agency concerned, with an appropriate reference to the previous conversion. If the transportation charges on the GBL converted from the copy of the commercial document have already been paid, the recovered original commercial bill of lading or commercial express receipt shall be marked "VOID"; annotated with the disbursing office (D.O.) voucher or schedule number (or the GSA certificate of settlement number) and payment date; and transmitted to the General Services Administration (FWAA/C), Washington, DC 20405.

48. Section 101–41.305–2 is amended by revising the introductory text of paragraph (c) to read as follows:

### § 101–41.305–2 Transit records; processing and distribution.

* * * * *

(c) *Furnishing transit certificates.* Transit certificates (record of transit tonnage and application) need not be prepared and furnished to GSA (FWAA/C) when the paying office normally verifies or enters the inbound billing information in the "Description of Articles" block of the GBL. If the paying office does not verify or provide inbound billing information, the certificates shall be furnished to General Services Administration (FWAA/C), Washington, DC 20405, as follows:

* * * * *

49. Section 101–41.305–5 is revised to read as follows:

### § 101–41.305–5 Paying office action on transit billings.

The paying office shall verify and, if necessary, correct the transit information shown on the GBL. When the required transit information is not shown, the paying office shall enter the following information in the "Description of Articles" block of the GBL, or on a GBL continuation sheet, under a heading "TRANSIT RESHIPPING CERTIFICATE-INBOUND BILLING REFERENCES": The disbursing office (D.O.) voucher or schedule number and the date of payment of the inbound billing, before forwarding the SF 1113 and a notice of any refunds to GSA (FWAA/C). Vouchers with the accompanying GBL covering free or surrendered transit shall be transmitted to GSA (FWAA/C) separate from other types of transportation vouchers.

50. Section 101–41.306 is amended by revising paragraph (b) to read as follows:

### § 101–41.306 Disposition of GBL forms upon delivery of property to carrier for shipment.

* * * * *

(b) The issuing office shall retain a certified memorandum copy; i.e., the issuing office copy (SF 1103–A and SF 1109–A, if any), and send the consignee copy (SF 1103–B and SF 1109–B, if any) to the consignee. A contractor acting as shipper shall retain one certified memorandum copy, forward one copy to the issuing office, and send the consignee copy to the consignee.

* * * * *

51. Section 101–41.307–5 is revised to read as follows:

### § 101–41.307–5 Lost original GBL's recovered after settlement.

When a lost original GBL is recovered after settlement is effected on the basis of the freight waybill, the original GBL

shall be forwarded to the paying office of the agency concerned for cancellation. The original GBL shall be inscribed with the disbursing office (D.O.) voucher or schedule number, the GSA certificate of settlement number, and the payment date of the freight waybill settlement voucher and shall be forwarded to GSA (FWAA/C).

52. Section 101–41.308–1 is amended by revising the introductory text to read as follows:

**§ 101–41.308–1 Agency control.**

Agencies shall maintain accountability records and physical control of GBL stock. Employees responsible for the issuance and use of GBL forms shall be held accountable for their disposition. GBL forms generally are serially numbered at the time of printing; no other numbering of the forms, including additions or changes to the prefixes or additions of suffixes, is permitted.

* * * * *

53. Section 101–41.308–2 is revised to read as follows:

**§ 101–41.308–2 Disposition of unused GBL's.**

GBL forms spoiled in preparation, prepared for issuance but not used, or unusable for any other reason shall be canceled and returned to the accountable office. Those forms shall be disposed of in accordance with General Records Schedule 9, Travel and Transportation Records. (See 36 CFR chapter XII, § 1228.22.)

54. Section 101–41.309–2 is amended by revising paragraph (c)(4) and the concluding text of paragraph (c) to read as follows:

**§ 101–41.309–2 Motor carrier or freight forwarder destination storage in transit of household goods or mobile dwellings.**

* * * * *

(c) * * *

(4) A copy of the original SF 1113, Public Voucher for Transportation Charges, which was submitted by the line-haul carrier, and copies of any other supplemental SF's 1113 previously submitted for payment of accessorial charges relating to items paid on the original bill.

The originals of those statements listed in paragraphs (c)(1) and (c)(2) shall be used as support for accessorial charges.

55. Section 101–41.310–2 is amended by revising paragraphs (a) and (d) to read as follows:

**§ 101–41.310–2 Preparation of carrier billing forms.**

(a) Instructions for the preparation of SF 1113, Public Voucher for Transportation Charges, are furnished in the GSA guide "How to Prepare and Process U.S. Government Bills of Lading" (national stock number 7610–00–682–6740). Agencies may obtain copies of this guide by submitting a requisition in FEDSTRIP/MILSTRIP format to the GSA regional office providing support to the requesting activity.

* * * * *

(d) Each carrier shall insert in the appropriate block on SF 1113 (and SF 1113–A), the Standard Carrier Alpha Code (SCAC) assigned to that carrier in the National Motor Freight Traffic Association, Inc., Directory of Standard Multi-Modal Carrier and Tariff Agents Code (SCAC and STAC), ICC NMF 101, applicable supplements or subsequent reissues.

56. Section 101.41.310–4 is amended by revising paragraph (a)(2) to read as follows:

**§ 101–41.310–4 Presentation and payment of carrier's bills.**

* * * * *

(a) * * *

(2) A participating carrier or forwarder in privity with the contract of carriage as evidenced by the covering GBL when the bill is submitted with a waiver accomplished by the last carrier (as described in paragraph (a)(1) of this section) in favor of the billing carrier;

* * * * *

57. Section 101–41.311 is revised to read as follows:

**§ 101–41.311 Reporting of carrier voluntary refunds.**

Agencies shall report voluntary refunds (other than those described in § 101–41.305–3 of this subpart) of excess payments for freight or express charges to the General Services Administration (FWAA/C), Washington, DC 20405. Each report shall include the following:

(a) GBL reference and amount of refund;

(b) Disbursing office (D.O.) voucher or schedule number and date of payment assigned to the original payment; and

(c) Carrier's name and bill number.

58. Section 101–41.312 is amended by revising paragraph (c)(3) to read as follows:

**§ 101–41.312 Exception to usual billing and payment procedures.**

* * * * *

(c) * * *

(3) Payments made under the provisions of this section are subject to adjustment, if otherwise proper, when the cargo is lost, damaged, or not delivered to the destination specified in the bill of lading contracts. Agencies shall make a diligent effort to collect all agency claims arising under the provisions of this section and shall report uncollected debts to the General Government Division, Claims Group, U.S. General Accounting Office, Washington, DC 20548.

59. Section 101–41.313–1 is revised to read as follows:

**§ 101–41.313–1 GBL forms.**

(a) Agencies may obtain supplies of the individual snapout GBL sets by submitting a requisition in FEDSTRIP/MILSTRIP format to the GSA regional office providing support to the requesting activity. Agencies having facilities for computer preparation of GBL's may order them in continuous fanfold format with pin-feed strips attached to the sides, but such forms must conform to all other specifications on the GBL, including overall size, wording, arrangement, color, construction, and grade of paper. Minor adjustments in spacing to accommodate differences in alignment of computer line printing are permissible, but all copies in the GBL sets must register from part to part. Agency orders for continuous fanfold GBL's shall be executed and processed in accordance with § 101–26.302 of this chapter. GSA's Federal Supply Service, Furniture Commodity Center (3FNI–CO), Washington, DC 20406 maintains records of the serial numbers of all GBL and personal property GBL sets furnished and the names and mailing addresses of the receiving agencies.

(b) An agency may order overprinting on the GBL forms to the extent of identifying the name, bureau or service, and address of the payment office; appropriation or fund chargeable; and name and title of the issuing officer and place of issue. No other overprinting on the GBL forms is permitted unless specifically approved in writing by the General Services Administration (FW), Washington, DC 20405.

60. Section 101–41.313–2 is amended by revising the introductory text to read as follows:

**101–41.313–2 Carrier billing form.**

SF 1113, Public Voucher for Transportation Charges, which shall be used to bill freight transportation charges, is printed on 8½ by 11-inch white paper, with an added 8½ by 3$^{3}/_{16}$-inch tear-off slip which generally is returned to the carrier with the check covering payment of the vouchered charges, unless alternate arrangements are made for providing this information. (See § 101–41.803(b) for exception.) SF 1113–A, Public Voucher for

Transportation Charges (Memorandum Copy), printed on yellow paper, is the same size as the original without the tear-off slip.

* * * * *

61. Section 101–41.314–1 is revised to read as follows:

**§ 101–41.314–1 Contracts.**

With the exception of contracts for local storage, drayage, and haulage (see § 101–41.304 of this subpart) and contracts entered into by the Military Sealift Command or the Air Mobility Command, a copy of each contract for freight or express transportation services, negotiated or otherwise, providing rates or charges shall be transmitted by agencies promptly upon execution to the General Services Administration (FWA), Washington, DC 20405.

62. Section 101–41.314–2 is revised to read as follows:

**§ 101–41.314–2 Quotations and tenders.**

Quotations or tenders made by or on behalf of common or contract carriers for freight, small package, or express transportation rates or services, including those authorized by section 10721 of the Revised Interstate Commerce Act, (49 U.S.C. 10721), formerly section 22 of the Interstate Commerce Act, shall be in written form. Two copies of each quotation or tender shall be promptly transmitted by administrative or negotiating agencies to GSA (FWA).

**Subpart 101–41.4—Standards for the Payment of Charges for Transportation Services Furnished for the Account of the United States**

63. Section 101–41.401 is amended by revising paragraph (a), the introductory text of paragraph (c), paragraph (c)(3), and paragraph (e) to read as follows:

**§ 101–41.401 Payment of transportation bills.**

(a) Unless GSA's Office of Transportation Audits determines that a prepayment audit is necessary under § 101–41.103(i), each agency or department shall pay any properly documented bill (claim) for freight or passenger transportation charges that is not excepted by the provisions of § 101–41.604–2.

* * * * *

(c) Provisions of Pub. L. 77–560, 56 Stat. 306 (31 U.S.C. 3322(b) and 3528(c)), relieve certifying and disbursing officers of liability for overpayments made for transportation furnished for the account of the United States on GBL's and GTR's when such overpayments are due to the use of improper transportation rates or classifications or to the failure to deduct proper amounts under agreements. However, agencies are not relieved of responsibility for:

* * * * *

(3) Providing the carrier with notice of an apparent error, defect, or impropriety within 7 days of receipt of an invoice.

* * * * *

(e) For the purposes of determining whether interest penalties under the Prompt Payment Act, 31 U.S.C. 3901, *et seq.*, are due, the date on which payment is due is 30 days after receipt of a proper carrier bill or claim.

**Subpart 101–41.5—Claims by the United States Relating to Transportation Services**

64. Section 101–41.500 is revised to read as follows:

**§ 101–41.500 Scope and applicability of subpart.**

This subpart sets forth procedures applicable to the assertion of claims by the United States that arise out of freight and passenger transportation services furnished for the account of the United States, the consideration and disposition of protests thereto, the collection of claims by administrative offset and by other means, the imposition of interest, penalties, and the disposition of amounts collected.

65. Section 101–41.502 is amended by revising paragraphs (a)(1) introductory text and (b)(1) to read as follows:

**§ 101–41.502 Examination of payments and initiation of collection action and assertion of claims.**

(a) * * *

(1) Carrier bills and supporting documents that represent payments made by agency disbursing officers for freight and passenger transportation services shall be forwarded to the General Services Administration (FWAA/C), Washington, DC 20405, for audit. For the purpose of determining whether a claim exists, GSA will consider:

* * * * *

(b) * * *

(1) A GSA notice of overcharge is issued when it is determined that a carrier has been paid a sum in excess of that proper for the services rendered. This notice, which states a debt owed to the United States, sets forth: The amount paid; the basis for the proper charge for each Government bill of lading, Government transportation request, commercial bill of lading, or freight bill; and cites applicable tariff references and other data relied upon to support the statement of difference. A separate notice of overcharge is stated for each Government bill of lading, Government transportation request, commercial bill of lading, or freight bill and mailed to the billing carrier.

* * * * *

66. Section 101–41.503 is revised to read as follows:

**§ 101–41.503 Refunds and/or protests to claims.**

(a) Carriers are requested to promptly refund amounts due the United States to avoid possible deduction action by GSA. Checks shall be made payable to the "General Services Administration" and mailed to the address specified on the claims notice.

(b) A carrier that disagrees with a claim may protest by letter to the General Services Administration (FWCA), Washington, DC 20405. Since each claim is processed as a separate account receivable, the carrier shall use a separate letter for each claim being protested. The carrier shall present the basis for its protest and submit either the original or a legible copy of all documents substantiating its position. If the carrier believes that an amount less than that claimed is due, it should submit a check for the amount due, together with a full explanation of the reasons for believing the balance is not due. With reference to an ordinary debt, which is the subject of a notice of indebtedness, the carrier may: inspect and copy the Government's records related to the claim; seek review by GSA of the claim decision; and/or enter into a written agreement for the payment of the claim. GSA will acknowledge receipt of each letter containing a substantive protest and upon completion of consideration will notify the carrier whether the claim has been sustained, amended, or canceled. Repetitious letters of protest will not serve to preclude the collection of claims found due.

67. Section 101–41.504 is amended by revising the introductory text, by revising paragraph (c), and by removing paragraph (d) to read as follows:

**§ 101–41.504 Collection action by other means.**

When a carrier fails to pay or protest a claim and GSA determines that the amount is still due the United States, GSA will effect collection by other means, as set forth in paragraphs (a) through (c) of this section.

* * * * *

(c) When collection cannot be effected through either of the above procedures, GSA normally sends two additional demand letters to the indebted carrier

requesting payment of the amount due within a specified time. If this action is unsuccessful, GSA may report the debt to the Department of Justice for collection, litigation, and related proceedings, as prescribed in 4 CFR part 105.

68. Section 101–41.505 is revised to read as follows:

**§ 101–41.505 Disposition of collections.**

(a) Net amounts collected by GSA to liquidate debts asserted in the audit of transportation accounts are generally deposited in the Treasury of the United States as miscellaneous receipts.

(b) GSA does not inform agencies of collections deposited to miscellaneous receipts.

69. Section 101–41.506 is amended by revising paragraphs (b) and (e) and the introductory text of paragraph (f) to read as follows:

**§ 101–41.506 Transportation debts administratively determined to be due the United States.**

* * * * *

(b) Agencies shall refer all administratively determined transportation debts involving loss and/or damage to property to: General Government Division, Claims Group, U.S. General Accounting Office, Washington, DC 20548.

* * * * *

(e) All liquidated or certain claims (those upon which all audit procedures under 31 U.S.C. 3726 have been completed) over $100,000, exclusive of interest, penalties, and administrative charges which cannot be collected, shall be referred to the Department of Justice.

(f) The Director, Office of Transportation Audits, may terminate collection action on, or settle by compromise at less than the principal amount liquidated or certain claims not exceeding $100,000 exclusive of interest, penalties, and administrative charges if:

* * * * *

**Subpart 101–41.6—Claims Against the United States Relating to Transportation Services**

70. Section 101–41.600 is revised to read as follows:

**§ 101–41.600 Scope and applicability of subpart.**

This subpart sets forth procedures applicable to the presentation, settlement, reconsideration, and review of claims against the United States relating to freight and passenger transportation services, and implementation of the Prompt Payment Act, 31 U.S.C. 3901 *et seq.*

71. Section 101–41.602 is amended by revising paragraph (b) to read as follows:

**§ 101–41.602 Statutory limitations on filing of claims.**

* * * * *

(b) A claim must be received by GSA or its designee (the agency out of whose activities the claim arose) within 3 years (not including any time of war) from whichever is the latest of the following dates:

(1) Accrual of the cause of action thereon;

(2) Payment of charges for the transportation involved;

(3) Subsequent refund for overpayment of such charges; or

(4) Deduction made under 31 U.S.C. 3726, as amended. Claims for filing with the designee agency shall be sent to the payment office shown in the "Bill Charges To" box of the procuring document.

* * * * *

72. Section 101–41.603–2 is amended by revising paragraph (b) to read as follows:

**§ 101–41.603–2 Forms of claims.**

* * * * *

(b) Each supplemental bill shall cover charges relating to bills of lading or transportation requests paid on one original bill. However, if supplemental bills (claims) arise from asserted retroactive increases in charges or from currency fluctuations, SA (FW) will consider a carrier's written request for the single billing of such charges applicable to multiple original bills, if such request bears the concurrence of the agency's paying office.

* * * * *

73. Section 101–41.603–4 is revised to read as follows:

**§ 101–41.603–4 Where to file transportation claims.**

(a) Claims involving collection actions resulting from the transportation audit performed by the General Services Administration must be filed directly with GSA (FWCA). Any claims so submitted to GSA will be considered 'disputed claims' under section 4(b) of the Prompt Payment Act, 31 U.S. C. 3901 *et seq.* All other transportation claims generally shall be filed with the agency out of whose activities they arose. If that is not feasible (e.g., where the responsible agency cannot be determined or is no longer in existence), they may be sent to GSA (FWCA) for forwarding to the responsible agency or for direct settlement by GSA's transportation audit office. Claims for GSA processing shall be addressed to the General Services Administration (FWCA), Washington, DC 20405.

(b) A claimant who disagrees with the action taken on his/her claim by the agency's payment office may request reconsideration or review of that action, provided he/she meets applicable time limitations. (See § 101–41.101(b), § 101–41.602, and subpart 101–41.7.) The levels for progression of claims not disposed of to the satisfaction of the claimant are as shown in the following table:

PROGRESSIVE STEPS AVAILABLE TO CLAIMANTS REQUESTING RECONSIDERATION OR REVIEW OF DISPUTED CLAIMS

| Disputed claims involving— | Applicable to disputed claims filed with— | Agency action for reconsideration by— | Agency dispositive action for reconsideration or review by— |
|---|---|---|---|
| Deductions for loss or damage to property. | Agencies out of whose activities the claims arose. | General Government Division, Claims Group, U.S. General Accounting Office.[1]. | Comptroller General of the United States.[2] |
| Other than loss or damage to property. | Agencies delegated authority to perform audit as GSA's designee. (See note). | Head of agency delegated authority. | Do. |
| | Agencies not delegated authority to perform audit as GSA's designee. | General Services Administration (FWA).[3]. | Administrator of General Services[4] or Comptroller General of the United States.[2] |

Note.—Authority to audit transportation bills was delegated effective Oct. 12, 1975, to the Department of State for bills paid at overseas offices and to the Department of Defense for bills paid at certain overseas offices and for bills paid by the Military Airlift Command for contract airlift services. Mailing addresses for those specifically named above as responsible for the reconsideration or review of transportation claims upon request of claimants are:

[1] General Government Division, Claims Group, U.S. General Accounting Office, Washington, DC 20548.

[2] Comptroller General of the United States, U.S. General Accounting Office, Washington, DC 20548.
[3] General Services Administration (FWCA), Washington, DC 20405.
[4] Administrator of General Services, General Services Administration (FW), Washington, DC 20405.

74. Section 101–41.604–1 is amended by revising paragraphs (a) and (c) to read as follows:

**§ 101–41.604–1 Transportation claims payable by agencies.**

* * * * *

(a) The agency shall annotate each paid claim, other than a bill for air excess baggage charges, with the payment record on the related procuring Government bill of lading (GBL) or Government transportation request (GTR) including disbursing office (D.O.) voucher or schedule number and date of payment.

* * * * *

(c) Claims paid in accordance with this § 101–41.604–1 shall be transmitted to GSA (FWAA/C) separately from other paid transportation documents submitted for audit.

75. Section 101–41.604–2 is amended by revising paragraph (a), the introductory text of paragraph (c), paragraph (c)(4), and paragraph (d) to read as follows:

**§ 101–41.604–2 Transportation claims not payable by agencies.**

(a) Agencies shall not pay supplemental claims for amounts which have been administratively deducted from transportation payment vouchers in connection with loss and/or damage to property but shall forward such claims to: General Government Division, Claims Group, U.S. General Accounting Office, Washington, DC 20548.

* * * * *

(c) Claims described in paragraph (b) of this section will be handled by GSA under the provisions of § 101–41.605 of this subpart and shall be forwarded separately from other types of transportation documents to the General Services Administration (FWCA), Washington, DC 20405. Agencies shall support each claim forwarded to GSA with:

* * * * *

(4) Citations to previous payments, if any, by reference to disbursing office (D.O.) voucher or schedule number and date of payments; and

* * * * *

(d) Agencies shall notify claimants of the dates on which their claims are forwarded to GSA but shall not inform them of administrative recommendations. Agencies need not take further administrative action but shall forward to GSA (FWCA) any materials subsequently received which relate to forwarded claims and shall furnish supplemental reports to GSA when requested. Any claims so submitted to GSA will be considered 'disputed claims' under section 4(b) of the Prompt Payment Act, 31 U.S.C. 3901 *et seq.*

76. Section 101–41.605–2 is amended by revising paragraphs (b), (c) introductory text, (c)(1), and (d) to read as follows:

**§ 101–41.605–2 Processing claims certified for payment.**

* * * * *

(b) An agency shall not revise or alter any GSA certificate of settlement except to indicate the appropriation symbol number applicable at the time of payment or to correct subsidiary accounting references relating to the stated appropriation or fund account. Alterations which will result in payment from a different appropriation or fund account or payment in an amount other than that originally stated on the certificate of settlement are not permitted. Any certificate of settlement that cannot be processed shall be returned immediately to GSA (FWCA) with an explanation of the nonpayment.

(c) GSA forwards the original and four copies of each certificate of settlement to the agency by GSA Form 7933, Certificate of Settlement Transmittal, a copy of which shall be receipted and returned promptly to GSA (FWCA). When a setoff amount is to be credited to the accounts of other agencies, GSA supplies additional copies of the certificate for the agencies whose accounts are to be credited. The agency shall take action to effect issuance of the check or checks and shall distribute the certificate of settlement as follows:

(1) Forward the original of the certificate, with the D.O. voucher or schedule number and date of payment stamped in the upper right corner, to GSA (FWCA). (The agency shall be responsible for preparing any required SF 1096, Schedule of voucher Deductions.)

* * * * *

(d) When the full amount certified for payment is setoff, GSA forwards both the advance copy and the notice copy of the certificate to the claimant and forwards the original and fiscal copies to the agency for processing the return of the annotated original certificate to GSA (FWCA). However, when the setoff amount is to be charged and credited to the same appropriation or fund account, GSA retains the original of the certificate and sends only the fiscal copies to the agency.

## Subpart 101–41.7—Reconsideration and Review of General Services Administration Transportation Claim Settlements

77. Section 101–41.700 is amended by revising paragraph (a) to read as follows:

**§ 101–41.700 Protest to settlement action.**

(a) A claimant who disagrees with the action taken upon his/her claim in GSA's transportation audit may write to the Administrator of General Services, General Services Administration (FW), Washington, DC 20405, requesting reconsideration of the action. The letter shall identify the transaction and set forth in detail the legal, technical, or factual data or other information or documentation relied upon by the carrier to raise substantive doubt as to the correctness of the claim settlement.

* * * * *

## Subpart 101–41.8—Transportation Disbursement Procedures

78. Section 101–41.802 is amended by revising paragraphs (a)(3), (a)(6), and (b) to read as follows:

**§ 101–41.802 Standard forms for scheduling transportation vouchers for payment.**

(a) * * *

(3) SF 1166a OCR, voucher and Schedule of Payments (Memorandum) (yellow paper).

(6) SF 1167a OCR, Voucher and Schedule of Payments (Continuation Sheet) (Memorandum) (yellow paper).

* * * * *

(b) The procedures prescribed for preparation of SF 1166 OCR, Voucher and Schedule of Payments (voucher-schedule), are applicable to all Federal agencies using the disbursing facilities of the Department of Treasury. The procedures prescribed for the use of SF 1166 OCR apply also to SF 1166a OCR, SF 1167 OCR, and SF 1167a OCR.

* * * * *

79. Section 101–41.803 is amended by revising paragraphs (a) and (b) to read as follows:

**§ 101–41.803 Scheduling procedures.**

(a) Agencies shall prepare a voucher-schedule (SF 1166 OCR) for all basic vouchers covering transportation services furnished for the account of the United States submitted by carriers in accordance with § 101–41.214 and

§ 101–41.310 of this part. Transportation vouchers (SF 1113) shall be listed separately from all other types of payment vouchers. All information required for check issuance purposes must be included on the SF 1166 OCR. After certification by the authorized certifying officer, the voucher-schedule shall be transmitted to the appropriate disbursing office. The transportation vouchers shall be retained by the agency for later transmittal to GSA (FWAA/C) in accordance with § 101–41.807 of this subpart.

(b) The tear-off slips from the related basic SF 1113 must also be sent to the disbursing office for forwarding to the carrier-payees with the payment checks, unless alternate arrangements are made for providing this information. Agencies submitting payment data on magnetic tape to a Department of the Treasury disbursing facility may arrange with that facility for the preparation of enclosures (TFS Form 3039, Notice to Check Recipient), bearing all information shown on the tear-off slips, which must be sent to the carrier-payee with the payment checks instead of the tear-off slips.

* * * * *

80. Section 101–41.804–3 is revised to read as follows:

**§ 101–41.804–3 Combining payments due a single payee.**

If the amounts of two or more basic transportation vouchers due one payee can be combined in one check, the individual amounts shall be added and shown as one amount on the voucher-schedule, but the voucher or schedule numbers individually identified by letter or number suffixes must be listed separately in the voucher number column of the voucher-schedule. When the amounts of basic vouchers are combined into a single payment, an adding machine tape or facesheet listing the individual amounts shall be attached to the related group of basic vouchers.

81. Section 101–41.805–1 is amended by revising the introductory text and paragraph (a) to read as follows:

**§ 101–41.805–1 No-check vouchers.**

Basic transportation vouchers for which no checks are to be issued to the voucher-payee shall be scheduled as follows:

(a) Vouchers requiring the processing of an accounting transaction for inclusion in the agency's SF 224, Statement of Transactions (Classified According to Appropriation, Fund, and Receipt Account, and Related Control Totals); SF 1220, Statement of Transactions According to Appropriations, Funds, and Receipt Accounts; or SF 1221, Statement of Transactions According to Appropriations, Funds, and Receipt Accounts (Foreign Service Account), or other approved reporting form, by transfer or without the issuance of a check shall be listed on SF 1166 OCR covering transportation vouchers for which checks are to be issued. Show the words "NO CHECK" in the amount column of SF 1166 OCR opposite the payee's name and address. The amount shall be shown on SF 1096, Schedule of Voucher Deductions, as provided in § 101–41.805–2.

* * * * *

82. Section 101–41.805–2 is amended by revising paragraph (b) to read as follows:

**§ 101–41.805–2 Deductions from disbursement vouchers.**

* * * * *

(b) When a deduction is made to recover an amount charged to an appropriation or fund account other than one to which the voucher carrying the deduction is chargeable, reference must be made to the disbursing office (station) symbol number and the voucher or schedule number on which the amount was overpaid. When the voucher-schedule contains more than one voucher deduction, a summary by appropriation or fund accounts of all voucher deductions must be made on the voucher-schedule, showing the symbol of each account creditable.

* * * * *

83. Section 101–41.806–1 is revised to read as follows:

**§ 101–41.806–1 Makeup and initial distribution of forms.**

Agencies shall prepare an original SF 1166 OCR and at least two copies of the SF 1166a OCR. The original and two copies shall be forwarded to the appropriate disbursing office for payment processing.

84. Section 101–41.806–2 is revised to read as follows:

**§ 101–41.806–2 Information to be furnished by the disbursing office.**

The disbursing office (D.O.) shall imprint clearly within the PAID BY block the word "Paid"; the month, day, and year of payment; and the D.O. (station) symbol number. The disbursing office shall also list in the appropriate column opposite each payee's name the serial numbers of any checks issued in payment of the voucher.

85. Section 101–41.807–2 is amended by revising paragraph (d) to read as follows:

**§ 101–41.807–2 Submission of transportation vouchers.**

* * * * *

(d) The cover or container of each package shall include the following information.

From: Name and address of transmitting office. Period of account (month/year). Package number _____ of _____. Disbursing office (station) symbol number. Package number ____ of ____.

To: General Services Administration, FWAA/C, Paid Voucher Receiving Unit, 18th & F Streets, NW, Washington, DC 20405.

86. Section 101–41.807–4 is amended by revising paragraph (a) to read as follows:

**§ 101–41.807–4 Submission of paid freight bills/invoices, commercial bills of lading, passenger coupons, and supporting documentation covering transportation services by contractors under a cost-reimbursement contract.**

(a) Agencies shall ensure that legible copies of paid freight bills/invoices, commercial bills of lading (CBL's), passenger coupons, and supporting documentation for transportation services, for the account of and on which the United States will assume freight and passenger charges that were paid by a Federal agency's contractor under a cost-reimbursement contract and their first-tier subcontractors, under a cost-reimbursement contract, are submitted to GSA for audit. GSA notices of overcharge will be issued in accordance with the provisions set forth in § 101–41.502(b).

* * * * *

Dated: February 7, 1994.

**Frank Pugliese,**

*Deputy Commissioner, Federal Supply Service.*

[FR Doc. 94–3645 Filed 2–17–94; 8:45 am]

BILLING CODE 6820–24–M

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 15 and 76

**[ET Docket No. 93–7; DA 94–120]**

### Compatibility Between Cable Systems and Consumer Electronics Equipment

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule; extension of reply comment period.

**SUMMARY:** The Commission's Chief Engineer has extended the time for filing reply comments in response to the Notice of Proposed Rule Making

(Notice) in ET Docket No. 93–7, FCC 93–495 (58 FR 64541, December 8, 1993). The document sets forth proposals for rules to assure compatibility between cable systems and consumer TV receivers and videocassette recorders.

**DATES:** Reply comments must be filed on or before February 16, 1994.

**ADDRESSES:** Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Alan Stillwell (202–653–8162), Office of Engineering and Technology.

**SUPPLEMENTARY INFORMATION:** On February 2, 1994, the Consumer Electronics Group of the Electronics Industries Association (EIA/CEG) requested that the Commission extend the time for filing reply comments in response to the Notice of Proposed Rule Making in ET Docket No. 93–7 by one week, to February 16, 1994. The EIA/CEG states that a one week extension of the period for filing reply comments is needed because of the number, length and diversity of the comments.

The Commission does not routinely grant extensions of time. Moreover, in this instance time is very important as the Commission has a statutory deadline to adopt rules for assuring compatibility by April 3, 1994. Nonetheless, we agree with the EIA/CEG that the volume and diversity of the comments warrants additional time for preparing replies. We believe the relatively brief 7-day extension the EIA/CEG requests is consistent with both the task of preparing comments and our need to complete this matter expeditiously.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 94–3680 Filed 2–17–94; 8:45 am]

BILLING CODE 6712–01–M

## 47 CFR Part 73

**[MM Docket No. 94–5, RM–8420]**

## Radio Broadcasting Services; Olivia and Sauk Rapids, MN

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition filed by Tri-County Broadcasting, Inc., proposing the substitution of Channel 269C2 for Channel 269A at Sauk Rapids, Minnesota, and modification of the license for Station WHMH(FM). The coordinates for Channel 269C2 are 45–32–00 North Latitude and 94–17–00 West Longitude. To accommodate the upgrade at Sauk Rapids, it is necessary to substitute Channel 261A for Channel 269A at Olivia, Minnesota. Channel 261A can be allotted to Olivia at Station KOLV's existing site (44–45–51 North Latitude and 94–55–45 West Longitude). We shall propose to modify the license for Station WHMH(FM) in accordance with Section 1.420(g) of the Commission's Rules and will not accept competing expressions of interest for the use of the channel or require petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

**DATES:** Comments must be filed on or before April 4, 1994, and reply comments on or before April 19, 1994.

**ADDRESSES:** Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Tri-County Broadcasting, Inc., P.O. Box 366, Sauk Rapids, Minnesota 56379.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 634–6530.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 94–5, adopted January 14, 1994, and released February 10, 1994. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center (room 239), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 2100 M Street, NW., suite 140, Washington, DC 20037, (202) 857–3800.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Federal Communications Commission.

**John A. Karousos,**

*Acting Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 94–3682 Filed 1–17–94; 8:45 am]

BILLING CODE 6712–01–M

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

### 50 CFR Part 17

**RIN 1018–AB88**

## Endangered and Threatened Wildlife and Plants; Additional Comment Period on the Proposed Rule Pertaining to Three Species of Kangaroos in Mainland Australia

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of reopening of comment period.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces that the comment period has been extended through March 7, 1994, on the proposed action to delist the three kangaroo species in mainland Australia presently listed as threatened under the U.S. Endangered Species Act as amended (Act) as well as action to rescind the existing special rule applicable to these species. Information on population numbers of the red kangaroo, western gray kangaroo, and eastern gray kangaroo in States of Western Australia, South Australia, New South Wales and Queensland has been provided by the Australian Nature Conservation Agency.

**DATES:** Comments must be received by March 7, 1994.

**ADDRESSES:** Comments, information, and questions should be sent to the Chief, Office of Scientific Authority; Mail Stop: Arlington Square, room 725; U.S. Fish and Wildlife Service; Washington, DC 20240 (Fax number 730–358–2276). Express and messenger-delivered mail should be addressed to the Office of Scientific Authority; room 750, 4401 North Fairfax Drive; Arlington, Virginia 22203. Comments and other information received will be available for public inspection, by appointment from 8 a.m. to 4 p.m., Monday through Friday, at the Arlington, Virginia address.

**FOR FURTHER INFORMATION CONTACT:** Dr. Charles W. Dane, Chief, Office of Scientific Authority, at the above address (phone 703–358–1708).

**SUPPLEMENTARY INFORMATION:** The red kangaroo (*Macropus rufus*), the western gray kangaroo *M. fuliginous*, and the

eastern gray kangaroo (*M. giganteus*), except the subspecies *M. g. tasmaniensis*, which was listed as endangered, were listed in 1974 as threatened pursuant to the Act (39 FR 44990), and the commercial importation of kangaroos, their parts and products was banned. A special rule to allow such importations into the United States, after development of adequate State management plans, accompanied the listing. The Service accepted the management programs for four Australian States and lifted the importation ban in 1981 (46 FR 23929), after kangaroo management plans and population survey techniques had been strengthened. The Service allowed continuation of the commercial importation of kangaroos in 1983 (48 FR 34757) and in 1984 withdrew a proposed rule to delist the three species of kangaroos because of the severe and widespread drought of 1982–1983 (49 FR 17555).

The Service was petitioned on December 20, 1989, by Greenpeace USA, with subsequent support from other groups, "to reinstate the ban on commercial importation of kangaroos and of kangaroo products." The Wildlife Legislative Fund of America submitted a petition dated November 6, 1990, which was received by the Service on the following day. That petition requested that all populations of the red kangaroo (*Macropus rufus*), the western gray kangaroo (*M. fuliginous*), and the eastern gray kangaroo (*M. giganteus*), except the subspecies *M. g. tasmaniensis*, be removed from the list of threatened species under the Endangered Species Act.

The Service, in a Federal Register notice of June 12, 1991 (56 FR 26971), found that the action requested in the November 6, 1990, petition may be warranted and requested additional comments as part of a continuing status review of kangaroos and kangaroo management in Australia. The comment period was reopened until September 10, 1991. That comment period was later extended to September 24, 1991, in a Federal Register notice dated September 17, 1991 (56 FR 47060). The Service directly evaluated kangaroo management in Australia by sending representatives in March 1990 and July 1992, and by requesting and evaluating information about kangaroo management obtained from Commonwealth and State governments. On January 21, 1993 (58 FR 5341), the Service proposed to remove the three kangaroo species listed as threatened from the List of Endangered and Threatened Wildlife and deferred its decision on the petition of December 20, 1989. That proposed rule noted that New South Wales, Queensland, South Australia, and Western Australia have developed adequate and effective conservation programs that ensured the protection of these macropod species (refer to the January 21, 1993, Federal Register notice for specifics of the Service's assessment).

Information recently received from the Australian Nature Conservation Agency (ANCA) (formerly the Australian National Parks and Wildlife Service) indicates population declines for each of the three species in most of the States, but all are within the range of variation in population levels since 1981. These figures were reviewed by the Australian Scientific Advisory Committee on Kangaroos, and management recommendations on the part of the Commonwealth and States governments are being developed. However, in order for the public to have full opportunity to comment on the new information the Service is summarizing the population information and will provide the complete communique from ANCA to those requesting it. The information sent by ANCA also includes two short documents prepared by the Australian Bureau of Meteorology on droughts in Australia.

Population estimates for red kangaroos in the commercial harvest zone are 1,483,700, 2,760,000, 1,362,700, and 2,960,000 for South Australia, New South Wales, Western Australia, and Queensland, respectively. The estimates in the first three States were derived from fixed-wing surveys and use the Caughley correction factors, and those in Queensland were "derived from helicopter counts in 9 survey blocks extrapolated to the total harvest area for each species" (ANCA *in litt.*). The population estimates represent declines of about 10 percent, 18 percent, and 3.5 percent between 1992 and 1993 for South Australia, New South Wales, and Queensland, respectively. Red kangaroo populations in Western Australia have fluctuated from 1,004,000, 1,993,000, 2,329,000, 2,370,000, to 1,362,700 in 1981, 1984, 1987, 1990, and 1993, respectively.

The 1993 estimate of 8,360,000 eastern gray kangaroos in Queensland (based on helicopter surveys) represents a 20 percent decline between 1992 and 1993. The 1993 estimates of 2,440,000 and 1,250,000 eastern and western gray kangaroos in New South Wales (based on fixed-wing surveys) represent an 8 percent decline in gray kangaroos from estimates in 1992 in that State. The 1993 estimate of 380,800 western gray kangaroos in South Australia (based on fixed-wing surveys) represents a 4 percent increase between 1992 and 1993.

The population estimate of 433,800 for western gray kangaroos in Western Australia indicated a decline of 60 percent between 1990 and 1993. In view of "the average to exceptional rainfall and low harvest rates between 1990 and 1993 * * * the 1990 population estimates for Western Greys in Western Australia was re-examined and estimates for the commonly surveyed blocks for the period 1981 to 1993 reviewed" (*op. cit.*). The Service understands that some blocks were not surveyed in 1993, but more importantly "the 1990 population estimate was identified as being principally due to anomalously high densities recorded on two 1° × 1° degree [sic] blocks. If these two blocks are excluded and comparison is made only with the common survey blocks, the decline between the 1990 estimates and the 1993 estimates is 9 percent" (*op. cit.*). The population estimates for western gray kangaroos for commonly surveyed areas in Western Australia excluding estimates obtained from the two blocks for 1981, 1984, 1987, 1990, and 1993 are 277,200, 274,300, 325,300, 446,200, and 406,200, respectively.

In light of this new information, the Service is extending the comment period on the proposal to delist the threatened species of kangaroo. Comments and additional information concerning any aspect of the proposed rule are hereby solicited from the public, concerned governmental agencies within the United States, the Australian government, the scientific community, industry, private interests, and any other interested parties.

**Authority:** 16 U.S.C. 1531–1544.

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, Transportation.

Dated: February 9, 1994.

**Richard N. Smith,**

*Deputy Director, U.S. Fish and Wildlife Service.*

[FR Doc. 94–3790 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–55–M

50 CFR Part 17

RIN 1018–AC28

## Endangered and Threatened Wildlife and Plants; Proposed Threatened Status for Gesneria Pauciflora

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to determine *Gesneria pauciflora* (no common name) to be a threatened species pursuant to the Endangered Species Act (Act) of 1973, as amended. This small shrub is endemic to Puerto Rico, where only two populations are known to exist in the western mountains in the municipalities of Maricao and Sabana Grande. The species is threatened by the potential for natural disasters and modification of its highly restricted habitat. This proposal, if made final, would extend the Act's protection and recovery provisions to *Gesneria pauciflora*.

DATES: Comments from all interested parties must be received by April 19, 1994. Public hearing requests must be received by April 4, 1994.

ADDRESSES: Comments and materials concerning this proposal should be sent to the Field Supervisor, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622. Comments and materials received will be available for public inspection, by appointment, during normal business hours at this office, and at the Service's Southeast Regional Office, Suite 1282, 75 Spring Street SW., Atlanta, Georgia 30303.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Silander at the Caribbean Field Office address (809/851–7297).

SUPPLEMENTARY INFORMATION:

### Background

*Gesneria pauciflora* is a small shrub currently known from only two populations in the western mountains of Puerto Rico. It was discovered by the German botanical collector Paul Sintenis on December 3, 1884, at "Indiera Fria" in Maricao, Puerto Rico. Numerous other botanists collected the plant from this same location throughout the years. A second population was discovered recently in the municipality of Sabana Grande, near the headwaters of the Seco River. Population estimates are difficult due to the plant's habit of growing in dense mats; however, the largest population has been estimated at approximately 1,000 individuals and the second at 50 (Proctor 1991; CPC 1992).

*Gesneria pauciflora* is a small gregarious shrub that may reach 30 centimeters in height with stems 8 millimeters in diameter. Stems may be erect or decumbent and the bark is smooth, gray-brown, and glabrous. The leaves are alternate, and the terete or flattened petioles are from 2 to 7 millimeters long. Leaf blades are shaped like a narrow trowel, 2.8 to 9.2 centimeters long and .9 to 2.3 centimeters wide, membranous, dark green and glossy above, and pilose along the prominent veins. The margin is subentire toward the cuneate base and serrate to sublobate above. The inflorescences are one to few-flowered and the peduncles from 6.1 to 15.3 centimeters long and slightly curved. The pedicels are 1 to 2 centimeters long, reddish-brown, and pilose to glabrescent. The corolla is tubular, curved, 2 to 2.3 centimeters long, 4 millimeters wide at the base, narrowing to 3 millimeters but widening to 5 millimeters at the middle and again narrowing to 4 millimeters at the mouth. The 5-lobed corolla is yellow to yellow-orange and densely pilose outside but glabrous inside. The fruit is a capsule, approximately 4 millimeters long and wide, gray-brown, glabrescent, with 5 to 10 not prominent ridges (Proctor 1991).

At both known localities the species is found growing in rocky stream beds on wet serpentine rock, where water is constantly seeping. Both localities are found within the Maricao Commonwealth Forest, managed by the Puerto Rico Department of Natural Resources. The largest population is located in an area of steep unstable slopes and may be threatened by landslides and flood damage. Forest management practices such as trail construction may adversely affect the species. The Center for Plant Conservation (1992) assigned *Gesneria pauciflora* a priority 1 ranking, indicating that the plant possibly could go extinct in the wild within the next 5 years.

*Gesneria pauciflora* was recommended for Federal listing by the Smithsonian Institution (Ayensu and DeFilipps 1978). The species was included among the plants being considered as endangered or threatened by the Service as published in the **Federal Register** notice of review dated December 15, 1980 (45 FR 82480); the November 28, 1983 update (48 FR 53680), the revised notice of September 27, 1985 (50 FR 39526), and the February 21, 1990 (55 FR 6184) and September 30, 1993 (58 FR 51144) notices of review. The species was designated as a category 1 species (species for which the Service has substantial information supporting the appropriateness of proposing to list them as endangered or threatened) in the notices of review published on February 21, 1990, and September 30, 1993.

In a notice published in the **Federal Register** on February 15, 1983 (48 FR 6752), the Service reported the earlier acceptance of the new taxa in the Smithsonian's 1978 book as under petition within the context of section 4(b)(3)(A) of the Act, as amended in 1982. Beginning in October 1983, and in each October thereafter, the Service found that listing *Gesneria pauciflora* was warranted but precluded by other pending listing actions of a higher priority, and that additional data on vulnerability and threats were still being gathered. This proposed rule constitutes the final 1-year finding in accordance with section 4(b)(3)(B)(ii) of the Act.

### Summary of Factors Affecting the Species

Section 4(a)(1) of the Endangered Species Act (16 U.S.C. 1531 *et seq.*) and regulations (50 CFR part 424) promulgated to implement the listing provisions of the Act set forth the procedures for adding species to the Federal lists. A species may be determined to be endangered or threatened due to one or more of the five factors described in section 4(a)(1). These factors and their application to *Gesneria pauciflora* Urban are as follows:

A. *The present or threatened destruction, modification, or curtailment of its habitat or range.* *Gesneria pauciflora* is known from only two locations in western Puerto Rico. Although both populations are found within the Maricao Commonwealth Forest, a management plan for the Forest has not been prepared. Activities within the Forest may increase the potential for erosion of the steep unstable slopes where the species occurs. Management practices such as trail construction may directly affect the species.

B. *Overutilization for Commercial, recreational, scientific, or educational purposes.* Although an attractive plant, taking for these purposes has not been a documented factor in the decline of this species.

*C. Disease or predation.* Disease and predation have not been documented as factors in the decline of this species.

*D. The inadequacy of existing regulatory mechanisms.* The Commonwealth of Puerto Rico has adopted a regulation that recognizes and provides protection for certain Commonwealth listed species. However, *Gesneria pauciflora* is not yet on the Commonwealth list. Federal listing would provide immediate protection and, if the species is ultimately placed on the Commonwealth list, enhance its protection and possibilities for funding needed research.

*E. Other natural or manmade factors affecting its continued existence.* One of the most important factors affecting the continued survival of this species is its limited distribution. Because so few individuals are known to occur in a limited area, the risk of extinction is extremely high. Landslides, floods and storm damage are natural occurrences which may affect these steep, unstable slopes.

The Service has carefully assessed the best scientific and commercial information available regarding the past, present, and future threats faced by this species in determining to propose this rule. Based on this evaluation, the preferred action is to list *Gesneria pauciflora* as threatened. Two populations are currently known, the largest one of which may contain as many as 1,000 individuals; both occur on land managed by the Commonwealth. Although extremely limited in distribution, the species does not appear to be in imminent danger of becoming extinct. Therefore, threatened rather than endangered status seems an accurate assessment of the species' condition. The reasons for not proposing critical habitat for this species are discussed below in the "Critical Habitat" section.

**Critical Habitat**

Section 4(a)(3) of the Act, as amended, requires that, to the maximum extent prudent and determinable, the Secretary propose critical habitat at the time the species is proposed to be endangered or threatened. The Service's regulations (50 CFR 424.12(a)(1)) state that designation of critical habitat is not prudent when one or both of the following situations exist: (i) The species is threatened by taking or other human activity, and identification of critical habitat can be expected to increase the degree of such threat to the species, or (ii) Such designation of critical habitat would not be beneficial to the species.

The Service finds that designation of critical habitat is not prudent for this species due to the potential for taking and vandalism. The number of individuals of *Gesneria pauciflora* is so small that vandalism and collection could seriously affect the survival of the species. Publication of critical habitat descriptions and maps in the **Federal Register** would increase the likelihood of such activities. The Service believes that Federal involvement in the areas where these plants occur can be identified without the designation of critical habitat. All involved parties and landowners have been notified of the location and importance of protecting this species' habitat. Protection of this species' habitat will also be addressed through the recovery process and through the section 7 jeopardy standard.

**Available Conservation Measures**

Conservation measures provided to species listed as endangered or threatened under the Endangered Species Act include recognition, recovery actions, requirements for Federal protection, and prohibitions against certain practices. Recognition through listing encourages and results in conservation actions by Federal, Commonwealth, and private agencies, groups and individuals. The Endangered Species Act provides for possible land acquisition and cooperation with the Commonwealth, and requires that recovery actions be carried out for all listed species. Such actions are initiated by the Service following listing. The protection required of Federal agencies and the prohibitions against certain activities involving listed plants are discussed, in part, below.

Section 7(a) of the Act, as amended, required Federal agencies to evaluate their actions with respect to any species that is proposed or listed as endangered or threatened and with respect to its critical habitat, if any is being designated. Regulations implementing this interagency cooperation provision of the Act are codified at 50 CFR part 402. Section 7(a)(4) requires Federal agencies to confer informally with the Service on any action that is likely to jeopardize the continued existence of a proposed species or result in destruction or adverse modification of proposed critical habitat. If a species is subsequently listed, section 7(a)(2) requires Federal agencies to ensure that activities they authorize, fund, or carry out are not likely to jeopardize the continued existence of such a species or to destroy or adversely modify its critical habitat. If a Federal action may affect a listed species or its critical habitat, the responsible Federal agency must enter into formal consultation with the Service. No critical habitat is being proposed for *Gesneria pauciflora*, as discussed above. Federal involvement may occur through the use of federal funds (U.S. Department of Agriculture) for forest management practices.

The Act and its implementing regulations found at 50 CFR 17.71 and 17.72 set forth a series of general prohibitions and exceptions that apply to all threatened plants. All trade prohibitions of section 9(a)(2) of the Act, implemented by 50 CFR 17.71, apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export any threatened plant, transport it in interstate or foreign commerce in the course of commercial activity, sell or offer it for sale in interstate or foreign commerce, or remove and reduce to possession the species from areas under Federal jurisdiction. Seeds from cultivated specimens of threatened plant species are exempt from these prohibitions provided that a statement of "cultivated origin" appears on their containers. In addition, for endangered plants, the 1988 amendments (Pub. L. 100–478) to the Act prohibit the malicious damage or destruction on Federal lands and the removal, cutting, digging up, or damaging or destroying of endangered plants in knowing violation of any Commonwealth law or regulation, including Commonwealth criminal trespass law. The 1988 amendments do not reflect this protection for threatened plants, although section 4(d) of the Act allows for the provision of such protection to threatened species through regulations. Certain exceptions can apply to agents of the Service and Commonwealth conservation agencies.

The Act and 50 CFR 17.72 also provide for the issuance of permits to carry out otherwise prohibited activities involving threatened species under certain circumstances. It is anticipated that few trade permits for *Gesneria pauciflora* will ever be sought or issued, since the species is not known to be in cultivation and is uncommon in the wild. Requests for copies of the regulations on listed plants and inquiries regarding prohibitions and permits may be addressed to the Office of Management Authority, U.S. Fish and Wildlife Service, 4401 N. Fairfax Drive, room 432, Arlington, Virginia 22203 (703/358–2104).

**Public Comments Solicited**

The Service intends that any final action resulting from this proposal will be as accurate and as effective as possible. Therefore, any comments or suggestions from the public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning any aspect of this proposed rule are hereby solicited. Comments particularly are sought concerning:

(1) Biological, commercial trade, or other relevant data concerning any threat (or lack thereof) to *Gesneria pauciflora;*

(2) The location of any additional populations of *Gesneria pauciflora,* and the reasons why any habitat should or should not be determined to be critical habitat as provided by section 4 of the Act;

(3) Additional information concerning the range and distribution of these species; and

(4) Current or planned activities in the subject areas and their possible impacts of *Gesneria pauciflora.*

Final promulgation of the regulation of *Gesneria pauciflora* will take into consideration the comments and any additional information received by the Service, and such communications may lead to adoption of a final regulation that differs from this proposal.

The Endangered Species Act provides for a public hearing on this proposal, if requested. Requests must be filed within 45 days of the proposal. Such requests must be made in writing and addressed to the Field Supervisor, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622.

**National Environmental Policy Act**

The Fish and Wildlife Service has determined that an Environmental Assessment, as defined under the authority of the National Environmental Policy Act of 1969, need not be prepared in connection with regulations adopted pursuant to section 4(a) of the Endangered Species Act of 1973, as amended. A notice outlining the Service's reasons for this determination was published in the **Federal Register** on October 25, 1983 (48 FR 49244).

**References Cited**

Ayensu, E.S., and R.A. DeFilipps. 1978. Endangered and threatened plants of the United States. Smithsonian Institution and World Wildlife Fund, Washington, D.C. xv + 403 pp.

Center for Plant Conservation. 1992. Report on the Rare Plants of Puerto Rico. Center for Plant Conservation, Missouri Botanical Garden, St. Louis, Missouri.

Proctor, G.R. 1991. Status report on *Gesneria pauciflora* Urban. In Puerto Rican Plant Species of Special Concern: Status and Recommendations. Publicacion Cientifica Miscelanea No. 2, Department of Natural Resources, San Juan, Puerto Rico.

**Author**

The primary author of this proposed rule is Ms. Susan Silander, Caribbean Field Office, U.S. Fish and Wildlife Service, P.O. Box 491, Boquerón, Puerto Rico 00622 (809/851–7297).

**List of Subjects in 50 CFR Part 17**

Endangered and threatened species, Exports, Imports, Reporting and recordkeeping requirements, and Transportation.

**Proposed Regulation Promulgation**

Accordingly, the Service hereby proposes to amend part 17, subchapter B of chapter I, title 50 of the Code of Federal Regulations, as set forth below:

**PART 17—[AMENDED]**

1. The authority citation for part 17 continues to read as follows:

**Authority:** 16 U.S.C. 1361–1407; 16 U.S.C. 1531–1544; 16 U.S.C. 4201–4245; Pub. L. 99–625, 100 Stat. 3500, unless otherwise noted.

2. Section 17.12(h) is amended by adding the following, in alphabetical order under "Gesneriaceae—Gesneria family," to the list of Endangered and Threatened Plants to read as follows:

**§ 17.12 Endangered and threatened plants.**

* * * * *

(h) * * *

| Species | | Historic range | Status | When listed | Critical habitat | Special rules |
|---|---|---|---|---|---|---|
| Scientific name | Common name | | | | | |
| * | * | * | * | * | * | * |
| Gesneriaceae—Gesneria family: | | | | | | |
| * | * | * | * | * | * | * |
| *Gesneria pauciflora* | None | U.S.A. (PR) | T | | NA | NA |
| * | * | * | * | * | * | * |

Date: February 10, 1994.

**Mollie H. Beattie,**

*Director, Fish and Wildlife Service.*

[FR Doc. 94–3791 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–55–P

# Notices

Federal Register
Vol. 59, No. 34
Friday, February 18, 1994

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.

## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### Committee on Governmental Processes and Committee on Regulation

**ACTION:** Notice of public meetings.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. No. 92–463), notice is hereby given of meetings of the Committee on Governmental Processes and the Committee on Regulation of the Administrative Conference of the United States.

### Committee on Governmental Processes

**DATES:** Tuesday, March 1, 1994, from 1:30 p.m. to 4 p.m.

**ADDRESSES:** Office of the Chairman, Administrative Conference, 2120 L Street, NW., suite 500, Washington, DC.

**FOR FURTHER INFORMATION:** Deborah S. Laufer, Office of the Chairman, Administrative Conference of the United States, 2120 L Street, NW., Suite 500, Washington, DC 20037. Telephone: (202) 254–7020.

### Committee on Regulation

**DATES:** Friday, March 4, 1994, from 10 a.m. to 12:30 p.m.

**ADDRESSES:** Office of the Chairman, Administrative Conference, 2120 L Street, NW., suite 500, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** David M. Pritzker, Office of the Chairman, Administrative Conference of the United States, 2120 L Street, NW., suite 500, Washington, DC 20037. Telephone: (202) 254–7020.

**SUPPLEMENTARY INFORMATION:** The Committee on Governmental Processes will meet to continue discussion of a study by Arnold Leibowitz on the Immigration and Naturalization Service, the Customs Service, and other agencies' asset forfeiture, remission and mitigation procedures.

The Committee on Regulation will meet to continue its discussion of proposed recommendations on federal agency use of audited self-certification as a regulatory technique. The Conference's consultant for this project is Professor Douglas Michael of the University of Kentucky.

Attendance at the meetings is open to the interested public, but limited to the space available. Persons wishing to attend should notify the Office of the Chairman at least one day in advance. The chairman of each committee, if he deems it appropriate, may permit members of the public to present oral statements at the meeting. Any member of the public may file a written statement with the committee before, during, or after the meeting. Minutes of each meeting will be available on request.

Dated: February 15, 1994.

**Jeffrey S. Lubbers,**

*Research Director.*

[FR Doc. 94–3826 Filed 2–17–94; 8:45 am]

BILLING CODE 6110–01–W

## DEPARTMENT OF AGRICULTURE

### Federal Crop Insurance Corporation

### Announcement of the Federal Crop Insurance Corporation's Pending Evaluation of County Cotton Insurance Programs

**AGENCY:** Federal Crop Insurance Corporation, USDA.

**ACTION:** Notice of intent.

**SUMMARY:** The Federal Crop Insurance Corporation (FCIC) is announcing intent to evaluate its cotton and extra long staple (ELS) cotton programs. The intent of this announcement is to solicit public comment and suggestion for improvement and increased participation in FCIC's cotton programs.

**DATES:** Written comment, data, and suggestions should be submitted no later than April 19, 1994 to be sure of consideration.

**ADDRESSES:** Evaluation Division, Federal Crop Insurance Corporation, P.O. Box 419293, Kansas City, MO 64141.

**FOR FURTHER INFORMATION CONTACT:** Vondie O'Conner, Jr., Acting Director, telephone (816) 926–6343. (Address is listed above.)

**SUPPLEMENTARY INFORMATION:** It is FCIC's intent to evaluate each of its crop programs periodically. Crop evaluations provide valuable insight into how well programs are operating, the extent to which they are serving the customer, their strengths and weaknesses, and their cost effectiveness. Crop programs experiencing high loss ratios and net losses are priority programs for FCIC to evaluate.

The Omnibus Budget Reconciliation Act of 1993 directed that FCIC take necessary actions to improve the actuarial soundness of multiple peril crop insurance and to achieve, on and after October 1, 1995, a projected loss ratio not to exceed 1.10. For crop years 1988–1992, FCIC's cotton program experienced a loss ratio of 2.05 and a net loss (premium less indemnity) of $378 million. Additionally, for the same crop years, the ELS cotton program experienced a 3.05 loss ratio and suffered a net loss of $8 million.

The evaluation will include a review of insurance areas for actuarial and underwriting performance; the establishment of accurate program dates (sales closing, final planting, acreage reporting, and contract cancellation); the effect of unit division and related rate impacts; the determination of insurance coverages; an analysis on cause of loss, frequency and severity of losses and other pertinent program factors. In addition, prescribed loss adjustment procedure and training will also be evaluated.

Done in Washington, DC on February 10, 1994.

**Kenneth D. Ackerman,**

*Manager, Federal Crop Insurance Corporation.*

[FR Doc. 94–3684 Filed 2–17–94; 8:45 am]

BILLING CODE 3410–08–M

### Forest Service

### Require the Use of Certified Noxious Weed-Free Forage on National Forest System Lands in Colorado and Wyoming, Regions 2 and 4, Colorado, Kansas, Nebraska, South Dakota, Southern Idaho, Nevada, Utah, and Wyoming

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice of proposal to require the use of certified noxious weed-free forage

on National Forest System Lands in Colorado and Wyoming.

**SUMMARY:** The Regional Foresters of the Rocky Mountain and Intermountain Regions of the Forest Service are proposing a requirement that all National Forest visitors in Colorado and Wyoming use certified noxious weed-free hay, straw or mulch when visiting National Forest System lands in those two states. This requirement will affect visitors who routinely use hay or straw on the National Forests such as: recreationists using pack and saddle stock, ranchers with grazing permits, outfitters, and contractors who use straw or other mulch for reseeding purposes. These individuals or groups would be required to purchase certified noxious weed-free forage products or use other approved products such as processed grains and pellets before entering and while on National Forest System lands in the aforementioned states.

**DATES:** Comments concerning the proposal should be received on or before March 21, 1994.

**ADDRESSES:** Send written comments concerning the Colorado requirement to: Rocky Mountain Regional Forester, USDA Forest Service, P.O. Box 25127, Lakewood, CO 80225. Comments concerning the requirement in Wyoming should be sent to: Intermountain Regional Forester, USDA Forest Service, Fed. Bldg., 324 25th Street, Ogden, Utah 84401.

**FOR FURTHER INFORMATION CONTACT:** Rocky Mountain Region, Charlie Richmond, Renewable Resources Staff, P.O. Box 25127, Lakewood, CO 80225, (303) 275–5005; Intermountain Region, Frank Gunnell, Fed. Bldg., 324 25th Street, Ogden, Utah 84401, (801) 625–5829.

**BACKGROUND:** Noxious weeds are a serious problem in the western United States. Species like Leafy Spurge, Spotted Knapweed, Musk Thistle, Purple Loosestrife and others are alien to the United States and have no natural enemies to keep their populations in balance. Consequently, these undesirable weeds invade healthy ecosystems, displace native vegetation, reduce species diversity, and destroy wildlife habitat. Widespread infestations lead to soil erosion and stream sedimentation. Furthermore, noxious weed invasions weaken reforestation efforts, reduce domestic and wild ungulates grazing capacity, aggravate and occasionally injure forest visitors, and threaten federally protected plants and animals.

To curb the spread of noxious weeds, a growing number of western states have jointly developed noxious weed-free forage certification standards and, in cooperation with various federal, state and county agencies, passed weed-control laws. Because hay and other forage products containing noxious weeds are part of the infestation problem, states have developed a hay inspection/certification/identification process and are encouraging forage producers to grow noxious weed-free products.

In cooperation with the states of Colorado and Wyoming, the U.S. Forest Service is proposing—for all National Forest System lands within those states—a ban on hay, straw or mulch that has not been state certified. This proposal includes a public information plan to insure that: (1) This ban (a.k.a. closure order) is well publicized and understood; and (2) National Forest visitors will know where they can purchase state-certified hay or other products.

The Forest Service invites written comment and suggestions on this proposal. Written comments must be received within 30 days from the date of publication in the **Federal Register**.

Dated: February 7, 1994.

**Tom L. Thompson,**

*Deputy Regional Forester, Rocky Mountain Region.*

Dated: February 4, 1994.

**William S. Werner,**

*Acting Deputy Regional Forester, Intermountain Region.*

[FR Doc. 94–3696 Filed 2–17–94; 8:45 am]

BILLING CODE 3410–11–M

## COMMISSION ON CIVIL RIGHTS

### Hearing on Racial and Ethnic Tensions in American Communities: Poverty, Inequality, and Discrimination—New York City; Postponement

Notice was previously given pursuant to the provisions of the United States Commission on Civil Rights Act of 1983, Public Law 98–183, 97 Stat. 1301, *as amended*, of a public hearing of the U.S. Commission on Civil Rights, to commence on Monday, February 28, 1994, beginning at 11:30 a.m. in the Ceremonial Court of the U.S. Court of International Trade, located at One Federal Plaza, New York, New York 10007, in the January 24, 1994, issue of the **Federal Register** at page 3555 (59 FR 3555), FR Doc. 94–1546.

This is to advise the public that the aforementioned public hearing has been postponed, and will be held at a later date. A future notice will be published in the **Federal Register** by the U.S. Commission on Civil Rights apprising the public of the new hearing date, time, and location.

The Commission is an independent, bipartisan, factfinding agency authorized to study, collect, and disseminate information, and to appraise the laws and policies of the Federal Government, and to study and collect information concerning legal developments, with respect to discrimination or denials of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice.

For additional information, please contact Mary K. Mathews, Assistant Staff Director for Congressional Affairs at (202) 376–7700, or Rosalind D. Gray, Acting General Counsel at (202) 376–8351.

Dated at Washington, DC, February 16, 1994.

**Stella G. Youngblood,**

*Attorney Advisor, Project Administration.*

[FR Doc. 94–3834 Filed 2–17–94; 8:45 am]

BILLING CODE 6335–01–M

## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

### Materials Technical Advisory Committee; Partially Closed Meeting

A meeting of the Materials Technical Advisory Committee will be held March 17, 1994, 10:30 a.m., Herbert C. Hoover Building, Room 1617–M2, 14th St. & Pennsylvania Ave., NW., Washington, DC. The Committee advises the Office of Technical and Policy Analysis with respect to technical questions that affect the level of export controls applicable to materials or technology.

Agenda:

*General Session*

1. Opening remarks by the Chairman
2. Introduction of members and visitors.
3. Presentation of papers or comments by the public.
4. Discussion of the content and application of a New Forum Dual-Use List.

*Executive Session*

5. Discussion of matters properly classified under Executive Order 12356, dealing with the U.S. and COCOM control programs and strategic criteria related thereto.

The General Session of the meeting will be open to the public and a limited

number of seats will be available. To the extent time permits, members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting. However, to facilitate distribution of public presentation materials to the Committee members, presentation materials should be forwarded two weeks prior to the meeting to the address below:

Ms. Lee Ann Carpenter, ODAS/EA/BXA room 1608, U.S. Department of Commerce, Washington, DC 20230.

The Assistant Secretary for Administration, with the concurrence of the delegate to the General Counsel, formally determined on May 1, 1992, pursuant to section 10(d) of the Federal Advisory Committee Act, as amended, that the series of meetings or portions of meetings of the Committee and of any Subcommittee thereof, dealing with the classified materials listed in 5 U.S.C. 552(c)(1) shall be exempt from the provisions relating to public meetings found in section 10(a)(1) and (a)(3) of the Federal Advisory Committee Act. The remaining series of meetings or portions thereof will be open to the public.

A copy of the Notice of Determination to close meetings or portions of meetings of the Committee is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6020, U.S. Department of Commerce, Washington, DC. For further information or copies of the minutes call (202) 482–2583.

Dated: February 15, 1994.

**Betty Anne Ferrell,**

*Director, TAC Unit.*

[FR Doc. 94–3757 Filed 2–17–94; 8:45 am]

BILLING CODE 3510–DT–M

## Foreign-Trade Zones Board

**[Order No. 681]**

### Grant of Authority; Establishment of a Foreign-Trade Zone, Texas City, TX

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a–81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Texas City Foreign Trade Zone Corporation (formerly, Foreign Trade Zone of Texas City–Gulf Coast, Inc.) (the Grantee), a Texas non-profit corporation, has made application (FTZ Docket 7–93, 58 FR 16173, 3/25/93) to the Board, requesting the establishment of a foreign-trade zone at sites in Texas City, Galveston County, Texas, within the Houston-Galveston Customs port of entry; and,

Whereas, notice inviting public comment has been given in the **Federal Register** and the Board has found that the requirements of the Act and Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing a foreign-trade zone, designated on the records of the Board as Foreign-Trade Zone No. 199, at the sites described in the application, subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 1st day of February 1994.

Foreign-Trade Zones Board.

**Secretary of Commerce,**

*Chairman and Executive Officer.*

Attest:

**John J. Da Ponte, Jr.,**

*Executive Secretary.*

[FR Doc. 94–3705 Filed 2–17–94; 8:45 am]

BILLING CODE 3510–DS–P

## COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

### Procurement List; Proposed Additions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Proposed additions to procurement list.

**SUMMARY:** The Committee has received proposals to add to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**COMMENTS MUST BE RECEIVED ON OR BEFORE:** March 21, 1994.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman, (703) 603–7740.

**SUPPLEMENTARY INFORMATION:** This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2–3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities and services have been proposed for addition to the Procurement List for production by the nonprofit agencies listed:

**Commodities**

Cup, Disposable
- 7350–00–082–5741
- 7350–00–145–6126
- 7350–00–721–9003
- 7350–00–926–1661
- NPA: The Oklahoma League for the Blind, Oklahoma City, Oklahoma.

Jersey, Reversible
- 8415–00–245–2052
- 8415–00–245–2054
- 8415–00–245–2065
- 8415–00–245–2073
- NPA: Ed Lindsey Industries for the Blind, Inc., Nashville, Tennessee.

**Services**

Grounds Maintenance

U.S. Army Reserve Center, 4500 S. Lancaster Road, Dallas, Texas
NPA: Fairweather Associates, Inc., Dallas, Texas.
Grounds Maintenance
U.S. Army Reserve Center, 2800 Crestline Road, Fort Worth, Texas
NPA: Goodwill Industries of Fort Worth, Fort Worth, Texas.
Grounds Maintenance
U.S. Army Reserve Center, 920 S. Sam Houston, Huntsville, Texas.
NPA: Tri-County Mental Health/Mental Retardation Services, Conroe, Texas.
Grounds Maintenance
U.S. Army Reserve Center, 3315 9th Street, Wichita Falls, Texas
NPA: Wichita Falls State Hospital, Wichita Falls, Texas.
Janitorial/Custodial
Building 255, Robins Air Force Base, Georgia
NPA: Goodwill Industries of Middle Georgia, Inc., Macon, Georgia.

**Beverly L. Milkman,**

*Executive Director.*

[FR Doc. 94–3778 Filed 2–17–94; 8:45 am]

BILLING CODE 6820–33–P

## Procurement List; Deletions

**AGENCY:** Committee for Purchase From People Who Are Blind or Severely Disabled.

**ACTION:** Deletions from the procurement list.

**SUMMARY:** This action deletes from the Procurement List commodities and services previously furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

**EFFECTIVE DATE:** March 21, 1994.

**ADDRESSES:** Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

**FOR FURTHER INFORMATION CONTACT:** Beverly Milkman (703) 603–7740.

**SUPPLEMENTARY INFORMATION:** On October 22 and November 19, 1993, the Committee for Purchase from People Who Are Blind or Severely Disabled published notices (58 FR 54559 and 61072) of proposed deletions from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the commodities and services 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. Accordingly, the following commodities and services are hereby deleted from the Procurement List:

**Commodities**

Cushion Assembly, Seat Back
2540–01–065–6288
Cushion, Seat Back, Vehicular
2540–01–065–6289
2540–00–880–3925
Cushion Seat, Vehicular
2540–01–074–6363
Assembly, Support Panel
7105–00–NSH–0004
Base, Grooming Unit
7105–01–007–1830
7105–01–019–0375
7105–01–019–0376
7105–01–019–0379
Bookcase, Drop-Lid
7105–01–005–8408
7105–01–005–8409
7105–01–007–1760
7105–01–009–2567
7105–01–047–3557
Bookcase, Open-Shelf
7105–01–007–9798
7105–01–047–3558
7105–01–047–3556
Box, Vanity
7105–01–007–1831
Bracket, Overchest Support
7105–00–NSH–0003
Chest, Five-Drawer
7105–01–005–8403
7105–01–005–8404
7105–01–007–9797
7105–01–011–8397
Chest, Six-Drawer
7105–01–005–8405
7105–01–005–8406
7105–01–005–8407
7105–01–023–4636
Chest, Stereo
7105–01–005–8474
7105–01–017–6104
7105–01–019–0377
7105–01–019–0378
7105–01–047–3573
Chest, Three-Drawer
7105–01–046–8855
Overchest
7105–01–005–8475
7105–01–047–3574
Top, Grooming Unit
7105–01–005–8476

**Services**

Commissary Warehouse Service, Langley Air Force Base, Virginia.

Grounds Maintenance, LBJ Memorial Gardens, Washington, DC.

Janitorial/Custodial, Pentagon Officers Athletic Center, Washington, DC.

Pallet Repair, Naval Supply Center, Norfolk, Virginia.

**Beverly L. Milkman,**

*Executive Director.*

[FR Doc. 94–3777 Filed 2–17–94; 8:45 am]

BILLING CODE 6820–33–P

## DEPARTMENT OF DEFENSE

## Public Information Collection Requirement Submitted to OMB for Review

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Title, applicable form, and OMB control number:* The Transition Assistance Survey.

*Type of request:* New.

*Number of respondents:* 3,000.

*Responses per respondent:* 1.

*Annual responses:* 3,000.

*Average burden per response:* 20 minutes.

*Annual burden hours:* 990.

*Needs and uses:* This survey of military veterans, spouses, and former Army civilian personnel is being conducted to evaluate the effectiveness of Department of Defense transition assistance program elements including those that comprise the Army's Job Assistance Centers. Individuals are being interviewed regarding several indicators of labor market success.

*Affected public:* Individuals or households.

*Frequency:* One time.

*Respondent's obligation:* Voluntary.

*OMB desk officer:* Mr. Edward C. Springer. Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at the Office of Management and Budget, Desk Officer for DoD, room 3235, New Executive Office Building, Washington, DC 20503.

*DOD clearance officer:* Mr. William P. Pearce. Written requests for copies of the information collection proposal should be sent to Mr. Pearce, WHS/DIOR, 1215 Jefferson Davis Highway, suite 1204, Arlington, Virginia 22202–4302.

Dated: February 14, 1994.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 94–3697 Filed 2–17–94; 8:45 am]

BILLING CODE 5000–04–M

## Department of the Air Force

## USAF Scientific Advisory Board; Meeting

The Ad Hoc Study Panel on USAF Space Launch Capabilities of the USAF Scientific Advisory Board will meet on 7–8 March 1994 at the ANSER Corporation, 1215 Jefferson Davis Highway, Arlington, VA from 8 a.m. to 5 p.m.

The purpose of this meeting will be to receive briefings for the SAB Ad Hoc Study on Assessment of USAF Space Launch Capabilities.

The meeting will be closed to the public in accordance with Section 552b of Title 5, United States Code, specifically subparagraphs (1) and (4) thereof.

For further information, contact the Scientific Advisory Board Secretariat at (703) 697–4811.

**Grace T. Rowe,**

*Alternate Air Force Federal Register Liaison Officer.*

[FR Doc. 94–3806 Filed 2–17–94; 8:45 am]

BILLING CODE 3910–01–M

## Department of the Army

### Army Science Board; Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following Committee Meeting:

*Name of committee:* Army Science Board (ASB).

*Date of meeting:* 14 March 1994.

*Time of meeting:* 1430–1530.

*Place:* Pentagon, Washington, DC.

*Agenda:* The Army Science Board's C3I Issue Group study team will meet with and provide the Sponsor a status report on their study title "Leveraging Commercial Technologies in Army C3 Systems." This meeting will be open to the public. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. The ASB Administrative Officer, Sally Warner, may be contacted for further information at (703) 695–0781.

**Sally A. Warner,**

*Administrative Officer, Army Science Board.*

[FR Doc. 94–3694 Filed 2–17–94; 8:45 am]

BILLING CODE 3710–08–M

## Corps of Engineers

### Coastal Engineering Research Board; Meeting

**AGENCY:** U.S. Army Engineer Waterways Experiment Station, DOD.

**ACTION:** Notice.

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), announcement is made of the following committee meeting:

*Name of the committee:* Coastal Engineering Board (CERB).

*Date of meeting:* March 8–10, 1994.

*Place:* U.S. Army Engineer Waterways Experiment Station, Coastal Engineering Research Center, Vicksburg, Mississippi.

*Time:* 8:30 a.m.—2:30 p.m. on March 8; 8:30 a.m.—5 p.m. on March 9; 8:30 a.m. to 5 p.m. on March 10.

*Proposed agenda:* The 1995 Coastal Engineering Program Review is to be held on March 8–10, 1994. On Tuesday, March 8, there will be a review of ongoing work units of the Coastal Engineering Research and Development Programs, plus special presentations on DUCK '94/SANDY DUCK, Coastal Engineering Manual, and an ACES 2.0 Demonstration. On Wednesday morning, March 9, proposed new work units for FY 95 will be discussed. The afternoon session will be devoted to a review of the Coastal Field Data Collection Program. Thursday, March 10, will be devoted to a review of the Monitoring Completed Coastal Projects Program.

This meeting is open to the public, but since seating capacity of the meeting room is limited, advance notice of intent to attend, although not required, is requested in order to assure adequate arrangements for those wishing to attend.

Inquiries and notice of intent to attend the meeting may be addressed to Colonel Bruce K. Howard, Executive Secretary, U.S. Army Engineer Waterways Experiment Station, 3909 Halls Ferry Road, Vicksburg, Mississippi 39180–6199.

**Kenneth L. Denton,**

*Army Federal Register Liaison Officer*

[FR Doc. 94–3729 Filed 2–17–94; 8:45 am]

BILLING CODE 3710–92–M

## DEPARTMENT OF EDUCATION

### Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Director, Information Resources Management Service, invites comments on proposed information collection requests as required by the Paperwork Reduction Act of 1980.

**DATES:** An emergency review has been requested in accordance with the Act, since allowing for the normal review period would adversely affect the public interest. Approval from the Office of Management and Budget (OMB) has been requested by February 15, 1994.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection request should be addressed to Cary Green, Department of Education, 7th & D Streets, SW., room 4682, Regional Office Building 3, Washington, DC 20202.

**FOR FURTHER INFORMATION CONTACT:** Cary Green, (202) 401–3200. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 3517) requires that the Director of OMB provide interested Federal agencies and persons an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director, Information Resources Management Service, publishes this notice with the attached proposed information collection request prior to submission of this request to OMB. This notice contains the following information: (1) Type of review requested, e.g., expedited; (2) Title; (3) Abstract; (4) Additional Information; (5) Frequency of collection; (6) Affected public; and (7) Reporting and/or Recordkeeping burden. Because an expedited review is requested, a description of the information to be collected is also included as an attachment to this notice.

Dated: February 14, 1994.

**Cary Green,**

*Director, Information Resources Management Service.*

### Office of Postsecondary Education

*Type of Review:* Emergency

*Title:* Notice of Standards for Participation and Solicitation of Applications

*Frequency:* Annually

*Affected Public:* Non-profit institutions

*Reporting Burden:*

*Response:* 3,000

*Burden Hours:* 600

*Recordkeeping Burden:*

*Recordkeepers:* 0

*Burden Hours:* 0

*Abstract:* ED is requesting data from institutions of higher Oeducation which are interested in participating in the District Loan Program. ED will review this data and select institutions to participate in the second year of the program. If ED does not collect this data, the Secretary will not be able to satisfy the requirements of the law.

*Additional Information:* ED is requesting an emergency review and

approval from the Office of Management and Budget (OMB). This is being requested because ED expects an increase from 5 percent of new student loan volume in the first year of the program to 40 percent in the second year. That means the number of schools participating in the program in the second year is likely to increase from 104 to over 2,000. In order to determine each applicant's eligibility and evaluate its administrative capability, the Secretary must research several different types of records. The Secretary estimates that up to 75 days will be needed to complete the review of the expected volume of applications and make selection decisions. ED has requested an OMB approval by February 15, 1994.

[FR Doc. 94–3712 Filed 2–17–94; 8:45 am]

BILLING CODE 4000–01–M

## Proposed Information Collection Requests

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed information collection requests.

**SUMMARY:** The Director, Information Resources Management Service, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

**DATES:** Interested persons are invited to submit comments on or before March 21, 1994.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok, Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Cary Green, Department of Education, 400 Maryland Avenue, SW., room 4682, Regional Office Building 3, Washington, DC 20202–4651.

**FOR FURTHER INFORMATION CONTACT:** Cary Green (202) 401–3200. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Service, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Cary Green at the address specified above.

Dated: February 14, 1994.

**Cary Green,**

*Director, Information Resources Management Service.*

### Office of Vocational and Adult Education

*Type of Review:* New
*Title:* Survey of State Directors of Secondary Education and Postsecondary Technical/Occupational Education for a Study of Performance Systems Established by States to Monitor and Evaluate Vocational Education Programs
*Frequency:* One-time
*Affected Public:* State or local governments
*Reporting Burden:*
*Responses:* 106
*Burden Hours:* 424
*Recordkeeping Burden:*
*Recordkeepers:* 0
*Burden Hours:* 0
*Abstract:* The Surveys of State Directors of Secondary and Postsecondary Vocational Education are needed to collect data on performance systems developed by the States in response to the requirements in the Carl D. Perkins Act (P.L. 101–392). Data from this collection will be used to report to the Congress on the development, implementation, and evolution of performance systems.

### Office of Elementary and Secondary Education

*Type of Review:* Extension
*Title:* Instructions for Performance Status Report—Magnet Schools Assistance Program (MSAP)
*Frequency:* Semi-annually
*Affected Public:* State or local governments
*Reporting Burden:*
*Responses:* 57
*Burden Hours:* 342
*Recordkeeping Burden:*
*Recordkeepers:* 0
*Burden Hours:* 0
*Abstract:* Instructions for Performance Reports are used by grantees to submit semi-annual reports, regarding progress in implementing MSAP projects. Report information is used to assess grantees' eligibility for continuation awards; to monitor performance; for program planning; and other purposes.

### Office of the Under Secretary

*Type of Review:* Extension
*Title:* Evaluation of Student Support Services Program
*Frequency:* One time
*Affected Public:* Individuals or households
*Reporting Burden:*
*Responses:* 4,315
*Burden Hours:* 1,813
*Recordkeeping Burden:*
*Recordkeepers:* 0
*Burden Hours:* 0
*Abstract:* This study will provide information on the characteristics of Federally funded student support service programs and the outcome of the program for participants. The Department will use the information to report to Congress.

[FR Doc. 94–3713 Filed 2–17–94; 8:45 am]

BILLING CODE 4000–01–M

## DEPARTMENT OF ENERGY

### Pittsburgh Energy Technology Center; Notice of Noncompetitive Financial Assistance

**AGENCY:** Bartlesville Project Office and Pittsburgh Energy Technology Center, Department of Energy.

**ACTION:** Notice of noncompetitive financial assistance grant award to the University of Oklahoma.

**SUMMARY:** The U.S. Department of Energy, Bartlesville Project Office through the Pittsburgh Energy Technology Center announces, pursuant to 10 CFR 600.7 (b)(2)(i) Criteria (B) and (D), that it intends to award a noncompetitive financial assistance (Grant) to the Center for Reservoir Characterization at the University of Oklahoma. This award is to support a

twelve (12) month research effort entitled "Gypsy Field Project in Reservoir Characterization."

**ADDRESSES:** Department of Energy, Pittsburgh Energy Technology Center, P.O. Box 10940, Mail Stop 921–118, Pittsburgh, PA 15234.

**FOR FURTHER INFORMATION CONTACT:** Cynthia Y. Mitchell, Contract Specialist, (412) 892–4862.

**SUPPLEMENTARY INFORMATION:**

Grant Number: DE–FG22–94BC14970
Estimated Total Value: $348,000.00
Objective: The specific objective of this grant is to conduct a research study targeted at improved oil recovery through better reservoir characterization. Methods developed under this grant could be applied to recovering untapped movable oil through better use of existing wells or through drilling infill wells. Moreover, these methods could be used to improve the recovery factor for small fields which are presently not economic to produce.

Dated: February 1, 1994.

**Dale A. Siciliano,**

*Contracting Officer.*

[FR Doc. 94–3779 Filed 2–17–94; 8:45 am]

**BILLING CODE 6450–01–M**

## Cancellation of Meeting on Proposed Urgent-Relief Acceptance of a Limited Amount of Spent Fuel From Foreign Research Reactors

**AGENCY:** Department of Energy and Department of State.

**ACTION:** Notice of meeting cancellation.

**SUMMARY:** The Department of Energy and the Department of State planned to co-host a round-table dialogue on February 25, 1994, of senior-level policy makers, including Governors, Members of Congress, and senior government officials in the Department of Energy, the Department of State, and the National Security Council to discuss a summary of the deliberations that took place at the February 10, 1994, meeting on the proposed urgent-relief acceptance of foreign research reactor spent nuclear fuel. Substantial progress was made at this meeting, and areas for further analyses were identified. Based on this constructive dialogue we believe that other methods for involving senior policymakers for further discussions would be more useful than the previously planned meeting on February 25, 1994. This meeting was originally announced in the January 31, 1994, **Federal Register**.

**DATES:** This forum was to take place on February 25, 1994, at the Hyatt Regency Capitol Hill, 400 New Jersey Avenue, NW., Washington, DC; telephone (202) 737–1234.

**FOR FURTHER INFORMATION CONTACT:** Mark W. Frei, Office of Waste Management, Office of Environmental Restoration and Waste Management, U.S. Department of Energy (Mail Stop EM–30), 1000 Independence Avenue, SW., Washington, DC 20585; telephone (301) 903–7201.

Issued at Washington, DC, on February 16, 1994.

**Jill E. Lytle,**

*Deputy Assistant Secretary for Waste Management, Environmental Restoration and Waste Management.*

[FR Doc. 94–3903 Filed 2–17–94; 8:45 am]

**BILLING CODE 6450–01–P**

## Availability of Modular Cooperative Research and Development Agreement (CRADA)

**AGENCY:** Office of Technology Utilization, Office of Laboratory Management, Department of Energy.

**ACTION:** Notice of availability and opportunity for public comment.

**SUMMARY:** This notice announces the availability of the Department of Energy Modular Cooperative Research and Development Agreement (CRADA). The Modular CRADA is a compendium of provisions which will be used for preparing CRADAs between Department of Energy laboratories and non-Federal Participants. The modular CRADA reflects input from headquarters, Operations Office and Laboratory elements. It also reflects extensive formal and informal technology transfer partner feedback as well as the Department's experience of over 600 CRADAs. It contains the basis and rationale for the language used, as well as pre-approved options and guidance for use of the language. The modular CRADA includes several other important features distinguishing it from previous Department of Energy model CRADAs: (1) It does not require as much oversight by Departmental headquarters, does not have as much required language; (2) it provides more options in certain areas, such as product liability; and (3) it more fully communicates the Department's rationale for its CRADA language. The modular CRADA is expected to be periodically reviewed and revised as part of the Department of Energy's continuous improvement process. Comments from the public are encouraged.

**ADDRESSES:** A copy of the modular CRADA is available for inspection and reproduction at the public reading room of the U.S. Department of Energy, Forrestal Building, 1000 Independence Avenue, SW, Washington, DC. The public reading room is open from 10 a.m. to 4 p.m.; you may contact reading room staff at (202) 586–6020. If you want a copy of the modular CRADA mailed to you directly, please contact the U.S. Department of Energy at the address below. Comments on the modular CRADA are welcome and may be sent to the address below.

**FOR FURTHER INFORMATION OR TO COMMENT CONTACT:** U.S. Department of Energy, PA–5, 1000 Independence Avenue, SW., Washington, DC 20585, Phone: 202–586–5575, Fax: 202–586–7303.

**SUPPLEMENTARY INFORMATION:** An overview and the table of contents of the modular CRADA are attached.

Issued at Washington, DC, on February 4, 1994.

**Antionette Grayson Joseph,**

*Acting Director, Office of Laboratory Management.*

### The Modular CRADA

*Introduction*

This document, to be referred to as the Department of Energy (DOE) Modular Cooperative Research and Development Agreement (CRADA), is a compendium of provisions which may be drawn upon for crafting CRADAs. It has been developed to be responsive to the needs of different CRADA Participants while protecting the interests of the Government and the U.S. taxpayers and is a tool for DOE and its Government-Owned Contractor-Operated (GOCO) laboratories, hereafter referred to as laboratories, to facilitate the negotiation, development and timely approval of CRADAs.

This Modular CRADA incorporates three types of provisions:

(1) Those few that are required by statute or policy, [*set off by double underscore*] are strongly recommended for timely approval, and can only be changed with DOE Headquarters approval. Changing double underscored language or examples may delay the process. Double underscored language can be eliminated where it doesn't apply, such as, for example the deletion of the definition of "Subject Invention" where it is not anticipated that there will be any subject inventions under the CRADA.

(2) Those that sound judgment suggests have a valid basis for being included in the terms and conditions of the CRADA, consistent with the guidelines incorporated herein. These can be modified in one of three ways:

—By using the pre-approved options provided in the guidance;
—By modifying the language without changing its substantive meaning; and
—By negotiating the language that changes its substantive meaning, or even deleting the language with appropriate justification; in each of these two instances, operations office approval is required.

(3) Those that are left solely to the negotiations between the laboratory and the Participants. [Shown in brackets.]

Through a spirit of teamwork and a policy of "no surprises," this document should enable DOE and its laboratories to be responsive to a broad range of Participant needs. This approach is intended to convey the maximum flexibility in CRADA development, and in speed of negotiations and approval, while fostering consistency across DOE and its laboratories.

In drafting a CRADA from the options provided in the Modular CRADA, the laboratory should be careful not to create internal conflicts within the agreement. The draft CRADA should still follow the form (i.e., order of provisions) of the DOE Modular CRADA in order to facilitate operations office review and approval.

In this document, the format for presenting the various provisions of the CRADA will consist of:

—A statement of the article, with language required by statute or policy double underscored;
—A rationale for the article; and
—Pre-approved optional provisions for the article (set off inside a box).

Example: Article 1 (Title)

—Required provisions (if any)
—Rationale or basis for requirement
—Pre-approved optional provisions (if any)
—Rationale/appropriate circumstances
—Pre-approved optional provisions #2
—Rationale/appropriate circumstances
—Bracketed provisions
—Rationale/explanation
—General Guidance

*The Sample CRADA*

A sample DOE CRADA, which is attached, incorporates the double underscore provisions and some of the more common optional provisions provided in the Modular CRADA. It is a tool for communicating DOE's general requirements and expectations to potential Participants in a clear and consistent manner. The sample DOE CRADA should be provided to potential Participants as the first hand-out in all instances, such as at conferences and trade shows and DOE sponsored events. When the sample DOE CRADA is used for these purposes, it may be modified only to the extent that the laboratory name is inserted.

*Negotiating and Approving CRADAs*

By law and through prime contract provisions, the laboratories have been delegated the authority and responsibility for negotiating the CRADA, including a Statement of Work. In exercising that authority, laboratories need to strike a balance between consistency and flexibility.

To the extent the negotiated CRADA uses language that does not deviate from the double underlined provisions and uses the pre-approved optional provisions, the Operations Office review and approval of the CRADA will be faster.

The Operations Offices are the approval authority for Joint Work Statements (JWSs) and CRADAs. To facilitate Operations Office review, laboratories should identify all deviations from the double underlined provisions or pre-approved optional provisions at the time the CRADA is submitted for approval. It is recommended that two proposed CRADA versions be submitted by the laboratories to the Operations Offices—one which highlights all deviations from the Modular CRADA provisions using "redline" and "strikeout" features and one which is a "clean" version. All deviations which are considered by the laboratories to be substantive should be supported by appropriate justification. Any deviation from the double underlined provisions requires approval of DOE Headquarters. After receiving any proposed deviations to double underscored language from a laboratory, the Operations Office will transmit the language and reasons for the requested deviation to the Director of the Office of Technology Utilization (LM–20) in Headquarters, who will confer with the appropriate elements in Headquarters in determining if the requested deviation is acceptable and inform the Operations Office of the Headquarters' determination. Any deviations from the pre-approved optional provisions, except for deviations to double underscored language which must be approved by Headquarters, requires review and approval by the Operations Office. In the case of changes from the pre-approved optional provisions which the Operations Office agrees are non-substantive, such approval may be reflected merely by approval of the CRADA. In the case of substantive changes, specific approval in the form of a notation on the "redline" version, or other supporting documents, will suffice. Any requests for modification of the CRADA by the Operations Office to the laboratory must comply with the requirements of 15 U.S.C. 3710a(c)(5)(C).

While available for consultation to both the laboratory and the prospective Participant, the Operations Office should refrain from becoming a third party to the negotiations. Each Operations Office is encouraged to designate a single point of contact to facilitate the CRADA review and approval process at the Operations Office. Like the Operations Offices, Program offices and others should refrain from becoming a third party to the negotiations between the laboratory and the prospective Participant.

*The Importance of Teamwork and Communication*

In order to use this document effectively, close cooperation and communication between the laboratory and DOE is essential. Issues that can be foreseen as key issues, especially critical departures from pre-approved language, should be discussed as early as possible. There should be a minimum of surprises in the process. At the same time, the laboratory and DOE should be open to proposed changes from Participants where the changes help the process of negotiation but do not infringe upon the Government's rights. When alternative language is clearly called for, such alternative language should be used. One of the objectives of this document is to provide pre-approved alternative language for different situations, as well as guidance and rationale for using that alternative language.

The DOE Modular CRADA will be updated on a routine basis to incorporate new language and alternatives, based on input from the Participants, laboratories, Operations Offices, and DOE programs. Laboratory staff with proposed updates should contact their Operations Office, and Operations Office staff with proposed updates should contact the DOE Office of Technology Utilization.

The following points should be addressed in a CRADA as minimum guidance for an effective CRADA. The attached DOE Sample CRADA is the basic set of CRADA provisions; other clauses are provided in the Guidance to accommodate different arrangements between Contractors and Participants. Many of the specific articles and clauses are negotiable between the Parties.

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The Importance of Teamwork and Communications.

*DOE-Approved CRADA Language and Guidance*

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Article II: Statement of Work
Article III: Funding and Costs
Article IV: Personal Property
Article V: Disclaimer
Article VI: Product Liability
Article VII: Obligations as to Proprietary Information
Article VIII: Obligations as to Protected CRADA Information
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Article XX: Reports of Invention Use
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Article XXIII: Assignment of Personnel
Article XXIV: Force Majeure
Article XXV: Administration of the CRADA
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Article XXVII: Notices
Article XXVIII: Disputes
Article XXIX: Entire CRADA and Modifications
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*Documents Section:*

Document A: Procedure for Foreign Ownership, Control and Influence review
Document B: U.S. Competitiveness Work Sheet
Document C: Format for Expanded Software Abstract
Document D: The DOE Sample CRADA

[FR Doc. 94–3780 Filed 2–17–94; 8:45 am]
BILLING CODE 6450–01–P

## Federal Energy Regulatory Commission

**[Docket No. EG94–27–000, et al.]**

## Black Creek Hydro, Inc., et al.; Electric Rate and Corporate Regulation Filings

February 14, 1994.

Take notice that the following filings have been made with the Commission:

### 1. Black Creek Hydro, Inc.

[Docket No. EG94–27–000]

On February 7, 1994, Black Creek Hydro, Inc., a Washington State Corporation with its principal place of business at suite 310, 19515 North Creek Parkway, Bothell, Washington 98011, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to part 365 of the Commission's regulations.

Applicant owns the Black Creek hydroelectric facility located in King County, Washington. All of the project's energy will be sold at wholesale.

*Comment date:* March 4, 1994, in accordance with Standard Paragraph E at the end of this notice.

### 2. PacifiCorp

[Docket No. ER94–951–000]

Take notice that PacifiCorp, on February 4, 1994, tendered for filing, Revision No. 19 to Exhibits A and B of the Contract for Interconnections and Transmission Service, Contract No. 14–060400–2437 ("Transmission Agreement"), dated May 16, 1962, (PacifiCorp Rate Schedule FPC No. 45) between PacifiCorp and the Western Area Power Administration ("Western").

Exhibit A specifies the projected maximum integrated demand in kilowatts which PacifiCorp desires to have transmitted to its respective points of delivery by Western. Exhibit B specifies the projected maximum integrated demand in kilowatts which Western desires to have transmitted to its respective points of delivery by PacifiCorp.

PacifiCorp respectfully requests, a waiver of prior notice be granted and an effective date of January 1, 1994 be assigned to Revision No. 19 to Exhibits A and B, this date being consistent with the effective date shown on Exhibits A and B.

Copies of this filing were supplied to the Wyoming Public Service Commission.

*Comment date:* February 25, 1994, in accordance with Standard Paragraph E at the end of this notice.

### 3. Portland General Electric Company

[Docket No. ER94–963–000]

Take notice that on February 9, 1994, Portland General Electric Company (PGE) tendered for filing a Round Butte/Cove Interconnection and Operation Agreement and a Lease Agreement between Portland General Electric Company and PacifiCorp. PGE requests that the Commission grant waiver of the notice requirements of 18 CFR 35.3 to allow the agreements to become effective March 1, 1994.

*Comment date:* February 25, 1994, in accordance with Standard Paragraph E at the end of this notice.

### 4. Arizona Public Service Company

[Docket No. ER94–477–000]

Take notice that on February 2, 1994, Arizona Public Service Company (APS) tendered for filing the Amendment No. 1 to the Four Corners 230/345 kV Switchyard Maintenance Agreement between APS and Public Service Company of New Mexico (PNM). The Amendment deletes certain supervisory relaying and communication equipment from the facilities which APS maintains for PNM under the Four Corners 230/345 kV Switchyard Maintenance Agreement.

Copies of this filing have been served upon PNM, the Arizona Corporation Commission and the New Mexico Public Service Commission.

*Comment date:* February 25, 1994, in accordance with Standard Paragraph E at the end of this notice.

### 5. Pacific Gas & Electric Company

[Docket No. ER94–954–000]

Take notice that on February 7, 1994, Pacific Gas and Electric Company (PG&E) tendered for filing, as a change in rate schedule, new supplements to the "Interconnection Agreement between Northern California Power Agency and Pacific Gas and Electric Company's" (PG&E–NCPA IA). The amended PG&E–NCPA IA and its appendices have been designated as PG&E Rate Schedule FERC No. 142.

Pursuant to the procedures outlined in section 6.2.4.2 of the PG&E–NCPA IA, NCPA has requested and PG&E has agreed to provide NCPA additional firm transmission service for 1994. Therefore, PG&E proposes to amend Exhibits III.1, III.2 and VII.1 of Appendix A to the PG&E–NCPA IA to include NCPA's request for: (1) 12.6 MW of additional Firm Transmission Service for the NCPA Geothermal Plants 1 & 2: (2) 5.0 MW of Fort Flat Powerplant. Also PG&E is filing: (1) A revised Exhibit II.2 for Binding Planning Years 1994 and 1995 and (2) a revised Exhibit VII.1 for the Binding Year 1995 in order to correct errors.

Copies of this filing were served upon NCPA and the California Public Utilities Commission.

*Comment date:* February 25, 1994, in accordance with Standard Paragraph E at the end of this notice.

**6. Chambers Cogeneration Limited Partnership**

[Docket Nos. QF87–433–002 and EL94–29–000]

Take notice that on January 18, 1994, Chambers Cogeneration Limited Partnership (Chambers), tendered for filing a Request For Limited Waiver of the Commission's Regulations under the Public Utility Regulatory Policies Act of 1978 (PURPA). Chambers requests the Commission to temporarily waive the operating and efficiency standards for qualifying cogeneration facilities as set forth in § 292.205, 18 CFR 292.205 of the Commission's Regulations implementing Section 201 of PURPA, as amended, with respect to its 253.8 MW cogeneration facility located in Carney's Point, New Jersey. Specifically, Chambers requests waiver of the operating and efficiency standards for the calendar year 1993, during the last month of which the facility commenced initial start-up and testing.

*Comment date:* Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3807 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–P

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**[Docket No. EG94–26–000, et al.]**

## Hanover Energy Corp., et al.; Electric Rate and Corporate Regulation Filings

February 10, 1994.

Take notice that the following filings have been made with the Commission:

**1. Hanover Energy Corporation**

[Docket No. EG94–26–000]

On February 7, 1994, Hanover Energy Corp. ("Hanover"), of One Upper Pond Road, Parsippany, New Jersey, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

Hanover is developing a gas and/or oil fueled electric generating facility with a capacity of up to 900 MW to be located in the County of Muscogee, State of Georgia, that will be owned and operated by the Partnership. All of the facility's electricity will be sold at wholesale.

*Comment date:* March 4, 1994, in accordance with Standard Paragraph E at the end of this notice.

**2. TIFD VIII–B Inc.**

[Docket No. EG94–25–000]

On February 3, 1994, TIFD VIII–B Inc. (the "Applicant"), with its principal place of business at 1600 Summer Street, Stamford, Connecticut 06927, filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to Part 365 of the Commission's regulations.

The Applicant has represented that it will be engaged indirectly, through an affiliate that is a Philippine company, and exclusively in the business of owning and operating electricity generating facilities to be located near Iligan City in Mindanao, Philippines and selling electric energy at wholesale. The electric energy generated by those facilities will be delivered at wholesale to the National Power Corporation, a Philippine electric utility wholly-owned by the Philippine government. Retail sales to Philippine industrial customers may occur in the future, although no such arrangements currently exist.

*Comment date:* February 28, 1994, in accordance with Standard Paragraph E at the end of this notice.

**3. Puget Sound Power & Light Company**

[Docket No. ER94–753–000]

Take notice that on February 4, 1994, Puget Sound Power & Light Company (Puget) tendered for filing an amendment to its filing on December 30, 1993 of its FERC Electric Tariff Original Volume No. 4 including Service Schedules thereunder and corresponding unexecuted Service Agreements (the Tariff).

A copy of the filing was served upon each party to the Service Agreement.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**4. San Diego Gas & Electric Company**

[Docket No. ER94–906–000]

Take notice that on December 29, 1993, San Diego Gas & Electric Company (SDG&E) tendered for filing a Certificate of Concurrence in connection with the Agreement filed on June 4, 1992 in Docket No. ER92–626–000.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**5. PECO Energy Company**

[Docket No. ER94–935–000]

Take notice that on January 24, 1994, Peco Energy Company (Peco) tendered for filing a letter stating effective January 1, 1994, Philadelphia Electric Company's name will be changed to PECO Energy Company.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**6. Portland General Electric Company**

[Docket No. ER94–944–000]

Take notice that on January 31, 1994, Portland General Electric Company (PGE) tendered for filing a Notice of Cancellation of the proposed rate schedules designated Filing No. 64 in Docket No. ER93–133–000.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**7. Hermiston Generating Company**

[Docket No. ER94–950–000]

Take notice that on February 2, 1994, Hermiston Generating Company, L.P., owner of an electric generating facility located in Hermiston, Oregon, submitted for filing, pursuant to Rule 205 of the Commission's Rules of Practice and Procedure, 18 CFR 385.205, an initial rate schedule for sales to PacifiCorp and a petition to grant certain waivers, preapprovals and authorizations.

*Comment date:* February 23, 1994, in accordance with Standard Paragraph E at the end of this notice.

**8. San Diego Gas & Electric Company**

[Docket No. ER94–952–000]

Take notice that on February 4, 1994, San Diego Gas & Electric Company (SDG&E) tendered for filing an Interchange Agreement between SDG&E and ENRON Power Marketing, Inc. (Enron).

SDG&E requests that the Commission allow the Agreement to become effective on the 1st of April 1, 1994 or at the earliest possible date.

Copies of this filing were served upon the Public Utilities Commission of the State of California and ENRON.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**9. Central Maine Power Company**

[Docket No. FA93–6–001]

Take notice that on December 20, 1993, Central Maine Power Company (Central Maine) tendered for filing its refund report in the above-referenced docket.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**10. E.R. Brooks**

[Docket No. ID–2814–000]

Take notice that on January 13, 1994, E.R. Brooks, (Applicant) tendered for filing an application under section 305(b) of the Federal Power Act to hold the following positions:

Director, Central Power and Light Company.

Director, Public Service Company of Oklahoma.

Director, Southwestern Electric Power Company.

Director, West Texas Utilities Company.

Director, Hubbell Incorporated.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**11. Robert L. Ryan**

[Docket No. ID–2816–000]

Take notice that on February 1, 1993, Robert L. Ryan (Applicant) tendered for filing an application under section 305(b) of the Federal Power Act to hold the following positions:

Director, Inter-Regional Financial Group, Inc.

Director, Tampa Electric Company.

*Comment date:* February 24, 1994, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3725 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–P

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**[Docket No. QF86–1014–006, et al.]**

## Newark Bay Cogeneration Partnership, L.P., et al.; Electric Rate and Corporate Regulation Filings

February 9, 1994.

Take notice that the following filings have been made with the Commission:

**1. Newark Bay Cogeneration Partnership, L.P.**

[Docket Nos. QF86–1014–006 and EL94–27–000]

Take notice that on February 3, 1994, Newark Bay Cogeneration Partnership, L.P. (Newark Bay), of 1200 E. Ridgewood Avenue, Ridgewood, New Jersey 07450, tendered for filing a Petition For Temporary Waiver of the Commission's Regulations under the Public Utility Regulatory Policies Act of 1978 (PURPA). Newark Bay requests the Commission to temporarily waive the operating and efficiency standards for qualifying cogenerating facilities as set forth in Section 292.205, 18 CFR 292.205 of the Commission's Regulations implementing Section 201 of PURPA, as amended, with respect to its cogeneration facility located in Newark, New Jersey. Specifically, Newark Bay requests waiver of the operating and efficiency standards for the calendar year 1993, during which the facility was undergoing start-up and testing.

*Comment date:* Thirty days after publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

**2. Ebensburg Power Company**

[Docket Nos. QF86–1074–004 and QF86–1074–005]

On February 4, 1994, Ebensburg Power Company tendered for filing an amendment to its filing in this docket. The amendment pertains to the technical and ownership aspects of the qualifying facility. No determination has been made that the submittal constitutes a complete filing.

*Comment date:* March 1, 1994, in accordance with Standard Paragraph E at the end of this notice.

**3. Michigan Power Limited Partnership**

[Docket No. QF88–441–001]

On February 1, 1994, Michigan Power Limited Partnership, tendered for filing a supplement to its filing in this docket. No determination has been made that the submittal constitutes a complete filing.

The supplement provides additional information pertaining to the ownership structure and technical data of the facility.

*Comment date:* March 1, 1994, in accordance with Standard Paragraph E at the end of this notice.

**4. Cedar Bay Generating Company, Limited Partnership**

[Docket Nos. QF89–126–005 and EL94–6–000]

Take notice that on January 26, 1994, Cedar Bay Generating Company, Limited Partnership (Applicant), of 7475 Wisconsin Avenue, Bethesda, Maryland 20814, tendered for filing a Request For Limited Waiver of the Commission's Regulations under the Public Utility Regulatory Policies Act of 1978 (PURPA). Cedar Bay requests the Commission to temporarily waive the operating standard for qualifying cogenerating facilities as set forth in Section 292.205, 18 CFR 292.205 of the Commission's Regulations implementing Section 201 of PURPA, as amended, with respect to its 269 MW cogeneration facility located in Jacksonville, Florida. Specifically, Cedar Bay requests waiver of the operating standard for the calendar year 1993, during the last quarter of which the facility was undergoing start-up and testing.

*Comment date:* Thirty days after publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

**5. Massachusetts Institute of Technology (MIT)**

[Docket No. QF94–15–000

On February 2, 1994, Massachusetts Institute of Technology (Applicant) tendered for filing an amendment to its filing in this docket. No determination has been made that the submittal constitutes a complete filing.

The amendment provides additional information pertaining primarily to the technical data and the ownership structure of the cogeneration facility.

*Comment date:* March 2, 1994, in accordance with Standard Paragraph E at the end of this notice.

**Standard Paragraphs**

E. Any person desiring to be heard or to protest said filing should file a

motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3726 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–P

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**[Docket No. CP94–212–000, et al.]**

## Williston Basin Interstate Pipeline Company, et al.; Natural Gas Certificate Filings

February 9, 1994.

Take notice that the following filings have been made with the Commission:

### 1. Williston Basin Interstate Pipeline Company

[Docket No. CP94–212–000]

Take notice that on February 2, 1994, Williston Basin Interstate Pipeline Company (Williston Basin), Suite 300, 200 North Third Street, Bismarck, North Dakota 58501, filed in Docket No. CP94–212–000 a request pursuant to Sections 157.205 and 157.211 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.211) for authorization to replace two undersized regulators in South Dakota, under Williston Basin's blanket certificate issued in Docket No. CP82–487–000 *et al.* pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

Williston Basin proposes to abandon a regulator at the Black Hawk Border Station No. 1 in Pennington County, South Dakota, and to replace it with a new regulator with an increase in capacity of 130 Mcf per day. It is estimated that the cost to replace the regulator will be $1,125. Williston Basin proposes to abandon a regulator at the North Black Hawk Border Station No. 4 with a new regulator with an increase in capacity of 130 Mcf per day. It is estimated that the cost to replace the regulator will be $1,170.

It is stated that the regulators are used for gas being transported on a firm basis for Montana-Dakota Utilities Co. (Montana-Dakota), a local distribution company, under Williston Basin's Rate Schedule FT–1. It is asserted that the proposed replacement of compressors will have no significant effect on Williston Basin's peak day or annual requirements. It is further asserted that the deliveries using the regulators would be within Montana-Dakota's existing entitlement from Williston Basin.

*Comment date:* March 28, 1994, in accordance with Standard Paragraph G at the end of this notice.

### 2. Natural Gas Pipeline Company of America

[Docket No. CP94–214–000]

Take notice that on February 3, 1994, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP94–14–000 an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon: (1) 9.75 miles of 8-inch pipeline, two meter stations and two separate side taps located in Starr and Hidalgo Counties, Texas (the "existing facilities"); (2) the firm transportation service provided by Natural under its Rate Schedule X–102 for Valero Interstate Transmission Company; and (3) three separate meters located in Starr and Hidalgo Counties, Texas, which have been previously retired, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Natural states that all of the existing facilities are located in remote areas and are not connected to or downstream of Natural's mainline. Natural says that it has accepted an offer from Valero Transmission, L.P. to purchase the existing facilities.

*Comment date:* March 2, 1994, in accordance with Standard Paragraph F at the end of this notice.

### Standard Paragraphs

F. Any person desiring to be heard or to make any protest with reference to said application should on or before the comment date, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this application if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate and/or permission and approval for the proposed abandonment are required by the public for convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3720 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–P

[Docket No. OR94-4-000]

## ARCO Products Company and Texaco Refining and Marketing Inc. v. SFPP, L.P.; Complaint

February 14, 1994.

Take notice that on January 14, 1994, ARCO Products Company, a Division of Atlantic Richfield Company (ARCO) and Texaco Refining and Marketing Inc. (TRMI) (jointly Complainants), filed a complaint against SFPP, L.P. (SFPP).

The Complainants assert that SFPP violated and continues to violate Section 1 of the Interstate Commerce Act (ICA) by establishing and charging unjust and unreasonable rates on its system, pursuant to FERC Tariff Nos. 15, 16, 17 and 18, as applicable to Complainants and/or their applicable predecessors and successors. Complainants request refunds, reparations, and, in addition, damages in accordance with the ICA.

Complainants request that the Commission review and determine whether or not the rates, terms, and conditions are in accordance with law, and, if not, to take remedial action, including the setting of rates, terms and conditions for all of the services subject to the Commission's jurisdiction, whether now known or to be discovered in the course of the prosecution of the case, to be charged in the future. Complainants are seeking refunds on all charges of SFPP above the lawful maximum level for all services subject to the jurisdiction of the Commission or after the date of filing of the earliest effective complaint.

Any person desiring to be heard or to protest said complaint should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure 18 CFR 385.214, 385.211. All such motions or protests should be filed on or before March 16, 1994. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection. Answers to this complaint shall be due on or before March 16, 1994.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94-3718 Filed 2-17-94; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2306]

## Citizens Utilities Companies; Public Scoping Meeting

February 14, 1994.

The Federal Energy Regulatory Commission (Commission) has received an application for relicense of the existing Clyde River Project No. 2306. This project is located on the Clyde River in northern Vermont, near the town of Newport. The project is operated by Citizens Utilities Companies.

Upon review of the application, supplemental filings, and intervenor submittals, the Commission staff has concluded that they will prepare an Environmental Assessment (EA) that describes and evaluates the probable impacts of the applicant's proposal and alternatives for the project.

One element of the EA process is scoping. Scoping activities are initiated early to:

- Identify reasonable alternative operational procedures and environmental enhancement measures that should be evaluated in the EA;
- Identify significant environmental issues related to the operation of the existing project;
- Determine the depth of analysis for issues that will be discussed in the EA; and
- Identify resource issues that are of lesser importance and, consequently, do not require detailed analysis in the EA.

### Scoping Meeting

Commission staff will conduct one scoping meeting for the Clyde River Project. All interested individuals, organizations, and agencies are invited to attend the meeting and help staff identify the scope of environmental issues that should and should not be analyzed in the Clyde River Project EA.

The scoping meeting for the Clyde River Project will be conducted on March 9, 1994, from 7 p.m. to 10 p.m. in the auditorium of the North Country Union High School on Veterans Avenue in Newport, Vermont.

### Procedures

The meeting, which will be recorded by a stenographer, will become part of the formal record of the Commission's proceeding on the Clyde River Project. Individuals presenting statements at the meeting will be asked to sign in before the meeting starts and to identify themselves for the record.

Concerned parties are encouraged to offer us verbal guidance during the public meeting. Speaking time allowed for individuals will be determined before the meeting, based on the number of persons wishing to speak and the approximate amount of time available for the session, but all speakers will be provided at least five minutes to present their views.

### Scoping Meeting Objectives

At the scoping meeting, the staff will:

- Summarize the environmental issues tentatively identified for analysis in the EA;
- Identify resource issues that are of lessor importance and, therefore, do not require detailed analysis;
- Solicit from the meeting participants all available information, especially quantifiable data, concerning significant local resources; and
- Encourage statements from experts and the public on issues that should be analyzed in the EA.

### Information Requested

Federal and state resources agencies, local government officials, interested groups, area residents, and concerned individuals are requested to provide any information they believe will assist the Commission staff to analyze the environmental impacts associated with relicensing the project. The types of information sought include the following:

- Data, reports, and resource plans that characterize the baseline physical, biological, or social environments in the vicinity of the project; and
- Information and data that helps staff identify or evaluate significant environmental issues.

Scoping information and associated comments should be submitted to the Commission no later than April 1, 1994. Written comments should be provided at the scoping meeting or mailed to the Commission, as follows:

Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

All correspondence should clearly show the following caption on the first page:

Clyde River Hydroelectric Project, FERC No. 2306.

Intervenors are reminded of the Commission's Rule of Practice and Procedure requiring them to serve a copy of all documents filed with the Commission on each person whose name is listed on the project's service list.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94-3717 Filed 2-17-94; 8:45 am]

BILLING CODE 6717-01-P

[Docket No. RP91–160–018]

## Columbia Gulf Transmission Co.; Proposed Changes in FERC Gas Tariff

February 14, 1994.

Take notice that on February 7, 1994, Columbia Gulf Transmission Company (Columbia Gulf) tendered for filing as part of its FERC Gas Tariff, First and Second Revised Volumes No. 1, the following revised tariff sheets, to be effective as follows:

First Revised Volume No. 1 Tariff Sheet
Effective October 1, 1993
Substitute Original Sheet No. 021A
Second Revised Volume No. 1 Tariff Sheets
Effective November 1, 1993
Substitute Original Sheet No. 019A
Effective January 1, 1994
Second Substitute First Revised Sheet No. 019A

Columbia Gulf states that this filing is being made in compliance with the Commission's January 19, 1994 Letter Order in the above-referenced dockets. Specifically, Columbia Gulf is filing revised tariff sheets to reflect the interruptible transportation rates for non-settling parties underlying the Stipulation and Agreement approved by the Commission in an Order in these dockets dated September 29, 1993.

Columbia Gulf states that copies of its filing are available for inspection at its offices at 1700 MacCorkle Avenue, SE., Charleston, WV 25314; 2603 Augusta, Post Office Box 683, Houston, Texas 77210–0683; 700 Thirteenth Street, NW., suite 900, Washington, DC 20005; and have been mailed to all jurisdictional customers and affected state regulatory commissions.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such protests should be filed on or before February 18, 1994. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3722 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP94–130–000]

## Colorado Interstate Gas Co.; Proposed Changes in FERC Gas Tariff

February 14, 1994.

Take notice that on February 8, 1994, Colorado Interstate Gas Company (CIG), tendered for filing as part of its FERC Gas Tariff, First Revised Volume No. 1, Substitute Original Sheet No. 369A.

CIG states that it has submitted Substitute Original Sheet No. 369A to correct CIG's filing of December 20, 1993, in Docket No. RP94–85–000. CIG's December 20, 1993, filing was made to implement, consistent with the procedures set forth in the Commission's Order No. 528 series of orders, recovery of Buyout-Buydown costs that CIG had incurred as a result of settlement and litigation of producer and supplier claims. However, CIG has since discovered that its December 20, 1993, filing improperly included certain costs and improperly excluded other costs.

To correct its December 20, 1993, filing, CIG has reduced the total Buyout-Buydown costs sought to be recovered in Docket No. RP94–85–000 by $202,564, bringing those total costs to $5,883,371. The jurisdictional portion of the corrected costs is $5,858,237. Consistent with CIG's proposal to absorb 50 percent of the jurisdictional portion of these costs, CIG now proposes to recover $2,929,119 from its affected jurisdictional firm sales customers.

CIG has requested that the Commission accept this filing, to become effective January 20, 1994, the date the Commission accepted the original tariff sheets in Docket No. RP94–85–000.

CIG states that copies of the filing were served upon all of its affected firm sales customers, interested State Commissions, and the Service List in Docket No. RP94–85–000.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before February 18, 1994. Protests will be considered by the Commission in determining the appropriate action to be taken but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3723 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

[Project No. 2290]

## Southern California Edison Co.; Public Scoping Meetings and Site Visit

February 14, 1994.

The Federal Energy Regulatory Commission (Commission) has received an application for relicense of the existing Kern River Project No. 2290. This project is located on the Kern River in central California, near the town of Kernville. The project is operated by Southern California Edison.

Upon review of the application, supplemental filings, and intervenor submittals, the Commission staff has concluded that they will prepare an Environmental Assessment (EA) that describes and evaluates the probable impacts of the applicant's proposal and alternatives for the project.

One element of the EA process is scoping. Scoping activities are initiated early to:

- Identify reasonable alternative operational procedures and environmental enhancement measures that should be evaluated in the EA;
- Identify significant environmental issues related to the operation of the existing project;
- Determine the depth of analysis for issues that will be discussed in the EA; and
- Identify resource issues that are of lesser importance and, consequently, do not require detailed analysis in the EA.

### Scoping Meeting

Commission staff will conduct two scoping meetings for the Kern River Project. All interested individuals, organizations, and agencies are invited to attend the meeting and help staff identify the scope of environmental issues that should and should not be analyzed in the Kern River EA.

The first scoping meeting for the Kern River Project will be on March 15, 1994, from 9:30 a.m. to 12 p.m. in California Department of Fish and Game Offices Conference room, 1234 East Shaw Avenue, Fresno, California. The second scoping meeting will be on March 16, 1994, from 7 p.m. to 10 p.m. in the Kernville Elementary School Cafetorium, 13350 Sierra Way, Kernville, California.

The site visit will be on March 16, 1994, and will begin at 9 a.m. and extend into the afternoon. Those who want to attend the site visit should meet

at the Southern California Edison Office at 15115 Sierra Way, Kernville, California.

**Procedures**

The meetings, which will be recorded by a stenographer, will become part of the formal record of the Commission's proceeding on the Kern River Project. Individuals presenting statements at the meeting will be asked to sign in before the meeting starts and to identify themselves for the record.

Concerned parties are encouraged to offer us verbal guidance during the scoping meetings. Speaking time allowed for individuals will be determined before the meeting, based on the number of persons wishing to speak and the approximate amount of time available for the session, but all speakers will be provided at least five minutes to present their views.

**Scoping Meeting Objectives**

At the scoping meetings, the staff will:

- Summarize the environmental issues tentatively identified for analysis in the EA;
- Identify resource issues that are of lessor importance and, therefore, do not require detailed analysis;
- Solicit from the meeting participants all available information, especially quantifiable data, concerning significant local resources; and
- Encourage statements from experts and the public on issues that should be analyzed in the EA.

**Information Requested**

Federal and state resources agencies, local government officials, interested groups, area residents, and concerned individuals are requested to provide any information they believe will assist the Commission staff to analyze the environmental impacts associated with relicensing the project. The types of information sought include the following:

- Data, reports, and resource plans that characterize the baseline physical, biological, or social environments in the vicinity of the project; and
- Information and data that helps staff identify or evaluate significant environmental issues.

Scoping information and associated comments should be submitted to the Commission no later than April 15, 1994. Written comments should be provided at the scoping meeting or mailed to the Commission, as follows:

Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

All correspondence should clearly show the following caption on the first page:

Kern River Hydroelectric Project, FERC No. 2290.

Intervenors are reminded of the Commission's Rule of Practice and Procedure requiring them to serve a copy of all documents filed with the Commission on each person whose name is listed on the project's service list.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3724 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–P

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**[Docket No. FA92–15–000]**

## Southwestern Public Service Co.; Order Establishing Hearing Procedures

February 14, 1994.

On December 23, 1993, the Chief Accountant issued a letter under delegated authority noting Southwestern Public Service Company's (SPS) disagreement with the Division of Audits with respect to Exception No. 2, in Part I of the audit report.[1] SPS was requested to advise whether it would agree to the disposition of the contested issue under the shortened procedures provided for by part 41 of the Commission's Regulations. 18 CFR part 41.

By letter dated January 25, 1994, SPS responded that it did not consent to the shortened procedures. Section 41.7 of the Commission's Regulations provides that in case consent to the shortened procedures is not given, the proceeding will be assigned for hearing. Accordingly, the Secretary, under authority delegated by the Commission, will set the issue for hearing.

Any interested person seeking to participate in this docket shall file a protest or motion to intervene pursuant to Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) no later than 15 days after the date of publication of this order in the **Federal Register**.

It is ordered:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act, the provisions of the Federal Power Act, particularly sections 205, 206, and 301 thereof, and pursuant to the Commission's Rules of Practice and Procedures (18 CFR Chapter I), a public hearing shall be held concerning the appropriateness of SPS's practices as discussed above.

(B) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge, shall convene a prehearing conference in this proceeding, to be held within 45 days of the date of this order, in a hearing room of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, D.C. 20426. The Presiding Judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(C) This order shall be published in the **Federal Register**.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3809 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

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**[Docket No. GT94–23–000]**

## Transcontinental Gas Pipe Line Corp.; Tariff Filing

February 14, 1994.

Take notice that on February 2, 1994, Transcontinental Gas Pipe Line Corporation (TGPL) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, certain revised tariff sheets which tariff sheets are enumerated in appendix A to the filing. The proposed effective date of such tariff sheets is February 2, 1994.

TGPL states that the purpose of the instant filing is to update the Table of Contents and Index of Purchasers in TGPL's Third Revised Volume No. 1 Tariff. TGPL states that the revisions to the Table of Contents and Index of Purchasers include, among other things, company name changes, identification of new Part 284 FT transportation service which has been converted from service under section 7(c) and the elimination of certain X-Rate schedules which have been terminated.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal

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[1] "2. Accounting for Pension Costs.

The Company did not determine the appropriate amount of pension cost to assign to construction, retirement, and other accounts."

The Division of Audits recommended the Company:

"(1) Revise procedures to ensure that it properly assigns pension cost to construction, retirement and operating expense based upon net periodic pension costs determined consistent with SFAS 87;

(2) Record the necessary correcting entries to adjust construction, retirement and operating expense to reflect the proper assignment of pension costs for each year beginning with 1988; and

(3) Record the necessary correcting entries to adjust the amount of AFUDC accrued on pension costs improperly assigned to construction beginning with 1988."

Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before February 18, 1994. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3719 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

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**[Docket No. TM94–9–29–000]**

## Transcontinental Gas Pipe Line Corp.; Proposed Changes in FERC Gas Tariff

February 14, 1994.

Take notice that on February 7, 1994, Transcontinental Gas Pipe Line Corporation (TGPL) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, Thirteenth Revised Sixth Revised Sheet No. 28 and Fourteenth Revised Sixth Revised Sheet No. 28, which tariff sheets are proposed to be effective on December 1, 1993 and February 1, 1994, respectively.

TGPL states that the purpose of the instant filing is to track rate changes attributable to storage service purchased from Texas Eastern Transmission Corporation (TETCO) under its Rate Schedule X–28 the costs of which are included in the rates and charges payable under TGPL's Rate Schedule S–2. The tracking filing is being made pursuant to Section 26 of the General Terms and Conditions of Volume No 1. of TGPL's FERC Gas Tariff.

TGPL states that included in appendix A attached to the filing is an explanation of the rate changes and details regarding the computation of the revised S–2 rates.

TGPL states that copies of the filing are being mailed to each of its S–2 customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Sections 385.214 and 385.211 of the Commission's Rules and Regulations. All such motions or protests should be filed on or before February 18, 1994. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the public reference room.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3721 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

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**[Docket No. CP94–220–000]**

## Williams Natural Gas Co.; Request Under Blanket Authorization

February 14, 1994.

Take notice that on February 8, 1994, Williams Natural Gas Company (Williams), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP94–220–000 a request pursuant to Sections 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.212) for authorization to install a one inch tap, measuring, regulating and appurtenant facilities for the delivery of transportation gas to Oxford Milling Company (Oxford) in Sumner County, Kansas, under Williams' blanket certificate issued in Docket No. CP82–479–000 pursuant to Section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

It is stated that the projected annual volume of delivery is estimated to be approximately 283 Mcf with a peak day volume of 9.5 Mcf for the first year, with the annual volume increasing to 661 Mcf by the third year and with the peak day volume increasing to 22 Mcf by the third year. It is further stated that Oxford will use the gas volumes for commercial heating, restaurant stoves and furnaces. It is averred that the estimated cost of construction is $1,910, which will be reimbursed by Oxford.

Williams states that this change is not prohibited by an existing tariff and Williams further avers that it has sufficient capacity to accomplish the deliveries specified without detriment or disadvantage to its other customers.

Any person or the Commission's staff may, within 45 days after issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to Section 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to Section 7 of the Natural Gas Act.

**Lois D. Cashell,**

*Secretary.*

[FR Doc. 94–3716 Filed 2–17–94; 8:45 am]

BILLING CODE 6717–01–M

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## Office of Energy Research

## Energy Research Financial Assistance Program Notice 94–12: Human Genome Program—Technological Advances

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice inviting grant applications.

**SUMMARY:** The Office of Health and Environmental Research (OHER) of the Office of Energy Research (ER), U.S. Department of Energy (DOE), hereby announces its interest in receiving applications in support of the Human Genome Program. This Program is a coordinated, multidisciplinary, goal oriented, research effort aimed at improving technologies that will lead to a detailed understanding of the human genome at the molecular level. Several research goals are encompassed in this notice, with collaborative, multidisciplinary efforts specifically encouraged. Research will be supported for the development of: (1) Integrated approaches to large-scale human genome sequencing that may include supportive mapping and automation; (2) cost-effective DNA sequencing systems that promise more than a 10-fold improvement in throughput; (3) software and resources for real-time analysis and annotation of data from high-speed DNA sequencing systems; (4) resources for facile entry and retrieval of data in community genome maps and DNA sequence databases, including coordinated entry or retrieval across multiple, complementary databases.

**DATES:** Formal applications submitted in response to this notice must be received by 4:30 p.m., E.D.T., July 14, 1994, to be accepted for merit review in September 1994, and to permit timely

consideration for award in Fiscal Year 1995.

**ADDRESSES:** Formal applications referencing Program Notice 94–12 should be forwarded to: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64 (GTN), Washington, DC 20585, ATTN: Program Notice 94–12. The following address must be used when submitting applications by U.S. Postal Service Express Mail or any commercial mail delivery service, or when handcarried by the applicant: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64, 19901 Germantown Road, Germantown, MD 20874.

**FOR FURTHER INFORMATION CONTACT:** Dr. David A. Smith, Office of Health and Environmental Research, ER–72 (GTN), Office of Energy Research, U.S. Department of Energy, Washington, DC 20585, (301) 903–6488.

**SUPPLEMENTARY INFORMATION:** Potential applicants are strongly encouraged to submit a brief preapplication in accordance with 10 CFR 600.10(d)(2), that consists of two to three pages of narrative describing the research project objectives and methods of accomplishment. These will be reviewed relative to the scope and research needs of the DOE's Human Genome Program. Preapplications referencing Program Notice 94–12 should be received by April 15, 1994, and sent to Dr. David A. Smith, Office of Health and Environmental Research, ER–72 (GTN), Washington, DC 20585. Telephone and FAX numbers are required parts of the preapplication and electronic mail addresses are desirable. A response to the preapplications discussing the potential program relevance of a formal application generally will be communicated within 30 days of receipt.

It is anticipated that approximately $5,000,000 will be available for grant awards during FY 1995, contingent upon availability of appropriated funds. Multiple year funding of grant awards is expected, and is also contingent upon availability of funds. Previous awards have ranged from $79,000 per year up to $1,000,000 per year with terms from one to three years. Most awards are in the $200,000 to $400,000 per year range for three years. Similar award sizes are anticipated for new grants. Information on the development and submission of applications, eligibility, limitations, evaluation, selection process, and other policies and procedures may be found in the Application Guide for the Office of Energy Research Financial Assistance Program and 10 CFR part 605. The Application Guide is available from the U.S. Department of Energy, Office of Health and Environmental Research, Health Effects and Life Sciences Research Division, ER–72 (GTN), Washington, DC 20585. Telephone requests may be made by calling (301) 903–6488.

The Office of Energy Research, as part of its grant regulations, requires at 10 CFR 605.11(b) that a grantee funded by ER and performing research involving recombinant DNA molecules and/or organisms and viruses containing recombinant DNA molecules shall comply with the National Institutes of Health "Guidelines for Research Involving Recombinant DNA Molecules" (51 FR 16958, May 7, 1986), or such later revision of those guidelines as may be published in the **Federal Register**.

The dissemination of materials and research data in a timely manner is essential for progress towards the goals of the DOE Human Genome Program. The OHER requires the timely sharing of resources and data. Applicants should, in their applications, discuss their plans for disseminating research data and materials that may include, where appropriate, putting cell lines, probes, sequence data, software, etc., into public repositories. Once OHER and the applicant have agreed upon a distribution plan, it will become part of the award conditions. Funds to defray the costs of disseminating materials or submitting data to repositories are allowable; however, such requests must be adequately justified. Applicants should also provide timelines projecting progress toward achieving proposed goals.

The Catalog of Federal Domestic Assistance Number for this program is 81.049.

Issued in Washington, DC, on February 8, 1994.

**D.D. Mayhew,**

*Director, Office of Management, Office of Energy Research.*

[FR Doc. 94–3782 Filed 2–17–94; 8:45 am]

**BILLING CODE 6450–01–P**

## Energy Research Financial Assistance Program Notice 94–13: Human Genome Program—Ethical, Legal, and Social Implications

**AGENCY:** Department of Energy (DOE).

**ACTION:** Notice inviting grant applications.

**SUMMARY:** The Office of Health and Environmental Research (OHER) of the Office of Energy Research (ER), U.S. Department of Energy (DOE), hereby announces its interest in receiving applications in support of the Ethical, Legal, and Social Implications (ELSI) subprogram of the Human Genome Program (HGP). The HGP is a coordinated, multidisciplinary, goal-oriented, research effort aimed at improving technologies that will lead to a detailed understanding of the human genome at the molecular level. This particular research notice encompasses research grants that address ethical, legal, and social issues that may arise from the use of information and knowledge resulting from the HGP. The DOE especially encourages the submission of applications to conduct multidisciplinary, empirical research on privacy issues from the creation, use, maintenance, and disclosure of genetic information. This may include (but is not limited to) issues of ownership and control of genetic information and the protection of the privacy of genetic information in various settings including the workplace. Applications should demonstrate knowledge of the relevant literature, and should include detailed plans for the gathering and analysis of factual information and the exploration of issues associated with the ethical, legal, and social implications of the knowledge gained from the HGP. All applications should include, where appropriate, detailed discussion of human subjects protection issues; e.g., storage of, manipulation of, and access to data. Where survey techniques are proposed, provisions to ensure the inclusion of women, minorities, and potentially disabled individuals must be described, unless specific exclusions are scientifically necessary and justified in detail. All proposed research applications should address the issue of efficient dissemination of results to the widest appropriate audience.

The DOE is also soliciting applications for the preparation and dissemination of educational materials in any appropriate medium that will enhance public understanding of both the scientific aspects and the ethical, legal, and social aspects of the HGP. In addition, the DOE is encouraging applications for the support of conferences focusing on specific issues or areas of concern related to the ethical, legal, and social implications of the HGP. Educational and conference applications should also demonstrate awareness of the relevant literature, and include detailed plans for the accomplishment of project goals, including, where appropriate, video productions. In the case of educational

activities, the DOE strongly recommends inclusion of assessments of effectiveness of the proposed activities. In the case of all conferences, a fairly detailed and complete roster of committed speakers is necessary. At the completion of the conference, a summary or report is required. Educational and conference applications must also demonstrate awareness of the need to reach the widest appropriate audience.

**DATES:** Formal applications submitted in response to this notice must be received by 4:30 p.m., e.d.t., July 14, 1994, to be accepted for merit review in September 1994, and to permit timely consideration for award in Fiscal Year 1995.

**ADDRESSES:** Formal applications referencing Program Notice 94–13 should be forwarded to: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64 (GTN), Washington, DC 20585, ATTN: Program Notice 94–13. The following address must be used when submitting applications by U.S. Postal Service Express Mail or any commercial mail delivery service, or when handcarried by the applicant: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64, 19901 Germantown Road, Germantown, MD 20874.

**FOR FURTHER INFORMATION CONTACT:** Dr. Daniel W. Drell, Office of Health and Environmental Research, ER–72 (GTN), Office of Energy Research, U.S. Department of Energy, Washington, DC 20585, (301) 903–6488.

**SUPPLEMENTARY INFORMATION:** Potential applicants are strongly encouraged to submit a brief preapplication in accordance with 10 CFR 600.10(d)(2), that consists of two to three pages of narrative describing the research project objectives and methods of accomplishment. These will be reviewed relative to the scope and research needs of the DOE's Human Genome Program. Preapplications referencing Program Notice 94–13 should be received by April 15, 1994, and sent to Dr. Daniel W. Drell, Office of Health and Environmental Research, ER–72 (GTN), Washington, DC 20585. Telephone and FAX numbers are required parts of the preapplication, and electronic mail addresses are desirable. A response to the preapplications discussing the potential program relevance of a formal application generally will be communicated within 30 days of receipt.

It is anticipated that approximately $1,000,000 will be available for grant awards in this area during FY 1995, contingent upon availability of appropriated funds. Multiple year funding of grant awards is expected, and is also contingent upon availability of funds. Previous awards have ranged from $60,000 per year up to $500,000 per year with terms from one to three years. Similar award sizes are anticipated for new grants. Information about development and submission of applications, eligibility, limitations, evaluation, selection process, and other policies and procedures may be found in the Application Guide for the Office of Energy Research Financial Assistance Program and 10 CFR part 605. The Application Guide is available from the U.S. Department of Energy, Office of Health and Environmental Research, Health Effects and Life Sciences Research Division, ER–72 (GTN), Washington, DC 20585. Telephone requests may be made by calling (301) 903–6488.

As part of its grant regulations, ER requires at 10 CFR 605.11(b) that a grantee funded by ER and performing research involving recombinant DNA molecules and/or organisms and viruses containing recombinant DNA molecules shall comply with the National Institutes of Health "Guidelines for Research Involving Recombinant DNA Molecules" (51 FR 16958, May 7, 1986), or such later revision of those guidelines as may be published in the **Federal Register**.

The dissemination of materials and research data in a timely manner is essential for progress towards the goals of the DOE Human Genome Program. The OHER requires the timely sharing of resources and data. Applicants should, in their applications, discuss their plans for disseminating research results and materials that may include, where appropriate, publication in the open literature, wide-scale mailings, etc. Once OHER and the applicant have agreed upon a distribution plan, it will become part of the award conditions. Funds to defray the costs of disseminating results and materials are allowable; however, such requests must be sufficiently detailed and adequately justified. Applicants should also provide timelines projecting progress toward achieving proposed goals.

The Catalog of Federal Domestic Assistance Number for this program is 81.049.

Issued in Washington, DC, on February 8, 1994.

**D.D. Mayhew,**

*Director, Office of Management, Office of Energy Research.*

[FR Doc. 94–3783 Filed 2–17–94; 8:45 am]

BILLING CODE 6450–01–P

## Energy Research Financial Assistance Program Notice 94–09; Measurement Science Research Program

**AGENCY:** U.S. Department of Energy (DOE).

**ACTION:** Notice inviting grant applications.

**SUMMARY:** The Office of Health and Environmental Research (OHER) of the Office of Energy Research (ER), U.S. Department of Energy (DOE), hereby announces its interest in receiving applications in support of the Measurement Science Research Program. The Measurement Science Program is a coordinated, multidisciplinary, goal-oriented, research effort aimed at developing new technologies to further OHER research in the health and environmental sciences. Several research goals are encompassed in this notice. Mid- to long-term research will be supported for: (1) Development of technology to study biological systems and evaluate the potential health impacts of energy production, (2) environmental measurements relevant to the Department's responsibilities in global climate change research and in environmental remediation.

**DATES:** Formal applications submitted in response to this notice must be received by 4:30 p.m., E.D.T., June 2, 1994, to permit timely consideration for award in Fiscal Year 1995.

**ADDRESSES:** Formal applications referencing Program Notice 94–09 should be forwarded to: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64 (GTN), Washington, DC 20585. Attn: Program Notice 94–09. The following address must be used when submitting applications by U.S. Postal Service Express Mail, any commercial mail delivery service, or when hand carried by the applicant: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64, 19901 Germantown Road, Germantown, Maryland 20874.

**FOR FURTHER INFORMATION CONTACT:** Dr. Roland F. Hirsch, Office of Health and Environmental Research, ER–73, U.S. Department of Energy, GTN,

Washington, DC 20585, telephone: (301) 903–3682.

**SUPPLEMENTARY INFORMATION:** Responses to this notice should address the following high priority programmatic needs. Applications for development of instrumentation for health effects research should seek advanced imaging technologies or new techniques for highly sensitive chemical characterization of biological systems at the cellular and subcellular level with high spatial and temporal resolution. Applications for development of instrumentation for environmental sciences research should seek rapid and accurate remote sensing, unattended in situ sensors, and/or data telemetry in one of the following areas: oceanographic measurements relating to global climate change or characterization of contaminated subsurface environments and mixed hazardous wastes.

Responses should seek significant new technologies for addressing these topics. Research to develop routine methods or to solve specific problems with modification of existing instrumentation is not of high priority.

Potential applicants are strongly encouraged to submit a brief preapplication, in accordance with 10 CFR 600.10(d)(2), which consists of two to three pages of narrative describing the research project's objectives and methods of accomplishment. Preapplications will be reviewed relative to the scope and research needs of the OHER Instrumentation Research Program. Preapplications referencing Program Notice 94–09 should be received by March 18, 1994, and sent to Dr. Roland F. Hirsch, Office of Health and Environmental Research, ER–73, U.S. Department of Energy, GTN, Washington, DC 20585, telephone: (301) 903–3682. Telephone and telefax numbers are required to be part of the preapplication. A response to the preapplications discussing the program relevance of a formal application will be communicated by April 8, 1994.

It is anticipated that approximately $4 million will be available for awards during Fiscal Year 1995, contingent upon the availability of appropriated funds. Previous awards have ranged from $100,000 to $500,000 per year with terms up to 3 years. Multiple year funding of awards is expected, also contingent upon availability of funds.

Information about development and submission of applications, eligibility limitations, evaluation, selection processes, and other policies and procedures may be found in the Application Guide for the Office of Energy Research Financial Assistance Program and 10 CFR part 605. The Application Guide is available from the Office of Health and Environmental Research, ER–73, U.S. Department of Energy, GTN, Washington, DC 20585. Telephone requests may be made by calling (301) 903–5349.

The Catalog of Federal Domestic Assistance Number for this program is 81.049.

Issued in Washington, DC on February 8, 1994.

**D.D. Mayhew,**

*Director, Office of Management, Office of Energy Research.*

[FR Doc. 94–3781 Filed 2–17–94; 8:45 am]

BILLING CODE 6450–01–P

## Office of Hearings and Appeals

### Cases Filed During the Week of December 31, 1993 Through January 7, 1994

During the week of December 31, 1993, through January 7, 1994, the appeals and applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy. Submissions inadvertently omitted from earlier lists have also been included.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: February 10, 1994.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of Dec. 31, 1993, through Jan. 7, 1994]

| Date | Name and location of applicant | Case No. | Type of submission |
|---|---|---|---|
| Jan. 3, 1994 | John W. Osenbaugh, Lucas, Iowa | LFA–0346 | Appeal of an information request denial request. If granted: The December 1, 1993 Freedom of Information Request Denial issued by the Golden Field Office would be rescinded, and John W. Osenbaugh would receive access to additional information regarding the subcontract between National Renewable Energy Laboratory and Battelle Memorial Institute. |
| Jan. 4, 1994 | Schaal Oil Company, Jefferson, Iowa | LEE–0069 | Exception to the reporting requirements. If granted: Schaal Oil Company would not be required to file Form EIA–782B, "Reseller/Retailers' Monthly Petroleum Product Sales Report." |
| Jan. 5, 1994 | Friendly Service Stations, Inc., Fairfield, CT. | LEE–0070 | Exception to the reporting requirements. If granted: Friendly Service Stations, Inc., would not be required to file Form EIA–782B. "Resellers/ Retailers' Monthly Petroleum Product Sales Report." |
| Do | Ron Vader, New Westminster, B.C. Canada. | LFA–0347 | Appeal of an information request denial. If granted: The November 19, 1993 Freedom of Information Request Denial issued by the Richland Operations Office would be rescinded, and Ron Vader would receive access to all information concerning a hearing held regarding himself and several other students who accidentally drove into the Hanford Site in heavy fog in December 1976. |

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

[Week of Dec. 31, 1993, through Jan. 7, 1994]

| Date | Name and location of applicant | Case No. | Type of submission |
|---|---|---|---|
| Jan. 7, 1994 | Rockwell International Corporation, Denver, CO. | LFA–0348 | Appeal of an information request denial. If granted: Rockwell International Corporation would receive access to material setting forth the reasons DOE–HQ withheld or failed to provide documents responsive to a FOIA request. |
| Do | Utilities, Transporters & Manufacturers, Gladwyne, PA. | LRR–0014 | Reconsideration. If granted: The December 17, 1993 Decision and Order (Case No. LRH–0002) issued to Utilities, Transporters, and Manufacturers would be reconsidered and modified to provide the opportunity to present testimony to support its contention. |

REFUND APPLICATIONS RECEIVED

| Date received | Name of refund proceeding/name of refund applicant | Case No. |
|---|---|---|
| 12/31/93 through 1/7/94 | Texaco Oil Refund Applications Received | RF321–20011 through RF321–20014. |
| 1/3/94 | Giusti Baking Co., Inc | RF272–95094. |
| 1/4/94 | Patterson Lumber Co | RF304–15443. |
| 1/5/94 | Wagner Trucks | RF272–95095. |

[FR Doc. 94–3785 Filed 2–17–94; 8:45 am]

BILLING CODE 6450–01–P

## Cases Filed During the Week of December 3 Through December 10, 1993

During the Week of December 3 through December 10, 1993, the applications for exception or other relief listed in the Appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy. Submissions inadvertently omitted from earlier lists have also been included.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For the purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: February 10, 1994.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of Dec. 3 to Dec. 10, 1993]

| Date | Name and location of applicant | Case No. | Type of submission |
|---|---|---|---|
| Sept. 24,1993 | Texaco/Random Lake Oil Company, Random Lake, NJ. | RR321–140 | Request for modification/rescission in the Texaco refund proceeding. If granted: The August 18, 1993 Dismissal Letter (Case No. RF321–17702) issued to Random Lake Oil Company would be modified regarding the firm's application for refund submitted in the Texaco Refund Proceeding. |
| Dec. 2, 1993 | Texaco/Majewski Texaco Service, Greenville, NC. | RR321–141 | Request for modification/rescission in the Texaco refund proceeding. If granted: The November 24, 1993 Decision and Order (Case No. RF321–8497) issued to Majewski Texaco Service would be modified regarding the firm's application for refund submitted in the Texaco Refund Proceeding. |
| Dec. 6, 1993 | Northeast Petroleum Industries/Massachusetts, Boston, MA. | RM25–264 | Request for modification/rescission in the Northeast Petroleum Industries second stage refund proceeding. If granted: The January 9, 1987 Decision and Order (Case No. RQ25–107) issued to Massachusetts would be modified regarding the State's application for refund submitted in the Northeast Petroleum Industries Second Stage Refund Proceeding. |
| Dec. 7, 1993 | Gray Trucking Company, Washington, DC. | LEF–0120 | Implementation of special refund procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR, Part 205, Subpart V in connection with the March 29, 1982 Consent Order entered into with Gray Trucking Company. |

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

[Week of Dec. 3 to Dec. 10, 1993]

| Date | Name and location of applicant | Case No. | Type of submission |
|---|---|---|---|
| Do | E.C. Barnes, Inc., St. Thomas, PA | LEE–0063 | Exception to the reporting requirements. If granted: E.C. Barnes, Inc. would not be required to file Form 782–B, "Reseller's/Retailer's Monthly Petroleum Product Sales Report. |
| Do | Petroleum Carrier Company, Inc., Washington, DC. | LEF–0119 | Implementation of special refund procedures. If granted: The Office of Hearings and Appeals would implement Special Refund Procedures pursuant to 10 CFR, Part 205, Subpart V, in connection with the June 26, 1987 Remedial Order issued to Petroleum Carrier Company, Inc. |

REFUND APPLICATIONS RECEIVED WEEK OF DECEMBER 3 TO DECEMBER 10, 1993

| Date | Name of refund proceeding/name of refund applicant | Case No. |
|---|---|---|
| 11/29/93 | Hornes International | RF300–21765. |
| 11/29/93 | Hornes International | RF300–21766. |
| 11/29/93 | Hornes International | RF300–21767. |
| 11/29/93 | Hornes International | RF300–21768. |
| 12/06/93 | Champion Service | RF349–7. |
| 12/06/93 | Singleton's Canal | RF346–109. |
| 12/06/93 | Washington Canal Center | RF346–110. |
| 12/07/93 | J. Blanton | RC272–222. |
| 12/07/93 | DeVille's Canal Service | RF346–111. |
| 12/09/93 | General Development Utilities | RF340–195. |
| 12/10/93 | Prather's Linen and Uniform | RC272–223. |
| 12/03/93 thru 12/10/93 | Crude Oil Refund Applications Received | RF272–95070 thru RF 272–95083. |
| 12/10/93 thru 12/10/93 | Atlantic Richfield Applications Received | RF304–15060 thru RF304–15426. |
| 12/10/93 thru 12/10/93 | Texaco Oil Refund Applications Received | RF321–19990 thru RF321–19997. |

[FR Doc. 94–3786 Filed 2–17–94; 8:45 am]

BILLING CODE 6450–01–P

## Office of Science Education and Technical Information

## Energy Research Financial Assistance Program Notice 94–11; University Reactor Sharing Program

**AGENCY:** U.S. Department of Energy (DOE).

**ACTION:** Notice inviting grant applications.

**SUMMARY:** The Office of Science Education and Technical Information (ET) of the U.S. Department of Energy (DOE), in keeping with its energy-related mission to strengthen the Nation's support of science, engineering and mathematics education at all levels of education, announces its interest in receiving grant applications for the support of the University Reactor Sharing Program. The purpose of this program is to provide broader access and opportunity for non-reactor owning educational institutions to utilize the scientific and engineering technologies available at these universities with operating reactor facilities. This is accomplished by providing funds to U.S. colleges or universities with nuclear reactor facilities (host institutions) that cover reactor operating costs when the regional affiliates (user institutions) use the reactor facility for student or faculty instruction or research. In accordance with 10 CFR 600.7(b)(1), eligibility for these grants is restricted to U.S. colleges and universities with nuclear reactor facilities because they have a unique opportunity to enable other institutions to participate in important aspects of the Nation's nuclear science and engineering educational programs. It is anticipated, that subject to availability of funds, approximately $500,000 will be available for support of this program during fiscal year 1994.

**DATES:** Applications under this Notice should be received by 4:30 p.m., Daylight Saving Time, May 3, 1994.

**ADDRESSES:** Application materials are available from the Office of Science Education and Technical Information, ET–1, 1000 Independence Avenue, SW., Washington, DC 20585, (202)586–8949. Completed applications referencing Program Notice 94–11 must be submitted to: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64, room F–220, Washington, DC 20585, ATTN: Program Notice 94–11. The following address must be used when submitting applications by U.S. Postal Service Express mail, any commercial mail delivery service, or when handcarried by the applicant: U.S. Department of Energy, Office of Energy Research, Acquisition and Assistance Management Division, ER–64, 19901 Germantown Road, Germantown, MD 20874. Telephone and telefax numbers must also be included in any application.

**FOR FURTHER INFORMATION CONTACT:** Dr. Larry Barker, Program Manager, U.S. Department of Energy, Office of Science Education and Technical Information, Office of University and Science Education Programs, ET–3, Washington, DC 20585, (202) 586–8947.

**SUPPLEMENTARY INFORMATION:** This program provides funding to host institutions to cover expenses associated with operation of their nuclear reactor facility for the benefit of user institutions to promote education, training or research opportunities. University reactors are extremely versatile neutron sources and research facilities; thus the availability of a nuclear reactor contributes particularly and significantly to research and educational opportunities at both the graduate, undergraduate and precollege levels. Any U.S. educational institution which operates a research or training reactor may submit an application for a new or renewal award. However, those

institutions applying that have a substantial number of user institutions indicating continued or new interest in using the nuclear reactor facility are more likely to be selected than those applicants who do not have sufficient numbers of user institutions. User groups affiliated with the host institution are not considered eligible for participation in this program. Projects may range from tours, demonstrations, experiments, workshops and seminars for middle school and high school groups to faculty research projects and MS/PhD thesis or dissertation research. Reactor utilization may range from simple service irradiations and analytical support to basic research studies requiring the facility's most sophisticated equipment. Each application must include under the "Project Description" portion, information on the relative availability of the reactor to outside users, an assessment on a regional basis of the colleges, universities and/or precollege institutions that can be served by the proposing institution's reactor facility, and must provide evidence of interest on the part of potential or former user institutions to utilize the applicant's reactor facility during the proposed grant period. A summary of participation during the previous grant period will provide the supporting information needed. Allowable costs under this program include:

(1) Payments for irradiation services not to exceed the established, published schedule of the host institution;

(2) Payments for use of the reactor and related facilities based upon established rates of the host institution;

(3) Cost of technical assistance furnished by the host institution for conduct of studies by a user institution; and

(4) Costs of materials and supplies consumed in user institution projects. Unallowable costs under this program include:

(1) Normal operating expenses of the facility;

(2) Laboratory apparatus and instrumentation;

(3) Costs that are covered by existing grant or contract;

(4) Indirect or overhead costs; and

(5) Funds for individual or group travel or subsistence unless there are highly unusual situations and there is prior approval.

During fiscal year 1994, DOE anticipates that the number of awards to be issued and the amount of each award will depend upon the number of approved applications, the amount of funds requested and the total DOE funds made available for this program. It is anticipated that, subject to the availability of funds, $500,000 will be available from DOE's Office of Science Education and Technical Information for this program. Awards may range from $5,000 to $100,000 per year.

Additional information may be subsequently requested by DOE during evaluation of a submitted application. General information about development and submission of applications, eligibility, limitations, evaluation and selection processes, and other policies and procedures are contained in the Application Guide for the Office of Energy Research Financial Assistance Program, and in 10 CFR part 605. The catalog of Federal Domestic Assistance Number for this program is 81.049.

Issued in Washington, DC, on February 7, 1994.

**D. D. Mayhew,**

*Director, Office of Management, Office of Energy Research.*

[FR Doc. 94–3784 Filed 2–17–94; 8:45 am]

BILLING CODE 6450–01–P

## ENVIRONMENTAL PROTECTION AGENCY

**[ER–FRL–4708–6]**

### Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared January 31, 1994 through February 4, 1994 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) 260–5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1993 (58 FR 18392).

**Draft EISs**

*ERP No. D–BPA–L08049–00* Rating LO, Alternating Current (AC) Intertie Transmission Facilities, Capacity Ownership and Federal Marketing and Joint Ventures, Implementation, WA, OR, ID, MT, CA, NV, UT, NM, AZ, WY and British Columbia.

*Summary:* EPA had no objections to the action as proposed.

*ERP No. D–BPA–L08050–WA* Rating EC2, Puget Power Northwest Washington Electric Transmission Project, Construction and Operation, Whatcom and Skagit Counties, WA.

*Summary:* EPA had environmental concerns based on the project's impact on water quality and the lack of a monitoring program that would help to ensure compliance with state Water Quality Standards.

*ERP No. D–FHW–E40339–NC* Rating EC2, NC–12 Replacement of Herbert C. Bonner Bridge (Bridge No. 11) over Oregon Inlet, Construction, Funding, Coast Guard Bridge Permit, Special-Use-Permit, Right-of-Way Permit, COE Section 10 and 404 Permits, Dare County, NC.

*Summary:* EPA had environmental concerns regarding environmental risks during construction in the storm prone area and the potential loss of submerged aquatic vegetation habitat. EPA had requested further information on mitigation for wetland losses and the identification of specific BMPs to be designed into the project for nonpoint source pollution control.

*ERP No. D–NRC–G06008–LA* Rating EC2, Claiborne Uranium Enrichment Center, Construction and Operation, (NUREG–1482), NPDES Permit and Licensing, Homer, Claiborne Parish, LA.

*Summary:* EPA expressed environmental concerns regarding NRC's discussion of purpose and need, alternatives, waste disposal, pollution prevention and environmental justice. EPA recommended that NRC provide clarification and additional information on these issues.

**Final EISs**

*ERP No. F–BLM–K61115–AZ,* Kingman Resource Area, Resource Management Plan, Implementation, Mohave, Yavapi and Coconino Counties, AZ.

*Summary:* EPA expressed serious environmental concerns regarding the preferred alternative and recommended that the Record of Decision include specific commitments regarding goals, schedules, mitigation measures and mitigation monitoring for improving watershed conditions, riparian areas and wetlands.

*ERP No. F–BLM–K67018–CA,* Fort Cady Minerals Solution Mining Project, Construction and Operation, Associated Right-of-Way Grants and Mineral Material Sales Permits, San Bernardino County, CA.

*Summary:* Review of the Final EIS was not deemed necessary. No comment letter was sent to the preparing agency.

*ERP No. F–FHW–K40184–CA,* CA–87/ Guadalupe Parkway Upgrading, between Julian Street and US 101 in the City of San Jose, Funding and Section 404 Permit, Santa Clara County, CA.

*Summary:* EPA expressed environmental concerns for the riparian mitigation areas and requested that the FEIS's wetland mitigation measures be

included in the Record of Decision and Caltrans' Section 404 permit application to the Army.

Dated: February 15, 1994

**Marshall Cain,**

*Senior Legal Advisor, Office of Federal Activities.*

[FR Doc. 94–3788 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–U

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[ER–FRL–4708–5]

## Environmental Impact Statements; Availability

Responsible Agency: Office of Federal Activities, General Information (202) 260–5076 or (202) 260–5075.

Weekly receipt of Environmental Impact Statements filed February 7, 1994 through February 11, 1994 pursuant to 40 CFR 1506.9.

*EIS No. 940038*, Final EIS, IBR, UT, Price-San Rafael Rivers Unit of the Colorado River Water Quality Improvement Program (CRWQIP) and the on-farm Colorado River Salinity Control Program (CRSC), Improvements, Funding and Possible Section 404 Permit, Carbon and Emery Counties, UT, Due: March 21, 1994, Contact: Darrell Cauley (301) 236–9336.

*EIS No. 940039*, Draft EIS, BLM, MT, Rosebud Coal Mine Project, Implementation, Approval of Coal Lease Application (MTM–80697) on Federal Coal Lands, Powder River Resource Area, Miles City District Office, Rosebud County, MT, Due: April 25, 1994, Contact: Jim Beaver (406) 255–2918.

*EIS No. 940040*, Draft EIS, AFS, MT, Elk Creek Land Exchange and Granting an Easement to Plum Creek, Implementation, Flathead National Forest, Swan Lake Ranger District, MT, Due: April 5, 1994, Contact: Ken Meckel (406) 892–4372.

*EIS No. 940041*, Final EIS, COE, TX, NM, Roving Sands Joint Training Exercise Program and White Sands Missile Range, Implementation, 11th Air Defense Artillery Brigade, Site Specific, Fort Bliss, EL Paso County, TX and Otero and Dona Ana Counties, NM, Due: March 21, 1994, Contact: Arver Ferguson (817) 334–3246.

*EIS No. 940042*, Final EIS, AFS, MT, Smokey-Corridor Timber Sales, Timber Management and Road Construction/Reconstruction, Implementation, Lewis and Clark National Forest, White Sulphur Springs, Meagher County, MT, Due: March 21, 1994, Contact: Craig Cowie (406) 547–3361.

*EIS No. 940043*, Final EIS, EPA, CA, International Wastewater Treatment Plant and Outfall Facilities, Construction, Operation and Maintenance, Construction Grants, CA and Mexico, Due: March 21, 1994, Contact: Jennifer Eckert (213) 894–3694.

*EIS No. 940044*, Final EIS, NPS, MS, Natchez National Historical Park Management, Development and Use Plan, Implementation, Adams County, MS, Due: March 21, 1994, Contact: Robert Dodson (601) 442–7047.

*EIS No. 940045*, Final EIS, USA, WA, Fort Lewis and Yakima Training Center, Stationing of Mechanized or Armored Combat Forces, COE Section 10 and 404 Permits, Pierce, Thurston, Yakima and Kittitas Counties, WA, Due: March 21, 1994, Contact: Randall W. Hanna (206) 967–5646.

*EIS No. 940046*, Final EIS, FAA, NJ, Newark International Airport Installation and Operation of an Instrument Landing System on Runway 11, Funding and Airport Layout Plan Approval, Essex and Union Counties, NJ, Due: March 21, 1994, Contact: Thomas Hom (718) 553–1505.

**Amended Notices**

*EIS No. 940014*, Draft EIS, COE, NC, Texasgulf Open Pit Mine Continuation, Construction and Operation, Permits Approval, Pamlico River, Aurora, Beaufort County, NC, Due: March 14, 1994, Contact: Hugh Heine (919) 251–4070. Published FR—01–28–94—Review period extended.

Dated: February 15, 1994.

**Marshall Cain,**

*Senior Legal Advisor, Office of Federal Activities.*

[FR Doc. 94–3789 Filed 2–17–94; 8:45 am]

BILLING CODE: 6560–50–U

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[FRL–4838–4]

## Gulf of Mexico Program Management Committee; Meeting

**AGENCY:** U.S. Environmental Protection Agency (EPA).

**ACTION:** Notice of meeting of the Management Committee of the Gulf of Mexico Program.

**SUMMARY:** The Gulf of Mexico Program's Management Committee will hold a meeting March 8–9, 1994 at the Marriott Hotel, 555 Canal Street, New Orleans, Louisiana.

**FOR FURTHER INFORMATION CONTACT:** Dr. Douglas Lipka, Acting Director, Gulf of Mexico Program Office, Building 1103, John C. Stennis Space Center, Stennis Space Center, MS 39529–6000, at (601) 688–3726.

**SUPPLEMENTARY INFORMATION:** A meeting of the Management Committee of the Gulf of Mexico Program will be held on March 8–9, 1994, at the Marriott Hotel, 555 Canal Street, New Orleans, LA. The committee will meet from 8:30 a.m. to 5 p.m. on March 8th and from 8:30 a.m. to noon on March 9th. Agenda items will include: Policy Review Board Guidance Review; Strategic Assessment—Study Update; Memorandum of Understanding—Draft Review; Minority Networking Project—Status Report; and FY94 Project Planning Workshop.

The meeting is open to the public.

**Douglas A. Lipka,**

*Acting Director, Gulf of Mexico Program.*

[FR Doc. 94–3749 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–M

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[FRL–4838–8]

## Report on the Technical Workshop on WTI Incinerator Risk Issues

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of availability.

**SUMMARY:** This notice announces the availability of a report entitled "Report on the Technical Workshop on WTI Incinerator Risk Issues" (EPA/630/R–94/001). This report compiles discussions and presentations from a peer review workshop that was held in Washington, DC, on December 8–9, 1993.

**ADDRESSES:** To obtain a single copy of the report, interested parties should contact the ORD Publications Office, CERI, U.S. Environmental Protection Agency, 26 West Martin Luther King Drive, Cincinnati, OH 45268, Tel: (513) 569–7562. Please provide your name and mailing address, and request the document by the title and EPA number (EPA/630/R–94/001).

**FOR FURTHER INFORMATION CONTACT:** Dr. Mario Mangino, U.S. Environmental Protection Agency Region V, 77 West Jackson Boulevard, Chicago, IL, 60604, Telephone: (312) 353–2197.

**SUPPLEMENTARY INFORMATION:** On December 8 and 9, 1993, EPA held the first of two external peer reviews for risk assessment work for the Waste Technologies, Inc. (WTI) incinerator in East Liverpool, Ohio. For the December meeting (58 FR 60628–60629; November 17, 1993), EPA asked 13 independent scientists from the fields of toxicology, environmental fate and transport, combustion engineering, atmospheric

modeling, and exposure assessment to comment on the scientific and technical aspects of a draft "project plan". Peer reviewers focused on scientific data, methods, and analyses, along with the related assumptions and uncertainties that would be used to describe risk at the site.

This report collects workshop papers, including summary statements prepared by the chairperson for each workshop topic. Workshop participants contributed helpful recommendations that can be used in the WTI risk assessment to be conducted during 1994 as well as long-term recommendations for future work.

EPA will consider the expert recommendations in completing the plan and conducting the risk assessment. While the Risk Assessment Forum organized the peer review workshop, EPA Region 5 developed the draft project plan. All future work on implementing peer review recommendations and setting schedules for risk assessment activities for the incinerator will be handled by Region 5 in conjunction with the Office of Solid Waste and Emergency Response, and, as needed, other Agency offices. At a second meeting, currently projected to be held later this year, EPA will seek expert peer review of the draft risk assessment report.

Dated: February 1, 1994.

**Gary J. Foley,**

*Assistant Administrator for Research and Development.*

[FR Doc. 94–3748 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4839–1]

## Enterprise Recovery Systems Site; Proposed De Minimis Settlement

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed *de minimis* settlement.

**SUMMARY:** Under section 122(g)(4) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has offered to approximately 300 potentially responsible parties an Administrative Order on Consent (AOC) to settle claims for past and future removal actions at the above-referenced Site. EPA will consider public comments on the proposed settlement for 30 days. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicate that the proposed settlement is inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Elizabeth B. Davis, Assistant Regional Counsel, U.S. Environmental Protection Agency, Region IV, Office of Regional Counsel, 345 Courtland Street NE., Atlanta, Georgia 30365, (404) 347–2641, ext. 2283.

Written comments may be submitted to Ms. Davis within 30 days of the date of publication.

Dated: February 7, 1994.

**H. Kirk Lucius,**

*Acting Director, Waste Management Division.*

[FR Doc. 94–3750 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–M

[OPPTS–40026; FRL–4759–6]

## Conditional Exemptions from TSCA Section 4 Test Rules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA is granting conditional exemptions from Toxic Substances Control Act (TSCA) section 4 test rule requirements to certain manufacturers of chemical substances subject to these rules.

**DATES:** These conditional exemptions are effective on February 18, 1994.

**FOR FURTHER INFORMATION CONTACT:** Susan B. Hazen, Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–543B, 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD (202) 554–0551.

**SUPPLEMENTARY INFORMATION:** This notice grants conditional exemptions from TSCA section 4 test rule requirements to all manufacturers of the chemical substances identified below who submitted exemption applications in accordance with 40 CFR 790.80. In each case, EPA has received a letter of intent to conduct the testing from which exemption is sought. Accordingly, the Agency has conditionally approved these exemption applications because the conditions set out in 40 CFR 790.87 have been met. All conditional exemptions thus granted are contingent upon successful completion of testing and submission of data by the test sponsors according to the requirements of the applicable test rule.

If the test requirements are not met and EPA terminates a conditional exemption under 40 CFR 790.93, the Agency will notify each holder of an affected conditional exemption by certified mail or **Federal Register** notice.

This conditional approval applies to all manufacturers which submitted exemption applications for testing of the chemical substances named in the final test rules listed below from January 1, 1993 through December 31, 1993.

| Chemicals | CAS No. | 40 CFR Citation | Company |
|---|---|---|---|
| 9,10-anthraquinone | 84–65–1 | 799.500 | C. H. Powell Company |
| dichlorobenzene | 95–50–1 | 799.1052 | The Glidden Company |
| 1,3-dichloropropanol | 96–23–1 | 799.5055 | McGean-Rohco, Inc. |
| diethylene glycol butyl ether acetate | 124–17–4 | 799.1560 | BASF Corp. |
| 2-ethylhexanol | 104–76–7 | 799.1645 | Glidden Company<br>3M |
| isopropanol | 67–63–0 | 799.2325 | AKZO |
| 2-mercaptobenzothiazole | 149–30–4 | 799.2475 | Prochimie International, Inc. |
| **Multi-Substance Rule for the Testing of Neurotoxicity.** | | | |
| acetone | 67–64–1 | 799.5050 | Appleton Papers Inc.<br>Alabama River Pulp Company, Inc.<br>American Standox, Inc.<br>BASF Corp.<br>BF Goodrich Co.<br>Boise Cascade Corp. |

| Chemicals | CAS No. | 40 CFR Citation | Company |
|---|---|---|---|
| | | | Bowater Inc.<br>Buckeye Florida<br>Champion International Corporation<br>Chesapeake Paper Products Company<br>Ciba-Geigy Corp.<br>Consolidated Papers Inc.<br>Container Corporation of America<br>DuPont<br>Federal Paper Board Company, Inc.<br>Fel-Pro, Inc.<br>Finch, Pruyn Company, Inc.<br>Ford Motor Co.<br>Frazee Industries, Inc.<br>Gaylord Container Corp.<br>General Motors<br>Georgia-Pacific Corp.<br>Gilman Paper Company<br>P.H. Glatfelter Co.<br>Glidden Co.<br>Great Lakes Chemical Corp.<br>Green Bay Packaging, Inc.<br>Guardsman Products, Inc.<br>Gulf States Paper Corp.<br>Inland Container Corp.<br>ITT Rayonier Inc.<br>International Paper<br>Interstate Paper Corp.<br>Jefferson Smurfit Corp.<br>James River Corp.<br>Lincoln Pulp and Paper Co., Inc.<br>Longview Fibre Co.<br>3M<br>MacMillan Bloedel Inc.<br>Mead Corp.<br>Miles Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>Port Townsend Paper Corp.<br>Potlatch Corp.<br>Pratt & Lambert, Inc.<br>St. Joe Forest Products Co.<br>Scott Paper Co.<br>Sherman Williams<br>Simpson Paper Co.<br>Stone Container Corp.<br>Temple-Inland Forest Products Corp.<br>Troy Corp.<br>Union Camp Corp.<br>Wacker Silicones Corp.<br>Westvaco Corporation<br>Weston Paper and Manufacturing Co.<br>Willamette Industries, Inc.<br>Zeneca Specialties |
| n-amyl acetate | 628-63-7 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>DuPont<br>Ford Motor Company<br>General Motors<br>Guardsman Products, Inc.<br>3M<br>Miles<br>Packaging Corporation of America<br>Pratt & Lambert, Inc.<br>Sherman Williams<br>Troy Corp.<br>Zeneca Specialties |
| 1-butanol | 71-36-3 | 799.5050 | American Standox, Inc.<br>Aristech Chemical Corp.<br>BASF Corp.<br>Bowater Inc.<br>BYK Chemie |

| Chemicals | CAS No. | 40 CFR Citation | Company |
|---|---|---|---|
| | | | Cray Valley Products, Inc.<br>DuPont<br>Ethyl Corp.<br>Ford Motor Co.<br>Frazee Inc.<br>General Motors<br>Glidden Co.<br>Great Lakes Chemical Corp.<br>Guardsman Products, Inc.<br>Lilly Industries, Inc.<br>3M<br>Miles Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>PPG Industries, Inc.<br>Pratt & Lambert, Inc.<br>RHEOX Inc.<br>Sherman Williams Co.<br>Troy Corp.<br>Wacker Silicones Corporation<br>Westvaco Corp.<br>Willamette Industries<br>Zeneca Specialties |
| n-butyl acetate | 123–86–4 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>Brenntag Interchem, Inc.<br>Courtaulds Coatings<br>Cray Valley Products, Inc.<br>DuPont<br>Ford Motor Co.<br>Frazee Industries, Inc.<br>General Motors<br>Glidden Co.<br>Guardsman Products, Inc.<br>3M<br>Miles Inc.<br>Morton International, Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>PPG Industries, Inc.<br>Pratt & Lambert, Inc.<br>RHEOX Inc.<br>Sherman Williams<br>Troy Corp.<br>Zeneca Specialties |
| diethyl ether | 60–29–7 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>DuPont<br>Ford Motor Co.<br>General Motors<br>Guardsman Products, Inc.<br>3M<br>Miles Inc.<br>Packaging Corporation of America<br>Sherman Williams Co.<br>Zeneca Specialties |
| 2-ethoxyethanol | 110–80–5 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>Ford Motor Co.<br>General Motors<br>Guardsman Products, Inc.<br>3M<br>Miles Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>PPG Industries, Inc.<br>Pratt & Lambert, Inc.<br>Sherman Williams Co.<br>Troy Corp. |

| Chemicals | CAS No. | 40 CFR Citation | Company |
|---|---|---|---|
| | | | Zeneca Specialties |
| ethyl acetate | 141–78–6 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>Courtaulds Coatings<br>Cray Valley Products, Inc.<br>DuPont<br>Ford Motor Company<br>Fuji Photo Film, Inc.<br>General Motors<br>Glidden Company<br>Guardsman Products, Inc.<br>Great Lakes Chemical Corp.<br>3M<br>Miles Inc.<br>Morton International, Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>Pratt & Lambert, Inc.<br>RHEOX Inc.<br>Sherman Williams Co.<br>Zeneca |
| isobutyl alcohol | 78–83–1 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>Courtaulds Coatings<br>DuPont<br>Ford Motor Co.<br>Frazee Industries, Inc.<br>General Motors<br>Glidden Co.<br>Guardsman Products, Inc.<br>Lilly Industries Inc.<br>Miles Inc.<br>3M<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>PPG Industries, Inc.<br>Pratt & Lambert, Inc.<br>RHEOX Inc.<br>Sherman Williams Co.<br>Troy Corp.<br>Union Camp Corp.<br>Zeneca Specialties |
| methyl isobutyl ketone | 108–10–1 | 799.5050 | Alabama River Pulp Company, Inc.<br>American Standox, Inc.<br>BASF Corp.<br>Boise Cascade Corp.<br>BonaKemi USA, Inc.<br>Bowater Inc.<br>Buckeye Florida<br>Champion International Corp.<br>Consolidated Papers Inc.<br>Container Corporation of America<br>Courtaulds Coatings<br>DuPont<br>Federal Paper Board Company, Inc.<br>Ford Motor Co.<br>Frazee Industries, Inc.<br>Gaylord Container Corp.<br>General Motors<br>Georgia-Pacific Corp.<br>Gilman Paper Co.<br>P. H. Glatfelter Co.<br>Glidden Co.<br>Great Lakes Chemical Corp.<br>Green Bay Packaging, Inc.<br>Guardsman Products, Inc.<br>High Point Chemical Corp.<br>International Paper<br>Interstate Paper Corp.<br>James River Corp. |

| Chemicals | CAS No. | 40 CFR Citation | Company |
|---|---|---|---|
| | | | Jefferson Smurfit Corp.<br>Lincoln Pulp and Paper Co., Inc.<br>Longview Fibre Co.<br>MacMillan Bloedel Inc.<br>3M<br>Mead Corp.<br>Miles Inc.<br>Nippon Paint (America) Corp.<br>Packaging Corporation of America<br>P. H. Glatfelter Co.<br>Potlatch Corp.<br>PPG Industries, Inc.<br>Pratt & Lambert, Inc.<br>RHEOX Inc.<br>St. Joe Forest Products Co.<br>Scott Paper Co.<br>Sherman Williams Co.<br>Simpson Paper Co.<br>Smurfit Newsprint Corp.<br>Stone Container Corp.<br>Temple-Inland Forest Products Corp.<br>Union Camp Corp.<br>Westvaco Corp.<br>Zeneca Specialties |
| tetrahydrofuran | 109–99–9 | 799.5050 | American Standox, Inc.<br>BASF Corp.<br>Bowater Inc.<br>Ford Motor Co.<br>General Motors<br>Guardsman Products, Inc.<br>3M<br>Miles Inc.<br>Packaging Corporation of America<br>Sherman Williams Co.<br>Zeneca Specialties |

As provided in 40 CFR 790.80, processors are not required to apply for an exemption or conduct testing unless EPA so specifies in a test rule or in a special **Federal Register** notice.

**Authority:** 15 U.S.C. 2601,2603.

Dated: February 8, 1994.

**Denise M. Keehner,**

*Acting Director, Chemical Control Division, Office of Pollution Prevention and Toxics.*

[FR Doc. 94–3759 Filed 2–17–94; 8:45 am]

BILLING CODE 6560–50–F

## FEDERAL COMMUNICATIONS COMMISSION

### Public Information Collection Approved by Office of Management and Budget

The Federal Communications Commission (FCC) has received Office of Management and Budget (OMB) approval for the following public information collections pursuant to the Paperwork Reduction Act of 1980, Public Law 96–511. For further information contact Shoko B. Hair, Federal Communications Commission, (202) 632–6934.

**Federal Communications Commission**

*OMB Control No.:* 3060–0395.

*Title:* Automated Reporting and Management Information Systems (ARMIS)—Sections 43.21 and 43.22 (FCC Reports 43–05 and 43–07).

*Expiration Date:* 04/30/96.

*Estimated Annual Burden:* 151,868 total hours; 941.38 hours per response.

*Description:* ARMIS was implemented to facilitate the timely and efficient analysis of revenue requirements and rates of return, to provide an improved basis for audit and other oversight functions and to enhance the Commission's ability to quantify the effects of alternative policy proposals. ARMIS also includes service quality and infrastructure reporting. The FCC Reports 43–05 and 43–07 are used to monitor the quality of service provided by the local exchange carriers (LECs) under price caps. Such monitoring allows the Commission to observe the success of incentive regulation, and to become aware of any falling off of service quality or infrastructure development.

*OMB Control No.:* 3060–0106.

*Title:* Reports of Overseas Telecommunications Traffic—Section 43.61, FCC Report 43.61.

*Expiration Date:* 12/31/96.

*Estimated Annual Burden:* 2,340 total hours; 18.28 hours per response.

*Description:* FCC Report 43.61 is an annual reporting requirement imposed on common carriers engaged in the provision of overseas telecommunications services. The reported data is useful for international planning, facility authorization, monitoring emerging developments in communications services, analyzing market structures, tracking the balance of payments in international communications services, and market analysis purposes. The reported data enables the Commission to fulfill its regulatory responsibilities.

*OMB Control No.:* 3060–0168.

*Title:* Reports of Proposed Changes in Depreciation Rates—Section 43.43.

*Expiration Date:* 10/31/96.

*Estimated Annual Burden:* 120,000 total hours; 10,000 hours per response.

*Description:* Dominant communication common carriers with annual operating revenues of $100 million or more are required to file a report showing any proposed changes to

their depreciation rates schedule at least 90 days prior to the effective date of the proposed changes pursuant to 47 CFR 43.43. The information filed is used by the Commission to establish the proper depreciation rates to be charged by the carriers.

*OMB Control No.:* 3060–0165.

*Title:* Records to be Maintained and Reports to be Filed, Section 41.31.

*Expiration Date:* 11/30/96.

*Estimated Annual Burden:* 408 total hours; 6 hours per response.

*Description:* Section 210 of the Communications Act of 1934, as amended, 47 U.S.C. 210, requires that common carriers subject to the Act maintain records to reflect the name, address, etc., of persons holding telephone or telegraph franks, so as to enable the Commission and/or carriers to compile, if needed, reports in this area.

*OMB Control No.:* 3060–0147.

*Title:* Extension of Unsecured Credit for Interstate and Foreign Communications Services to Candidates for Federal Office, Section 64.804.

*Expiration Date:* 11/30/96.

*Estimated Annual Burden:* 208 total hours; 8 hours per response.

*Description:* Communications common carriers with operating revenues exceeding $1 million who extend unsecured credit to a candidate or person on behalf of such candidates for federal office must file with the FCC a report including due and outstanding balances. The information is used for monitoring purposes.

*OMB Control No.:* 3060–0076.

*Title:* Annual Employment Report for Common Carriers, FCC Form 395.

*Expiration Date:* 12/31/96.

*Estimated Annual Burden:* 1,200 total hours; 1 hour per response.

*Description:* The Annual Employment Report is submitted by certain common carrier licensees and permittees. The data is intended to assess compliance with equal employment opportunity requirements. Data is used by the FCC, Congress, the U.S. Commission on Civil Rights, EEOC, NTIA and public interest groups. A Public Notice will be issued to announce the availability of the 1994 edition of the FCC Form 395.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 94–3683 Filed 2–17–94; 8:45 am]

BILLING CODE 6712–01–M

## FEDERAL EMERGENCY MANAGEMENT AGENCY

### Public Information Collection Requirements Submitted to OMB for Review

**ACTION:** Notice.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following public information collection requirements for review and clearance in accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

**DATES:** Comments on this information collection must be submitted on or before April 19, 1994.

**ADDRESSES:** Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: the FEMA Information Collections Clearance Officer at the address below; and to Gary Waxman, Office of Management and Budget, 3235 New Executive Office Building, Washington, DC 20503, (202) 395–7340, within 60 days of this notice.

**FOR FURTHER INFORMATION CONTACT:** Copies of the above information collection request and supporting documentation can be obtained by calling or writing Muriel Anderson, FEMA Information Collections Clearance Office, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2624.

*Type*: Reinstate 3067–0219 which has expired.

*Title*: Approval and Coordination of Requirements to Use the NETC for Extracurricular Training Activities—FEMA Form 75–10, Request for Housing Accommodations, and FEMA Form 75–11, Request for Use of NETC Facilities.

*Abstract*: The NETC is a FEMA facility which houses the Emergency Management Institute (EMI) and the National Fire Academy (NFA). The NETC provides training and education programs for Federal, State, and local personnel in hazard mitigation, emergency preparedness, fire prevention and control, disaster response, and longterm disaster discovery. The training is carried out both through a resident program at a central campus facility located in Emmitsburg, Maryland, and through an outreach program which makes courses available at the State and local levels throughout the country.

Special groups sponsored by the EMI or NFA may use NETC facilities to conduct activities closely related to and in direct support of the EMI or NFA. Such groups include other Federal departments and agencies, groups chartered by Congress such as the American Red Cross, State and local governments, volunteer groups and national and international associations representing State and local governments.

FEMA's policy is to accommodate other training activities on a space available basis at the Emmitsburg, Maryland campus.

The data will be used to coordinate extracurricular training activities at the NETC. Such training is that over and above regularly scheduled training sessions of EMI and NFA. FEMA Form 75–10, Request for Housing Accommodations, will be used by Special Groups, FEMA and other Federal agency employees, Adjunct Faculty, and Guest Speakers to request lodging; FEMA Form 75–11, Request for Use of NETC Facilities, will be used by Special Groups to request space at the NETC to conduct classes, meetings, or conferences.

*Type of Respondents*: Individuals or households, State or local governments, Businesses or other for-profit, Federal agencies or employees, Non-profit institutions.

*Estimate of Total Annual Reporting and Recordkeeping Burden*: 130 hours.

*Number of Respondents*: 1,200.

*Estimated Average Burden Time per Response*: 7 minutes.

*Frequency of Response*: One-time.

**Wesley C. Moore,**

*Director, Office of Administrative Support.*

[FR Doc. 94–3768 Filed 2–17–94; 8:45 am]

BILLING CODE 6718–01–M

### Public Information Collection Requirements Submitted to OMB for Review

**ACTION:** Notice.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following public information collection requirements for review and clearance in accordance with the Paperwork Reduction Act of 1980, 44 U.S.C. chapter 35.

**DATES:** Comments on this information collection must be submitted on or before April 19, 1994.

**ADDRESSES:** Direct comments regarding the burden estimate or any aspect of this information collection, including suggestions for reducing this burden, to: The FEMA Information Collections Clearance Officer at the address below; and to Gary Waxman, Office of Management and Budget, 3235 New

Executive Office Building, Washington, DC 20503, (202) 395–7340, within 60 days of this notice.

**FOR FURTHER INFORMATION CONTACT:** Copies of the above information collection request and supporting documentation can be obtained by calling or writing Muriel B. Anderson, FEMA Information Collections Clearance Officer, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–2624.

*Type:* Revision to 3067–0172.

*Title:* Radiological Protection Program Data Base (RADPRO).

*Abstract:* The RADPRO data base is designed to track the status of State and local government radiological defense systems. With this data, FEMA is able to determine if State and local governments have adequate personnel, training, equipment, and funding to ensure that a viable and effective radiological defense response capability is developed and maintained throughout the country. The data is collected by the State Radiological Protection Officer as a work product of the Federal-State Comprehensive Cooperative Agreement, maintained in the RADPRO data base which is updated as changes occur, and transmitted to FEMA quarterly.

*Type of Respondents:* State and local governments.

*Estimate of Total Annual Reporting and Recordkeeping Burden:* 2,800 hours.

*Number of Respondents:* 5,600.

*Estimated Average Burden Time per Response:* 30 minutes.

*Frequency of Response:* Annual review of data base. Quarterly transmission of updated records to FEMA.

Dated: February 9, 1994.

**Wesley C. Moore,**

*Director, Office of Administrative Support.*

[FR Doc. 94–3767 Filed 2–17–94; 8:45 am]

BILLING CODE 6718–01–M

## GENERAL SERVICES ADMINISTRATION

### Public Building Service

### Proposed United States Courthouse-Federal Building, City of Sacramento, CA; Availability for a Draft Environmental Impact Statement

The U.S. General Services Administration (GSA) hereby gives notice that a Draft Environmental Impact Statement (DEIS) has been prepared in accordance with the National Environmental Policy Act (NEPA) for a proposed new U.S. Courthouse-Federal Building within the downtown area of the City of Sacramento, California. The proposed site is bordered by H Street to the North, I Street to the South, 5th Street to the West, and 6th Street to the East.

The DEIS is on file and may be obtained from U.S. General Services Administration Region 9, Attn: Lou Lopez, Public Buildings Service, Planning Staff (9PL), 525 Market Street, 35th Floor, San Francisco, California 94105–2799 ((415) 744–5253). A limited number of copies of the DEIS are available to fill single copy requests. Loan copies of the DEIS are available for review at the GSA Sacramento Field Office, 650 Capitol Mall, suite 5515, Sacramento, California.

A public meeting is scheduled to provide the community with an opportunity to submit oral and written comments on the DEIS. The meeting will be held on March 10, 1994 from 3 p.m. to 6 p.m. in room 6537, 6th floor, at John E. Moss Federal Building-U.S. Courthouse, 650 Capitol Mall, Sacramento, California. In addition, final written comments on the DEIS can be submitted to the GSA San Francisco address above and will be accepted until the closing of the public review period on March 24, 1994.

Dated: February 10, 1994.

**Aki K. Nakao,**

*Acting Regional Administrator (9A).*

[FR Doc. 94–3800 Filed 2–17–94; 8:45 am]

BILLING CODE 6820–23–M

### Steering Committee for the African Burial Ground, New York, NY; Meeting

Notice is hereby given that the Steering Committee for the African Burial Ground, New York, NY, (Steering Committee) will hold its regular monthly meetings, until further notice, on the fourth Monday of each month, beginning with Monday, February 28, 1994. All meetings will begin at 6 p.m. and will be held in the 2nd floor archives of the Schomburg Center for Research in Black Culture, New York Public Library, 515 Malcolm X Boulevard (at 135th Street), New York, NY. Meetings may be continued to the following day(s), if necessary, and shall be so announced during the meeting. Seating may be limited. Please call (212) 264–0456 prior to each meeting to confirm the date, time, and location of the meeting. At the meetings the Steering Committee will consider such matters properly coming before it under its charter and its rules and regulations.

All meetings will be open to the public. Members of the public at large, as may be recognized by the Chairman of the Steering Committee and as permitted by the Steering Committee's rules, will be permitted to speak at the meetings at designated times as provided in the resolutions and rules of the Steering Committee. In addition, written comments by any person may be directed to any aspect of the Steering Committee's mission and other questions regarding the Steering Committee's meetings may be directed to: Chairman Howard Dodson, Chief, Schomburg Center for Research in Black Culture, New York Public Library, 515 Malcolm X Boulevard, New York, NY 10037–1801, Tel: (212) 491–2200. Copies of such written comments may be sent to Robert W. Martin, Deputy Regional Administrator, General Services Administration, Region 2, 26 Federal Plaza, New York, NY 10278.

Dated: February 7, 1994.

**Robert W. Martin,**

*Deputy Regional Administrator.*

[FR Doc. 94–3803 Filed 2–17–94; 8:45 am]

BILLING CODE 6820–34–M

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

**[Docket No. 93N–0471]**

### American Cyanamid Co.; Withdrawal of Approval of NADA

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is withdrawing approval of a new animal drug application (NADA) held by American Cyanamid Co. The NADA provides for the use of maduramicin ammonium in combination with chlortetracycline in the feed of broiler chickens for prevention of coccidiosis and as an aid in the reduction of mortality due to *Escherichia coli* infections. The firm requested the withdrawal of the approval of the NADA. In a final rule published elsewhere in this issue of the **Federal Register**, FDA is amending the regulations by removing the portion of the regulation which reflects approval of the NADA.

**EFFECTIVE DATE:** February 28, 1994.

**FOR FURTHER INFORMATION CONTACT:** Mohammad I. Sharar, Center for Veterinary Medicine (HFV–216), Food and Drug Administration, 7500 Standish Pl., Rockville MD 20855, 301–594–0749.

**SUPPLEMENTARY INFORMATION:** American Cyanamid Co., Agricultural Research

Division, Box 400, Princeton, NJ 08450, is the sponsor of NADA 140–837 that provides for the use of 4.54 to 5.45 grams (g) per ton of maduramicin ammonium combination with 500 g per ton of chlortetracycline in the feed of broiler chickens for the prevention of coccidiosis and as an aid in the reduction of mortality due to *E. coli* infections. American Cyanamid requested withdrawal of the NADA approval.

Therefore, under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Center for Veterinary Medicine (21 CFR 5.84), and in accordance with § 514.115 *Withdrawal of approval of applications* (21 CFR 514.115), notice is given that approval of NADA 140–837 and all supplements and amendments thereto is hereby withdrawn, effective February 28, 1994.

In a final rule published elsewhere in this issue of the **Federal Register**, FDA is amending 21 CFR 558.128(c)(5)(xiii) and 558.340(c)(2) to reflect withdrawal of the approval.

Dated: February 9, 1994.

**Richard H. Teske,**

*Acting Director, Center for Veterinary Medicine.*

[FR Doc. 94–3714 Filed 2–17–94; 8:45 am]

BILLING CODE 4160–01–F

## Health Care Financing Administration

**[OPA–011–N]**

### Medicare Program; Meeting of the Practicing Physicians Advisory Council

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

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces a meeting of the Practicing Physicians Advisory Council. This meeting is open to the public.

**DATES:** The meeting is scheduled for March 7, 1994, from 8 a.m. until 5 p.m. e.s.t. (Additional meetings are tentatively scheduled for June 6, September 12, and December 12, 1994.)

**ADDRESSES:** The meeting will be held in room 800, 8th Floor of the Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201.

**FOR FURTHER INFORMATION CONTACT:** Martha DiSario, Executive Director, Practicing Physicians Advisory Council, room 425–H, Hubert H. Humphrey Building, 200 Independence Avenue, SW., Washington, DC 20201. (202) 690–7874.

**SUPPLEMENTARY INFORMATION:** The Secretary of the Department of Health and Human Services (the Secretary) is mandated by section 1868 of the Social Security Act, as added by section 4112 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508), enacted on November 5, 1990, 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 Health Care Financing Administration not later than December 31 of each year.

The Council consists of 15 physicians, each of whom has 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 must be doctors of medicine or osteopathy authorized to practice medicine and surgery by the States in which they practice. Members have been invited to serve for overlapping 4-year terms.

The current members are: Gary C. Dennis, M.D.; Harvey P. Hanlen, D.O.; Kenneth D. Hansen, M.D.; Isabel V. Hoverman, M.D.; Ramon L. Jimenez, M.D.; Jerilyn S. Kaibel, D.C.; William D. Kirsch, D.O.; Marie G. Kuffner, M.D.; David L. Massanari, M.D.; Kenton K. Moss, M.D.; Susan W. Owens, M.D.; Isadore Rosenfeld, M.D.; Richard B. Tompkins, M.D.; James C. Waites, M.D.; and Gary L. Yordy, M.D. The chairperson is Richard B. Tompkins, M.D.

The eighth meeting of the Council will be held on March 7, 1994. The following topics will be discussed at that meeting:

- Durable medical equipment/certificates of medical necessity.
- Evaluation and management codes.

Those individuals or organizations who wish to make 10-minute oral presentations on the above issues must contact the Executive Director to be scheduled. For the name, address, and telephone number of the Executive Director, see the **FOR FURTHER INFORMATION CONTACT** section at the beginning of this notice. Please submit a written copy of the oral remarks to the Executive Director by February 28, 1994. The number of oral presentations may be limited by the time available.

Anyone who is not scheduled to speak may submit written comments to the Executive Director. The meeting is open to the public but attendance is limited to the space available on a first-come basis.

**Authority:** Section 1868 of the Social Security Act (42 U.S.C. 1395ee) and section 10(a) of Public Law 92–463 (5 U.S.C. App. 2, section 10(a)); 45 CFR part 11.

(Catalog of Federal Domestic Assistance Program No. 93.773, Medicare—Hospital Insurance; and Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: February 14, 1994.

**Bruce C. Vladeck,**

*Administrator, Health Care Financing Administration.*

[FR Doc. 94–3821 Filed 2–17–94; 8:45 am]

BILLING CODE 4120–01–P

## National Institutes of Health

### Opportunity for a Cooperative Research and Development Agreement (CRADA) for Development of an Immortalized Fetal Glial Cell Line as a Delivery System for Treatment of Various Neurological Disorders

**AGENCY:** National Institutes of Health, PHS, DHHS.

**ACTION:** Notice.

**SUMMARY:** The National Institutes of Health, (NIH) seeks an agreement with a company(ies) which will assist in the further development and commercialization of an immortalized fetal glial cell line for its use as a delivery system for recombinant proteins, drugs, and other pharmaceutical therapeutics for the treatment of various neurological disorders. The National Institute of Neurological Disorders and Stroke (NINDS) believes the technology can be utilized in the treatment of several neurological disorders. The NINDS reserves the right to entertain the possibility of being involved in CRADAs with multiple Companies for the co-development of this delivery system for its use in different neurological disorders.

**DATES:** Proposals must be received by April 29, 1994.

**ADDRESSES:** Questions about this opportunity may be addressed to Stephen Finley, Ph.D., National Institutes of Health, NINDS, 9000

Rockville Pike, Building 31, room 8A46, Bethesda, MD 20892. Telephone 301–496–4697.

**SUPPLEMENTARY INFORMATION:** The NINDS has been issued a patent (Patent #4,707,448) entitled "Immortal Line of Human Fetal Glial Cells," and currently has a patent application (Serial # 08/046,527), entitled "Use of Neuro-derived Fetal Cell Line for Transplantation Therapy" for the use of the patented cell line as a delivery system. The NINDS's Laboratory of Molecular Medicine & Neuroscience/ Molecular Medicine and Virology Section (MMN/MMV) has continued its characterization and investigation into the use of this cell line, designated SVG, as a delivery system for recombinant proteins, drugs, or therapeutics into the central nervous system and potentially other organs.

The use of transplanted fetal cells for the treatment of Parkinson's disease, as well as other neurological disorders, has met with varying degrees of success. The use of fresh fetal cells are known to have several disadvantages. For example, even though rigorous screening methods are conducted, there is no guarantee of having infectious free, fresh fetal cells for transplantation. The physical characteristics of fresh fetal cells are uncontrollable (i.e. age, cell type) and generally lack experimental support data. Also, the use of immunosuppressives are required to prevent host rejection of these cells.

Cell lines are easily modified for research and are considered to be a viable alternative to the transplantation of fresh fetal cells. Unfortunately, cell lines also have inherent transplantation problems. Genetically unrelated cells require immunosuppressives to prevent host rejection, and a transformed cell line carries a pre-disposition to tumor formation.

We believe the SVG cell line to be a solution to these and other transplantation problems. These brain derived cells have the same physical characteristics and are easily modified by conventional molecular genetic techniques. *In vitro* and *in vivo* testing has shown the SVG cell lines to be non-oncogenic and non-inflammatory. Also, transfected SVG cells were shown to cause the expression of the desired gene.

Role of NINDS:

1. The Government will continue to proceed with the development of SVG for clinical trials and may provide access to NINDS facilities for the clinical trials to CRADA selectee(s).

2. NINDS will derive *in vivo* data in non-human primate and *in vitro* data establishing SVG's efficacy for FDA support.

The role of successful company(ies) under the CRADA will include the following:

1. Provide expertise for the clinical development of the SVG cell line leading to FDA approval for the marketing of products for therapeutic use.

2. Cost sharing with the NINDS's MMN/MMV for continued clinical development of the cell line.

Criteria for selecting the company(ies) include but are not limited to the following:

1. Experience in the development of products for clinical use.

2. Experience in preclinical and clinical drug development.

3. Experience and ability to produce, package, market and distribute products in the United States and to provide the product at a reasonable cost.

4. Experience in the monitoring, evaluation, and interpretation of the data from an investigational agent clinical studies under an IND.

5. A willingness to cost share in the development of SVG as outlined above. This includes evaluation of SVG cells in non-human primates, production of SVG cells and its modified recombinant in adequate amounts for future clinical trials and marketing.

6. The execution of an agreement to be bound by the DHHS rules involving human and animal subjects.

7. The aggressiveness of the development plan, including the appropriateness of milestones and deadlines for preclinical and clinical trials.

Dated: February 3, 1994.

**Donald Christoferson,**

*Acting Director, Office of Technology Transfer, National Institutes of Health.*

[FR Doc. 94–3733 Filed 2–17–94; 8:45 am]

**BILLING CODE 4140–01–M**

## Government-Owned Inventions; Availability for Licensing

**AGENCY:** National Institutes of Health, HHS.

**ACTION:** Notice.

The inventions listed below are owned by agencies 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 U.S. companies and may also be available for licensing.

**ADDRESS:** Licensing information and copies of the U. S. patent applications listed below may be obtained by writing to the indicated Licensing Specialist at the Office of Technology Transfer, National Institutes of Health, Box OTT, Bethesda, Maryland 20892 (telephone 301/496–7735; fax 301/402–0220). A signed Confidentiality Agreement will be required to receive copies of the patent applications. Issued patents may be obtained from the Commissioner of Patents, U.S. Patent and Trademark Office, Washington, DC 20231.

### Modification of Hepatitis B Virus Infection in Chronic Carriers of Hepatitis B Surface Antigens

Gerin, J.L., Levy, H.B., Merigan, T.C., Purcell, R.H. (NIAID)
Serial No. 05/786,202 filed 11 Apr 77
U.S. Patent 4,140,761 issued 20 Feb 79
Licensing Contact: Girish C. Barua

Interferon introduced parenterally in a human host or stimulated by an inducer (PICLC) for a period of greater than 21 days results in major decrease in all markers of infectivity, such as DNA polymerase, and such markers remain at a depressed level during the period of treatment. Long-term treatment with exogenous interferon of greater than 21 days and up to 14 months results in clinical improvement for chronic hepatitis B virus (HBV) infection and this long-term treatment has resulted in sustained improvement even after cessation of treatment as well as resulting in decrease in infectivity risk to others in close proximity to the infected human host.

### Detection of Non-B Hepatitis Associated Antigens

Tabor, E., Gerety, R.J. (FDA)
Serial No. 06/040,921 filed 21 May 79
U.S. Patent 4,356,164 issued 26 Oct 82
Licensing Contact: Girish C. Barua

A method to detect highly transmittable agent of non-A, non-B hepatitis using a counterelectrophoresis analysis. The method may also be applied in the recipients of blood transfusion and for screening blood donors where the donor had transmitted by transufison non-A, non-B hepatitis antigens several years previously.

### Detection of Non-A, Non-B Hepatitis Associated Antigens

Tabor, E., Gerety, R.J. (FDA)
Serial No. 06/319,995 filed 10 Nov 81
[CIP of 06/192,291 (ABAN), CIP of 06/060,921]
U.S. Patent 4,395,395 issued 26 Jul 83
Licensing Contact: Girish C. Barua

In the detection of transmittable agent of non-A, non-B hepatitis a method is

described in this invention utilizing antigen-antibody reaction and preferred counterelectrophoresis technique for detection of said antigen.

**Heat Treatment of Non-A, Non-B Hepatitis Agent To Prepare a Vaccine**

Tabor, E., Gerety, R.J. (FDA)

Serial No. 06/343,026 filed 27 Jan 82

U.S. Patent 4,438,098 issued 20 Mar 84

Licensing Contact: Girish C. Barua

A method of treating the agent of human non-A, non-B hepatitis to render it incapable of causing infection which comprises heating said agent at about 60 deg. C for about 10 hours and recovering the treated protective agent, which could be utilized as a vaccine.

**Screening Test for Reverse-Transcriptase Containing Virus Such as Non-A, Non-B Hepatitis, NANBH**

Seto, B.P., Gerety, R.J., Coleman, W.G. (FDA)

Serial No. 06/665,400 filed 26 Oct 84

U.S. Patent 4,707,439 issued 17 Nov 87

Licensing Contact: Girish C. Barua

The invention covers a screening test for detecting the presence of contaminating or infectious agents causing non-A, non-B hepatitis or AIDS in a blood donor setting. A kit for detecting contaminating agents belongs to retrovirus is also disclosed. Screening blood or blood related products so as to prevent spreading of infection or contamination due to retroviruses is now possible by the present invention.

**Purified Antigens From Non-A, Non-B Hepatitis Causing Factor**

Seto, B., Gerety, R.J. (FDA)

Serial No. 06/709,678 filed 8 Mar 85

U.S. Patent 4,673,634 issued 16 Jun 87

Licensing Contact: Girish C. Barua

The invention discloses an isolated and purified antigen specific to non-A, non-B hepatitis (NANBH) causing agent. The utility of the antigen as a diagnostic serologic marker and as screening device for detecting the carrier or source of non-A, non-B hepatitis or infective factor thereof, particularly in a blood bank or plasmapheresis setting and preventing transmission of NANBH by isolating the source is described. Use of the antigens as vaccine to induce protective antibodies capable of neutralizing NANBH infectivity along with a kit for detecting the presence or identifying the carriers or sources of non-A, non-B hepatitis or causative agent thereof is disclosed.

**Retrovirus and Related Method Used for Producing a Model for Evaluating the Anti-Retroviral Effects of Drugs and Vaccines**

McClure, H., Fultz, P., Anderson, D. (CDC)

Serial No. 07/200,843

U.S. Patent 5,212,084 issued 18 May 93

Licensing Contact: Steven M. Ferguson

An HIV-like retrovirus (SIV/SMM) isolated from clinically normal sooty mangabey monkeys provides a rapid means of testing the efficacy of newly developed anti-retroviral drugs and vaccines. These methods are based upon the observation that SIV/SMM has been shown to cause persistent infection and clinical AIDS-like disease when inoculated into rhesus monkeys and pigtailed macaques. Upon collection and re-inoculation into simians seronegative for SIV/SMM, acute clinical disease appears in all recipients within 3 to 5 days that progresses to death shortly thereafter.

**A Sensitive Diagnostic Test for Lyme Disease**

Rosa, P.A., Schwan, T.G. (NIAID)

Serial No. 07/885,077 [FWC of 07/361,850 (ABAN)]

Filed 18 May 92

Licensing Contact: Girish C. Barua

The nucleotide sequence of a recombinant clone containing a specific segment of *Borrelia burgdorferi* DNA which enables the identification of the spirochetes causing Lyme disease has been provided. A diagnostic kit containing oligonucleotide primers derived from this sequence, suitable for the detection of *Borrelia burgdorferi* in a PCR assay, as well as the cloned DNA of the present invention, allows the detection of Lyme disease sprockets with sensitivity and specificity not heretofore attained by any other test.

**Clones Encoding Mammalian ADP-Ribosylarginine Hydrolases**

Moss, J., Stanley, S.J., Nightingale, M.S., Murtagh, J.J.,

Monaco, L., Takada, T. (NHLBI)

Serial No. 07/888,231

Filed 22 May 92

Licensing Contact: Girish C. Barua

The invention relates to the production of mammalian ADP-ribosylarginine hydrolases. These enzymes can be synthesized using recombinant DNA technology. The enzymes catalyze the removal of the ADP-ribose moiety from protein and regulate the ADP-ribose content of protein.

**Specific and Sensitive Diagnostic Test for Lyme Disease**

Simpson, W.J., Schwan, T., Garon, C. (NIAID)

Serial No. 07/898,233 [FWC of 07/427,735 (ABAN)]

Filed 12 Jun 92

Licensing Contact: Girish C. Barua

This patent application describes species-specific DNA sequences in the pathogenic bacterium *Borrelia burgdorferi*. It includes the use of these sequences, other related sequences obtained from the bacteria, and similar DNA sequences generated by recombinant techniques, as DNA probes for the identification of *B. burgdorferi*. The target sequences have been found in multiple locations and are associated with plasmid molecules. Thus, the natural amplification of these target sequences may create a sensitivity advantage over other single-site DNA probe targets.

**Recombinant Vaccinia Virus Expressing Human Retorvirus Gene**

Moss, B., Chakrabarti, S. (NIAID)

Serial No. 07/919,384

Filed 7 Jul 89

Licensing Contact: Girish C. Barua

A recombinant vaccinia virus carrying the HIV gp-160 env gene under control of the early/late vaccinia promoter P7.5 and the *E. coli* lacZ gene under control of the vaccinia P11 promoter all inserted into the vaccinia thymidine kinase gene was made. Cells infected with the virus display the HIV gp 160, gp 120 and gp 41 proteins on their surface. These proteins reacted with the sera from AIDS patients. The recombinant vaccinia virus can be used to make these proteins and also as a vaccine. The recombinant virus and the method of making HIV envelope proteins are claimed.

**Method for Immune Capture and Primary Isolation of Borrelia Burgdorferi**

Dorward, D.W., Schwan, T.G., Garon, C.F. (NIAID)

Serial No. 07/929,172 (CIP of 07/485,551, U.S. Patent 5,217,872 issued 8 Jun 93)

Filed 11 Aug 92

Licensing Contact: Girish C. Barua

This invention relates to novel antigens associated with *Borrelia burgdorferi* which are exported (or shed) *in vivo* and whose detection is a means of diagnosing Lyme disease. The antigens are extracellular membrane vesicles and other bioproducts including the major extracellular protein. The invention further provides antibodies, monoclonal and/or

polyclonal, labeled and/or unlabeled, that react with the antigens. The invention is also directed to a method of diagnosing Lyme disease by detecting the antigens in a biological sample taken from a host using the antibodies in conventional immunoassay formats. The invention further relates to kits, for the diagnosis of Lyme disease, comprising the antibodies and ancillary reagents. The advantage of the antibodies used in the invention is that they react with the antigens from geographically diverse strains of *Borrelia burgdorferi*, but do not react with antigens from related *Borrelia* spirochetes.

**Enzyme Immunoassay for the Detection of a Marker Associated With a Severe Outcome of Hepatitis Delta Virus Inspection**

Fields, H.A., Khudyakov, Y. (CDC)
Serial No. 07/976,358
Filed 17 Nov 92
Licensing Contact: Girish C. Barua

This invention is a method of predicting the development of severe forms of hepatitis delta virus infection (HDV infection) by detecting the presence of anti-HDAg' antibody in patients with HDV infection. The presence of these antibodies is associated with the more severe forms of HDV infection. The invention additionally encompasses an assay for detection of HDAg' antibodies in biological samples, and a vaccine comprising immunologically active HDAg' polypeptides.

**Antigenic Protection of Borrelia Burgdorferi**

Simpson, W.J., Schwan, T.G. (NIAID)
Serial No. 08/020,245 (FWC of 07/664,731)
Filed 19 Feb 93
Licensing Contact: Girish C. Baura

This patent application describes a 39 Kda protein (P39) that is species-specific and expressed by all North American and European *B. burgdorferi* isolates. The discovery includes the cloning and expression of the gene for P39 in *E. coli* and the use of P39 as a diagnostic antigen for the serodiagnosis of Lyme borreliosis. The P39 described in this invention report has been found not only to be species-specific, but reactive only with human Lyme sera. This suggests that any patient's serum that is shown to react to P39, irrespective of the patient's clinical picture, can be diagnosed as having Lyme borreliosis.

**Article and Method for Detecting the Presence of Pathogens in Excreta**

Dobbins, J., Stewart, J.A., Pellett, P., Koopmans, M. (CDC)
Serial No. 08/048,807
Filed 16 Apr 93
Licensing Contact: Girish C. Barua

The present invention provides a diagnostic diaper capable of selectively capturing disease causing agents, such as cytomegalovirus (CMV), from urine. Claims are directed to a diaper with a built in diagnostic assay for infection detectable in excreta, in particular, CMV infection in urine. This invention could be used to screen newborns nationally for infection with CMV since the only current method of detecting CMV infection is to culture the urine, an unsuitable procedure for national screening because of expense, the requirement of special handling, and delayed results.

**Immortalized Human Cell Lines Containing Exogenous Cytochrome P450 Genes**

Harris, C., Gelboin, H., Gonzalez, F., Mace, L., Pfeifer, A. (NCI)
Serial No. 08/065,201
Filed 19 May 93
Licensing Contact: Steven M. Ferguson

Stable, non-tumorigenic human bronchial and liver epithelial cell lines have been developed that are capable of expressing human cytochrome P450 genes. These immortalized cell lines express enzymatically active cytochrome P450 enzymes typically involved in xenobiotic metabolism. Use of these cell lines makes it now possible to design low-cost *in vitro* toxicity tests or screens for food-born and environmental carcinogens, pathogens or mutagens. Previous toxicology testing methods could only be done in animals, bacteria (Ames test) or animal cell culture models and could not always be fully extrapolated to determine human risk.

**Regulator of Contact-Medicated Hemolysin of Mycobacterium Tuberculosis**

King, H.C., Sathish, M., Crawford, J.T., Schinnick, T.M. (CDC)
Serial No. 08/066,830
Filed 24 May 93
Licensing Contact: Girish C. Barua

The present invention shows that virulent strains of *M. tuberculosis* possess hemolytical activity while avirulent strains do not. The invention provides the isolation of a contact hemolysin gene from *M. tuberculosis*. Claims are directed to the gene, to the protein produced and to antibodies specifically reactive with the protein. Claims are also directed to diagnostic tests for infection and tests to the distinguished virulent from avirulent infection.

**Recombinant Disulfide-Stabilized Polypeptide Fragments Having Binding Specificity**

Pastan, I., Lee, B., Jung, S–H, Brinkmann, U. (NCI)
Serial No. 08/077,252
Filed 14 Jun 93
Licensing Contact: Daniel R. Passeri

The present invention relates to disulfide-stabilized recombinant polypeptide molecules which have the binding ability and specificity for another peptide, such as the variable region of an antibody molecule. Methods of producing these molecules and nucleic acid sequences encoding these molecules are also described. In particular, the invention discloses Fv antibody fragments stabilized by a disulfide bond connecting the $V_H$ and $V_L$ regions of the Fv fragment. The $\alpha$ and $\beta$ chains of T cell receptors may be similarly stabilized by means described in the invention.

**Nucleic Acids of a Novel Hantavirus and Reagents for Detection and Prevention of Infection**

Nichol, S.T. (CDC)
Serial No. 08/084,724
Filed 24 Jun 93
Licensing Contact: Girish C. Barua

An outbreak of acute illness in the Four-Corners region of the United States in the spring of 1993 has been associated with the Muerto Canyon strain of hantavirus. The identification of specific nucleotide sequence information for this virus will aid in the development of diagnostic assays and vaccines.

**Diagnostic Reagents and Vaccines for Multiple Genotypes of Hepatitis C Virus**

Bukh, J., Miller, R.H., Purcell, R.H. (NIAID)
Serial No. 08/086,428
Filed 29 Jun 93
Licensing Contact: Girish C. Barua

The invention describes the complete nucleotide and deduced amino acid sequences of the envelope 1 (E1) gene of 51 hepatitis C virus (HCV) isolates from around the world and the grouping of these isolates into twelve distinct HCV genotypes. More specifically, this invention relates to the oligonucleotides, peptides and recombinant proteins derived from the envelope 1 gene sequences of these isolates and to diagnostic methods and vaccines that employ these reagents.

**Poliovirus Specific Primers and Methods of Detection Utilizing the Same**

Kilpatrick, D.R. (CDC)
Serial No. 08/092,110

Filed 13 Jul 93
Licensing Contact: Girish C. Barua

The ability to rapidly detect wild polioviruses in clinical specimens is a major concern for the world-wide eradication of polioviruses. This invention describes a method of detecting polioviruses of all three serotypes from viral isolates of clinical specimens using a pair of degenerate PCR primers. These PCR primers do not recognize nonpoliovirus enteroviruses. All poliovirus serotypes (40 polio vaccine-related genotypes and 120 wild poliovirus genotypes from around the world) tested positive. The poliovirus-specific PCR primer will allow for the rapid diagnosis of whether clinical cases of acute flaccid paralysis are the result of a poliovirus infection.

**MRI Coil Having Inductively Coupled and Individually Tuned Elements Arranged as Free-Pivoting Components**

Wen, H., Chesnick, A.S., Balaban, R.S. (NHLBI)
Serial No. 08/104,849
Filed 12 Aug 93
Licensing Contact: John Fahner-Vihtelic

This application describes an MRI probe/transmitter coil that is composed of concentric cylinders with resonant elements. The probe/transmitter can be tuned using a plurality of freely rotating resonant elements radially mounted between the two cylinders. This invention reduces the effects of subject characteristic variations on the coil resonant frequency in an MRI system. Further, this apparatus increases the sensitivity and efficiency in the magnetic resonance system by raising the Q factor of the probe coil/transmitter. Prototype apparatus effectively reduces the significant coil-subject coupling at high frequencies.

**Novel and Selective Inhibitors of Biogenic Amine Transporters**

Rothman, R.B., Carroll, F.I., Blough, B., Mascarella, S.W. (NIDA)
Serial No. 08/105,747
Filed 12 Aug 93
Licensing Contact: Arthur Cohn

Novel compounds, particularly (2RS, 3aSR, 8aRS)-1,2,3a,8,8a-Hexahydro-2-Benzyl-1-Methyl-Indeno[1,2-b]pyrrole, bind selectively and potently to the PCP site 2 associated with biogenic amine transporters (BAT), and block these transporters. This compound is the first high affinity ligand to be described which clearly distinguishes between the two PCP binding sites. It differs from phencyclidine (PCP) in that: (1) It has no activity at the MK801-sensitive NMDA receptor, (2) it has considerably higher affinity for the norepinephrin transporter, and (3) it does not produce PCP-like behavioral effects in rats. The compound has been shown to raise the extracellular dopamine levels in rats. Thus it may have utility in treating conditions, like Parkinsons Disease and depression, that respond to increased dopamine levels. Radiolabeled compounds of the invention are useful to label PCP site 2.

**Method for Proton Magnetic Resonance Spectroscopie Imaging With Multiple Spin-Echoes**

Moonen, C.T., Duyn, J. (NCRR)
Serial No. 08/106,377
Filed 13 Aug 93
Licensing Contact: John Fahner-Vihtelic

This application describes a new method for proton magnetic resonance spectroscopic imaging. This new method does not have the limiting disadvantages of the previous techniques. The method combines multi-slice and multi-spin-echo techniques for high signal-to-noise ratio per unit time and high efficiency spectroscopic information. This invention can also produce compound weighted spectroscopic images by selecting the period between refocusing pulses according to the coupling constant of a group contained in the compound. Application of a pulse sequence to conventional MRI imaging apparatus allows for rapid acquisition of data for generating spectroscopic images.

**Orally Active Derivatives of 1,3,5(10)-Estratriene**

Kim, H.K, Blye, R.P., Bialy, B. (NICHD)
Serial No. 08/122,853
Filed 17 Sep 93
Licensing Contact: Carol C. Lavrich

Newly developed esters of estradiol which exhibit potent oral and parenteral estrogenic activity offers a new therapy for replacement of the natural hormone, estradiol, in hypogonadism and following removal of the ovaries or cessation of ovarian activity during menopause. The natural hormones, estradiol and estrone are only weakly active upon oral administration requiring large dosages. The most frequently used oral estrogen, 17-alpha-ethenylestradiol, has been associated with a number of serious dose-related side effects. The novel estrogens of this patent, lack the "ethynyl" group and can be used in lower doses, thus eliminating the side effects. The compounds are particularly suitable for use as the estrogenic component of combined oral contraceptives.

**Binding Domains From Plasmodium Vivax and Plasmodium Falciparum Erythrocyte Binding Proteins**

Sim, K.L, Chitnis, C., Miller, L.H. (NIAID)
Serial No. 98/119,677
Filed 10 Sep 93
Licensing Contact: Mark D. Hankins

Despite considerable research efforts worldwide it has not been possible to design an effective vaccine against malaria. The present invention provides the basis for an effective vaccine against the blood state of malaria infections.

This invention relates to the identification of functional domains of Plasmodium proteins which play a role in erythrocyte binding and invasion. The inventors have identified the erythrocyte binding domains of the sialic acid binding protein (SABP) of P. falciparum and the Duffy antigen binding protein (DABP) of P. vivax. The erythrocyte binding domains can be used as vaccines to induce immune responses which block erythrocyte binding and invasion by P. falciparum and P. vivax merozoites.

**Glucose-6-Phosphatase: The Gene Protein and Related Mutations**

Chou, J.Y., Lei, K.J. (NICHD)
Serial No. 08/119,773
Filed 10 Sep 93
Licensing Contact: Carol C. Lavrich

This invention describes nucleic acid sequences and methods useful for producing recombinant glucose-6-phosphatase (c-6-Pase), an enzyme normally present in the liver, kidney, and intestine and needed in glycogen metabolism. Specific mutations in the gene human c-6-Pase cause a shortage or an inactivity of c-6-Pase which results in glycogen storage disease (GSD), type 1A. The invention further provides a kit and methods for detecting the mutations and thus diagnosing the genetic disease that caused GSD type 1A.

**Method for Genetating Influenza A Viruses Bearing Attenuating Mutations in Internal Protein Genes**

Murphy, B., Lawson, C.M., Subbarao, K.E. (NIAID)
Serial No. 08/123,933
Filed 20 Sep 93
Licensing Contact: Mark D. Hankins

This patent application describes a method of producing attenuated Influenza A strains for use as live Influenza A virus vaccine candidates. The method involves the introduction of one or more attenuating mutations in the polymerase basic protein 2 (PB2) gene of Influenza A virus. The attenuating mutations introduced to date are temperature-sensitive

mutations. These mutations are introduced by site directed mutagenesis at specific sites into a cDNA copy of the PB2 gene. An RNA transcript of this mutant PB2 gene is recovered into an infectious influenza A virus using a host range restricted helper virus. This attenuating mutant PB2 gene can be transferred to each new variant of influenza A virus as it appears in nature. Modifications of this technology permits introduction of mutations into: Polymerase basic protein 1 (PB1) genes; polymerase acidic protein (PA) genes; nuclear protein (NP) genes; membrane protein (M) genes; and non-structural protein (NS) genes. The patent application covering this invention is available for licensing and contains claims to: The methods of producing the attenuated strains; the attenuated strains produced by the methods; and methods of vaccination using the attenuated strains. Viruses containing mutant PB2 genes are also available for licensing.

**A Predictive Assay for Suicidal Behavior**

Nielsen, D.A., Goldman, D., Linnoila, M., Virkkunen, M. (NIAAA)
Serial No. 08/125,628
Filed 22 Sep 93
Licensing Contact: Arthur Cohn

The present invention describes methods for predicting suicidal and other abnormal behaviors. In particular, the methods are directed to the detection of polymorphisms in the tryptophan hydroxylase gene which are correlated with abnormal serotoninergic function and related behaviors. Serotoninergic activity is correlated with the concentration of the serotonin metabolite 5-hydroxyindoleacetic acid (5–HIAA) in the cerebrospinal fluid (CSF). Indices of decreased serotonin concentration are connected with anxiety related intolerance to delay and deficient control of impulses. Low concentrations of 5–HIAA in the CFS have been associated with risk of suicide in alcoholic, antisocial, and depressed patients. However, the concentration of CSF 5–HIAA's usefulness as a marker is limited by the difficulty and expense of obtaining CSF. This invention fulfills the need for an easily typed marker that is correlated with 5–HIAA concentration and suicidal behavior.

**Target Antigens of Transmission Blocking Antibodies for Malaria Parasites**

Kaslow, D.C., Duffy, P.E. (NIAID)
DHHS Reference No. E–149–92/1
Filed 22 Sep 93
Licensing Contact: Mark D. Hankins

This patent application is a continuation of U.S. Patent Application 07/912,294 which described Pgs28 a 28 kd protein found in Plasmodium gallinaceum. The new application describes a unique 28 kd protein expressed on the surface of ookinetes of Plasmodium Falciparum (Pfs28). This protein is useful as a malaria transmission blocking vaccine. The patent application covering this invention is available for licensing and contains claims to: The Pfs28 protein; Pfs28's amino acid and nucleic acid sequences; pharmaceutical compositions containing the polypeptide and nucleic acid sequences; and methods of preventing transmission of malaria using these pharmaceutical compositions.

Dated: February 3, 1994.

**Donald P. Christoferson,**

*Acting Director, Office of Technology Transfer.*

[FR Doc. 94–3737 Filed 2–17–94; 8:45 am]

BILLING CODE 4140–01–M

## Workshop: Hereditary Breast, Ovarian, and Colon Cancer

**AGENCY:** National Institutes of Health, HHS.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the National Cancer Institute (NCI) will sponsor a workshop to review the molecular genetics and epidemiology of hereditary cancer of the breast, ovary, and colon; to develop approaches to screening, early detection and chemoprevention of cancers in at-risk family members; and to discuss the psychosocial and ethical implications of genetic screening. This workshop will focus on approaches to the identification and study of families at risk, assuring quality in the development of wide-scale genetic testing, developing a framework for prevention/intervention studies, assessing the counseling needs of individuals at risk for hereditary cancer, and defining the evolving role of the physician in counseling patients concerning cancer risk.

All sessions will be open to the public; however, limited seating is available, and registration will be on a first-come, first-served basis.

**DATES:** The workshop will be held on April 27–29, 1994, in Washington, DC.

**ADDRESSES:** Meeting agendas and registration materials can be obtained from Ms. Andrea Brooks, RII Conference Planner, suite 300, Silver Spring, MD 20910 (telephone: 301–650–7417) or RII's Conference Department (telephone: 301–565–4048; fax: 301–565–5112).

**FOR FURTHER INFORMATION CONTACT:** Dr. Ruthann M. Giusti, Division of Cancer Treatment, National Cancer Institute, Building 31, room 3A44, Bethesda, Maryland 20892 (telephone 301–496–6404; fax: 301–496–0826).

Effective date: January 31, 1994.

**Harold Varmus,**

*Director, NIH.*

[FR Doc. 94–3735 Filed 2–17–94; 8:45 am]

BILLING CODE 4140–01–M

## National Heart, Lung, and Blood Institute; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meetings of the following Heart, Lung, and Blood Special Emphasis Panels.

These meetings will be open to the public to provide concept review of proposed contract or grant solicitations.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should inform the Contact Person listed below in advance of the meeting.

Name of Panel: NHLBI SEP on Pulmonary Diseases.
Dates of Meeting: February 24, 1994.
Time of Meeting: 8:30 a.m.
Place of Meeting: National Institutes of Health, Building 31C, Conference Room 9, Bethesda, Maryland.
Agenda: To provide concept review for proposed contract or grant solicitations.
Contact Person: Dr. Suzanne Hurd, 5333 Westbard Avenue, Room 6A16, Bethesda, Maryland 20892, (301) 594–7430.

Name of Panel: NHLBI SEP on Clinical Applications and Prevention.
Dates of Meeting: February 22–23, 1994.
Time of Meeting: 9 a.m.
Place of Meeting: National Institutes of Health, Federal Building, 7550 Wisconsin Avenue, Conference Room B119, Bethesda, Maryland 20892.
Agenda: To provide concept review for proposed contract or grant solicitations.
Contact Person: Dr. Lawrence Friedman, Federal Building, 7550 Wisconsin Avenue, Room 212, Bethesda, Maryland 20892, (301) 496–2533.

This notice is being published less than fifteen days prior to the meeting due to difficulty of coordinating schedules.

(Catalog of Federal Domestic Assistance Programs Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: February 15, 1994.

**Susan K. Feldman,**

*Committee Management Officer, NIH.*

[FR Doc. 94–3911 Filed 2–17–94; 8:45 am]

BILLING CODE 4140–01–M

## National Institute on Aging; Notice of Meeting

Pursuant to Public Law 92–463, notice is hereby given of the meeting of the Subcommittee A of the Biological and Clinical Aging Review Committee.

This meeting will be open to the public as indicated below to discuss administrative details and other issues relating to committee activities as indicated in the notice. Attendance by the public will be limited to space available.

This meeting will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and sections 10(d) of Public Law 92–463, for the review, discussion, and evaluation of individual research grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June C. McCann, Committee Management Officer, National Institute on Aging, Gateway Building, room 2C218, National Institutes of Health, Bethesda, Maryland, 20892 (301/496–9322), will provide summaries of the meeting and a roster of the committee members upon request.

Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should contact the Scientific Review Administrator listed for the meeting, in advance of the meeting.

Other information pertaining to the meeting can be obtained from the Scientific Review Administrator indicated below:

Name of Committee: Biological and Clinical Aging Review Subcommittee A.

Scientific Review Administrator: Arthur Schaerdel, D.V.M., Gateway Building, Room 2C212, National Institutes of Health, Bethesda, Maryland 20892, (301) 496–9666.

Date of Meeting: February 27, 1994.

Place of Meeting: The Los Angeles Airport Hilton & Towers, 5711 West Century Boulevard, Los Angeles, California 90045.

Open: February 27 from 8 to 8:30 a.m.

Closed: February 27 from 8:30 a.m. to adjournment on February 27, 1994.

This notice is being published less than the 15 days prior to the meeting due to difficulties of coordinating schedules.

(Catalog of Federal Domestic Assistance Program No. 93.866, Aging Research, National Institutes of Health.)

Dated: February 15, 1994.

**Susan K. Feldman,**

*Committee Management Officer, NIH.*

[FR Doc. 94–3908 Filed 2–17–94; 8:45 am]

BILLING CODE 4140–01–M

## Division of Research Grants; Meetings

Pursuant to Public Law 92–463, notice is hereby given of meetings of the Division of Research Grants Behavioral and Neurosciences Special Emphasis Panel.

The meetings will be closed in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications in the various areas and disciplines related to behavior and neuroscience. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Office of Committee Management, Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20892, telephone 301–594–7265, will furnish summaries of the meetings and rosters of panel members.

*Meetings To Review Individual Grant Applications*

Scientific Review Administrator: Dr. Carole Jelsema, (301) 594–7311.

Date of Meeting: February 18, 1994.

Place of Meeting: Holiday Inn, Chevy Chase, MD.

Time of Meeting: 7:30 a.m.

Scientific Review Administrator: Dr. Anita Sostek, (301) 594–7358.

Date of Meeting: March 9, 1994.

Place of Meeting: Westwood Bldg, Rm. 391C, NIH, Bethesda, MD (Telephone Conference).

Time of Meeting: 1:00 p.m.

Scientific Review Administrator: Dr. Teresa Levitin, (301) 594–7141.

Date of Meeting: April 12, 1994.

Place of Meeting: Westwood Bldg, Rm. 303, Bethesda, MD (Telephone Conference).

Time of Meeting: 1:00 p.m.

This notice is being published less than 15 days prior to the meeting due to the difficulty of coordinating the attendance of members because of conflicting schedules.

(Catalog of Federal Domestic Assistance Program Nos. 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: February 16, 1994.

**Susan K. Feldman,**

*Committee Management Officer, NIH.*

[FR Doc. 94–3912 Filed 2–17–94; 8:45 am]

BILLING CODE 4140–01–M

# DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

**[Docket No. D–94–1048; FR–3648–D–01]**

## Acting Regional Administrator, Region IV (Atlanta) Designation

**AGENCY:** Department of Housing and Urban Development.

**ACTION:** Designation.

**SUMMARY:** Updates the designation of officials who may serve as Acting Regional Administrator for Region IV.

**EFFECTIVE DATE:** January 8, 1994.

**FOR FURTHER INFORMATION CONTACT:** Charles A. Lipthrott, Director, Management Systems Division, Office of Administration, Atlanta Regional Office, Department of Housing and Urban Development, room 634, Richard B. Russell Federal Building, 75 Spring Street SW., Atlanta, Georgia 30303–3388, 404–331–5199.

### Designation of Acting Regional Administrator for Region IV

Each of the officials appointed to the following positions is designated to serve as Acting Regional Administrator during the absence of, or vacancy in the position of, the Regional Administrator, with all the powers, functions, and duties redelegated or assigned to the Regional Administrator: Provided, That no official is authorized to serve as Acting Regional Administrator unless all other employees whose names or titles precede his/hers in this designation are unable to serve by reason of absence:

1. Georgia Program Coordinator
2. Deputy Regional Administrator
3. Director, Operational Support
4. Director, Office of Housing
5. Director, Office of Administration
6. Director, Office of Public Housing
7. Director, Office of Community Planning and Development
8. Regional Counsel
9. Director, Office of Fair Housing and Equal Opportunity.

This designation supersedes the designation effective May 18, 1993, (58

FR 45909, August 31, 1993). (Delegation of Authority by the Secretary effective May 4, 1962, (27 FR 4319, May 4, 1962); Dept. Interim Order II (31 FR 815, January 21, 1966).

This designation shall be effective as of January 8, 1994.

**Raymond A. Harris,**

*Regional Administrator-Regional Housing Commissioner, Region IV (Atlanta).*

[FR Doc. 94–3688 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–29–M

## Office of the Assistant Secretary for Community Planning and Development

**[Docket No. N–94–3491; FR–3314–N–02]**

## Announcement of Fiscal Year 1993 Funding Awards for Technical Assistance to Support a Coordinated Agenda for the Southwestern Area of the U.S. (Casa) for Colonias

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Announcement of funding awards.

**SUMMARY:** In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this document notifies the public of Fiscal Year 1993 funding awards made for the purpose of empowering residents of designated "colonias" in the states of California, New Mexico and Texas in their efforts to improve living standards and conditions within their communities. The purpose of this document is to announce the names and addresses of the award winners and the amount of the awards.

**FOR FURTHER INFORMATION CONTACT:** Barbara Dorf, Office of Community Planning and Development, room 7214, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410, telephone (202) 708–3176. Hearing- or speech-impaired individuals may call HUD's TDD number (202) 708–2565. (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** This Community Technical Assistance program is authorized under section 107(b)(5) of the Housing and Urban Community Development Act of 1974 (42 U.S.C. 5301–5320).

In a Notice of Funding Availability (NOFA) published in the **Federal Register** on September 29, 1992 (57 FR 44854), the Department announced the availability, for Fiscal Year 1993, of $2.3 million in Community Development Technical Assistance Program funds to be used for the purpose of empowering residents of designated "colonias" in the States of California, New Mexico and Texas in their efforts to improve living standards and conditions within their communities. Technical assistance funds will be available for the development of programs for decent, affordable and energy-efficient housing; community water and sewer systems, including drainage systems and hook-up services to colonia residents; promotion of local economic development programs and projects including the establishment of state or federal (if applicable) Enterprise Zones within the colonias; and providing job training and self-employment programs for colonia youth and residents.

In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101–235, approved December 15, 1989), the Department is publishing details concerning the recipients of these awards, as follows:

FISCAL YEAR 1993 FUNDING AWARDS FOR TECHNICAL ASSISTANCE TO SUPPORT A COORDINATION AGENDA FOR THE SOUTHWESTERN AREA OF THE U.S. (CASA) FOR COLONIAS

| Name of recipient | Funding amount |
|---|---|
| Hidalgo County, Texas, Contact: Anthony Covacevich, Urban County Director, County of Hidalgo, Texas, 100 East Cano, Edinburg, Texas 78539, (210) 318–2619 | $175,218 |
| Community Development Corporation of Brownsville, Texas, Contact: Frank Berjarano, Director, Program Development and Management, Cameron County, 964 E. Harrison, Brownsville, Texas 78520, (210) 541–0828 | 200,000 |
| Middle Rio Grande Development Council, Contact: Michael Patterson, Executive Director, P.O. Box 1199, Carrizo Springs, Texas 78834, (210) 876–3533 | 60,745 |
| Colonias Del Valle, Inc., Contact: Arturo Ramirez, Project Director, Colonias Del Valle, Inc., P.O. Box 746, Pharr, Texas 78577, (210) 787–9903 | 175,699 |
| City of Rio Bravo, Texas, Contact: Raul Aguero, Mayor, City of Rio Bravo, 1419 Centno Lane, Rio Bravo, Texas 78043, (512) 725–2807 | 115,557 |
| State of Texas, Department of Housing and Community Affairs, Contact: Ruth Cedillo, Director, Texas Department of Community Affairs, P.O. Box 13941, Austin, Texas 78711–3941, (512) 475–3882 | 350,000 |
| State of California, El Centro, California, Contact: William J. Pavão, Community Development Block Grant Program Manager, Department of Housing and Community Development, 1800 Third Street, Sacramento, California 95814, (916) 327–887 | 100,000 |
| State of New Mexico, Department of Finance and Administration, Local Government Division, Contact: Tedodoro "Ted" Guambana, Director, Local Government Division, State of New Mexico, Department of Finance and Administration, Bataan Memorial Building, Suite 201, Sante Fe, New Mexico 87503, (505) 827–4950 | 350,000 |

Dated: February 9, 1994.

**Andrew Cuomo,**

*Assistant Secretary for Community Planning and Development.*

[FR Doc. 94–3690 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–29–P

## Office of the Assistant Secretary for Administration

**[Docket No. N–94–3718; FR–3661–N–01]**

## Privacy Act of 1974; Deletion of System of Records

**AGENCY:** Office of the Assistant Secretary for Administration, HUD.

**ACTION:** Notification of deletion of an existing system of records.

**SUMMARY:** The Department proposes to delete one system of records from its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**EFFECTIVE DATE:** The deletion will be effective February 18, 1994.

**ADDRESSES:** Rules Docket Clerk, room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410.

**FOR FURTHER INFORMATION CONTACT:**

Jeanette Smith, Privacy Act Officer, Telephone Number (202) 708–2374. [This is not a toll-free number.]

**SUPPLEMENTARY INFORMATION:** The Department has determined that this system is no longer necessary.

**Marilynn A. Davis,**

*Assistant Secretary for Administration.*

**Deletion**

**HUD/H–1**

**SYSTEM NAME:**

Section 8 Lower-Income Rental Assistance Files. (46 FR 54906, November 4, 1981) and "Federal Register Privacy Act Issuances, 1991 Compilation, Volume I."

*Reason:*

The information contained in this system of records, HUD/H–1, Section 8 Lower-Income Rental Assistance Files, will be subsumed in HUD/H–11, Tenant Housing Assistance and Contract Verification Data.

[FR Doc. 94–3689 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–01–M

## Office of the Assistant Secretary for Community Planning and Development

**[Docket No. N–94–1917; FR–3350–N–71]**

## 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.

**ADDRESSES:** For further information, contact Mark Johnston, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708–4300; TDD number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 56 FR 23789 (May 24, 1991) and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88–2503–OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Judy Breitman, Division of Health Facilities Planning, U.S. Public Health Service, HHS, room 17A–10, 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, 56 FR 23789 (May 24, 1991).

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: Corps of Engineers: Bob Swieconek, Headquarters, Army Corps of Engineers, Attn: CERE–MC, room 4224, 20 Massachusetts Ave., NW., Washington, DC 20314–1000; (202) 272–1750; Dept. of Veterans Affairs: Douglas Shinn, Management Analyst, Dept. of Veterans Affairs, room 414 Lafayette Building, 811 Vermont Avenue NW., Washington, DC 20420; (202) 233–5026; U.S. Air Force: Bob Menke, Area-MI, Bolling AFB, 172 Luke Avenue, suite 104, Washington, DC 20332–5113; (202) 767–6235; Dept. of Transportation: Ronald D. Keefer, Director, Administrative Services & Property Management, DOT, 400 Seventh Street SW., room 10319, Washington, DC 20590; (202) 366–4246; Dept. of Energy: Tom Knox, Realty Specialist, AD223.1, 1000 Independence Avenue SW., Washington, DC 20585; (202) 586–1191; (These are not toll-free numbers).

Dated: February 18, 1994.

**Jacquie M. Lawing,**

*Deputy Assistant Secretary for Economic Development.*

**Title V, Federal Surplus Property Program Federal Register Report for 02/18/94**

**Suitable/Available Properties**

*Buildings (by State)*

Alabama

Bldg. TU–22
Selden Lock and Dam
Route 1
Sawyerville Co: Hale AL 36776–
Landholding Agency: COE
Property Number: 319011551
Status: Unutilized
Comment: 1,080 sq. ft., 1-story frame residence, needs minor repair, most recent use—lock tender's dwelling.

Bldg. TU–21
Selden Lock and Dam
Route 1

Sawyerville Co: Hale AL 36776–
Landholding Agency: COE
Property Number: 319011552
Status: Unutilized
Comment: 1,080 sq. ft., 1 story frame residence, needs minor repair, most recent use—lock tender's dwelling.

Bldg. TU–23
Selden Lock and Dam
Route 1
Sawyerville Co: Hale AL 36776–
Landholding Agency: COE
Property Number: 319011553
Status: Unutilized
Comment: 1,080 sq. ft., 1 story frame residence, needs minor repair, most recent use—lock tender's dwelling.

Bldg. TU–24
Selden Lock and Dam
Route 1
Sawyerville Co: Hale AL 36776–
Landholding Agency: COE
Property Number: 319011554
Status: Unutilized
Comment: 1,080 sq. ft., 1 story frame residence, needs minor repair, most recent use—lock tender's dwelling.

Bldg. 19, VA Medical Center
Tuskegee Co: Macon AL 36083–
Landholding Agency: VA
Property Number: 979220006
Status: Underutilized
Comment: Portion of a 5,320 sq. ft. 4-story structure.

Arizona

Facility 80002
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340052
Status: Unutilized
Comment: 1,352 sq. ft., wood frame, most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80003
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340053
Status: Unutilized
Comment: 1,352 sq. ft., wood frame, most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80004
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340054
Status: Unutilized
Comment: 1,096 sq. ft., wood frame, most recent use—2 bedroom residence, scheduled to be vacant 12/93.

Facility 80005
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340055
Status: Unutilized
Comment: 1,096 sq. ft., wood frame, most recent use—2 bedroom residence, scheduled to be vacant 12/93.

Facility 80006
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340056
Status: Unutilized
Comment: 1,352 sq. ft., wood frame, most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80007
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340057
Status: Unutilized
Comment: 1,352 sq. ft., wood frame, most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80008
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340058
Status: Unutilized
Comment: 1,096 sq. ft., wood frame, most recent use—2 bedroom residence, scheduled to be vacant 12/93.

Facility 80009
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340059
Status: Unutilized
Comment: 1,096 sq. ft., wood frame; most recent use—2 bedroom residence, scheduled to be vacant 12/93.

Facility 80010
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340060
Status: Unutilized
Comment: 1,352 sq. ft., wood frame; most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80011
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340061
Status: Unutilized
Comment: 1,352 sq. ft., wood frame; most recent use—3 bedroom residence, scheduled to be vacant 12/93.

Facility 80012
Holbrook Radar Site
1313 North 8th Avenue
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340062
Status: Unutilized
Comment: 1,096 sq. ft., wood frame; most recent use—2 bedroom residence, scheduled to be vacant 12/93.

California

Bldg. 604
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010237
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 605
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010238
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 612
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010239
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 611
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010240
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 613
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010241
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 614
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010242
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 615
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010243
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 616
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010244
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 617
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010245
Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing.

Bldg. 618
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010246

Status: Unutilized
Comment: 1,232 sq. ft., stucco-wood frame; most recent use—housing; needs rehab.

Bldg. 20—VA Medical Center
Wilshire & Sawtelle Blvds.
Los Angeles Co: Los Angeles–CA 90073–
Landholding Agency: VA
Property Number: 979210003
Status: Unutilized
Comment: 8,758 gross sq. ft., one story wooden, requires complete restoration meeting standards of national preservation laws and guidelines.

Bldg. 13, VA Medical Center
Wilshire and Sawtelle Blvds.
Los Angeles Co: Los Angeles-CA 90073–
Landholding Agency: VA
Property Number: 979220001
Status: Underutilized
Comment: portion of 66,165 sq. ft. bldg., needs major rehab, no util., pres. of asbestos, in historic district, potential to be hazardous due to storage of radioactive material nearby.

Bldg. 156, VAMC
Wilshire & Sawtelle Blvds.
Los Angeles Co: Los Angeles-CA 90073–
Landholding Agency: VA
Property Number: 979230015
Status: Underutilized
Comment: portion of 39,454 sq. ft. bldg., presence of asbestos, needs rehab, seismic reinforcement deficiencies, in his. district, potentially hazardous due to nearby radioactive material.

Florida

Bldg. CN–3
1651 S. Franklin Lock Road
Alva Co: Lee-FL 33920–
Landholding Agency: COE
Property Number: 319130006
Status: Unutilized
Comment: 1,500 sq. ft., 1 story concrete block residence, off-site use only.

Bldg. SF–97
Port Mayaca Lock & Spillway
9 miles north of Canal Point
Port Mayaca Co: Martin FL-33438–
Landholding Agency: COE
Property Number: 319340001
Status: Unutilized
Comment: 1,700 sq. ft., 1-story concrete block/stucco, most recent use—laboratory, off-site use only.

Guam

Anderson VOR
In the municipality of Dededo
Dededo Co: Guam GU-96912–
Location: Access is through Route 1 and Route 3, Marine Drive.
Landholding Agency: Air Force
Property Number: 189010267
Status: Unutilized
Comment: 550 sq. ft.; 1 story perm/concrete; on 226 acres.

Anderson Radio Beacon Annex
In the municipality Dededo
Dededo Co: Guam GU-96912–
Location: Approximately 7.2 miles southwest of Anderson AFB proper; access is from Route 3, Marine Drive.
Landholding Agency: Air Force
Property Number: 189010268
Status: Unutilized
Comment: 480 sq. ft.; 1 story perm/concrete; on 25 acres; most recent use—radio beacon facility.

Annex No. 4
Anderson Family Housing
Municipality of Dededo
Dededo Co: Guam GU-96912–
Location: Access is through Route 1, Marine Drive.
Landholding Agency: Air Force
Property Number: 189010545
Status: Underutilized
Comment: various sq. ft.; 1 story frame/modified quonset; on 376 acres; portions of building and land leased to Government of Guam.

Harmon VORsite (Portion) (AJKZ)
Municipality of Dededo
Dededo Co: Guam GU-96912–
Location: Approx. 12 miles southwest of Anderson AFB proper.
Landholding Agency: Air Force
Property Number: 189120234
Status: Unutilized
Comment: 550 sq. ft. bldg., needs rehab on 82 acres.

Idaho

Bldg. 121
Mountain Home Air Force Base
Maine Avenue (See County) Co: Elmore-ID 83648–
Landholding Agency: Air Force
Property Number: 189030007
Status: Excess
Comment: 3,375 sq. ft.; 1 story wood frame; potential utilities; needs rehab; presence of asbestos; building is set on piers; most recent use—medical administration, veterinary services.

Illinois

Bldg. 7
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski-IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010001
Status: Unutilized
Comment: 900 sq. ft.; 1 floor wood frame; most recent use—residence.

Bldg. 6
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski-IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010002
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame; most recent use—residence.

Bldg. 5
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010003
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame, most recent use—residence.

Bldg. 4
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010004
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame, most recent use—residence.

Bldg. 3
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010005
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame.

Bldg. 2
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010006
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame, most recent use—residence.

Bldg. 1
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Location: Ohio River Locks and Dam No. 53 at Grand Chain
Landholding Agency: COE
Property Number: 319010007
Status: Unutilized
Comment: 900 sq. ft.; one floor wood frame, most recent use—residence.

Indiana

Bldg. 01, Monroe Lake
Monroe Cty. Rd. 37 North to Monroe Dam Rd.
Bloomington Co: Monroe IN 47401–8772
Landholding Agency: COE
Property Number: 319140002
Status: Unutilized
Comment: 1,312 sq. ft., 1 story brick residence, off-site use only.

Bldg. 02, Monroe Lake
Monroe Cty. Rd. 37 North to Monroe Dam Rd.
Bloomington Co: Monroe IN 47401–8772
Landholding Agency: COE
Property Number: 319140003
Status: Unutilized
Comment: 1,312 sq. ft., 1 story brick residence, off-site use only.

Bldg. 140, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230007
Status: Underutilized
Comment: 60 sq. ft., concrete block bldg., most recent use—trash house, access restrictions.

Iowa

Bldg. 00627
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310001
Status: Unutilized
Comment: 1,932 sq. ft., 1-story concrete block bldg., most recent use—storage, pigeon infested.

Bldg. 00669
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310002
Status: Unutilized
Comment: 1,113 sq. ft., 1-story concrete block bldg., contamination clean-up in process.

Bldg. 00106, Fort Dodge
Ft. Dodge Co: Webster IA 50501–
Landholding Agency: Air Force
Property Number: 189310051
Status: Unutilized
Comment: 200 sq. ft., 1-story wood frame, needs rehab, most recent use—storage.

Bldg.—Prairie Ridge
Rathburn Lake Project, R.R. #3
Centerville Co: Appanoose IA 52544–
Landholding Agency: COE
Property Number: 319340002
Status: Unutilized
Comment: water storage tower, off-site use only.

Bldg.—Bridgeview
Rathburn Lake Project, R. R. #3
Centerville Co: Appanoose IA 52544–
Landholding Agency: COE
Property Number: 319340003
Status: Unutilized
Comment: 416 sq. ft., 1-story, most recent use—storage, needs major rehab, off-site use only.

Bldg.—Island View
Rathbun Lake Project, R.R. #3
Centerville Co: Appanoose IA 52544–
Landholding Agency: COE
Property Number: 31934004
Status: Unutilized
Comment: 416 sq. ft., 1-story, most recent use—storage, needs major rehab, off-site use only.

Bldg.—Rolling Cove
Rathbun Lake Project, R.R. #3
Centerville Co: Appanoose IA 52544–
Landholding Agency: COE
Property Number: 319340005
Status: Unutilized
Comment: 416 sq. ft., 1-story, most recent use—storage, needs major rehab, off-site use only.

Kansas

Trailer—Clinton Lake
Rt. 5, Box 109B
Lawrence Co: Douglas KS 66046–
Landholding Agency: COE
Property Number: 319410003
Status: Excess
Comment: double-wide trailer (24×50), most recent use—residence, needs repair, off-site use only.

Kentucky

Green River Lock & Dam #3
Rochester Co: Butler KY 42273–
Location: SR 70 west from Morgantown, KY., approximately 7 miles to site.
Landholding Agency: COE
Property Number: 319010022
Status: Unutilized
Comment: 980 sq. ft.; 2 story wood frame; two story residence; potential utilities; needs major rehab.

Kentucky River Lock and Dam 3
Pleasureville Co: Henry KY 40057–
Location: SR 421 North from Frankfort, KY. to highway 561, right on 561 approximately 3 miles to site.
Landholding Agency: COE
Property Number: 319010060
Status: Unutilized
Comment: 897 sq. ft.; 2 story wood frame; structural deficiencies.

Bldg. 1
Kentucky River Lock and Dam
Carrolton Co: Carroll KY 41008–
Location: Take I–71 to Carrolton, KY exit, go east on SR #227 to highway 320, then left for about 1.5 miles to site.
Landholding Agency: COE
Property Number: 319011628
Status: Unutilized
Comment: 1,530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab.

Bldg. 2
Kentucky River Lock and Dam
Carrolton Co: Carroll KY 41008–
Location: Take I–71 to Carrolton, KY exit, go east on SR #227 to highway 320, then left for about 1.5 miles to site.
Landholding Agency: COE
Property Number: 319011629
Status: Unutilized
Comment: 1,530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab.

Utility Bldg, Nolin River Lake
Moutardier Recreation Site
Co: Edmonson KY
Landholding Agency: COE
Property Number: 319320002
Status: Unutilized
Comment: 541 sq. ft., concrete block, off-site use only.

Bldg. 2—Green River Lake
544 Lake Road
Campbellsville Co: Taylor KY 42718–9805
Landholding Agency: COE
Property Number: 319410001
Status: Unutilized
Comment: 1,620 sq. ft., one story, brick veneer residence, presence of asbestos, off-site use only.

Bldg. 1—Green River Lake
544 Lake Road
Campbellsville Co: Taylor KY 42718–9805
Landholding Agency: COE
Property Number: 319410002
Status: Unutilized
Comment: 1,620 sq. ft., one story, brick veneer residence, presence of asbestos, off-site use only.

Louisiana

Barksdale Radio Beacon Annex
Curtis Co: Bossier LA 71111–
Location: 7 miles south of Bossier City on highway 71 south; left 1¼ miles on highway C1552.
Landholding Agency: Air Force
Property Number: 189010269
Status: Unutilized
Comment: 360 sq. ft.; 1 story wood/concrete; on 11.25 acres.

Maine

31 Capehart Family Houses
Charleston Family Housing Annex, Union St.
Bangor Co: Penobscot ME
Landholding Agency: Air Force
Property Number: 189310052
Status: Excess
Comment: 2916–7097 sq. ft., 1–2 story wood, 3-duplexes, 27-four plexes totaling 114 units with garages
GSA Number: 2–D–ME–526G.

Michigan

Bldg. 30
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010779
Status: Excess
Comment: 2,593 sq. ft.; 1 floor; concrete block; possible asbestos; potential utilities; most recent use—communications transmitter building.

Bldg. 46
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010786
Status: Excess
Comment: 5,898 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos; most recent use—visiting personnel housing.

Bldg. 51
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010791
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 52
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010792
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 53
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010793
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 54
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010794
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 55
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010795
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 56
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010796
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 57
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010797
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 58
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010798
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 59
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010799
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 60
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010800
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 61
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010801
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 62
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010802
Status: Excess
Comment: 1,134 sq. ft.; 1 story wood frame residence with garage; possible asbestos.

Bldg. 63
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010803
Status: Excess
Comment: 1,306 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 64
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010804
Status: Excess
Comment: 1,306 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 65
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010805
Status: Excess
Comment: 1,306 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 66
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010806
Status: Excess
Comment: 1,306 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 67
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010807
Status: Excess
Comment: 1,306 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 68
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010808
Status: Excess
Comment: 1,478 sq. ft.; 1-story wood frame residence with garage; possible asbestos.

Bldg. 70
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010809
Status: Excess
Comment: 1,394 sq. ft.; 1-story concrete block; possible asbestos; most recent use—youth center.

Bldg. 72
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010811
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 73
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010812
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 74
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010813
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 75
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010814
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 76
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010815
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 77
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010816
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 78
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010817
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 79
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010818
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 80
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010819
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 81
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010820
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 82
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010821
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 83
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010822
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 84
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010823
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 85
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010824
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 86
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010825
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 87
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010826
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 88
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010827
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 89
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010828
Status: Excess
Comment: 1,168 sq. ft.; 1-story wood frame residence; potential utilities; possible asbestos.

Bldg. 97
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010829
Status: Excess
Comment: 171 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 98
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010830
Status: Excess
Comment: 114 sq. ft.; 1 floor; potential utilities; most recent use—pump house.

Bldg. 10
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010836
Status: Excess
Comment: 1,056 sq. ft.; 1-story wood frame residence.

Bldg. 216
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010847
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 217
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010848
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 218
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010849
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 219
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010850
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 220
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010851
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 221
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010852
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 222
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010853
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 223
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010854
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 224
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010855
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 215
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010856
Status: Excess
Comment: 390 sq. ft.; 1-story wood frame housing garage.

Bldg. 212
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010859
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 214
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010861
Status: Excess
Comment: 780 sq. ft.; 1-story wood frame housing garage.

Bldg. 23
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010865
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame; prior use—storage of fire hoses.

Bldg. 24
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010866
Status: Excess
Comment: 44 sq. ft.; 1 story; metal frame; prior use—storage of fire hoses.

Bldg. 36
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010872
Status: Excess
Comment: 25 sq. ft.; 1-floor metal frame; prior use—storage of fire hoses.

Bldg. 37
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010873
Status: Excess
Comment: 25 sq. ft.; 1-floor metal frame; prior use—storage of fire hoses.

Bldg. 201
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010879
Status: Excess
Comment: 25 sq. ft.; 1-floor metal frame; prior use—storage of fire hoses.

Montana

Bldg. 00007
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330066
Status: Unutilized
Comment: 992 sq. ft., 1-story metal, most recent use—auto/hobby shop.

Bldg. 00008
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330067
Status: Unutilized
Comment: 2,640 sq. ft., 1-story metal, most recent use—vehicle parking.

Bldg. 00016
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force

Property Number: 189330068
Status: Unutilized
Comment: 3,604 sq. ft., 1-story cinder block, most recent use—storage.

Bldg. 00023
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330069
Status: Unutilized
Comment: 3,315 sq. ft., 1-story wood, most recent use—fire station.

Bldg. 00024
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330070
Status: Unutilized
Comment: 5,016 sq. ft., 1-story brick, most recent use—dormitory.

Bldg. 00027
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330071
Status: Unutilized
Comment: 14,280 sq. ft., 1-story cinder block, most recent use—recreation center and commissary store.

Bldg. 00029
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330072
Status: Unutilized
Comment: 63 sq. ft., 1-story metal.

Bldg. 00031
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330073
Status: Unutilized
Comment: 3,130 sq. ft., 1-story cinder block, most recent use—maintenance shop and admin.

Bldg. 00032
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330074
Status: Unutilized
Comment: 64 sq. ft., metal, most recent use—storage.

Bldg. 00035
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330075
Status: Unutilized
Comment: 2,252 sq. ft., 4-story metal, most recent use—storage.

Bldg. 00039
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330077
Status: Unutilized
Comment: 874 sq. ft., 1-story masonry, most recent use—storage.

Bldg. 00041
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330078
Status: Unutilized
Comment: 108 sq. ft., 1-story masonry.

Bldg. 00042
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330079
Status: Unutilized
Comment: 760 sq. ft., 1-story masonry, most recent use—warehouse.

Bldg. 00044
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330080
Status: Unutilized
Comment: 3,298 sq. ft., 1-story metal, most recent use—wood hobby shop.

Bldgs. 51, 52, 56, 58
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330081
Status: Unutilized
Comment: 1,352 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 53–55, 57, 59, 61, 63, 65, 67, 69, 71
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330082
Status: Unutilized
Comment: 1,152 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 60, 62, 64, 66, 68
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330083
Status: Unutilized
Comment: 1,361 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 70, 72, 74, 78
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330084
Status: Unutilized
Comment: 1,455 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 76, 80
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330085
Status: Unutilized
Comment: 1,343 sq. ft., each, 1-story wood, most recent use—residential.

Bldg. 82
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330086
Status: Unutilized
Comment: 1,553 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 150, 152, 154, 156, 158, 160, 162, 164, 168, 170, 172, 174, 176, 178, 180, 182, 184—
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330087
Status: Unutilized
Comment: 1,247 sq. ft., each, 1-story wood, most recent use—residential.

Bldgs. 106–109, 112–113
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330088
Status: Unutilized
Comment: 36 sq. ft., each, most recent use—fire hose house.

Bldgs. 202, 204, 206, 212, 214, 216, 218
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330089
Status: Unutilized
Comment: 72 sq. ft., each, most recent use—storage units.

Bldgs. 208, 210
Havre Air Force Station Co: Hill MT 59501–
Landholding Agency: Air Force
Property Number: 189330090
Status: Unutilized
Comment: 36 sq. ft., each, most recent use—storage.

New Jersey

Sandy Hook Light
Middletown Co: Monmouth NJ 07732–
Location: Adjacent to Gateway National Recreation Area
Landholding Agency: DOT
Property Number: 879340001
Status: Unutilized
Comment: Brick 29′ base diameter lighthouse, historic structure, needs major rehab.

North Carolina

Dwelling 1
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923–
Landholding Agency: DOT
Property Number: 879120083
Status: Unutilized
Comment: One story wood residence, periodic flooding in garage and utility room occurs in heavy rainfall.

Dwelling 2
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923–
Landholding Agency: DOT
Property Number: 879120084
Status: Unutilized
Comment: One story wood residence, periodic flooding in garage and utility room occurs in heavy rainfall.

Dwelling 3
USCG Coinjock Housing
Coinjock Co: Currituck NC 27923–
Landholding Agency: DOT
Property Number: 879120085
Status: Unutilized
Comment: One story wood residence, periodic flooding in garage and utility room occurs in heavy rainfall.

Ohio

Barker Historic House
Willow Island Locks and Dam
Newport Co: Washington OH 45768–9801
Location: Located at lock site, downstream of lock and dam structure
Landholding Agency: COE
Property Number: 319120018
Status: Unutilized
Comment: 1,600 sq. ft. bldg. with 1/2 acre of land, 2-story brick frame, needs rehab, on Natl. Register of Historic Places, no utilities, off-site use only.

William H. Harsha Lake Bldg.
3782 Williamsburg-Bantam Road
Batavia Co: Clermont OH 45106–
Landholding Agency: COE
Property Number: 319240011
Status: Unutilized
Comment: 1,568 sq. ft., wood frame residence, needs major repairs, off-site use only.

Oklahoma

Govt. Quarters #1
Fort Supply Lake
Section 16, T 24 N, R 22 E
Ft. Supply Co: Woodward OK 73841–0248
Landholding Agency: COE
Property Number: 319330001

Status: Excess
Comment: 1,568 sq. ft., 1-story steel frame, most recent use—residential, off-site use only.

Govt. Quarters #2
Fort Supply Lake
Section 16, T 24 N, R 22 E
Ft. Supply Co: Woodward OK 73841–0248
Landholding Agency: COE
Property Number: 319330002
Status: Excess
Comment: 1,568 sq. ft., 1-story wood frame, most recent use—residential, off-site use only.

Pennsylvania

Mahoning Creek Reservoir
New Bethlehem Co: Armstrong PA 16242–
Landholding Agency: COE
Property Number: 319210008
Status: Unutilized
Comment: 1,015 sq. ft., 2-story brick residence, off-site use only.

Bldg. 25—VA Medical Center
Delafield Road
Pittsburgh Co: Allegheny PA 15215–
Landholding Agency: VA
Property Number: 979210001
Status: Unutilized
Comment: 133 sq. ft., 1-story brick guard house, needs rehab.

South Carolina

Bldg. 1
J. S. Thurmond Dam and Reservoir
Clarks Hill Co: McCormick SC 29821–
Location: 1/2 mile east of Resource Managers Office.
Landholding Agency: COE
Property Number: 319011544
Status: Excess
Comment: 1,900 sq. ft.; 1-story masonry frame; possible asbestos; most recent use—storage, off-site removal only.

Bldg. 2
J. S. Thurmond Dam and Reservoir
Clarks Hill Co: McCormick SC 29821–
Location: 1/2 mile east of Resource Managers Office.
Landholding Agency: COE
Property Number: 319011545
Status: Excess
Comment: 1,900 sq. ft.; 1-story masonry frame; possible asbestos; most recent use—storage, off-site removal only.

Bldg. 3
J. S. Thurmond Dam and Reservoir
Clarks Hill Co: McCormick SC 29821–
Location: 1/2 mile east of Resource Managers Office.
Landholding Agency: COE
Property Number: 319011546
Status: Excess
Comment: 1,900 sq. ft.; 1-story masonry frame; possible asbestos; most recent use—storage, off-site removal only.

Bldg. 4
J. S. Thurmond Dam and Reservoir
Clarks Hill Co: McCormick SC 29821–
Location: 1/2 mile east of Resource Managers Office.
Landholding Agency: COE
Property Number: 319011547
Status: Excess
Comment: 1,900 sq. ft.; 1-story masonry frame; possible asbestos; most recent use—storage, off-site removal only.

Bldg. 5
J. S. Thurmond Dam and Reservoir
Clarks Hill Co: McCormick SC 29821–
Location: 1/2 mile east of Resource Managers Office.
Landholding Agency: COE
Property Number: 319011548
Status: Excess
Comment: 1,900 sq. ft.; 1-story masonry frame; possible asbestos; most recent use—storage, off-site removal only.

South Dakota

West Communications Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340051
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage.

Bldg. 1, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410004
Status: Unutilized
Comment: 1,403 sq. ft., 2-story residence, basement is full of water, off-site use only.

Garage 1, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410005
Status: Unutilized
Comment: 364 sq. ft. garage, off-site use only.

Garage 2, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410006
Status: Unutilized
Comment: 288 sq. ft. garage, off-site use only.

Granary, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410007
Status: Unutilized
Comment: 448 sq. ft., most recent use—storage, off-site use only.

Bldg. #1
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410008
Status: Unutilized
Comment: 2,400 sq. ft. barn, most recent use—storage, off-site use only.

Barn #2, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410009
Status: Unutilized
Comment: 1,248 sq. ft. barn, most recent use—storage, off-site use only.

Machine Shed, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410010
Status: Unutilized
Comment: 2,275 sq. ft. barn, most recent use—storage, off-site use only.

Concrete Silo, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410011
Status: Unutilized
Comment: 18,000 bushel capacity, most recent use—storage, off-site use only.

Metal Silo, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410012
Status: Unutilized
Comment: 16,000 bushel capacity, most recent use—storage, off-site use only.

Shed, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410013
Status: Unutilized
Comment: 120 sq. ft. barn, most recent use—storage, off-site use only.

Chicken Coop, Fort Randall
Lake Francis Case Project
RR 2, Box 20
Bonesteel Co: Gregory SD 57317–
Landholding Agency: COE
Property Number: 319410014
Status: Unutilized
Comment: 160 sq. ft., most recent use—chicken production, off-site use only.

Tennessee

Bldg. 16, VAMC Mountain Home
Johnson Co: Washington TN 37604–
Landholding Agency: VA
Property Number: 979220007
Status: Unutilized
Comment: 3,215 sq. ft., 3-story wood frame residence, needs repair, subject to historic preservation requirements.

Texas

Cabin, Texoma Lake
Lot 100, Tract 673, Mill Creek Estates Co: Grayson TX
Landholding Agency: COE
Property Number: 319330003
Status: Excess
Comment: 975 sq. ft., 1-story wood frame with asbestos and masonite wall, most recent use—residential, off-site use only.

House, Texoma Lake
Lot 102, Tract 669, Mill Creek Estates Co: Grayson TX
Landholding Agency: COE
Property Number: 319330004
Status: Excess

Comment: 1,296 sq. ft., 1-story brick veneer, most recent use—residential, off-site use only.

Virginia

Housing
Rt. 637—Gwynnville Road
Gwynn Island Co: Mathews VA 23066–
Landholding Agency: DOT
Property Number: 879120082
Status: Unutilized
Comment: 929 sq. ft., 1-story residence.

Washington

Residence—Tract 1500–1
LSRFWCP Area, Hwy 12
Walla Walla Co: Walla Walla WA 99362–
Landholding Agency: COE
Property Number: 319320006
Status: Excess
Comment: 1,176 sq. ft., 1-story frame residence, need roadway easement, off-site use only.

West Virginia

House—Stonewall Jackson Lake
Entrance to State Park off Route 19
Roanoke Bay Co: Lewis WV 26452–
Landholding Agency: COE
Property Number: 319320007
Status: Excess
Comment: 2,367 sq. ft., 1-story frame residence, off-site use only.

Wisconsin

Former Lockmaster's Dwelling
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 319011524
Status: Unutilized
Comment: 1,224 sq. ft.; 2-story brick/wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 319011525
Status: Unutilized
Comment: 908 sq. ft.; 2-story wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Kaukauna 1st Lock
301 Canal Street
Kaukauna Co: Outagamie WI 54131–
Landholding Agency: COE
Property Number: 319011527
Status: Unutilized
Comment: 1,290 sq. ft.; 2-story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie WI 54911–
Landholding Agency: COE
Property Number: 319011531
Status: Unutilized
Comment: 1,300 sq. ft.; potential utilities; 2-story wood frame residence; needs rehab; secured area with alternate access.

Former Lockmaster's Dwelling
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie WI 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road.
Landholding Agency: COE
Property Number: 319011533
Status: Unutilized
Comment: 1,952 sq. ft.; 2-story wood frame residence; potential utilities; needs rehab.

Former Lockmaster's Dwelling
Little KauKauna Lock
Little KauKauna
Lawrence Co: Brown WI 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Trunk Highway "D") and River Street.
Landholding Agency: COE
Property Number: 319011535
Status: Unutilized
Comment: 1,224 sq. ft.; 2-story brick/wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie WI 54140–
Landholding Agency: COE
Property Number: 319011536
Status: Unutilized
Comment: 1,224 sq. ft.; 2-story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access.

Bldg. 8
VA Medical Center
County Highway E
Tomah Co: Monroe WI 54660–
Landholding Agency: VA
Property Number: 979010056
Status: Underutilized
Comment: 2,200 sq. ft., 2-story wood frame, possible asbestos, potential utilities, structural deficiencies, needs rehab.

Wyoming

Glendale Microwave Bldg.
Section 1
Cody Co: Park WY 82414–
Landholding Agency: Energy
Property Number: 419220001
Status: Excess
Comment: 223 sq. ft., metal frame, communication equipment bldg., limited utilities, off-site removal only.

*Land (by State)*

Alabama

VA Medical Center
VAMC
Tuskegee Co: Macon AL 36083–
Landholding Agency: VA
Property Number: 979010053
Status: Underutilized
Comment: 40 acres, buffer to VA Medical Center, potential utilities, undeveloped.

Arkansas

Parcel 01
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE Property Number: 319010071
Status: Unutilized
Comment: 77.6 acres.

Parcel 02
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010072
Status: Unutilized
Comment: 198.5 acres.

Parcel 03
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010073
Status: Unutilized
Comment: 50.46 acres.

Parcel 04
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010074
Status: Unutilized
Comment: 236.37 acres.

Parcel 05
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010075
Status: Unutilized
Comment: 187.30 acres.

Parcel 06
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010076
Status: Unutilized
Comment: 13.0 acres.

Parcel 07
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 319010077
Status: Unutilized
Comment: 0.27 acres.

Parcel 08
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Landholding Agency: COE
Property Number: 319010078
Status: Unutilized
Comment: 14.6 acres.

Parcel 09
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 319010079
Status: Unutilized
Comment: 6.60 acres.

Parcel 10
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 319010080
Status: Unutilized
Comment: 4.5 acres.

Parcel 11
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923–9361
Landholding Agency: COE
Property Number: 319010081

Status: Unutilized
Comment: 19.50 acres.

Lake Greeson
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958–9720
Landholding Agency: COE
Property Number: 319010083
Status: Unutilized
Comment: 46 acres.

California

60 AGR/DE
Travis ILS Outer Marker Annex
Rio-Dixon Road
Travis AFB Co: Solano CA 94535–5496
Location: State Highway 113
Landholding Agency: Air Force
Property Number: 189010189
Status: Excess
Comment: .13 acres; most recent use—location for instrument landing systems equipment.

Lake Mendocino
1160 Lake Mendocino Drive
Ukiah Co: Mendocino CA 95482–9404
Landholding Agency: COE
Property Number: 319011015
Status: Unutilized
Comment: 20 acres; steep, dense brush; potential utilities.

Land
4150 Clement Street
San Francisco Co: San Francisco CA 94121–
Landholding Agency: VA
Property Number: 979240001
Status: Underutilized
Comment: 4 acres; landslide area.

Guam

Annex 1
Andersen Communication
Dededo Co: Guam GU 96912–
Location: In the municipality of Dededo.
Landholding Agency: Air Force
Property Number: 189010427
Status: Underutilized
Comment: 862 acres; subject to utilities easements.

Annex 2, (Partial)
Andersen Petroleum Storage
Dededo Co: Guam GU 96912–
Location: In the municipality of Dededo.
Landholding Agency: Air Force
Property Number: 189010428
Status: Underutilized
Comment: 35 acres; subject to utilities easements.

Illinois

Lake Shelbyville
Shelbyville Co: Shelby & Moultr IL 62565–9804
Landholding Agency: COE
Property Number: 319240004
Status: Unutilized
Comment: 5 parcels of land equalling 0.70 acres, improved w/4 small equipment storage bldgs. and a small access road, easement restrictions.

Indiana

Tracts 903, 905, 905–C
Patoka Lake Project
Taswell Co: Crawford IN 47527–
Location: From French Lick, IN, take SR 145S for 10 miles to intersection with SR 164, property lies east and adjacent to highway 145.
Landholding Agency: COE
Property Number: 319030003
Status: Excess
Comment: 22.35 acres; limited utilities.

Tracts 142–A, 143
Patoka Lake Project
Dubois Co: Dubois IN 47527–9661
Location: From French Lick, IN take SR 145 S. for 20 miles to SR 164, go west on 164 for 7 miles to Celestine Road, go North on Celestine for 5 miles to Dubois Co. Road 475, then right for ¼ mile to property.
Landholding Agency: COE
Property Number: 319030004
Status: Excess
Comment: 21.30 acres; limited utilities; subject to periodic flooding.

Tract 142–B
Patoka Lake Project
Dubois Co: Dubois IN 47527–9661
Location: From French Lick, IN take SR 145 S for 20 miles to SR 164, go west on 164 for 7 miles to Celestine Road, go North on Celestine for 5 miles to Dubois Co. Road 475, then right for ¼ miles to property.
Landholding Agency: COE
Property Number: 319030005
Status: Excess
Comment: 4.74 acres; limited utilities; subject to periodic flooding.

Tract 601
Patoka Lake Project
French Lick Co: Orange IN 47527–
Location: IN. State Highway 145 south to Jordan Branch Road, Property abuts east right-of-way for Jordan Road.
Landholding Agency: COE
Property Number: 319030006
Status: Excess
Comment: 0.41 acre; limited utilities.

Portion of Tract 1219
Salamonie Lake, SR 9
Huntington Co: Huntington IN 46750–
Landholding Agency: COE
Property Number: 319310002
Status: Unutilized
Comment: 0.88 acre, potential utilities.

Portion of Tract No. 1220
Salamonie Lake, SR 9
Huntington Co: Huntington IN 46750–
Landholding Agency: COE
Property Number: 319310003
Status: Unutilized
Comment: 0.30 acre, potential utilities.

Portion of Tract No. 1207
Salamonie Lake, SR 9
Huntington Co: Huntington IN 46750–
Landholding Agency: COE
Property Number: 319310004
Status: Unutilized
Comment: 0.28 acre, potential utilities.

Portion of Tract No. 116
Huntington Lake
Huntington Co: Huntington IN 46750–
Landholding Agency: COE
Property Number: 319320001
Status: Excess
Comment: 3.41 acres with road easement.

Kansas

Parcel 1
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Landholding Agency: COE
Property Number: 319010064
Status: Unutilized
Comment: 61 acres; most recent use—recreation.

Kentucky

Tract 2625
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: Adjoining the village of Rockcastle.
Landholding Agency: COE
Property Number: 319010025
Status: Excess
Comment: 2.57 acres; rolling and wooded.

Tract 2709–10 and 2710–2
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Landholding Agency: COE
Property Number: 319010026
Status: Excess
Comment: 2.00 acres; steep and wooded.

Tract 2708–1 and 2709–1
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Landholding Agency: COE
Property Number: 319010027
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities.

Tract 2800
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 4½ miles in a southeasterly direction from the village of Rockcastle.
Landholding Agency: COE
Property Number: 319010028
Status: Excess
Comment: 5.44 acres; steep and wooded.

Tract 2915
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 6½ miles west of Cadiz.
Landholding Agency: COE
Property Number: 319010029
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities.

Tract 2702
Barkley Lake, Kentucky and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 1 mile in a southerly direction from the village of Rockcastle.
Landholding Agency: COE
Property Number: 319010031
Status: Excess
Comment: 4.90 acres; wooded; no utilities.

Tract 4318
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: Trigg Co. adjoining the city of Canton, KY on the waters of Hopson Creek.
Landholding Agency: COE
Property Number: 319010032
Status: Excess
Comment: 8.24 acres; steep and wooded.

Tract 4502
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 3½ miles in a southerly direction from Canton, KY.

Landholding Agency: COE
Property Number: 319010033
Status: Excess
Comment: 4.26 acres; steep and wooded.

Tract 4611
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 5 miles south of Canton, KY.
Landholding Agency: COE
Property Number: 319010034
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities.

Tract 4619
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Landholding Agency: COE
Property Number: 319010035
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities.

Tract 4817
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 6½ miles south of Canton, KY.
Landholding Agency: COE
Property Number: 319010036
Status: Excess
Comment: 1.75 acres; wooded.

Tract 1217
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the north side of the Illinois Central Railroad.
Landholding Agency: COE
Property Number: 319010042
Status: Excess
Comment: 5.80 acres; steep and wooded.

Tract 1906
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4 miles east of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010044
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities.

Tract 1907
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY
Landholding Agency: COE
Property Number: 319010045
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities.

Tract 2001 #1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010046
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities.

Tract 2001 #2
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010047
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities.

Tract 2005
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 5½ miles east of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010048
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities.

Tract 2307
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 7½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010049
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities.

Tract 2403
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 7 miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010050
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities.

Tract 2504
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 9 miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010051
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities.

Tract 214
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of the Illinois Central Railroad, 1 mile east of the Cumberland River.
Landholding Agency: COE
Property Number: 319010052
Status: Excess
Comment: 5.5 acres; wooded; no utilities.

Tract 215
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 319010053
Status: Excess
Comment: 1.40 acres; wooded; no utilities.

Tract 241
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319010054
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities.

Tracts 306, 311, 315 and 325
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 2.5 miles southwest of Kuttawa, KY. on the waters of Cypress Creek.
Landholding Agency: COE
Property Number: 319010055
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities.

Tracts 2305, 2306, and 2400–1
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY.
Landholding Agency: COE
Property Number: 319010056
Status: Excess
Comment: 97.66 acres; steep rolling and wooded; no utilities.

Tract 500–2
Barkley Lake, Kentucky and Tennessee
Kuttawa Co: Lyon KY 42055–
Location: Situated on the waters of Poplar Creek, approximately 1 mile southwest of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319010057
Status: Excess
Comment: 3.58 acres; hillside ridgeland and wooded; no utilities.

Tracts 5203 and 5204
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254.
Landholding Agency: COE
Property Number: 319010058
Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities.

Tract 5240
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY.
Landholding Agency: COE
Property Number: 319010059
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities.

Tract 4628
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Landholding Agency: COE
Property Number: 319011621
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements.

Tract 4619–B
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Landholding Agency: COE
Property Number: 319011622
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements.

Tract 2403–B
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY.
Landholding Agency: COE
Property Number: 319011623
Status: Unutilized

Comment: 0.70 acres, wooded; subject to utility easements.

Tract 241–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319011624
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements.

Tracts 212 and 237
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Landholding Agency: COE
Property Number: 319011625
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements.

Tract 215–B
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 319011626
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements.

Tract 233
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Landholding Agency: COE
Property Number: 319011627
Status: Excess
Comment: 1.00 acres; wooded; subject to utility easements.

Tract B—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130002
Status: Unutilized
Comment: 10 acres, most recent use—recreational, possible periodic flooding.

Tract A—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130003
Status: Unutilized
Comment: 8 acres, most recent use—recreational, possible periodic flooding.

Tract C—Markland Locks & Dam
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Landholding Agency: COE
Property Number: 319130005
Status: Unutilized
Comment: 4 acres, most recent use—recreational, possible periodic flooding.

Tract N–819
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Landholding Agency: COE
Property Number: 219140009
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements.

Portion of Lock & Dam No. 1
Kentucky River
Carrolton Co: Carroll KY 41008–0305
Landholding Agency: COE
Property Number: 319320003
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored.

Portion of Lock & Dam No. 2
Kentucky River
Lockport Co: Henry KY 40036–9999
Landholding Agency: COE
Property Number: 319320004
Status: Underutilized
Comment: approx. 13.14 acres (sloping), access monitored.

Louisiana

Wallace Lake Dam and Reservoir
Shreveport Co: Caddo LA 71103–
Landholding Agency: COE
Property Number: 319011009
Status: Unutilized
Comment: 11 acres; wildlife/forestry; no utilities.

Bayou Bodcau Dam and Reservoir
Haughton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, La.
Landholding Agency: COE
Property Number: 319011010
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities.

Land—8.27 acres
VA Medical Center
2501 Shreveport Highway
Alexandria Co: Rapides LA 71301–
Landholding Agency: VA
Property Number: 979010009
Status: Unutilized
Comment: 8.27 acres, heavily wood with natural drainage ravine across property, most recent use—recreation/buffer area.

Maryland

VA Medical Center
9500 North Point Road
Fort Howard Co: Baltimore MD 21052–
Landholding Agency: VA
Property Number: 979010020
Status: Underutilized
Comment: Approx. 10 acres, wetland and periodically floods, most recent use—dump site for leaves.

Michigan

Calumet Air Force Station
Section 1, T57N, R31W
Houghton Township
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010862
Status: Excess
Comment: 34 acres; potential utilities

Calumet Air Force Station
Section 31, T58N, R30W
Houghton Township
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010863
Status: Excess
Comment: 3.78 acres; potential utilities.

Minnesota

Parcel D
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake, between highways 6 and 371.
Landholding Agency: COE
Property Number: 319011038
Status: Excess
Comment: 17 acres; no utilities.

Tract 92
Sandy Lake
McGregor Co: Aitkins MN 55760–
Location: 4 miles west of highway 65, 15 miles from city of McGregor.
Landholding Agency: COE
Property Number: 319011040
Status: Excess
Comment: 4 acres; no utilities.

Tract 98
Leech Lake
Benedict Co: Hubbard MN 56641–
Location: 1 mile from city of Federal Dam, Mn.
Landholding Agency: COE
Property Number: 319011041
Status: Excess
Comment: 7.3 acres; no utilities.

Mississippi

Parcel 7
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011019
Status: Underutilized
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 8
Grenada Lake
Section 20, T24N
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011020
Status: Underutilized
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 9
Grenada Lake
Section 20, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011021
Status: Underutilized
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 10
Grenada Lake
Sections 16, 17, 18 T24N R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 319011022
Status: Underutilized
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994.

Parcel 2
Grenada Lake
Section 20 and T23N, R5E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 319011023
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 3
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011024
Status: Underutilized
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease).

Parcel 4
Grenada Lake
Section 2 and 3. T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011025
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 5
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011026
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease).

Parcel 6
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 319011027
Status: Underutilized
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 11
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Landholding Agency: COE
Property Number: 319011028
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 12
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38390–10903
Landholding Agency: COE
Property Number: 319011029
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 13
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903–0903
Landholding Agency: COE
Property Number: 319011030
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease).

Parcel 14
Grenada Lake
Section 3, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011031
Status: Underutilized
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 15
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011032
Status: Underutilized
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 16
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Landholding Agency: COE
Property Number: 319011033
Status: Underutilized
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 17
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901–0903
Landholding Agency: COE
Property Number: 319011034
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 18
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902–0903
Landholding Agency: COE
Property Number: 319011035
Status: Underutilized
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 19
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenada MS 38901–0903
Landholding Agency: COE
Property Number: 319011036
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management.

Missouri

Harry S Truman Dam & Reservoir
Warsaw Co: Benton MO 65355–
Location: Triangular shaped parcel southwest of access road "B", part of Bledsoe Ferry Park Tract 150.
Landholding Agency: COE
Property Number: 319030014
Status: Underutilized
Comment: 1.7 acres; potential utilities.

Montana

120 acres, Fort Peck Lake Proj Co: McCone MT
Location: Twp 21 north, RNG 43 east, Section 34, N/2NE/4, Section 35, NW/4NW/4
Landholding Agency: COE
Property Number: 319220005
Status: Unutilized
Comment: 120.00 acres, rough & rugged terrain
GSA Number: 7–D–MT–4137–FF.

Ohio

Hannibal Locks and Dam
Ohio River
P.O. Pox 8
Hannibal Co: Monroe OH 43931–0008
Location: Adjacent to the new Martinsville Bridge.
Landholding Agency: COE
Property Number: 319010015
Status: Underutilized
Comment: 22 acres; river bank.

Oklahoma

Pine Creek Lake
Section 27
(See County) Co: McCurtain OK
Landholding Agency: COE
Property Number: 319010923
Status: Unutilized
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3.

Pennsylvania

Mahoning Creek Lake
New Bethlehem Co: Armstrong PA 16242–9603
Location: Route 28 north to Belknap, Road #4
Landholding Agency: COE
Property Number: 319010018
Status: Excess
Comment: 2.58 acres; steep and densely wooded.

Tracts 610, 611, 612
Shenango River Lake
Sharpsville Co: Mercer PA 16150–
Location: I–79 North, I–80 West, Exit Sharon. R18 North 4 miles, left on R518, right on Mercer Avenue.
Landholding Agency: COE
Property Number: 319011001
Status: Excess
Comment: 24.09 acres; subject to flowage easement.

Tracts L24, L25
Crooked Creek Lake Co: Armstrong PA 03051–
Location: Left bank—55 miles downstream of dam.
Landholding Agency: COE
Property Number: 319011011
Status: Unutilized
Comment: 7.59 acres; potential for utilities.

Tennessee

Tract 6827
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles west of Dover, TN.
Landholding Agency: COE
Property Number: 319010927
Status: Excess
Comment: .57 acres; subject to existing easements.

Tracts 6002–2 and 6010
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3½ miles south of village of Tabaccoport.
Landholding Agency: COE
Property Number: 319010928
Status: Excess
Comment: 100.86 acres; subject to existing easements.

Tract 11516
Barkley Lake
Ashland City Co: Dickson TN 37015–
Location: ½ mile downstream from Cheatham Dam
Landholding Agency: COE
Property Number: 319010929
Status: Excess
Comment: 26.25 acres; subject to existing easements.

Tract 2319
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: West of Buckeye Bottom Road
Landholding Agency: COE
Property Number: 319010930
Status: Excess
Comment: 14.48 acres; subject to existing easements.

Tract 2227
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Old Jefferson Pike
Landholding Agency: COE
Property Number: 319010931
Status: Excess
Comment: 2.27 acres; subject to existing easements.

Tract 2107
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Across Fall Creek near Fall Creek camping area.
Landholding Agency: COE
Property Number: 319010932
Status: Excess
Comment: 14.85 acres; subject to existing easements.

Tracts 2601, 2602, 2603, 2604
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 56
Landholding Agency: COE
Property Number: 319010933
Status: Unutilized
Comment: 11 acres; subject to existing easements.

Tract 1911
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: East of Lamar Road
Landholding Agency: COE
Property Number: 319010934
Status: Excess
Comment: 15.31 acres; subject to existing easements.

Tract 2321
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: South of Old Jefferson Pike
Landholding Agency: COE
Property Number: 319010935
Status: Excess
Comment: 12 acres; subject to existing easements.

Tract 7206
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles SE of Dover, TN.
Landholding Agency: COE
Property Number: 319010936
Status: Excess
Comment: 10.15 acres; subject to existing easements.

Tracts 8813, 8814
Barkley Lake
Cumberland Co: Stewart TN 37050–
Location: 1½ miles East of Cumberland City.
Landholding Agency: COE
Property Number: 319010937
Status: Excess
Comment: 96 acres; subject to existing easements.

Tract 8911
Barkley Lake
Cumberland City Co: Montgomery TN 37050–
Location: 4 miles east of Cumberland City.
Landholding Agency: COE
Property Number: 319010938
Status: Excess
Comment: 7.7 acres; subject to existing easements.

Tract 11503
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2 miles downstream from Cheatham Dam.
Landholding Agency: COE
Property Number: 319010939
Status: Excess
Comment: 1.1 acres; subject to existing easements.

Tracts 11523, 11524
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2½ miles downstream from Cheatham Dam.
Landholding Agency: COE
Property Number: 319010940
Status: Excess
Comment: 19.5 acres; subject to existing easements.

Tract 6410
Barkley Lake
Bumpus Mills Co: Stewart TN 37028–
Location: 4½ miles SW. of Bumpus Mills.
Landholding Agency: COE
Property Number: 319010941
Status: Excess
Comment: 17 acres; subject to existing easements.

Tract 9707
Barkley Lake
Palmyer Co: Montgomery TN 37142–
Location: 3 miles NE of Palmyer, TN. Highway 149
Landholding Agency: COE
Property Number: 319010943
Status: Excess
Comment: 6.6 acres; subject to existing easements.

Tract 6949
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 1½ miles SE of Dover, TN.
Landholding Agency: COE
Property Number: 319010944
Status: Excess
Comment: 29.67 acres; subject to existing easements.

Tracts 6005 and 6017
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3 miles south of Village of Tobaccoport.
Landholding Agency: COE
Property Number: 319011173
Status: Excess
Comment: 5 acres; subject to existing easements.

Tracts K–1191, K–1135
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074–
Landholding Agency: COE
Property Number: 319130007
Status: Underutilized
Comment: 92 acres (38 acres in floodway), most recent use—recreation.

Tract A–102
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 319140006
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements.

Tract A–120
Dale Hollow Lake & Dam Project
Swann Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 319140007
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Tracts A–20, A–21
Dale Hollow Lake & Dam Project
Red Oak Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 319140008
Status: Underutilized
Comment: 821 acres, most recent use—recreation, subject to existing easements

Tract D–185
Dale Hollow Lake & Dam Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570–
Landholding Agency: COE
Property Number: 319140010
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Texas

Parcel #222
Lake Texoma Co: Grayson TX
Location: C. Meyerheim survey A–829 J. Hamilton survey A–529
Landholding Agency: COE
Property Number: 319010421
Status: Excess
Comment: 52.80 acres; most recent use—recreation.

Land
Olin E. Teague Veterans Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Landholding Agency: VA
Property Number: 979010079
Status: Underutilized
Comment: 13 acres, portion formerly landfill, portion near flammable materials, railroad crosses property, potential utilities.

VA Medical Center
4800 Memorial Drive
Waco Co: McLennan TX 76711–
Landholding Agency: VA
Property Number: 979010081
Status: Underutilized
Comment: 2.3 acres, negotiating lease w/ Owens-Illinois Glass Plant, most recent use—parking lot.

Washington

Portion of Tract 905
Lower Monumental Lock & Dam
½ mi SE of Lyons Ferry Marina Co: Whitman WA
Landholding Agency: COE
Property Number: 319320005
Status: Excess

Comment: 3.788 acres with encroaching private well.

Wisconsin

VA Medical Center
County Highway E
Tomah Co: Monroe WI 54660–
Landholding Agency: VA
Property Number: 979010054
Status: Underutilized
Comment: 12.4 acres, serves as buffer between center and private property, no utilities.

**Suitable/Unavailable Properties**

*Buildings (by State)*

California

Hawes Site (KHGM)
March AFB
Hinckley Co: San Bernardino CA 92402–
Landholding Agency: Air Force
Property Number: 189010084
Status: Unutilized
Comment: 9290 sq ft., 2 story concrete, most recent use—radio relay station, possible asbestos, land belongs to Bureau of Land Management, potential utilities.

Santa Fe Flood Control Basin
Irwindale Co: Los Angeles CA 91706–
Landholding Agency: COE
Property Number: 319011298
Status: Unutilized
Comment: 1400 sq. ft.; 1 story stucco; needs rehab; termite damage; secured area with alternate access.

Bldg. 116
VA Medical Center
Wilshire and Sawtelle Blvds.
Los Angeles Co: Los Angeles CA 90073–
Landholding Agency: VA
Property Number: 979110009
Status: Underutilized
Comment: 60309 sq. ft., 3 story brick frame, seismic reinforcement defics., underutil. port of bldg. used intermitly., needs rehab, poss. asbestos in pipes/floor tiles, site access lim.

Bldg. 263
VA Medical Center
Wilshire and Sawtelle Blvds.
Los Angeles Co: Los Angeles CA 90073–
Landholding Agency: VA
Property Number: 979110010
Status: Unutilized
Comment: 1600 sq. ft., 1 story wood frame w/ stucco exterior, needs rehab, poss. asbestos on pipes/floor tiles, site access limitations, no operating utilities.

Florida

Bldg. CN7
Ortona Lock Reservation, Okeechobee Waterway
Ortona Co: Glades FL 33471–
Location: Located off Highway 78 approximately 7 miles west of intersection with Highway 27.
Landholding Agency: COE
Property Number: 319010012
Status: Unutilized
Comment: 1468 sq. ft.; one floor wood frame; most recent use—residence; security with alternate access.

Bldg. CN8
Ortona Lock Reservation, Okeechobee Waterway
Ortona Co: Glades FL 33471–
Location: Located off Highway 78 approximately 7 miles west of intersection with Highway 27.
Landholding Agency: COE
Property Number: 319010013
Status: Unutilized
Comment: 1468 sq. ft.; one floor wood frame; most recent use—residence; secured with alternate access.

Bldg. SF–83
Moore Haven Lock & Dam
Ockeechobee Waterway
Moore Haven Co: Glades FL 33471–
Landholding Agency: COE
Property Number: 319310006
Status: Unutilized
Comment: 1441 sq. ft., 1-story frame residence, average condition, restricted access.

Bldg. 24, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230008
Status: Underutilized
Comment: Portion of 6150 sq. ft., 3 story concrete frame bldg., needs rehab, presence of asbestos, listed on Natl Register of Historic Places, access restrictions.

Bldg. 36, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230009
Status: Underutilized
Comment: portion of 15,984 sq. ft., 1 story concrete frame bldg., needs rehab, presence of asbestos, listed on Natl Register of Historic Places, access restrictions.

Bldg. 37, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230010
Status: Underutilized
Comment: Third floor of a concrete frame bldg. (13,900 sq. ft.), presence of asbestos, listed on Natl Register of Historic Places, access restrictions.

Guam

Bldg. 99, Loran Station—C
Barrigada GU 96913–
Landholding Agency: DOT
Property Number: 879220002
Status: Excess
Comment: 3960 sq. ft. concrete block transmitting station with tower.

Idaho

Bldg.
Albeni Falls Dam
U.S. Highway 2, Priest River
Bonner Co: Bonner ID 83856–
Location: 3½ miles west of Priest River.
Landholding Agency: COE
Property Number: 319110028
Status: Unutilized
Comment: 2989 sq. ft.; 3 story log construction with wood frame; off-site removal only; needs rehab.

Indiana

Bldg. 24, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230005
Status: Underutilized
Comment: portion of 4135 sq. ft. 2-story wood structure, needs major rehab, no sanitary or heating facilities, presence of asbestos, access restrictions.

Bldg. 105, VAMC
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230006
Status: Underutilized
Comment: 310 sq. ft., 1 story stone structure, needs major rehab, no sanitary or heating facilities, access restrictions.

Maine

Mount Desert Rock Light
U.S. Coast Guard
Southwest Harbor Co: Hancock ME 04679–
Landholding Agency: DOT
Property Number: 879240023
Status: Unutilized
Comment: 1600 sq. ft., 2-story wood frame dwelling, needs rehab, limited utilities, limited access, property is subject to severe storms.

Little River Light
U.S. Coast Guard
Cutler Co: Washington ME
Landholding Agency: DOT
Property Number: 879240026
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame dwelling, well is contaminated, limited utilities.

Burnt Island Light
U.S. Coast Guard
Southport Co: Lincoln ME 04576–
Landholding Agency: DOT
Property Number: 879240027
Status: Unutilized
Comment: 750 sq. ft., 2-story wood frame dwelling.

Massachusetts

Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966–
Landholding Agency: DOT
Property Number: 879240024
Status: Unutilized
Comment: 1000 sq. ft., 2-story brick dwelling, large wave action with severe ocean storms.

Assistant Keepers Dwelling
Cape Ann Light, Thachers Island
U.S. Coast Guard
Rockport Co: Essex MA 01966–
Landholding Agency: DOT
Property Number: 879240025
Status: Unutilized
Comment: 1100 sq. ft., 2-story wood frame dwelling, large wave action with severe ocean storms.

Michigan

Bldg. 20
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010775
Status: Excess

Comment: 13404 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—warehouse/supply facility.

Bldg. 21
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010776
Status: Excess
Comment: 2146 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—storage.

Bldg. 22
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010777
Status: Excess
Comment: 1546 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—administrative facility.

Bldg. 28
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010778
Status: Excess
Comment: 1000 sq. ft.; 1 floor; possible asbestos; potential utilities; most recent use—maintenance facility.

Bldg. 40
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010780
Status: Excess
Comment: 2069 sq. ft.; 2 floors; concrete block; possible asbestos; potential utilities; most recent use—of administrative facility.

Bldg. 41
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010781
Status: Excess
Comment: 2069 sq. ft.; 1 floor; concrete block, potential utilities; possible asbestos; most recent use—dormitory.

Bldg. 42
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010782
Status: Excess
Comment: 4017 sq. ft.; 1 floor; concrete block; potential utilities; possible asbestos; most recent use—dining hall.

Bldg. 43
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010783
Status: Excess
Comment: 3674 sq. ft.; 2 story; concrete block; potential utilities; possible asbestos most recent use—dormitory.

Bldg. 44
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010784
Status: Excess
Comment: 7216 sq. ft.; 2 story; concrete block; possible asbestos; potential utilities; most recent use—dormitory.

Bldg. 45
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010785
Status: Excess
Comment: 6070 sq. ft.; 2 story; concrete block, potential utilities; possible asbestos; most recent use—administrative facility.

Bldg. 47
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010787
Status: Excess
Comment: 83 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 48
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010788
Status: Excess
Comment: 96 sq. ft.; 1 story; concrete block; potential utilities; most recent use—storage.

Bldg. 49
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010789
Status: Excess
Comment: 1944 sq. ft.; 1 story; concrete block; potential utilities; most recent use—dormitory.

Bldg. 50
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010790
Status: Excess
Comment: 6171 sq. ft.; 1 story; concrete block; potential utilities; possible asbestos; most recent use—Fire Department vehicle parking building.

Bldg. 14
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010833
Status: Excess
Comment: 6751 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—gymnasium.

Bldg. 16
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010834
Status: Excess
Comment: 3000 sq. ft., 1 floor concrete block; most recent use commissary facility.

Bldg. 9
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010835
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 11
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010837
Status: Excess
Comment: 1056 sq. ft.; 1 floor wood frame residence.

Bldg. 12
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010838
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 13
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010839
Status: Excess
Comment: 1056 sq. ft.; 1 story wood frame residence.

Bldg. 5
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010840
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 6
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010841
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 7
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010842
Status: Excess
Comment: 864 sq. ft.; 1 story wood frame residence; possible asbestos.

Bldg. 8
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 1890108443
Status: Excess
Comment: 864 sq. ft.; 1 floor wood frame residence; possible asbestos.

Bldg. 4
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010844
Status: Excess
Comment: 2340 sq. ft.; 1 floor concrete block; most recent use—heating facility.

Bldg. 3
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010845
Status: Excess
Comment: 5314 sq. ft.; 1 floor concrete block; possible asbestos; most recent use—maintenance shop and office.

Bldg. 1

Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010846
Status: Excess
Comment: 4528 Sq. ft.; 1 floor concrete block; possible asbestos; most recent use—office.

Bldg. 158
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010857
Status: Excess
Comment: 3603 sq. ft.; 1 story concrete/steel; possible asbestos; most recent use—electrical power station.

Bldg. 15
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010864
Status: Excess
Comment: 538 sq. ft.; 1 floor; concrete/wood structure; potential utilities; most recent use—gymnasium facility.

Bldg. 31
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010867
Status: Excess
Comment: 36 sq. ft.; 1 story; metal frame, prior use—storage of fire hoses.

Bldg. 32
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010868
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 33
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010869
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 34
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010870
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 35
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010871
Status: Excess
Comment: 36 sq. ft.; 1 story metal frame; prior use—storage of fire hoses.

Bldg. 39
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010874
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 202
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010880
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 203
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010881
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 204
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010882
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 205
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010883
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 206
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010884
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 207
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010885
Status: Excess
Comment: 25 sq. ft.; 1 floor metal frame; prior use—storage of fire hoses.

Bldg. 153
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010886
Status: Excess
Comment: 4314 sq. ft.; 2 story concrete block facility; (radar tower bldg.) potential use—storage.

Bldg. 154
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010887
Status: Excess
Comment: 8960 sq. ft.; 4 story concrete block facility; (radar tower bldg.) potential use—storage.

Bldg. 157
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010888
Status: Excess
Comment: 3744 sq. ft.; 1 story concrete/steel facility; (radar tower bldg.) potential use—storage.

Minnesota

Bldg. 43
VA Medical Center
Minneapolis Co: Hennepin MN 55441–7
Location: 54th Street and 48th Avenue S.
Landholding Agency: VA
Property Number: 979010032
Status: Underutilized
Comment: 26000 sq. ft., 8 story brick/steel frame, asbestos present on pipe insulation most recent use—office/storage.

Bldg. 227
Va Medical Center
Fort Snelling
St. Paul Co: Hennepin MN 55111–
Landholding Agency: VA
Property Number: 979010033
Status: Unutilized
Comment: 850 sq. ft.; 2 story wood frame and brick residence, utilities disconnected.

Missouri

Jefferson Barracks ANG Base
Missouri National Guard
1 Grant Road
St. Louis Co: St. Louis MO 63125–4118
Landholding Agency: Air Force
Property Number: 189010081
Status: Underutilized
Comment: 20 acres; portion near flammable materials; portion on archaeological site; special fencing required.

Nebraska

Bldg. 4, Hastings Family Hsg.
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320059
Status: Excess
Comment: 19370 sq. ft.; brick frame, 1-story possible asbestos, most recent use—recreation.

Bldg. 500
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320060
Status: Excess
Comment: 4984 sq. ft.; 2-story plus ½ basement, wood frame family housing, possible asbestos.

Bldg. 502
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320061
Status: Excess
Comment: 2108 sq. ft.; 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 504
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320062
Status: Excess
Comment: 2852 sq. ft.; 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 506
Hastings Family Housing

Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320063
Status: Excess
Comment: 2960 sq. ft.; 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 507
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320064
Status: Excess
Comment: 2154 sq. ft.; 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 509
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320065
Status: Excess
Comment: 2404 sq. ft.; 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 511
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320066
Status: Excess
Comment: 3156 sq. ft.; 2-story plus full basement wood frame family housing, possible asbestos.

Bldg. 512
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320067
Status: Excess
Comment: 2948 sq. ft.; 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 515
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320068
Status: Excess
Comment: 2554 sq. ft.; 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 517
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320069
Status: Excess
Comment: 2,554 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 519
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320070
Status: Excess
Comment: 2,800 sq. ft., 2-story plus full basement wood frame family housing, possible asbestos.

Bldg. 521
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320071
Status: Excess
Comment: 2,268 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 523
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320072
Status: Excess
Comment: 2,718 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 525
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320073
Status: Excess
Comment: 2,718 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 526
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320074
Status: Excess
Comment: 3,720 sq. ft., 1-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 529
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320075
Status: Excess
Comment: 2,252 sq. ft., 1-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 531
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320076
Status: Excess
Comment: 2,782 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 533
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320077
Status: Excess
Comment: 2,324 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 534
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320078
Status: Excess
Comment: 3,276 sq. ft., 1-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 536
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320079
Status: Excess
Comment: 2,228 sq. ft, 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 538
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320080
Status: Excess
Comment: 2,228 sq. ft., 2-story plus full basement wood frame family housing, possible asbestos.

Bldg. 541
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320081
Status: Excess
Comment: 2,452 sq. ft., 2-story plus full basement wood frame family housing, possible asbestos.

Bldg. 542
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320082
Status: Excess
Comment: 2,566 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

Bldg. 544
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320083
Status: Excess
Comment: 3,488 sq. ft., 1-story plus full basement wood frame family housing, possible asbestos.

Bldg. 546
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320084
Status: Excess
Comment: 3,724 sq. ft., 1-story plus full basement wood frame family housing, possible asbestos.

Bldg. 549
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320085

Status: Excess
Comment: 2,624 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 550
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320086
Status: Excess
Comment: 2,270 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 552
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320087
Status: Excess
Comment: 2,358 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 553
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320088
Status: Excess
Comment: 2,012 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 555
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320089
Status: Excess
Comment: 2,286 sq. ft., 2-story plus full basement wood frame family housing, possible asbestos.

Bldg. 557
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320090
Status: Excess
Comment: 2,176 sq. ft., 1-story plus full basement wood frame family housing, possible asbestos.

Bldg. 558
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320091
Status: Excess
Comment: 2,052 sq. ft., 2-story plus ½ basement wood frame family housing, possible asbestos.

Bldg. 560
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320092
Status: Excess
Comment: 2,600 sq. ft., 2-story plus ¾ basement wood frame family housing, possible asbestos.

27 Detached Garages
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320093
Status: Excess
Comment: 280–708 sq. ft., wood frame, accommodates 1 to 3 vehicles, possible asbestos.

Bldg. 17
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320094
Status: Excess
Comment: 2,225 sq. ft., 1-story wood frame, most recent use—offices, needs rehab, possible asbestos.

Bldg. 16
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320095
Status: Excess
Comment: 3,278 sq. ft., 1-story plus basement brick frame, most recent use—storage, possible asbestos.

Bldg. 18
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320096
Status: Excess
Comment: 115 sq. ft., 1-story metal frame, most recent use—storage, no known utility potential.

Bldg. 6
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320097
Status: Excess
Comment: 256 sq. ft., 1-story wood frame, most recent use—storage, possible asbestos.

Bldg. 547
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320098
Status: Excess
Comment: 731 sq. ft., 1-story plus full basement wood frame, most recent use—storage, possible asbestos.

Bldg. 604
Hastings Family Housing
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320099
Status: Excess
Comment: 224 sq. ft., 1-story wood frame, most recent use—storage.

New Hampshire

Bldg. 114
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320055
Status: Excess
Comment: 2,606 sq. ft., 1-story, concrete block frame, possible asbestos, access restrictions, most recent use—storage.

Bldg. 115
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320056
Status: Excess
Comment: 2,606 sq. ft., 1-story, concrete block frame, possible asbestos, access restrictions, most recent use—storage.

Bldg. 127
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320057
Status: Excess
Comment: 698 sq. ft., 1-story, concrete and metal frame, possible asbestos, access restrictions, most recent use—storage.

New York

Bldg. 5
VA Medical Center
Redfield Parkway
Batavia Co: Genesee NY 14020–
Landholding Agency: VA
Property Number: 979030001
Status: Underutilized
Comment: Portion of 16,800 sq. ft., 3 story, brick and masonry bldgs., needs minor repairs.

Bldg. 144, VAECC
Linden Blvd. and 179th St.
St. Albans Co: Queens NY 11425–
Landholding Agency: VA
Property Number: 979210004
Status: Unutilized
Comment: 5,215 sq. ft., 2 story wood frame residence, needs rehab, potential utilities.

Bldg. 143, VAECC
Linden Blvd. and 179th St.
St. Albans Co: Queens NY 11425–
Landholding Agency: VA
Property Number: 979210005
Status: Unutilized
Comment: 5,215 sq. ft., 2 story wood frame residence, needs rehab, potential utilities.

Bldgs. 142/146, VAECC
Linden Blvd. and 179th St.
St. Albans Co: Queens NY 11425–
Landholding Agency: VA
Property Number: 979210006
Status: Unutilized
Comment: 5,215 sq. ft., 2 story wood frame residence with 380 sq. ft. attached garage, needs rehab, potential utilities.

Pennsylvania

Bldg. 3—VA Medical Center
University Drive C
Pittsburgh Co: Allegheny PA 15240–
Landholding Agency: VA
Property Number: 979210002
Status: Unutilized
Comment: Approx. 2,765 sq. ft., two story brick residence, needs rehab.

Bldg. 2, VAMC
1700 South Lincoln Avenue
Lebanon Co: Lebanon PA 17042–
Landholding Agency: VA
Property Number: 979230011
Status: Underutilized
Comment: Portion of 16,360 sq. ft. 3-story structure, most recent use—storage.

Bldg. 3, VAMC
1700 South Lincoln Avenue

Lebanon Co: Lebanon PA 17042–
Landholding Agency: VA
Property Number: 979230012
Status: Underutilized
Comment: Portion of bldg. (3,850 and 4,360 sq. ft.), most recent use—storage.

Bldg. 27, VAMC
1700 South Lincoln Avenue
Lebanon Co: Lebanon PA 17042–
Landholding Agency: VA
Property Number: 979230013
Status: Underutilized
Comment: Second floor of bldg. (3,410 sq. ft.).

Bldg. 103, VAMC
1700 South Lincoln Avenue
Lebanon Co: Lebanon PA 17042–
Landholding Agency: VA
Property Number: 979230014
Status: Underutilized
Comment: Portion of 1,215 sq. ft. 2-story stone farm house, needs repair.

South Carolina

Bldg. 10
WJBD Veterans' Hospital
Columbia Co: Richland SC 29201–
Landholding Agency: VA
Property Number: 979340002
Status: Underutilized
Comment: Portion of a 21,512 sq. ft. brick 3-story building, located within medical facility, needs repair, bldg. has historical significance.

Tennessee

Transient Quarters
Dale Hollow Lake and Dam Project
Dale Hollow Resource Mgr Office, Rt 1, Box 64
Celina Co: Clay TN 38551–
Landholding Agency: COE
Property Number: 319140005
Status: Unutilized
Comment: 1,400 sq. ft., concrete block, possible security restrictions, subject to existing easements.

Texas

Bldg. 605
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110090
Status: Unutilized
Comment: 392 sq. ft.; 1 story sheet metal building; most recent use—storage; possible asbestos; needs rehab.

Bldg. 696
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110091
Status: Unutilized
Comment: 1,344 sq. ft.; possible asbestos; most recent use—auto hobby shop; needs rehab.

Bldg. 697
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110092
Status: Unutilized
Comment: 770 sq. ft.; possible asbestos; most recent use—supply store; needs rehab.

Bldg. 698
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110093
Status: Unutilized
Comment: 5,815 sq. ft.; 1 story corrugated iron; possible asbestos; needs rehab; most recent use—recreation, workshop.

Bldg. 699
Brooks Air Force Base
San Antonio Co: Bexar TX 78235–
Landholding Agency: Air Force
Property Number: 189110094
Status: Unutilized
Comment: 2,659 sq. ft.; 1 story; possible asbestos; most recent use—arts and crafts center.

Brownsville Urban System (Grantee)
700 South Iowa Avenue
Brownsville Co: Cameron TX 78520–
Landholding Agency: DOT
Property Number: 879010003
Status: Unutilized
Comment: 3,500 sq. ft., 1 story concrete block, (2nd floor of Admin. Bldg.) on 10,750 sq. ft. land, contains underground diesel fuel tanks.

Wisconsin

Former Lockmaster's Dwelling
DePere Lock
100 James Street
De Pere Co: Brown WI 54115–
Landholding Agency: COE
Property Number: 319011526
Status: Unutilized
Comment: 1,224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access.

Wyoming

Bldg. 13
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110001
Status: Unutilized
Comment: 3,613 sq. ft., 3 story wood frame masonry veneered, potential utilities, possible asbestos, needs rehab.

Bldg. 79
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110003
Status: Unutilized
Comment: 45 sq. ft., 1 story brick and tile frame, limited utilities, most recent use—reservoir house, use for storing purposes.

*Land (by State)*

California

Camp Kohler Annex
McCellan AFB
Sacramento Co: Sacramento CA 95652–5000
Landholding Agency: Air Force
Property Number: 189010045
Status: Unutilized
Comment: 35.30 acres +.11 acres easement; 30+ acres undeveloped; potential utilities; secured area; alternate access.

Norton Com. Facility Annex
Norton AFB
Sixth and Central Streets
Highland Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010194
Status: Excess
Comment: 30.3 acres; most recent use—recreational area; portion subject to easements.

Land—VA Medical Center
Wilshire and Sawtelle Boulevards
Los Angeles Co: Los Angeles CA 90073–
Landholding Agency: VA
Property Number: 979010077
Status: Underutilized
Comment: Approx. 30 acres of 80 acre tract, 7 acre portion contaminated, portions may be environmentally protected.

Florida

Parcel A & B
U.S. Coast Guard Light Station
Lots 1, 8 & 11, Section 31
Jupiter Inlet Co: Palm Beach FL 33420–
Location: Township 40 south, range 43 east.
Landholding Agency: DOT
Property Number: 879010009
Status: Unutilized
Comment: 56.61 acres, area is uncleared, vegetation growth is heavy, no utilities.

Buffer Zone, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230016
Status: Underutilized
Comment: Approx. 20 acres, storm water retention area.

Compound, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230017
Status: Underutilized
Comment: Approx. 7 acres, storage compound, partially wooded.

Illinois

VA Medical Center
3001 Green Bay Road
North Chicago Co: Lake IL 60064–
Landholding Agency: VA
Property Number: 979010082
Status: Underutilized
Comment: 2.5 acres, currently being used as a construction staging area for the next 6–8 years, potential utilities.

Kentucky

Carr Fork Lake
5 miles SE of Hindman, KY, Hwy. 60
Hindman Co: Knott KY
Landholding Agency: COE
Property Number: 319240003
Status: Unutilized
Comment: 2.81 acres, most recent use—drainage area for bank stabilization for adjacent cemetery.

Michigan

VA Medical Center
5500 Armstrong Road
Battle Creek Co: Calhoun MI 49016–
Landholding Agency: VA
Property Number: 979010015
Status: Underutilized
Comment: 20 acres, used as exercise trails and storage areas, potential utilities.

Minnesota

Bldg. 43 Land Site
VA Medical Center
54th Street & 48th Avenue South
Minneapolis Co: Hennepin MN 55417–
Landholding Agency: VA
Property Number: 979010005
Status: Underutilized
Comment: 8.9 acres, most recent use—parking, potential utilities.

Bldg. 227–229 Land
VA Medical Center
Fort Snelling
St Paul Co: Hennepin MN 55111–
Landholding Agency: VA
Property Number: 979010006
Status: Underutilized
Comment: 2.0 acres, potential utilities, buildings occupied, residence/garage.

VA Medical Center
Near 5629 Minnehaha Avenue
Minneapolis Co: Hennepin MN 55417–
Location: Land (Site of Building 15, 16, 21, 48, 64, T10)
Landholding Agency: VA
Property Number: 979010024
Status: Underutilized
Comment: 12.1 acres, most recent use—parking, potential utilities.

Land—12 acres
VAMC
Near 5629 Minnehaha Avenue
Minneapolis Co: Hennepin MN 55417–
Landholding Agency: VA
Property Number: 979010031
Status: Unutilized
Comment: 12 acres, possible asbestos, leased to Department of Natural Resources as a park walking trail.

Montana

0.01 acre, Fort Peck Lake Proj Co: Valley MT
Location: Twp. 27 north, RNG 41 east, Section 33, E/2SE/4NW/4NE/4
Landholding Agency: COE
Property Number: 319220002
Status: Excess
Comment: 0.01 acre, small triangular parcel, rough/steep terrain.

0.05 acre, Fort Peck Lake Proj Co: Valley MT
Location: Twp 27 north, RNG 41 east, Section 33, E/2SE/4NW/4NE/4
Landholding Agency: COE
Property Number: 319220003
Status: Excess
Comment: 0.05 acre, narrow strip next to highway, steep/rough terrain
GSA Number: 7–D–MT–4137–FF

122.60 acres
Fort Peck Lake Project Co: McCone MT
Location: Twp 26 north, RNG 42 east, Section 4, Lot 3, SW/4NE/4SE/4NW/4
Landholding Agency: COE
Property Number: 319220004
Status: Excess
Comment: 122.60 acres, rough & rugged terrain, grazing allotment administered by Bureau of Land Management
GSA Number: 7–D–MT–4137–FF.

New York

VA Medical Center
Fort Hill Avenue
Canandaigua Co: Ontario NY 14424–
Landholding Agency: VA
Property Number: 979010017
Status: Underutilized
Comment: 27.5 acres, used for school ballfield and parking, existing utilities easements, portion leased.

Oklahoma

45 acre parcel, Sardis Lake
SE¼ NE¼ Section 4, T 2 N, R 18 E Co: Pushmataha OK 74521–
Landholding Agency: COE
Property Number: 319140004
Status: Excess
Comment: Approx. 45 acres, most recent use—fish and wildlife conservation.

Pennsylvania

East Branch Clarion River Lake
Wilcox Co: Elk PA
Location: Free camping area on the right bank off entrance roadway.
Landholding Agency: COE
Property Number: 319011012
Status: Underutilized
Comment: 1 acre; most recent use—free campground.

VA Medical Center
New Castle Road
Butler Co: Butler PA 16001–
Landholding Agency: VA
Property Number: 979010016
Status: Underutilized
Comment: Approx. 9.29 acres, used for patient recreation, potential utilities.

Land No. 645
VA. Medical Center
Highland Drive
Pittsburgh Co: Allegheny PA 15206–
Location: Between Campania and Wiltsie Streets.
Landholding Agency: VA
Property Number: 979010080
Status: Unutilized
Comment: 52.42 acres, heavily wooded, property includes dump area and numerous site storm drain outfalls.

Land—34.16 acres
VA Medical Center
1400 Black Horse Hill Road
Coatesville Co: Chester PA 19320–
Landholding Agency: VA
Property Number: 979340001
Status: Underutilized
Comment: 34.16 acres, open field, most recent use—recreation/buffer

Texas

Part of Tract A–10
(See County) Co: Tarrant TX
Location: Off FM 2499 at north end of dam embankment
Landholding Agency: COE
Property Number: 319010390
Status: Excess
Comment: 0.29 acres; most recent use—parking lot.

Part of Tract 340
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010400
Status: Unutilized
Comment: 1 acre; future use—recreation.

**Suitable/To Be Excessed**

*Buildings (by State)*

Arizona

Control Bldg.
U.S. 666
Cochise Co: Cochise AZ 85606–
Landholding Agency: Energy
Property Number: 419320005
Status: Excess
Comment: 800 sq. ft., masonry frame, no utilities, presence of PCB's & asbestos, most recent use—control bldg for electrical substation.

Warehouse & Service Bldg.
University Road
Mesa Co: Maricopa AZ 85201–
Landholding Agency: Energy
Property Number: 419320007
Status: Excess
Comment: 368 & 600 sq. ft., 1 story steel & masonry frame, no utilities, presence of PCB's & asbestos, most recent use—storage/service for electrical substation.

Massachusetts

Cuttyhunk boathouse
South Shore of Cuttyhunk Pond
Gosnold Co: Dukes MA 02713–
Landholding Agency: DOT
Property Number: 879310001
Status: Unutilized
Comment: 2,700 sq. ft., wood frame, one story, needs rehab, limited utilities, off-site use only

Michigan

Former C.G. Lightkeeper Sta.
Little Rapids Channel Project
St. Marys River
Sault Ste. Marie Co: Chippewa MI 49783–
Location. 3 miles east of downtown Sault Ste. Marie.
Landholding Agency: COE
Property Number: 319011573
Status: Excess
Comment: 1,411 sq. ft.; 2 story; wood frame on .62 acres; needs rehab; secured area with alternate access.

Nevada

Bldg. 300
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120001
Status: Unutilized
Comment: 1,573 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only

Bldg. 301
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120002
Status: Unutilized
Comment: 1,573 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only

Bldg. 302
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120003
Status: Unutilized

Comment: 1,573 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 303
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120004
Status: Unutilized
Comment: 2,750 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 304
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120005
Status: Unutilized
Comment: 2,750 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 305
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120006
Status: Unutilized
Comment: 2,750 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 306
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120007
Status: Unutilized
Comment: 2,750 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 307
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120008
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 308
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120009
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 309
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120010
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 310
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120011
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 311
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120012
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 312
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120013
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 313
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120014
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 314
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120015
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 315
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120016
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 316
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120017
Status: Unuitilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 317
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120018
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 318
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120019
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 319
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120020
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 320
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120021
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 321
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120022
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 322
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120023
Status: Unutilized
Comment: 2,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 323
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120024
Status: Unutilized
Comment: 1,233 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 324
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120025
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 325

Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120026
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 326
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120027
Status: Unutilized
Comment: 2,424 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 331
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120028
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 332
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120029
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 333
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120030
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 334
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120031
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 335
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120032
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 336
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120033
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 337
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120034
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 338
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120035
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 339
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120036
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 340
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120037
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 341
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120038
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 343
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120039
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 345
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120040
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 346
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120041
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 348
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120042
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 349
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120043
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 350
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120044
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 351
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120045
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 352
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120046
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 353
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120047
Status: Unutilized
Comment: 1,170 sq. ft., one story family housing, easement restrictions, potential utilities, off-site removal only.

Bldg. 400
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120048

Status: Unutilized
Comment: 2,464 sq. ft., one story, most recent use—maintenance shop, easement restrictions, potential utilities, off-site removal only.

Bldg. 402
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120049
Status: Unutilized
Comment: 2,570 sq. ft., one story, most recent use—Chapel, easement restrictions, potential utilities, off-site removal only.

Bldg. 404
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120050
Status: Unutilized
Comment: 2,376 sq. ft., one story, most recent use—religious education facility, easement restrictions, potential utilities, off-site removal only.

Bldg. 406
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120051
Status: Unutilized
Comment: 2,605 sq. ft., one story, most recent use—child care facility, easement restrictions, potential utilities, off-site removal only.

Bldg. 3027
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120052
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3028
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120053
Status: Unutilized
Comment: 60 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3029
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120054
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3030
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120055
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3031
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120056
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3032
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120057
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3033
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120058
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3034
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120059
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3035
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120060
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3036
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120061
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3037
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120062
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3038
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120063
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3039
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120064
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

Bldg. 3040
Nellis Air Force Base
Indian Springs AF Aux. Field
Indian Springs Co: Clark NV 89018–
Landholding Agency: Air Force
Property Number: 189120065
Status: Unutilized
Comment: 120 sq. ft., one story, most recent use—storage, easement restrictions, potential utilities, off-site removal only.

North Dakota

Bldg. 101
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110095
Status: Excess
Comment: 768 sq. ft., 2 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 102
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110096
Status: Excess
Comment: 988 sq. ft., 3 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 103
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110097
Status: Excess
Comment: 988 sq. ft.; 3 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 104
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and

approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110098
Status: Excess
Comment: 988 sq. ft.; 3 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 110
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110102
Status: Excess
Comment: 768 sq. ft.; 2 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 105
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110099
Status: Unutilized
Comment: 988 sq. ft.; 3 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 106
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110100
Status: Excess
Comment: 988 sq. ft.; 3 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 107
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110101
Status: Excess
Comment: 768 sq. ft.; 2 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 111
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110103
Status: Excess
Comment: 768 sq. ft.; 2 bedroom single family housing unit; needs rehab; off-site use only.

Bldg. 112
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110104
Status: Excess
Comment: 1510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 113
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110105
Status: Excess
Comment: 1510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 114
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110106
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 115
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110107
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 116
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110108
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 117
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110109
Status: Excess
Comment: 1,595 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 118
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110110
Status: Excess
Comment: 2,295 sq. ft.; 4 bedroom single family housing unit, needs rehab; off-site use only.

Bldg. 119
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110111
Status: Excess
Comment: 1,595 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 120
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110112
Status: Excess
Comment: 1,595 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 121
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110113
Status: Excess
Comment: 1,595 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 122
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110114
Status: Excess
Comment: 1,595 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 123
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force.
Property Number: 189110115
Status: Excess

Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 124
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110116
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 125
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110117
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 126
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110118
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 127
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110119
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 128
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110120
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 129
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110121
Status: Excess
Comment: 1,510 sq. ft.; 3 bedroom single family housing unit with attached garage; needs rehab; off-site use only.

Bldg. 141
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110122
Status: Excess
Comment: 364 sq. ft.; 1 stall vehicle garage; needs rehab; off-site use only.

Bldg. 142
Fortuna Air Force Base
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110123
Status: Excess
Comment: 624 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 143
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110124
Status: Excess
Comment: 624 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 144
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110125
Status: Excess
Comment: 624 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 145
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110126
Status: Excess
Comment: 624 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 201
Fortuna Air Force Base
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110127
Status: Excess
Comment: 1203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 202
Fortuna Air Force Base
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110128
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 203
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110129
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 204
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110130
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 205
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110131
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 206
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110132
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 207
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.

Landholding Agency: Air Force
Property Number: 189110133
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 208
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110134
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 209
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110135
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 210
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110136
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 211
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110137
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 212
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110138
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 213
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110139
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 214
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110140
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 215
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110141
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 216
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110142
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 217
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110143
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 218
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110144
Status: Excess
Comment: 1,203 sq. ft.; 3 bedroom single family relocatable housing unit; needs rehab; off-site use only.

Bldg. 221
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110145
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 222
Fortuna Air Force Base
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110146
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 223
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110147
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 224
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110148
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 225
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110149
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 226
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110150
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 227
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and

approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110151
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 228
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110152
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 229
Fortuna Air Force Station
Fortuna Co: Divide ND 58844–
Location: Located on North Dakota State Highway 5, four miles west of Fortuna and approximately 60 miles north of Williston via U.S. Highway 85.
Landholding Agency: Air Force
Property Number: 189110153
Status: Excess
Comment: 672 sq. ft.; 2 stall vehicle garage; needs rehab; off-site use only.

Bldg. 1
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310066
Status: Excess
Comment: 10,859 sq. ft., 1-story concrete, needs extensive repairs, presence of asbestos.

Bldg. 2
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310067
Status: Excess
Comment: 1,543 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 4
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310068
Status: Excess
Comment: 1,759 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 5
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310069
Status: Excess
Comment: 368 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 7
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310070
Status: Excess
Comment: 694 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 8
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310071
Status: Excess
Comment: 867 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 10
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310072
Status: Excess
Comment: 112 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 11
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310073
Status: Excess
Comment: 96 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 12
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310074
Status: Excess
Comment: 2,198 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 13
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310075
Status: Excess
Comment: 2,118 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 14
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310076
Status: Excess
Comment: 3,462 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 15
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310077
Status: Excess
Comment: 4,182 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 16
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310078
Status: Excess
Comment: 3,772 sq. ft., 2-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 17
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310079
Status: Excess
Comment: 2,925 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 18
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310080
Status: Excess
Comment: 5,806 sq. ft., 2-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 19
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310081
Status: Excess
Comment: 5,806 sq. ft., 2-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 20
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310082
Status: Excess
Comment: 1,882 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 21
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310083
Status: Excess
Comment: 192 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 22
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310084
Status: Excess
Comment: 1,571 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 23

Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310085
Status: Excess
Comment: 1,212 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 24
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310086
Status: Excess
Comment: 2,758 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 26
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310087
Status: Excess
Comment: 302 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 27
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310088
Status: Excess
Comment: 64 sq. ft., 1-story metal, needs extensive repairs, presence of asbestos.

Bldg. 28
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310089
Status: Excess
Comment: 4,967 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 30
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310090
Status: Excess
Comment: 4,795 sq. ft., 1-story concrete, needs extensive repairs, presence of asbestos.

Bldg. 31
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310091
Status: Excess
Comment: 1,800 sq. ft., 1-story pre-fab metal, needs extensive repairs, presence of asbestos.

Bldg. 32
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310092
Status: Excess
Comment: 6,615 sq. ft., 1-story pre-fab metal, needs extensive repairs, presence of asbestos.

Bldg. 35
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310093
Status: Excess
Comment: 14,520 sq. ft., 5-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 36
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310094
Status: Excess
Comment: 949 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 37
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310095
Status: Excess
Comment: 288 sq. ft., pre-fab metal, needs extensive repairs, presence of asbestos.

Bldg. 38
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310096
Status: Excess
Comment: 5,687 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 40
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310097
Status: Excess
Comment: 576 sq. ft., 1-story metal, needs extensive repairs, presence of asbestos.

Bldg. 52
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310098
Status: Excess
Comment: 160 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 55
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310099
Status: Excess
Comment: 1,003 sq. ft., 1-story metal, needs extensive repairs, presence of asbestos.

Bldg. 56
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310100
Status: Excess
Comment: 448 sq. ft., 1-story steel, needs extensive repairs, presence of asbestos.

Bldg. 57
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310101
Status: Excess
Comment: 3,854 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 98
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310102
Status: Excess
Comment: 62 sq. ft., 1-story concrete block, needs extensive repairs, presence of asbestos.

Bldg. 100
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310103
Status: Excess
Comment: 768 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 912
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310104
Status: Excess
Comment: 960 sq. ft., 1-story wood frame, needs extensive repairs, presence of asbestos.

Bldg. 300
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310105
Status: Excess
Comment: 2,730 sq. ft., 1-story concrete, needs extensive repairs, presence of asbestos.

Bldgs. 41–49, 51, 61, 62
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310106
Status: Excess
Comment: 36–40 sq. ft., wood frame, no utilities, need extensive repairs, presence of asbestos, most recent use—fire hose storage.

South Carolina

Bldg. #1 U.S. Coast Guard
Folly Island Loran Station
Folly Island Co: Charleston SC 29401–
Landholding Agency: DOT
Property Number: 879120096
Status: Unutilized

Comment: 2,340 sq. ft., 1-story concrete block, most recent use—communications station.

Bldg. #2 U.S. Coast Guard
Folly Island Loran Station
Folly Island Co: Charleston SC 29401–
Landholding Agency: DOT
Property Number: 879120097
Status: Unutilized
Comment: 2,050 sq. ft., 1-story concrete block, most recent use—communications station.

*Land (by State)*

Florida

Springfield Annex (VZTD)
Tyndall Air Force Base
Springfield Co: Bay FL
Landholding Agency: Air Force
Property Number: 189240053
Status: Unutilized
Comment: 7.55 acres; improved w/parking lot, 2 loading ramps and railroad tracks.

Indiana

Cecil M. Harden Lake Project
Rockville Co: Parke IN 47872–
Location: Route 57 at intersection w/county road 910E.
Landholding Agency: COE
Property Number: 319011689
Status: Excess
Comment: 2.68 acres; narrow triangular shaped area of land.

Kansas

Parcel #1
Fall River Lake
Section 26 Co: Greenwood KS
Landholding Agency: COE
Property Number: 319010065
Status: Unutilized
Comment: 155 acres; most recent use—recreation and leased cottage sites.

Parcel #2
Fall River Lake
Section 25 and 26 Co: Greenwood KS
Landholding Agency: COE
Property Number: 319010066
Status: Excess
Comment: 38.62 acres; most recent use—recreation.

Parcel #3
Fall River Lake
Section 26 Co: Greenwood KS
Landholding Agency: COE
Property Number: 319010067
Status: Excess
Comment: 22.44 acres; most recent use—recreation.

Parcel #2, El Dorado Lake
Approx. 1 mi east of the town of El Dorado Co: Butler KS
Landholding Agency: COE
Property Number: 319210005
Status: Unutilized
Comment: 11 acres, part of a relocated railroad bed, rural area.

Massachusetts

Buffumville Dam
Flood Control Project
Gale Road
Carlton Co: Worcester MA 01540–0155
Location: Portion of tracts B–200, B–248, B–251, B–204, B–247, B–200 and B–256
Landholding Agency: COE
Property Number: 319010016
Status: Excess
Comment: 1.45 acres.

Conant Brook Dam
Flood Control Dam
Wales Road
Monson Co: Hampden MA 01057-
Location: Portion of Tract 211
Landholding Agency: COE
Property Number: 319010017
Status: Excess
Comment: 5.27 acres.

Hodges Village
Dam Flood Control Project
Old Howarth Road
Oxford Co: Worcester MA 01540–0500
Location: Portion of Tract A–108, See Project Manager at Hodges Village Dam, Oxford, MA (508) 987–2600.
Landholding Agency: COE
Property Number: 319011006
Status: Excess
Comment: 3.22 acres.

Michigan

U.S. Coast Guard—Air Station
Traverse City Co: Grand Traverse MI 49684–
Landholding Agency: DOT
Property Number: 879120099
Status: Underutilized
Comment: 21.7 acres, most recent use—helo landings.

Minnesota

Tract #3
Lac Qui Parle Flood Control Project County Rd. 13
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 319340006
Status: Unutilized
Comment: approximately 2.9 acres, fallow land.

Tract #34
Lac Qui Parle Flood Control Project
Marsh Lake
Watson Co: Lac Qui Parle MN 56295–
Landholding Agency: COE
Property Number: 319340007
Status: Unutilized
Comment: approx. 8 acres, fallow land.

Land around Bldg. 240–249, 253
VA Medical Center
Fort Snelling
St. Paul Co: Hennepin MN 55111–
Landholding Agency: VA
Property Number: 979010007
Status: Unutilized
Comment: 3.76 acres, potential utilities.

Ohio

Middleport Public Access Site
Gallipolis Locks & Dam
Middleport Co: Meigs OH 45760–
Landholding Agency: COE
Property Number: 319230001
Status: Underutilized
Comment: approximately 17.23 acres including parking lot, flowage easement, right-of-way for city street and utilities.

Oklahoma

Parcel #7
Kaw Lake
Section 27 Co: Kay OK
Landholding Agency: COE
Property Number: 319010842
Status: Excess
Comment: 21 acres; potential utilities; most recent use—recreation.

Pennsylvania

Dashields Locks and Dam (Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046–0475
Landholding Agency: COE
Property Number: 319210009
Status: Unutilized
Comment: 0.58 acres, most recent use—baseball field.

South Carolina

Land—U.S. Coast Guard
Folly Island Loran Station
Folly Island Co: Charleston SC 29401–
Landholding Agency: DOT
Property Number: 879120098
Status: Unutilized
Comment: 55 acres (88 acres submerged) tidal marshland, potential utilities.

Tennessee

Tract D–456
Cheatham Lock and Dam
Ashland Co: Cheatham TN 37015–
Location: Right downstream bank of Sycamore Creek.
Landholding Agency: COE
Property Number: 319010942
Status: Excess
Comment: 8.93 acres; subject to existing easements.

Texas

Tract J–957
Whitney Lake
Bosque Co: Bosque TX
Location: Via Avenue B within the community of Kopperl.
Landholding Agency: COE
Property Number: 319110029
Status: Unutilized
Comment: .18 acres; potential utilities; encroachments on large portion of property.

Tract J–936
Whitney Lake
Bosque Co: Bosque TX
Location: Off F. M. Highway 56 within the community of Kopperl.
Landholding Agency: COE
Property Number: 319110032
Status: Unutilized
Comment: 5.4 acres; potential utilities.

Tract F–516 O.C. Fisher Lake
Parallel with Grape Creek Road
San Angelo Co: Tom Green TX 76902–3085
Landholding Agency: COE
Property Number: 319120002
Status: Unutilized
Comment: 2.13 acres, potential limited utilities
GSA Number: 7–D–TX–0968–A.

Part of Tract 102 Segment 1
Bardwell Dam Road
Ennis Co: Ellis TX 75119–
Landholding Agency: COE
Property Number: 319140014
Status: Unutilized
Comment: approx. 6.38 acres
GSA Number: 7–D–TX–738–D.

Corpus Christi Ship Channel
Corpus Christi Co: Neuces TX

Location: East side of Carbon Plant Road, approx. 14 miles NW of downtown Corpus Christi.
Landholding Agency: COE
Property Number: 319240001
Status: Unutilized
Comment: 4.4 acres, most recent use—farm land.

**Unsuitable Properties**

*Buildings (by State)*

Alabama

Bldg. 913
Maxwell AFB
Avenue "C"
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189010002
Status: Unutilized
Reason: Secured Area.

Bldg. 927
Maxwell AFB
Montgomery Co: Montgomery AL 36112–
Location: Off Avenue "C"
Landholding Agency: Air Force
Property Number: 189010003
Status: Unutilized
Reason: Secured Area.

Bldg. 935
Maxwell AFB
Montgomery Co: Montgomery AL 36112–
Location: Off Selfridge Street
Landholding Agency: Air Force
Property Number: 189010004
Status: Unutilized
Reason: Secured Area.

Bldg. 936
Maxwell AFB
Selfridge Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189010005
Status: Unutilized
Reason: Secured Area.

Bldg. 809
Gunter AFB
Montgomery Co: Montgomery AL 36114–
Location: Off Renfroe Street
Landholding Agency: Air Force
Property Number: 189010011
Status: Underutilized
Reason: Secured Area.

Bldg. 861
Gunter AFB
South Drive
Montgomery Co: Montgomery AL 36114–
Landholding Agency: Air Force
Property Number: 189010012
Status: Unutilized
Reason: Secured Area.

Bldg. 1011
Gunter AFB
Avenue "A"
Montgomery Co: Montgomery AL 36114–
Landholding Agency: Air Force
Property Number: 189010013
Status: Unutilized
Reason: Secured Area.

Bldg. 1022
Gunter AFB
Montgomery Co: Montgomery AL 36114–
Location: Adjacent to Avenues "A" and "C"
Landholding Agency: Air Force
Property Number: 189010015
Status: Underutilized
Reason: Secured Area.

Bldg. 1042
Gunter AFB
Montgomery Co: Montgomery AL 36114–
Location: Between Avenues "A" and "C"
Landholding Agency: Air Force
Property Number: 189010016
Status: Underutilized
Reason: Secured Area.

Bldg. 1052
Gunter AFB
Montgomery Co: Montgomery AL 36114–
Location: Between Avenues A and C
Landholding Agency: Air Force
Property Number: 189010019
Status: Underutilized
Reason: Secured Area.

Bldg. 1060
Gunter AFB
4th Street at Avenue C
Montgomery Co: Montgomery AL 36114–
Landholding Agency: Air Force
Property Number: 189010020
Status: Unutilized
Reason: Secured Area.

Bldg. 1061
Gunter AFB
Avenue C
Montgomery Co: Montgomery AL 36114–
Landholding Agency: Air Force
Property Number: 189010022
Status: Unutilized
Reason: Secured Area.

Bldg. 1435
Maxwell Air Force Base
Mimosa Road
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189030220
Status: Unutilized
Reason: Floodway Secured Area.

Bldg. 1436
Maxwell Air Force Base
Mimosa Road
Montgomery Co: Montgomery AL 36114–
Landholding Agency: Air Force
Property Number: 189030221
Status: Unutilized
Reason: Floodway Secured Area.

Bldg. 1440
Maxwell Air Force Base
Mimosa Road
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189030222
Status: Unutilized
Reason: Floodway Secured Area.

Bldg. 1441
Maxwell Air Force Base
Mimosa Road
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189030223
Status: Unutilized
Reason: Floodway Secured Area.

Bldg. 830
Gunter Air Force Base
Ramp Road
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189040853
Status: Underutilized
Reason: Secured Area.

Bldg. 421
Gunter Air Force Base
Avenue D
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189040854
Status: Underutilized
Reason: Secured Area.

Bldg. 426
Gunter Air Force Base
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189040855
Status: Underutilized
Reason: Secured Area.

Petrol OPS Bldg.
Maxwell Air Force Base
1101 Chanute Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189110165
Status: Unutilized
Reason: Secured Area.

Law Center
Maxwell Air Force Base
519 10th Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189110166
Status: Unutilized
Reason: Secured Area.

Bldg. 1011
Maxwell Air Force Base
Dannelly Street
Montgomery Co: Montgomery AL 36112–5000
Landholding Agency: Air Force
Property Number: 189110167
Status: Unutilized
Reason: Secured Area.

HQ Specified Bldg
Maxwell AFB
677 Third Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189120231
Status: Unutilized
Reason: Secured Area.

Base Personnel Office
Maxwell AFB
853 Second Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189120232
Status: Unutilized
Reason: Secured Area.

Bldg. 932
932 3rd St. & Ave. D, West
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130335
Status: Unutilized
Reason: Secured Area.

Bldg. 8
8 Maxwell Blvd., East
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130336
Status: Unutilized
Reason: Secured Area.

Bldg. 712

Avenue "E"
Gunter Air Force Base
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189130349
Status: Unutilized
Reason: Secured Area.

Bldg. 1004
Reserves Forces Training Facility
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Location: 1004 Maxwell Blvd. & Kelly Street
Landholding Agency: Air Force
Property Number: 189130369
Status: Unutilized
Reason: Secured Area.Within airport runway clear zone.

Bldg. 1006, Reproduction Plant
1006 Kelly Street
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130370
Status: Unutilized
Reason: Secured Area.

Bldg. 72, Storage Shed
72 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130371
Status: Unutilized
Reason: Secured Area.

Bldg. 95, Storage Shed
95 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130372
Status: Unutilized
Reason: Secured Area.

Bldg. 96, Storage Shed
96 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130373
Status: Unutilized
Reason: Secured Area.

Bldg. 97, Storage Shed
97 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130374
Status: Unutilized
Reason: Secured Area.

Bldg. 78, Maintenance Shop
78 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130375
Status: Unutilized
Reason: Secured Area.

Bldg. 79, Warehouse
79 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130376
Status: Unutilized
Reason: Secured Area.

Bldg. 82, Storage CV Facility
82 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130377
Status: Unutilized
Reason: Secured Area.

Bldg. 83, Storage CV Facility
83 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130378
Status: Unutilized
Reason: Secured Area.

Bldg. 88, Maintenance Shop
88 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130379
Status: Unutilized
Reason: Secured Area.

Bldg. 90, Storage CV Facility
90 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130380
Status: Unutilized
Reason: Secured Area.

Bldg. 94, Storage CV Facility
94 Selfridge & Maxwell Blvd.
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189130381
Status: Unutilized
Reason: Secured Area.

Bldg. 135
Gunter Air Force Base
1st Street
Montgomery Co: Montgomery AL 36112–5000
Landholding Agency: Air Force
Property Number: 189140001
Status: Underutilized
Reason: Secured Area.

Bldg. 206
Gunter Air Force Base
Off 1st Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140002
Status: Underutilized
Reason: Secured Area.

Bldg. 208
Gunter Air Force Base
1st Street and "D" Streets
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140003
Status: Unutilized
Reason: Secured Area.

Bldg. 420
Gunter Air Force Base
2nd Street at Avenue "D"
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140004
Status: Underutilized
Reason: Secured Area.

Bldg. 559
Gunter Air Force Base
4th Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140005
Status: Underutilized
Reason: Secured Area.

Bldg. 560
Gunter Air Force Base
4th Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140006
Status: Underutilized
Reason: Secured Area.

Bldg. 561
Gunter Air Force Base
Off 4th Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140007
Status: Unutilized
Reason: Secured Area.

Bldg. 562
Gunter Air Force Base
4th Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140008
Status: Underutilized
Reason: Secured Area.

Bldg. 818
Gunter Air Force Base
Foster Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140009
Status: Unutilized
Reason: Secured Area.

Bldg. 807
Maxwell Air Force Base
Maxwell Blvd. & Third Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189140010
Status: Unutilized
Reason: Secured Area.

Bldg. 1001
Maxwell Air Force Base
Kelly St., North & Airplane Park, Apron 3001
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189140011
Status: Unutilized
Reason: Secured Area.

Bldg. 1010
Maxwell Air Force Base
Bet. Maxwell Blvd. & Dannelly St.
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189140012
Status: Unutilized
Reason: Secured Area.

Bldg. 1039
Maxwell Air Force Base
Kelly St. at Taxiway 3004

Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189140013
Status: Unutilized
Reason: Secured Area.

Bldg. 1215
Maxwell Air Force Base
March St. bet. Willow St. & Beech St.
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189140014
Status: Unutilized
Reason: Secured Area.

Bldg. 823
Gunter Air Force Base
Ramp Road at Second Street
Montgomery Co: Montgomery AL 36114–5000
Landholding Agency: Air Force
Property Number: 189140021
Status: Unutilized
Reason: Secured Area.

Bldg. 81
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220005
Status: Unutilized
Reason: Secured Area.

Bldg. 1041
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220006
Status: Unutilized
Reason: Secured Area.

Bldg. 1042
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220007
Status: Unutilized
Reason: Secured Area.

Bldg. 1114
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220008
Status: Unutilized
Reason: Secured Area.

Bldg. 1208
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220009
Status: Unutilized
Reason: Secured Area.

Bldg. 1210
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220010
Status: Unutilized
Reason: Secured Area.

Bldg. 1211
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220011
Status: Unutilized
Reason: Secured Area.

Bldg. 1214
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220012
Status: Unutilized
Reason: Secured Area.

Bldg. 1229
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220013
Status: Unutilized
Reason: Secured Area.

Bldg. 1245
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189220014
Status: Unutilized
Reason: Secured Area.

Bldg. 906
Maxwell Air Force Base
Bet. Avenue B & C on Second Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240013
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 907
Maxwell Air Force Base
Bet. Avenue B & C on Second Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240014
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 931
Maxwell Air Force Base
Corner of Selfridge & 3rd Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240015
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 933
Maxwell Air Force Base
Corner of Selfridge & 3rd Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240016
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 934
Maxwell Air Force Base
Corner of Selfridge & 3rd Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240017
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 143
Maxwell Air Force Base
Avenue D
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240018
Status: Unutilized
Reason: Secured Area.

Bldg. 839
Maxwell Air Force Base
1st & Bay Streets at Ash Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189240019
Status: Unutilized
Reason: Secured Area.

Bldg. 603, Maxwell AFB
Gunter Annex
Montgomery Co: Montgomery AL 36114–3112
Landholding Agency: Air Force
Property Number: 189310042
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 315, Maxwell AFB
Gunter Annex
Montgomery Co: Montgomery AL 36114–3112
Landholding Agency: Air Force
Property Number: 189310043
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 314, Maxwell AFB
Gunter Annex
Montgomery Co: Montgomery AL 36114–3112
Landholding Agency: Air Force
Property Number: 189310044
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 301, Maxwell AFB
Gunter Annex
Montgomery Co: Montgomery AL 36114–3112
Landholding Agency: Air Force
Property Number: 189310045
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Water Supply Bldg., Maxwell AFB
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189310046
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Recrea./Library, Maxwell AFB
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189310047
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

BE Storage Shed, Maxwell AFB
1043 Kelly Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189310048
Status: Unutilized
Reason: Secured Area.

Data Proc. Bldg., Maxwell AFB
908 Avenue B at Avenue C
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189310049
Status: Unutilized
Reason: Secured Area.

Youth Center, Maxwell AFB
712 6th Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189310050

Status: Unutilized
Reason: Secured Area.

Education Center
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189320044
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Admin. Office
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189320045
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive Deterioration.

Bldg. 830, Gunter Annex
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189320046
Status: Unutilized
Reason: Secured Area.

Chaplain School
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189320047
Status: Unutilized
Reason: Secured Area.

Recreation Bldg.
Maxwell Air Force Base
690 Ash Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330045
Status: Unutilized
Reason: Secured Area.

Storage Shed
Maxwell Air Force Base
1068 Kelly Street
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330046
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Storage Shed
Maxwell Air Force Base
1350 River Road
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330047
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 400
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330048
Status: Unutilized
Reason: Secured Area.

Bldg. 402
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330049
Status: Unutilized
Reason: Secured Area.

Bldg. 408
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330050
Status: Unutilized
Reason: Secured Area.

Bldg. 410
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330051
Status: Unutilized
Reason: Secured Area.

Bldg. 502
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330052
Status: Unutilized
Reason: Secured Area.

Bldg. 503
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330053
Status: Unutilized
Reason: Secured Area.

Bldg. 504
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330054
Status: Unutilized
Reason: Secured Area.

Bldg. 505
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330055
Status: Unutilized
Reason: Secured Area.

Bldg. 506
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330056
Status: Unutilized
Reason: Secured Area.

Bldg. 508
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330057
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 509
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330058
Status: Unutilized
Reason: Secured Area.

Bldg. 512
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330059
Status: Unutilized
Reason: Secured Area.

Bldg. 513
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330060
Status: Unutilized
Reason: Secured Area.

Bldg. 715
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330061
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 716
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330062
Status: Unutilized
Reason: Other. Secured Area.

Bldg. 820
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330063
Status: Unutilized
Reason: Secured Area.
Comment: Extensive deterioration.

Bldg. 864
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330064
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Facility 875
Maxwell Air Force Base
Montgomery Co: Montgomery AL 36112–
Landholding Agency: Air Force
Property Number: 189330065
Status: Unutilized
Reason: Secured Area.

Dwelling A
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120001
Status: Excess
Reason: Floodway.

Dwelling B
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120002
Status: Excess
Reason: Floodway.

Oil House
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120003
Status: Excess
Reason: Floodway.

Garage
USCG Mobile Pt. Station
Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120004
Status: Excess
Reason: Floodway.

Shop Building
USCG Mobile Pt. Station

Ft. Morgan
Gulfshores Co: Baldwin AL 36542–
Landholding Agency: DOT
Property Number: 879120005
Status: Excess
Reason: Floodway.

Alaska

Bldg. 203
Tin City Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010296
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 165
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010298
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 150
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010299
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 130
Sparrevohn Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010300
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 306
King Salmon Airport
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010301
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 11–230
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010303
Status: Unutilized
Reason: Secured Area. Contamination.

Bldg. 21–116
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010304
Status: Unutilized
Reason: Secured Area. Contamination.

Bldg. 43–010
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010306
Status: Unutilized
Reason: Secured Area. Contamination.

Bldg. 63–320
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010307
Status: Unutilized
Reason: Secured Area. Contamination.

Bldg. 63–325
Elmendorf Air Force Base
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010308
Status: Unutilized
Reason: Secured Area. Contamination.

Bldg. 103
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010309
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 110
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010310
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 112
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010311
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 113
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010312
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 114
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010313
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 115
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010314
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 118
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010315
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1018
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010317
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1025
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010318
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1055
Ft. Yukon Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010319
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 107
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010320
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 115
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010321
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 113

Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010322
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 150
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010323
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 152
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010324
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 301
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010325
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1001
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010326
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1003
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010327
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1055
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010328
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1056
Cape Lisburne Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010329
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 103
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010330
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 104
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010331
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 105
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010332
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 110
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010333
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 114
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010334
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 202
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010335
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 204
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010336
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 205
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010337
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1001
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010338
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 1015
Kotzebue Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010339
Status: Unutilized
Reason: Secured Area. Isolated area. Not accessible by road. Contamination.

Bldg. 50
Cold Bay Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010433
Status: Unutilized
Reason: Other. Isolated area. Not accessible by road.
Comment: Isolated and remote; Arctic environment.

Bldg. 28
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210126
Status: Excess
Reason: Within airport runway clear zone. Secured Area.

Bldg. 24
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210127
Status: Excess
Reason: Within airport runway clear zone. Secured Area. Within 2000 ft. of flammable or explosive material.

Bldg. 19
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210128
Status: Excess
Reason: Within airport runway clear zone. Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 94
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210129
Status: Excess
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 85
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210130
Status: Excess
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 18
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210132
Status: Excess
Reason: Secured Area. Within airport runway clear zone.
GSA Number: U–ALAS–655A.

Bldg. A512
USCG Support Center
Kodiak Co: Kodiak Island AK 99619–5000
Landholding Agency: DOT
Property Number: 879210133
Status: Excess
Reason: Secured Area. Within airport runway clear zone. Within 2000 ft. of flammable or explosive material.

Bldg. R1, Holiday Beach
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310014
Status: Unutilized
Reason: Secured Area.

Bldg. S–3
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310015
Status: Unutilized
Reason: Secured Area.

Bldg. S–16
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310016
Status: Unutilized
Reason: Secured Area.

Bldg. 82
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310017
Status: Unutilized
Reason: Secured Area.

Bldg. 86
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310018
Status: Unutilized
Reason: Secured Area.

Bldg. 98
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310019
Status: Unutilized
Reason: Secured Area.

Bldg. 524A
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310020
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Bldg. 624
U.S. Coast Guard Support Center
Kodiak Co: Kodiak Island AK 99619–5014
Landholding Agency: DOT
Property Number: 879310021
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Housing Ketchikan (Naushon UPH)
3615 Baranof Avenue
Ketchikan Co: Ketchikan AK 99801–
Landholding Agency: DOT
Property Number: 879320005
Status: Unutilized
Reason: Other.
Comment: Extensive Deterioration.

Old Petersburg Moorings
Cannery Wharf
Petersburg AK 99833–
Landholding Agency: DOT
Property Number: 879330002
Status: Unutilized
Reason: Other.
Comment: Extensive Deterioration.

Arizona

Facility 90002
Holbrook Radar Site
Holbrook Co: Navajo AZ 86025–
Landholding Agency: Air Force
Property Number: 189340049
Status: Unutilized
Reason: Within airport runway clear zone.

California

Bldg. 4052
March AFB
Ice House in West March
Riverside Co: Riverside CA 92518–
Landholding Agency: Air Force
Property Number: 189010082
Status: Unutilized
Reason: Within airport runway clear zone.

Bldg. 392 60 ABG/DE
Travis Air Force Base
Hospital Drive
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010187
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 1182 60 ABG/DE
Travis Air Force Base
Perimeter Road
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010188
Status: Unutilized
Reason: Within Airport runway clear zone. Secured Area.

Bldg. 152 60 ABG/DE
Travis Air Force Base
Broadway Street
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010190
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 159 60 ABG/DE
Travis Air Force Base
Broadway Street
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010191
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 384 60 ABG/DE
Travis Air Force Base
Hospital Drive
Travis AFB Co: Solano CA 94535–5496
Landholding Agency: Air Force
Property Number: 189010192
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 707 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernadino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010193
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 575 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernardino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010195
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 502 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernardino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010196
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 23 63 ABG/DE
Norton Air Force Base
Norton Co: San Bernardino CA 92409–5045
Landholding Agency: Air Force
Property Number: 189010197
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 100
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010233
Status: Unutilized
Reason: Secured Area.

Bldg. 101
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010234
Status: Underutilized
Reason: Secured Area.

Bldg. 116
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010235
Status: Unutilized
Reason: Secured Area.

Bldg. 202
Point Arena Air Force Station
(See County) Co: Mendocino CA 95468–5000
Landholding Agency: Air Force
Property Number: 189010236
Status: Unutilized

Reason: Secured Area
Bldg. 201
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010546
Status: Unutilized
Reason: Secured Area.
Bldg. 202
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010547
Status: Unutilized
Reason: Secured Area.
Bldg. 203
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010548
Status: Unutilized
Reason: Secured Area.
Bldg. 204
Vandenberg Air Force Base
Point Arguello
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010549
Status: Unutilized
Reason: Secured Area.
Bldg. 1100
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010567
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1101
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010568
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1103
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010569
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1104
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010571
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1105
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010572
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1106
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010573
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1107
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010574
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1110
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189010579
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.
Bldg. 1108
Vandenberg Air Force Base
Off Terra Road
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Highway 1, Highway 246, Coast Road, Pt Sal Road, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189010580
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.
Bldg. 1823
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Loction: Hwy 1, Hwy 246, Coast Road, PT Sal Rd., Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189130360
Status: Excess
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.
Bldg. 11443
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246, Coast Rd, Pt Sal Rd, Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189140029
Status: Unutilized
Reason: Secured Area.
Bldg. 6105
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210019
Status: Unutilized
Reason: Secured Area.
Bldg. 8141
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210024
Status: Unutilized
Reason: Secured Area.
Bldg. 10312
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210026
Status: Unutilized
Reason: Secured Area.
Bldg. 10314
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210027
Status: Unutilized
Reason: Secured Area.
Bldg. 10503
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210028
Status: Unutilized
Reason: Secured Area.
Bldg. 10748
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189210029
Status: Unutilized
Reason: Other.
Comment: Extensive deterioration.

Bldg. 10004, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230007
Status: Underutilized
Reason: Secured Area.

Bldg. 10702, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230008
Status: Underutilized
Reason: Secured Area.

Bldg. 10704, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230009
Status: Underutilized
Reason: Secured Area.

Bldg. 10706, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230010
Status: Underutilized
Reason: Secured Area.

Bldg. 10710, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn
Landholding Agency: Air Force
Property Number: 189230011
Status: Underutilized
Reason: Secured Area.

Bldg. 10726, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189230012
Status: Underutilized
Reason: Secured Area.

Bldg. 10742, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189230013
Status: Underutilized
Reason: Secured Area.

Bldg. 16104, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189230020
Status: Underutilized
Reason: Secured Area.

Bldg. 1791
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189240044
Status: Unutilized
Reason: Secured Area.

Bldg. 10721
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189240048
Status: Underutilized
Reason: Secured Area.

Bldg. 11026
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189240049
Status: Underutilized
Reason: Secured Area.

Bldg. 13028
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Location: Hwy 1, Hwy 246; Coast Rd., Pt Sal Rd.; Miguelito Cyn.
Landholding Agency: Air Force
Property Number: 189240050
Status: Unutilized
Reason: Secured Area.

Bldg. 5426, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310013
Status: Unutilized
Reason: Secured Area.

Bldg. 5427, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310014
Status: Unutilized
Reason: Secured Area.

Bldg. 5428, Vandenberg AFB
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310015
Status: Unutilized
Reason: Secured Area.

Bldg. 5430, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310016
Status: Unutilized
Reason: Secured Area.

Bldg. 5431, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310017
Status: Unutilized
Reason: Secured Area.

Bldg. 6407, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310024
Status: Unutilized
Reason: Secured Area.

Bldg. 6424, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310025
Status: Unutilized
Reason: Secured Area.

Bldg. 6425, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310027
Status: Unutilized
Reason: Secured Area.

Bldg. 6444, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310028
Status: Unutilized
Reason: Secured Area.

Bldg. 7303, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310029
Status: Unutilized
Reason: Secured Area.

Bldg. 7304, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310030
Status: Unutilized
Reason: Secured Area.

Bldg. 12406, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310034
Status: Unutilized
Reason: Secured Area.

Bldg. 12407, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310035
Status: Unutilized
Reason: Secured Area.

Bldg. 13010, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310036
Status: Unutilized
Reason: Secured Area.

Bldg. 13014, Vandenberg AFB
Vandenberg Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189310039
Status: Unutilized
Reason: Secured Area.

Bldg. 9101
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320009
Status: Excess
Reason: Secured Area.

Bldg. 9102
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320010
Status: Excess
Reason: Secured Area.

Bldg. 9103
Vandenberg Air Force Base

Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320011
Status: Excess
Reason: Secured Area.

Bldg. 9106
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320014
Status: Excess
Reason: Secured Area.

Bldg. 9107
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320015
Status: Excess
Reason: Secured Area.

Bldg. 9108
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320016
Status: Excess
Reason: Secured Area.

Bldg. 9109
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320017
Status: Excess
Reason: Secured Area.

Bldg. 9117
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320019
Status: Excess
Reason: Secured Area.

Bldg. 12205
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320020
Status: Excess
Reason: Secured Area.

Bldg. 12206
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320021
Status: Excess
Reason: Secured Area.

Bldg. 12207
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320022
Status: Excess
Reason: Secured Area.

Bldg. 12209
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320023
Status: Excess
Reason: Secured Area.

Bldg. 12210
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320024
Status: Excess
Reason: Secured Area.

Bldg. 12306
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320025
Status: Excess
Reason: Secured Area.

Bldg. 12307
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320026
Status: Excess
Reason: Secured Area.

Bldg. 12309
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320027
Status: Excess
Reason: Secured Area.

Bldg. 12310
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320028
Status: Excess
Reason: Secured Area.

Bldg. 12313
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320029
Status: Excess
Reason: Secured Area.

Bldg. 12314
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320030
Status: Excess
Reason: Secured Area.

Bldg. 12503
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189320031
Status: Excess
Reason: Secured Area.

Bldg. 5437
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330011
Status: Unutilized
Reason: Other Secured Area.
Comment: Extensive deterioration.

Bldg. 6206
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330013
Status: Unutilized
Reason: Secured Area.

Bldg. 8114
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330014
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 8115
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330015
Status: Unutilized
Reason: Secured Area.

Bldg. 8215
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330016
Status: Unutilized
Reason: Secured Area.

Bldg. 8220
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330019
Status: Unutilized
Reason: Secured Area.

Bldg. 8221
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330020
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 8222
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330021
Status: Unutilized
Reason: Secured Area.

Bldg. 8227
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330025
Status: Unutilized
Reason: Secured Area.

Bldg. 8229
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force

Property Number: 189330026
Status: Unutilized
Reason: Secured Area.

Bldg. 8230
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330027
Status: Unutilized
Reason: Secured Area.

Bldg. 9001
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330028
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 9003
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330029
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 11435
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330030
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 13006
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330031
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 13025
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330032
Status: Unutilized
Reason: Secured Area.

Bldg. 13027
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330033
Status: Unutilized
Reason: Secured Area.

Bldg. 17595
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189330034
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 4412
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340001
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Bldg. 4415
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340002
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Bldg. 1988
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340003
Status: Unutilized
Reason: Other. Secured Area.
Comment: Electrical Power Generator Bldg.

Bldg. 11147
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340004
Status: Unutilized
Reason: Other. Secured Area.
Comment: Detached latrine.

Bldg. 1130
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340005
Status: Unutilized
Reason: Secured Area.

Bldg. 1324
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340006
Status: Unutilized
Reason: Secured Area.

Bldg. 1341
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340007
Status: Unutilized
Reason: Secured Area.

Bldg. 1955
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340008
Status: Unutilized
Reason: Secured Area.

Bldg. 5007
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340009
Status: Unutilized
Reason: Secured Area.

Bldg. 5107
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340010
Status: Unutilized
Reason: Secured Area.

Bldg. 5118
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340011
Status: Unutilized
Reason: Secured Area.

Bldg. 5120
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340012
Status: Unutilized
Reason: Secured Area.

Bldg. 5132
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340013
Status: Unutilized
Reason: Secured Area.

Bldg. 6008
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340014
Status: Unutilized
Reason: Secured Area.

Bldg. 6418
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340015
Status: Unutilized
Reason: Secured Area.

Bldg. 6420
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340016
Status: Unutilized
Reason: Secured Area.

Bldg. 6429
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340017
Status: Unutilized
Reason: Secured Area.

Bldg. 6441
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340018
Status: Unutilized
Reason: Secured Area.

Bldg. 6442
Vandenberg Air Force Base

Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340019
Status: Unutilized
Reason: Secured Area:

Bldg. 6443
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340020
Status: Unutilized
Reason: Secured Area.

Bldg. 7301
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340021
Status: Unutilized
Reason: Secured Area.

Bldg. 7306
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340022
Status: Unutilized
Reason: Secured Area.

Bldg. 8309
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340023
Status: Unutilized
Reason: Secured Area.

Bldg. 9310
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340024
Status: Unutilized
Reason: Secured Area.

Bldg. 11190
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340025
Status: Unutilized
Reason: Secured Area.

Bldg. 11308
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340026
Status: Unutilized
Reason: Secured Area.

Bldg. 13001
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340027
Status: Unutilized
Reason: Secured Area.

Bldg. 16164
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189340028
Status: Unutilized
Reason: Secured Area.

Bldg. 6521
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189410004
Status: Unutilized
Reason: Secured Area.

Bldg. 13019
Vandenberg Air Force Base
Vandenberg AFB Co: Santa Barbara CA 93437–
Landholding Agency: Air Force
Property Number: 189410005
Status: Unutilized
Reason: Secured Area.

Bldg. 10, USCG Support Center
Coast Guard Island
Alameda Co: Alameda CA 94501–5100 93438–
Landholding Agency: DOT
Property Number: 879210134
Status: Excess
Reason: Secured Area.

Bldg. 20
Support Center San Pedro
Terminal Island
San Pedro Co: Los Angeles CA 90731–
Landholding Agency: DOT
Property Number: 879320021
Status: Unutilized
Reason: Secured Area.

Bldg. 22
Support Center San Pedro
Terminal Island
San Pedro Co: Los Angeles CA 90731–
Landholding Agency: DOT
Property Number: 879320022
Status: Unutilized
Reason: Secured Area.

Bldg. 23
Support Center San Pedro
Terminal Island
San Pedro Co: Los Angeles CA 90731–
Landholding Agency: DOT
Property Number: 879320023
Status: Unutilized
Reason: Secured Area.

Fuel Oil Bldg.
Los Angeles Light Station
San Pedro Co: Los Angeles CA
Landholding Agency: DOT
Property Number: 879410001
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Quarters Bldg.
Lost Angeles Light Station
San Pedro Co: Los Angeles CA
Landholding Agency: DOT
Property Number: 879410002
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Colorado

Bldg. 712
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330002
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 518
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330003
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 505
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330004
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 504
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330005
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 503
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330006
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 502
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330007
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 32
Buckley Air National Guard Base,
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330008
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 27
Buckley Air National Guard Base
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330009
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 23
Buckley Air National Guard Base
Aurora Co: Arapahoe CO 80011–9599
Landholding Agency: Air Force
Property Number: 189330010
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Alemeda Facility
350 S. Santa Fe Drive
Denver Co: Denver CO 80223–
Landholding Agency: DOT
Property Number: 879010014
Status: Unutilized
Reason: Other environmental.

Comment: Contamination.

Connecticut

Falkner Island Light
U.S. Coast Guard
Guilford Co: New Haven CT 06512–
Landholding Agency: DOT
Property Number: 879240031
Status: Unutilized
Reason: Floodway.

Delaware

Bldg. 1900
436 CSG Dover AFB
Dover Co: Kent DE 19902–5516
Landholding Agency: Air Force
Property Number: 189120230
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Bldg. 1304 (436 CSG)
Dover Air Force Base
Dover Co: Kent DE 19902–5065
Landholding Agency: Air Force
Property Number: 189140018
Status: Unutilized
Reason: Secured Area. Within airport runway clear zone.

Florida

Bldg. 902
Tyndall Air Force Base
Panama City Co: Bay FL 32403–5000
Landholding Agency: Air Force
Property Number: 189130348
Status: Underutilized
Reason: Secured Area.

Bldg. 400
Patrick Air Force Base
C Street bet. First & Second Streets
Cocoa Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189220001
Status: Unutilized
Reason: Secured Area.

Bldg. 430
Patrick Air Force Base
Third Street bet. B and C Streets
Cocoa Beach Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189220002
Status: Underutilized
Reason: Secured Area.

Bldg. 1176
Patrick Air Force Base
1176 School Avenue Co: Brevard FL 32935–
Landholding Agency: Air Force
Property Number: 189240029
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 1179
Patrick Air Force Base
1179 School Avenue Co: Brevard FL 32935–
Landholding Agency: Air Force
Property Number: 189240030
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 321
Patrick Air Force Base Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189320001
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material. Other.
Comment: Extensive deterioration.

Bldg. 510
Patrick Air Force Base Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189320002
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material. Other.
Comment: Extensive deterioration.

Bldg. 558
Patrick Air Force Base Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189320003
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material. Within airport runway clear zone. Other.
Comment: Extensive deterioration.

Bldg. 575
Patrick Air Force Base, Co: Brevard FL 32925–
Landholding Agency: Air Force
Property Number: 189320004
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material. Within airport runway clear zone. Other.
Comment: Extensive deterioration.

Bldg. 184, MacDill AFB
MacDill AFB Co: Hillsbourgh FL 33608–
Landholding Agency: Air Force
Property Number: 189320100
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Facility 90523
Cape Canaveral AFS
Cape Canaveral AFS Co: Brevard FL
Landholding Agency: Air Force
Property Number: 189330001
Status: Underutilized
Reason: Secured Area.

Bldg. #3, Recreation Cottage.
USCG Station
Marathon Co: Monroe FL 33050–
Landholding Agency: DOT
Property Number: 879210008
Status: Unutilized
Reason: Secured Area, Floodway.

Bldg. 103, Trumbo Point
Key West Co: Monroe FL 33040–
Landholding Agency: DOT
Property Number: 879230001
Status: Unutilized
Reason: Floodway. Secured Area.

LORAN "A" Station
Radio Beacon Hobe Sound
Jupiter Island Co: Martin FL
Landholding Agency: DOT
Property Number: 879230003
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Fuel Facility, Coast Guard
Miami Air Station, OPA Locka Airport
OPA Locka Co: Dade FL 33054–2397
Landholding Agency: DOT
Property Number: 879240004
Status: Unutilized
Reason: Secured Area.

Pyro & Paint Locker Bldgs.
Key West Co: Monroe FL 33040–
Landholding Agency: DOT
Property Number: 879240017
Status: Unutilized
Reason: Floodway. Secured Area.

Cosgrove Shoal Light (offshore) Straits of Florida Co: Monroe FL
Landholding Agency: DOT
Property Number: 879320007
Status: Unutilized
Reason: Floodway. Other.
Comment: Extensive deterioration.

Smith Shoal Light (offshore) Straits of Florida Co: Monroe FL
Landholding Agency: DOT
Property Number: 879320008
Status: Unutilized
Reason: Floodway. Other.
Comment: Extensive deterioration.

Pulaski Shoal Light (offshore) Gulf of Mexico Co: Monroe FL
Landholding Agency: DOT
Property Number: 879320009
Status: Unutilized
Reason: Floodway. Other.
Comment: Extensive deterioration.

Hawaii

Kahoolawe SW Point Light
Kahoolawe Island Co: Maui HI
Landholding Agency: DOT
Property Number: 879340003
Status: Underutilized
Reason: Other
Comment: Inaccessible.

Idaho

Bldg 1012
Mountain Home Air Force Base, 7th Avenue, (See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189030004
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 923
Mountain Home Air Force Base, 7th Avenue, (See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189030005
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Bldg 604
Mountain Home Air Force Base, Pine Street, (See County) Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189030006
Status: Excess
Reason: Within 2000 ft. of flammable or explosive material.

Bldg 229
Mountain Home Air Force Base, 1st Avenue and A Street, Mt. Home AFB Co: Elmore ID 83648–
Landholding Agency: Air Force
Property Number: 189040857
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Within airport runway clear zone.

Illinois

Bldg. 3191
Scott Air Force Base, East Drive 375/ABG/DE
Scott AFB Co: St. Clair IL 62225–5001
Landholding Agency: Air Force
Property Number: 189010247
Status: Unutilized

Reason: Within airport runway clear zone. Secured Area.

Bldg. 3670
Scott Air Force Base, East Drive 375/ABG/DE
Scott AFB Co: St. Clair IL 62225–5001
Landholding Agency: Air Force
Property Number: 189010248
Status: Unutilized
Reason: Secured Area.

Bldg. 503
Scott Air Force Base
Scott AFB Co: St. Clair IL 62225–
Landholding Agency: Air Force
Property Number: 189010725
Status: Unutilized
Reason: Secured Area.

Bldg. 869
Scott Air Force Base
375 CSG/DEER
Scott AFB Co: St. Clair IL 62225–5045
Landholding Agency: Air Force
Property Number: 189110087
Status: Unutilized
Reason: Secured Area.

Bldg. 865
Scott Air Force Base
Belleville Co: St. Clair IL 62225–
Landholding Agency: Air Force
Property Number: 189130347
Status: Unutilized
Reason: Secured Area.

Calumet Harbor Station
U.S. Coast Guard
Chicago Co: Cook IL
Landholding Agency: DOT
Property Number: 879310005
Status: Excess
Reason: Secured Area.

Indiana

Bldg. 21, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230001
Status: Underutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 22, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230002
Status: Underutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 62, VA Medical Center
East 38th Street
Marion Co: Grant IN 46952–
Landholding Agency: VA
Property Number: 979230003
Status: Underutilized
Reason: Other
Comment: Extensive deterioration

Iowa

Bldg. 00273
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310008
Status: Unutilized
Reason: Secured Area.

Bldg. 00671
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310009
Status: Unutilized
Reason: Other
Comment: Fuel pump station.

Bldg. 00736
Sioux Gateway Airport
Sioux Co: Woodbury IA 51110–
Landholding Agency: Air Force
Property Number: 189310010
Status: Unutilized
Reason: Other
Comment: Pump station.

Kansas

Bldg. 1407
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340029
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Bldg. 186
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340030
Status: Unutilized
Reason: Other, Secured Area.
Comment: Extensive deterioration.

Bldg. 187
McConnell Air Force Base
Wichita Co: Sedgwick KS 67221–
Landholding Agency: Air Force
Property Number: 189340031
Status: Unutilized
Reason: Other, Secured Area.
Comment: Extensive deterioration.

Kentucky

Spring House
Kentucky River Lock and Dam No. 1
Highway 320
Carrollton Co: Carroll KY 41008–
Landholding Agency: COE
Property Number: 219040416
Status: Unutilized
Reason: Other
Comment: Spring House.

Building
Kentucky River Lock and Dam No. 4, 1021 Kentucky Avenue
Frankfort Co: Franklin KY 40601–9999
Landholding Agency: COE
Property Number: 219040417
Status: Unutilized
Reason: Other
Comment: Coal Storage.

Building
Kentucky River Lock and Dam No. 4, 1021 Kentucky Avenue
Frankfort Co: Franklin KY40601–9999
Landholding Agency: COE
Property Number: 219040418
Status: Unutilized
Reason: Other
Comment: Coal Storage.

Barn
Kentucky River Lock and Dam No. 3, Highway 561
Pleasureville Co: Henry KY 40057–
Landholding Agency: COE
Property Number: 219040419
Status: Unutilized
Reason: Other
Comment: 110 year old barn with crumbled foundation.

Tract 111—Building
Martins Fork Lake
Smith Co: Harlan KY 40867–
Location: 13 miles southeast of Harlan on Highway 987.
Landholding Agency: COE
Property Number: 319010062
Status: Unutilized
Reason: Floodway.

Latrine
Kentucky River Lock and Dam Number 3, Highway 561
Pleasureville Co: Henry KY 40057–
Landholding Agency: COE
Property Number: 319040009
Status: Unutilized
Reason: Other.
Comment: Detached Latrine.

6-Room Dwelling
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120010
Status: Unutilized
Reason: Floodway.

2-Car Garage
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120011
Status: Unutilized
Reason: Floodway.

Office and Warehouse
Green River Lock and Dam No 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120012
Status: Unutilized
Reason: Floodway.

2 Pit Toilets
Green River Lock and Dam No. 3
Rochester Co: Butler KY 42273–
Landholding Agency: COE
Property Number: 319120013
Status: Unutilized
Reason: Floodway.

Louisiana

Bldg. 3477
Barksdale Air Force Base, Davis Avenue
Barksdale AFB Co: Bossier LA 71110–5000
Landholding Agency: Air Force
Property Number: 189140015
Status: Unutilized
Reason: Secured Area.

Transmitter Hut #1
U.S. Coast Guard Communications Station
Belle Chasse Co: Orleans Parish LA 70037–
Landholding Agency: DOT
Property Number: 879320006
Status: Unutilized
Reason: Secured Area.

Maine

Supply Bldg., Coast Guard
Southwest Harbor

Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240005
Status: Unutilized
Reason: Floodway.

Base Exchange, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240006
Status: Unutilized
Reason: Floodway.

Engineering Shop, Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240007
Status: Unutilized
Reason: Floodway.

Storage Bldg., Coast Guard
Southwest Harbor
Southwest Harbor Co: Hancock ME 04679–5000
Landholding Agency: DOT
Property Number: 879240008
Status: Unutilized
Reason: Floodway

Herron Neck Light
U.S. Coast Guard
Vinalhaven Co: Knox ME 04841–
Landholding Agency: DOT
Property Number: 879240028
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Burnt Coat Harbor Light
U.S. Coast Guard
Swans Island Co: Hancock ME 04685–
Landholding Agency: DOT
Property Number: 879240030
Status: Unutilized
Reason: Floodway

Squirrel Point Light
U.S. Coast Guard
Phippsburg Co: Sayadahoc ME 04530–
Landholding Agency: DOT
Property Number: 879240032
Status: Unutilized
Reason: Floodway

Keepers Dwelling
Heron Neck Light, U.S. Coast Guard
Vinalhaven Co: Knox ME 04841–
Landholding Agency: DOT
Property Number: 879240035
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Fort Popham Light
Phippsburg Co: Sagadahoc ME 04562–
Landholding Agency: DOT
Property Number: 879320024
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Maryland

Bldg. 4
Brandywine Storage Annex 1776 ABW/DE
Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 189010261
Status: Unutilized
Reason: Secured Area.

Bldg. 5
Brandywine Storage Annex 1776 ABW/DE
Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 189010264
Status: Unutilized
Reason: Secured Area.

Bldg. 3427
Andrews Air Force Base, 3427 Pennsylvania Avenue
Andrews AFB Co: Prince Georges MD 20335–
Landholding Agency: Air Force
Property Number: 189140016
Status: Unutilized
Reason: Secured Area.

Bldg. 3492
Andrews Air Force Base
Andrews AFB Co: Prince Georges MD 20335–
Landholding Agency: Air Force
Property Number: 189340050
Status: Unutilized
Reason: Secured Area.

Massachusetts

Bldg. 1900
Westover Air Force Base
Chicopee Co: Hampden MA 01022–
Landholding Agency: Air Force
Property Number: 189010438
Status: Unutilized
Reason: Secured Area.

Bldg. 1833
Westover Air Force Base
Chicopee Co: Hampden MA 01022–5000
Landholding Agency: Air Force
Property Number: 189040002
Status: Unutilized
Reason: Secured Area.

Bldg. 4, USCG Support Center, Commercial Street
Boston Co: Suffolk MA 02203–
Landholding Agency: DOT
Property Number: 879240001
Status: Underutilized
Reason: Secured Area.

Eastern Point Light
U.S. Coast Guard
Gloucester Co: Essex MA 01930–
Landholding Agency: DOT
Property Number: 879240029
Status: Unutilized
Reason: Floodway, Secured Area.

Michigan

Bldg. 560
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: North end of airfield.
Landholding Agency: Air Force
Property Number: 189010522
Status: Unutilized
Reason: Secured Area.

Bldg. 5658
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: Near South Perimeter Road, near Building 590.
Landholding Agency: Air Force
Property Number: 189010523
Status: Unutilized
Reason: Secured Area.

Bldg. 580
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: South end of airfield.
Landholding Agency: Air Force
Property Number: 189010524
Status: Unutilized
Reason: Secured Area.

Bldg. 856
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010525
Status: Unutilized
Reason: Secured Area.

Bldg. 1005
Selfridge Air National Guard Base, 1005 C. Street
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010526
Status: Unutilized
Reason: Secured Area.

Bldg. 1012
Selfridge Air National Guard Base, 1012 A. Street
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010527
Status: Unutilized
Reason: Secured Area.

Bldg. 1041
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010528
Status: Unutilized
Reason: Secured Area.

Bldg. 1412
Selfridge Air National Guard Base, 1412 Castle Avenue
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010529
Status: Unutilized
Reason: Secured Area.

Bldg. 1434
Selfridge Air National Guard Base, 1434 Castle Avenue
Selfridge Co: Macomb MI 48045–
Landholding Agency: Air Force
Property Number: 189010530
Status: Unutilized
Reason: Secured Area.

Bldg. 1688
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: Near South Perimeter Road, near Building 1694.
Landholding Agency: Air Force
Property Number: 189010531
Status: Unutilized
Reason: Secured Area.

Bldg. 1689
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–
Location: Near South Perimeter Road, near Building 1694.
Landholding Agency: Air Force
Property Number: 189010532
Status: Unutilized
Reason: Secured Area.

Bldg. 5670
Selfridge Air National Guard Base
Selfridge Co: Macomb MI 48045–

Landholding Agency: Air Force
Property Number: 189010533
Status: Unutilized
Reason: Secured Area.

Bldg. 71
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010810
Status: Excess
Reason: Other
Comment: Sewage treatment and disposal facility.

Bldg. 99 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010831
Status: Excess
Reason: Other
Comment: Water well.

Bldg. 100 (WATER WELL)
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010832
Status: Excess
Reason: Other
Comment: Water well.

Bldg. 118
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010875
Status: Excess
Reason: Other
Comment: Gasoline Station.

Bldg. 120
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010876
Status: Excess
Reason: Other
Comment: Gasoline station.

Bldg. 166
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010877
Status: Excess
Reason: Other
Comment: Pump lift station.

Bldg. 168
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010878
Status: Excess
Reason: Other
Comment: Gasoline station.

Bldg. 69
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010889
Status: Excess
Reason: Other
Comment: Sewer pump facility.

Bldg. 2
Calumet Air Force Station
Calumet Co: Keweenaw MI 49913–
Landholding Agency: Air Force
Property Number: 189010890
Status: Excess
Reason: Other
Comment: Water pump station.

Bldg. 402, U.S. Air Station
Traverse City Co: Grand Traverse MI 49684–3586
Landholding Agency: DOT
Property Number: 879220001
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Minnesota

Bldg. 641
Minnesota Air National Guard
934th Airlift Group
Minneapolis Co: Hennepin MN 55111–4098
Landholding Agency: Air Force
Property Number: 189310003
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 643
Minnesota Air National Guard
934th Airlift Group
Minneapolis Co: Hennepin MN 55111–4098
Landholding Agency: Air Force
Property Number: 189310004
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 646
Minnesota Air National Guard
934th Airlift Group
Minneapolis Co: Hennepin MN 55111–4098
Landholding Agency: Air Force
Property Number: 189310005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 665
Minnesota Air National Guard
934th Airlift Group
Minneapolis Co: Hennepin MN 55111–4098
Landholding Agency: Air Force
Property Number: 189310006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Mississippi

Natchez Moorings, 82 L.E. Berry Road
Natchez Co: Adams MS 39121–
Landholding Agency: DOT
Property Number: 879340002
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 6, Boiler Plant
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410001
Status: Unutilized
Reason: Floodway.

Bldg. 51
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410002
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 52
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410003
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 53
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410004
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 54
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410005
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 55
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410006
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 56
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410007
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 67
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410008
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 68
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410009
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 107
Biloxi VA Medical Center
Biloxi Co: Harrison MS 39531–
Landholding Agency: VA
Property Number: 979410010
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Missouri

Bldg. 42
Jefferson Barracks ANG Base, 1 Grant Road, Missouri National Guard
St. Louis Co: St. Louis MO 63125–
Landholding Agency: Air Force
Property Number: 189010726
Status: Unutilized
Reason: Secured Area.

Bldg. 45
Jefferson Barracks ANG Base, 1 Grant Road, Missouri National Guard

St. Louis Co: St. Louis MO 63125–
Landholding Agency: Air Force
Property Number: 189010728
Status: Unutilized
Reason: Secured Area.

Bldg. 46
Jefferson Barracks ANG Base, 1 Grant Road, Missouri National Guard
St. Louis Co: St. Louis MO 63125–
Landholding Agency: Air Force
Property Number: 189010729
Status: Unutilized
Reason: Secured Area.

Bldg. 47
Jefferson Barracks ANG Base, 1 Grant Road, Missouri National Guard
St. Louis Co: St. Louis MO 63125–
Landholding Agency: Air Force
Property Number: 189010730
Status: Unutilized
Reason: Secured Area.

Bldg. 61
Jefferson Barracks ANG Base, 1 Grant Road, Missouri National Guard
St. Louis Co: St. Louis MO 63125–
Landholding Agency: Air Force
Property Number: 189010731
Status: Unutilized
Reason: Secured Area.

Montana

Bldg. 140
Malmstrom AFB
Between Goddard Avenue & 2nd Street
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010076
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Within airport runway clear zone. Secured area. Other environmental.

Bldg. 280
Malmstrom AFB
Flightline & Avenue G
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010077
Status: Underutilized
Reason: Within 2000 ft. of flammable or explosive material. Within airport runway clear zone. Secured area. Other environmental.

Bldg. 621
Malmstrom AFB
1st Street & Avenue I
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010078
Status: Unutilized
Reason: Other environmental. Secured Area.
Comment: Friable asbestos.

Bldg. 1500
Malmstrom AFB
Perimeter Road
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010079
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured area. Other environmental.

Bldg. 1502
Malmstrom AFB
Perimeter Road
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010080
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured area. Other environmental.

Bldg. 627
Malmstrom
2nd St. and I Avenue
Great Falls Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010722
Status: Unutilized
Reason: Secured Area. Other environmental.

Bldg. 677
Malmstrom
Avenue F between Goddard and 1st Avenue
Great Falls Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189010723
Status: Unutilized
Reason: Secured Area. Other environmental.

Bldg. 1991
Malmstrom AFB
Between Avenue G and H
Malmstrom Co: Cascade MT 59402–
Landholding Agency: Air Force
Property Number: 189040057
Status: Underutilized
Reason: Secured Area. Other environmental.

Nebraska

Offutt Communications Annex–#3
Offutt Air Force Base
Scribner Co: Dodge NE 68031–
Landholding Agency: Air Force
Property Number: 189210006
Status: Unutilized
Reason: Other
Comment: Former sewage lagoon.

Bldg. 637
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 189230021
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 639
Lincoln Municipal Airport
2301 West Adams
Lincoln Co: Lancaster NE 68524–
Landholding Agency: Air Force
Property Number: 189230022
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 31
Offutt Air Force Base
Sac Boulevard
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240007
Status: Unutilized
Reason: Secured Area.

Bldg. 311
Offutt Air Force Base
Nelson Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240008
Status: Unutilized
Reason: Secured Area.

Bldg. 401
Offutt Air Force Base
Custer Drive
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240009
Status: Unutilized
Reason: Secured Area.

Bldg. 416
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240010
Status: Unutilized
Reason: Secured Area.

Bldg. 417
Offutt Air Force Base
Sherman Turnpike
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240011
Status: Unutilized
Reason: Secured Area.

Bldg. 545
Offutt Air Force Base
Offutt Co: Sarpy NE 68113–
Landholding Agency: Air Force
Property Number: 189240012
Status: Unutilized
Reason: Secured Area.

Bldg. 21
Hastings Radar Bomb Scoring Site
Hastings Co: Adams NE 68901–
Landholding Agency: Air Force
Property Number: 189320058
Status: Excess
Reason: Other.
Comment: Generator.

New Hampshire

Bldg. 101
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320005
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 102
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320006
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

Bldg. 104
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Landholding Agency: Air Force
Property Number: 189320007
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material.

New Jersey

Piers and Wharf
Station Sandy Hook
Highlands Co: Monmouth NJ 07732–5000
Landholding Agency: DOT
Property Number: 879240009
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

New Mexico

Bldg. 831
833 CSG/DEER
Holloman AFB Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189130333
Status: Unutilized
Reason: Secured Area.

Bldg. 21
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240032
Status: Unutilized
Reason: Secured Area.

Bldg. 80
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240033
Status: Unutilized
Reason: Secured Area.

Bldg. 98
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240034
Status: Unutilized
Reason: Secured Area.

Bldg. 324
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240035
Status: Unutilized
Reason: Secured Area.

Bldg. 598
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240036
Status: Unutilized
Reason: Secured Area.

Bldg. 801
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240037
Status: Unutilized
Reason: Secured Area.

Bldg. 802
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240038
Status: Unutilized
Reason: Secured Area.

Bldg. 1095
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240039
Status: Unutilized
Reason: Secured Area.

Bldg. 1096
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240040
Status: Unutilized
Reason: Secured Area.

Facility 321
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240041
Status: Unutilized
Reason: Secured Area.

Facility 75115
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189240042
Status: Unutilized
Reason: Secured Area.

Bldg. 874
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189320041
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Bldg. 1258
Holloman Air Force Base Co: Otero NM 88330–
Landholding Agency: Air Force
Property Number: 189320042
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive deterioration.

New York

Bldg. 626 (Pin: RVKQ)
Niagara Falls International Airport
914th Tactical Airlift Group
Niagara Falls Co: Niagara NY 14303–5000
Landholding Agency: Air Force
Property Number: 189010075
Status: Unutilized
Reason: Within 2000 ft. of flammable or explosive material. Secured Area.

Bldg. 272
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189140022
Status: Excess
Reason: Secured Area.

Bldg. 888
Griffiss Air Force Base
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189140023
Status: Excess
Reason: Secured Area.

Facility 814, Griffiss AFB
NE of Weapons Storage Area
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189230001
Status: Excess
Reason: With airport runway clear zone. Secured Area.

Facility 808, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189230002
Status: Excess
Reason: Within airport runway clear zone. Secured Area.

Facility 807, Griffiss AFB
Perimeter Road
Rome Co: Oneida NY 13441–
Landholding Agency: Air Force
Property Number: 189230003
Status: Excess
Reason: Within airport runway clear zone. Secured Area.

Facility 126
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240020
Status: Unutilized
Reason: Secured Area.

Facility 127
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240021
Status: Unutilized
Reason: Secured Area.

Facility 135
Griffiss Air Force Base
Hanger Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240022
Status: Unutilized
Reason: Secured Area.

Facility 137
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240023
Status: Unutilized
Reason: Secured Area.

Facility 138
Griffiss Air Force Base
Otis Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240024
Status: Unutilized
Reason: Secured Area.

Facility 173
Griffiss Air Force Base
Selfridge Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240025
Status: Unutilized
Reason: Secured Area.

Facility 261
Griffiss Air Force Base
McDill Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240026
Status: Unutilized
Reason: Secured Area.

Facility 308
Griffiss Air Force Base
205 Chanute Street
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240027
Status: Unutilized
Reason: Secured Area.

Facility 1200
Griffiss Air Force Base
Donaldson Road
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189240028
Status: Unutilized
Reason: Secured Area.

Bldg. 759, Hancock Field
6001 East Molloy Road
Syracuse Co: Onondaga NY 13211–7099
Landholding Agency: Air Force
Property Number: 189310007
Status: Unutilized
Reason: Other Secured Area.
Comment: Extensive deterioration.

Facility 841
Griffiss Air Force Base
Rome Co: Oneida NY 13441–4520
Landholding Agency: Air Force
Property Number: 189330097
Status: Unutilized
Reason: Secured Area.

2 Buildings
Ant Saugerties
Saugerties Co: Ulster NY 12477–
Landholding Agency: DOT
Property Number: 879230005
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 605, USCG Station
Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240010
Status: Excess
Reason: Secured Area.

Bldg. 606, USCG Station
Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240011
Status: Excess
Reason: Secured Area.

Bldg. 607, USCG Station
Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240012
Status: Excess
Reason: Secured Area.

Bldg. 606, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240020
Status: Unutilized
Reason: Secured Area.

Bldg. 607, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240021
Status: Unutilized
Reason: Secured Area. Other
Comment: Extensive deterioration.

Bldg. 605, Fort Totten
New York Co: Queens NY 11359–
Landholding Agency: DOT
Property Number: 879240022
Status: Unutilized
Reason: Secured Area. Other.
Comment: Extensive deterioration.

Eatons Neck Station
U.S. Coast Guard
Huntington Co: Suffolk NY 11743–
Landholding Agency: DOT
Property Number: 879310003
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 517, USCG Support Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 879320025
Status: Unutilized
Reason: Secured Area.

Bldg. 138
U.S. Coast Guard Support Center
Governors Island Co: Manhattan NY 10004–
Landholding Agency: DOT
Property Number: 879410003
Status: Unutilized
Reason: Secured Area.

North Carolina

Bldg. 187
Pope Air Force Base
317 CSG/DE Reilly Road
Pope AFB Co: Cumberland NC 28308–5045
Landholding Agency: Air Force
Property Number: 189010262
Status: Unutilized
Reason: Secured Area.

Bldg. 4230—Youth Center
Cannon Ave.
Goldsboro Co: Wayne NC 27531–5005
Landholding Agency: Air Force
Property Number: 189120233
Status: Underutilized
Reason: Secured Area.

Bldg. 600, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330035
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 602, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330036
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 603, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330037
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 604, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330038
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 605, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330039
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 606, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330040
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 607, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330041
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 612, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330042
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 619, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330043
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 6606, Pope Air Force Base
Fayetteville Co: Cumberland NC 28308–2890
Landholding Agency: Air Force
Property Number: 189330044
Status: Unutilized
Reason: Other. Secured Area.
Comment: Extensive deterioration.

Group Cape Hatteras
Boiler Plant
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879240018
Status: Unutilized
Reason: Secured Area.

Group Cape Hatteras
Bowling Alley
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879240019
Status: Unutilized
Reason: Secured Area.

Bldg. 21, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320010
Status: Unutilized
Reason: Floodway. Secured Area.

Bldg. 22, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320011
Status: Unutilized
Reason: Floodway Secured Area.

Bldg. 25, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320012
Status: Unutilized
Reason: Floodway. Secured Area.

Bldg. 27, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320013
Status: Unutilized
Reason: Floodway. Secured Area.

Bldg. 32, Fuel Farm
U.S. Coast Guard Air Station
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT

Property Number: 879320014
Status: Unutilized
Reason: Floodway. Secured Area.

Bldg. 67, USGC Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320016
Status: Unutilized
Reason: Secured Area.

Bldg. 69, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320017
Status: Unutilized
Reason: Secured Area.

Bldg. 71, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320018
Status: Unutilized
Reason: Secured Area.

Bldg. 73, USCG Support Center
Elizabeth City Co: Pasquotank NC 27909–5006
Landholding Agency: DOT
Property Number: 879320019
Status: Unutilized
Reason: Secured Area.

Bldg. 54
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879340004
Status: Unutilized
Reason: Secured Area.

Bldg. 83
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879340005
Status: Unutilized
Reason: Secured Area.

Water Tanks
Group Cape Hatteras
Buxton Co: Dare NC 27902–0604
Landholding Agency: DOT
Property Number: 879340006
Status: Unutilized
Reason: Secured Area.

Bldg. 9
VA Medical Center
1100 Tunnel Road
Asheville Co: Buncombe NC 28805–
Landholding Agency: VA
Property Number: 979010008
Status: Underutilized
Reason: Other
Comment: Friable asbestos.

North Dakota

Bldg. 422
Minot Air Force Base
Minot Co: Ward ND 58705–
Landholding Agency: Air Force
Property Number: 189010724
Status: Underutilized
Reason: Secured Area.

Bldg. 50
Fortuna Air Force Station
Extreme northwestern corner of North Dakota
Fortuna Co: Divide ND 58844–
Landholding Agency: Air Force
Property Number: 189310107
Status: Excess
Reason: Other
Comment: Garbage incinerator.

Bldg. 119
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320034
Status: Unutilized
Reason: Secured Area.

Bldg. 191
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320035
Status: Unutilized
Reason: Secured Area.

Bldg. 490
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320036
Status: Unutitilized
Reason: Secured Area.

Bldg. 509
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320037
Status: Unutilized
Reason: Secured Area.

Bldg. 526
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320038
Status: Unutilized
Reason: Secured Area.

Bldg. 895
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320039
Status: Unutilized
Reason: Secured Area.

Bldg. 1019
Minot Air Force Base
Minot Co: Ward ND 58701–
Landholding Agency: Air Force
Property Number: 189320040
Status: Unutilized
Reason: Secured Area.

Ohio

Bldg. 404, Hydrant Fuel
910 Airlift Group
Kings-Graves Road
Vienna Co: Trumbull OH 44473–5000
Landholding Agency: Air Force
Property Number: 189220015
Status: Unutilized
Reason: Secured Area.

Bldg. 405, Test Cell
910 Airlift Group
Kings-Graves Road
Vienna Co: Trumbull OH 44473–5000
Landholding Agency: Air Force
Property Number: 189220016
Status: Unutilized
Reason: Secured Area.

Oklahoma

Bldg. 604
Vance Air Force Base
Enid Co: Garfield OK 73705–5000
Landholding Agency: Air Force
Property Number: 189010204
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Puerto Rico

Bldg. 10
Punta Salinas Radar Site
Toa Baja Co: Toa Baja PR 00759–
Landholding Agency: Air Force
Property Number: 189010544
Status: Underutilized
Reason: Secured Area.

NAFA Warehouse
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 879310011
Status: Unutilized
Reason: Secured Area.

Storage Equipment Bldg.
U.S. Coast Guard Air Station Borinquen
Aquadilla PR 00604–
Landholding Agency: DOT
Property Number: 879330001
Status: Unutilized
Reason: Secured Area.

Rhode Island

Station Point Judith Pier
Narranganset Co: Washington RI 02882–
Landholding Agency: DOT
Property Number: 879310002
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

South Dakota

Bldg. 88513
Ellsworth Air Force Base
Porter Avenue
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189210001
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 88501
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189210002
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 200, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320048
Status: Unutilized
Reason: Other
Comment: Exte sive deterioration.

Bldg. 201, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320049
Status: Unutilized
Reason: Other
Comment: Extensive deterioraton.

Bldg. 203, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–

Landholding Agency: Air Force
Property Number: 189320050
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 204, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320051
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 205, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320052
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 206, South Nike Ed Annex
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320053
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Bldg. 00605
Ellsworth Air Force Base
Ellsworth AFB Co: Pennington SD 57706–
Landholding Agency: Air Force
Property Number: 189320054
Status: Underutilized
Reason: Secured Area.

Bldg. 88535
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340032
Status: Unutilized
Reason: Secured Area.

Bldg. 88470
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340033
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 88304
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340034
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 9011
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340035
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 9010
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340036
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 7506
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340037
Status: Unutilized
Reason: Secured Area.

Bldg. 6908
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340038
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 6904
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340039
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Extensive deterioration.

Bldg. 4102
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340040
Status: Unutilized
Reason: Secured Area.

Bldg. 4101
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340041
Status: Unutilized
Reason: Secured Area.

Bldg. 4100
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340042
Status: Unutilized
Reason: Secured Area.

Bldg. 3016
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340043
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Other. Secured Area.
Comment: Waste treatment bldg.

Bldg. 1115
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340044
Status: Unutilized
Reason: Secured Area.

Bldg. 1210
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340045
Status: Unutilized
Reason: Secured Area.

Bldg. 1112
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340046
Status: Unutilized
Reason: Secured Area.

Bldg. 1110
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340047
Status: Unutilized
Reason: Secured Area.

Bldg. 606
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Landholding Agency: Air Force
Property Number: 189340048
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Tennessee

Bldg. 204
Cordell Hull Lake and Dam Project
Defeated Creek Recreation Area
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 319011499
Status: Unutilized
Reason: Floodway.

Tract 2618 (Portion)
Cordell Hull Lake and Dam Project
Roaring River Recreation Area
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 135
Landholding Agency: COE
Property Number: 319011503
Status: Underutilized
Reason: Floodway.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Obey River Park, State Hwy 42
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 319140011
Status: Excess
Reason: Other
Comment: Water treatment plant.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Lillydale Recreation Area, State Hwy 53
Livingston Co; Clay TN 38351–
Landholding Agency: COE
Property Number: 319140012
Status: Excess
Reason: Other
Comment: Water treatment plant.

Water Treatment Plant
Dale Hollow Lake & Dam Project
Willow Grove Recreational Area, Hwy No. 53
Livingston Co: Clay TN 38351–
Landholding Agency: COE
Property Number: 319140013
Status: Excess
Reason: Other
Comment: Water treatment plant.

Bldg. 60, VAMC Mountain Home
Johnson Co: Washington TN 37604–
Landholding Agency: VA
Property Number: 979220005
Status: Unutilized
Reason: Other
Comment: Extensive deterioration.

Texas

Bldg. 400
Laughlin Air Force Base
Val Verde Co. Co: Val Verde TX 78843–5000
Location: Six miles on Highway 90 east of Del Rio, Texas.
Landholding Agency: Air Force
Property Number: 189010173
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Within airport runway clear zone.

Bldg. 645
Reese Air Force Base
Lubbock Co: Lubbock TX 79489–
Location: West of Lubbock
Landholding Agency: Air Force
Property Number: 189010210
Status: Excess
Reason: Secured Area.

Bldg. 02106
Reese Air Force Base
Lubbock Co: Lubbock TX
Landholding Agency: Air Force
Property Number: 189210005
Status: Unutilized
Reason: Secured Area.

Old Exchange Bldg.
U.S. Coast Guard
Galveston Co: Galveston TX 77553–3001
Landholding Agency: DOT
Property Number: 879310012
Status: Unutilized
Reason: Secured Area.

Paint Locker/Flammable Storage
U.S. Coast Guard
Galveston Co: Galveston TX 77553–3001
Landholding Agency: DOT
Property Number: 879310013
Status: Unutilized
Reason: Secured Area.

3 Storage Bldgs.
USCG Corpus Christi Group Detachment
Corpus Christi Co: Nueces TX 78407–
Landholding Agency: DOT
Property Number: 879320015
Status: Unutilized
Reason: Floodway. Secured Area.

Bldg. 24
Olin E. Teague Veterans Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Landholding Agency: VA
Property Number: 979010050
Status: Unutilized
Reason: Other
Comment: Friable asbestos.

Bldg. 25
Olin E. Teague Veterans Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Landholding Agency: VA
Property Number: 979010051
Status: Unutilized
Reason: Other
Comment: Friable asbestos.

Bldg. 26
Olin E. Teague Veterans Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Landholding Agency: VA
Property Number: 979010052
Status: Unutilized
Reason: Other
Comment: Friable asbestos.

Utah

Bldg. 789
Hill Air Force Base
(See County) Co: Davis UT 84056–
Landholding Agency: Air Force
Property Number: 189040859
Status: Unutilized
Reason: Within airport runway clear zone. Secured Area.

Vermont

Depot Street
Downtown at the Waterfront
Burlington Co: Chittenden VT 05401–5226
Landholding Agency: DOT
Property Number: 879220003
Status: Excess
Reason: Floodway.

Virginia

Bldg. 052 & Tennis Court
USCG Reserve Training Center
Yorktown Co: York VA 23690–
Landholding Agency: DOT
Property Number: 879230004
Status: Excess
Reason: Secured Area.

Damage Control Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240013
Status: Unutilized
Reason: Secured Area.

Admin. Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240014
Status: Unutilized
Reason: Secured Area.

Storage Bldg.
Coast Guard, Group Eastern Shores
Chincoteague Co: Accomack VA 23361–510
Landholding Agency: DOT
Property Number: 879240015
Status: Unutilized
Reason: Secured Area.

Little Creek Station
Navamphib Base, West Annex, U.S. Coast Guard
Norfolk Co: Princess Anne VA 23520–
Landholding Agency: DOT
Property Number: 879310004
Status: Unutilized
Reason: Secured Area.

Washington

Bldg. 640
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010139
Status: Unutilized
Reason: Secured Area.

Bldg. 641
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010140
Status: Unutilized
Reason: Secured Area.

Bldg. 642
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010141
Status: Unutilized
Reason: Secured Area.

Bldg. 643
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010142
Status: Unutilized
Reason: Secured Area.

Bldg. 645
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010143
Status: Unutilized
Reason: Secured Area.

Bldg. 646
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010144
Status: Unutilized
Reason: Secured Area.

Bldg. 647
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010145
Status: Unutilized
Reason: Secured Area.

Bldg. 1415
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010146
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 1429
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010147
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 1464
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010148
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 1465
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010149
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 1466
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010150
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 3503

Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010151
Status: Unutilized
Reason: Secured Area.

Bldg. 3504
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010152
Status: Unutilized
Reason: Secured Area.

Bldg. 3505
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010153
Status: Unutilized
Reason: Secured Area.

Bldg. 3506
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010154
Status: Unutilized
Reason: Secured Area.

Bldg. 3507
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010155
Status: Unutilized
Reason: Secured Area.

Bldg. 3510
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010156
Status: Unutilized
Reason: Secured Area.

Bldg. 3514
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010157
Status: Unutilized
Reason: Secured Area.

Bldg. 3518
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010158
Status: Unutilized
Reason: Secured Area.

Bldg. 3521
Fairchild AFB
Fairchild Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010159
Status: Unutilized
Reason: Secured Area.

Bldg. 100, Geiger Heights
Grove and Hallet Streets
Fairchild AFB Co: Spokane WA 99204–
Landholding Agency: Air Force
Property Number: 189210004
Status: Unutilized
Reason: Other.
Comment: Extensive deterioration.

Bldg. 261
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310053
Status: Unutilized
Reason: Secured Area.

Bldg. 284
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310054
Status: Unutilized
Reason: Secured Area.

Facility 923
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310055
Status: Unutilized
Reason: Secured Area.

Bldg. 1330
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310056
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Bldg. 1336
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310057
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Bldg. 2000
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310058
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Bldg. 2143
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310059
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Bldg. 2385
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310060
Status: Unutilized
Reason: Secured Area.

Bldg. 3509
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310061
Status: Unutilized
Reason: Secured Area.

Bldg. 1405
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310062
Status: Underutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Facility 1468
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310063
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Facility 1469
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310064
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material

Facility 2450
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189310065
Status: Unutilized
Reason: Secured Area. Within 2,000 ft. of flammable or explosive material.

Bldg. 1, Waste Annex
West of Craig Road Co: Spokane WA 99022–
Landholding Agency: Air Force
Property Number: 189320043
Status: Unutilized
Reason: Secured Area.

Bldg. 1220
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330091
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 1224
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330092
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 2004
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330093
Status: Unutilized
Reason: Secured Area.

Bldg. 2018
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330094
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 2150
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330095
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Bldg. 2164
Fairchild Air Force Base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189330096
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

Wisconsin

Bldg. 204, 440 Airlift Wing
Gen. Mitchell IAP
Milwaukee Co: Milwaukee WI 53207–6299
Landholding Agency: Air Force
Property Number: 189320032
Status: Unutilized
Reason: Secured Area.

Bldg. 306, 440 Airlift Wing
Gen. Mitchell IAP
Milwaukee Co: Milwaukee WI 53207–6299
Landholding Agency: Air Force
Property Number: 189320033
Status: Unutilized
Reason: Secured Area.

Wyoming

Bldg. 31
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010198
Status: Unutilized
Reason: Secured Area.

Bldg. 34
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010199
Status: Underutilized
Reason: Secured Area.

Bldg. 37
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010200
Status: Unutilized
Reason: Secured Area.

Bldg. 284
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010201
Status: Unutilized
Reason: Secured Area.

Bldg. 385
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010202
Status: Unutilized
Reason: Secured Area.

Bldg. 803
F.E. Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189010203
Status: Unutilized
Reason: Secured Area.

Bldg. 802
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240001
Status: Unutilized
Reason: Secured Area.

Bldg. 804
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240002
Status: Unutilized
Reason: Secured Area.

Bldg. 805
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240003
Status: Unutilized
Reason: Secured Area.

Bldg. 806
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240004
Status: Unutilized
Reason: Secured Area.

Bldg. 2780
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240005
Status: Unutilized
Reason: Secured Area.

Bldg. 2781
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–5000
Landholding Agency: Air Force
Property Number: 189240006
Status: Unutilized
Reason: Secured Area.

Bldg. 808
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189410001
Status: Unutilized
Reason: Secured Area.

Bldg. 844
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189410002
Status: Unutilized
Reason: Secured Area.

Bldg. 848
Warren Air Force Base
Cheyenne Co: Laramie WY 82005–
Landholding Agency: Air Force
Property Number: 189410003
Status: Unutilized
Reason: Secured Area.

Bldg. 95
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110004
Status: Unutilized
Reason: Other
Comment: Sewage digester for disposal plant.

Bldg. 96
Medical Center
N.W. of town at end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110005
Status: Unutilized
Reason: Other
Comment: Pump house for sewage disposal plant.

Structure 99
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110006
Status: Unutilized
Reason: Other
Comment: Mechanical screen for sewage disposal plant.

Structure 100
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110007
Status: Unutilized
Reason: Other
Comment: Dosing tank for sewage disposal plant.

Structure 101
Medical Center
N.W. of town at the end of Fort Road
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979110008
Status: Unutilized
Reason: Other
Comment: Chlorination chamber for sewage disposal plant.

Bldg. 97, Medical Center
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979410011
Status: Unutilized
Reason: Other
Comment: Sewage disposal plant.

Structure 98, Medical Center
Sheridan Co: Sheridan WY 82801–
Landholding Agency: VA
Property Number: 979410012
Status: Unutilized
Reason: Other
Comment: Sludge bed/sewage disposal plant.

Land (by State)

Alaska

Campion Air Force Station
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010430
Status: Unutilized
Reason: Other. Isolated area. Not accessible by road.
Comment: Isolated and remote area; Arctic environment.

Lake Louise Recreation
21 CSG–DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010431
Status: Unutilized
Reason: Other. Isolated area. Not accessible by road.
Comment: Isolated and remote area; Arctic coast.

Nikolski Radio Relay Site
21 CSG/DEER
Elmendorf AFB Co: Anchorage AK 99506–5000
Landholding Agency: Air Force
Property Number: 189010432
Status: Unutilized
Reason: Other. Isolated area. Not accessible by road.
Comment: Isolated and remote area; Arctic coast.

California

DVA Medical Center

4951 Arroyo Road
Livermore Co: Alameda CA 94550–
Landholding Agency: VA
Property Number: 979010023
Status: Unutilized
Reason: Other.
Comment: 750,000 gallon water reservoir.

Florida

Land
MacDill Air Force Base
6601 S. Manhattan Avenue
Tampa Co: Hillsborough FL 33608–
Landholding Agency: Air Force
Property Number: 189030003
Status: Excess
Reason: Floodway.

Wildlife Sanctuary, VAMC
10,000 Bay Pines Blvd.
Bay Pines Co: Pinellas FL 33504–
Landholding Agency: VA
Property Number: 979230004
Status: Underutilized
Reason: Other.
Comment: Inaccessible.

Indiana

Portion of Tract No. 1224
Salamonie Lake
Huntington Co: Huntington IN 46750–
Landholding Agency: COE
Property Number: 319310001
Status: Unutilized
Reason: Other.
Comment: Landlocked.

Kentucky

Tract 4626
Barkley Lake, Kentucky and Tennessee
Donaldson Creek Launching Area
Cadiz Co: Trigg KY 42211–
Location: 14 miles from US Highway 68.
Landholding Agency: COE
Property Number: 319010030
Status: Underutilized
Reason: Floodway.

Tract AA–2747
Wolf Creek Dam and Lake Cumberland
US Hwy. 27 to Blue John Road
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 319010038
Status: Underutilized
Reason: Floodway.

Tract AA–2726
Wolf Creek Dam and Lake Cumberland
KY Hwy. 80 to Route 769
Burnside Co: Pulaski KY 42519–
Landholding Agency: COE
Property Number: 319010039
Status: Underutilized
Reason: Floodway.

Tract 1358
Barkley Lake, Kentucky and Tennessee
Eddyville Recreation Area
Eddyville Co: Lyon KY 42038–
Location: US Highway 62 to state highway 93.
Landholding Agency: COE
Property Number: 319010043
Status: Excess
Reason: Floodway.

Red River Lake Project
Stanton Co: Powell KY 40380–
Location: Exit Mr. Parkway at the Stanton and Slade Interchange, then take SR Hand 15 north to SR 613.
Landholding Agency: COE
Property Number: 319011684
Status: Underutilized
Reason: Floodway.

Barren River Lock & Dam No. 1
Richardsville Co: Warren KY 42270–
Landholding Agency: COE
Property Number: 319120008
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 3
Rochester Co: Butler KY 42273–
Location: Off State Hwy. 369, which runs off of Western Ky. Parkway
Landholding Agency: COE
Property Number: 319120009
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 4
Woodbury Co: Bulter KY 42288–
Location: Off State Hwy 403, which is off State Hwy 231
Landholding Agency: COE
Property Number: 319120014
Status: Underutilized
Reason: Floodway.

Green River Lock & Dam No. 5
Readville Co: Butler KY 42275–
Location: Off State Highway 185
Landholding Agency: COE
Property Number: 319120015
Status: Unutilized
Reason: Floodway.

Green River Lock & Dam No. 6
Brownsville Co: Edmonson KY 42210–
Location: Off State Highway 259
Landholding Agency: COE
Property Number: 319120016
Status: Underutilized
Reason: Floodway.

Vacant land west of locksite
Greenup Locks and Dam
5121 New Dam Road
Rural Co: Greenup KY 41144–
Landholding Agency: COE
Property Number: 319120017
Status: Unutilized
Reason: Floodway.

Tract 6404, Cave Run Lake
U.S. Hwy 460
Index Co: Morgan KY
Landholding Agency: COE
Property Number: 319240005
Status: Underutilized
Reason: Floodway.

Tract 6803, Cave Run Lake
State Road 1161
Pomp Co: Morgan KY
Landholding Agency: COE
Property Number: 319240006
Status: Underutilized
Reason: Floodway.

Louisiana

Land—3.4 acres
VA Medical Center
2501 Shreveport Highway
Alexandria Co: Rapides LA 71301–
Landholding Agency: VA
Property Number: 979010010
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material.

Maryland

Land
Brandywine Storage Annex
1776 ABW/DE Brandywine Road, Route 381
Andrews AFB Co: Prince Georges MD 20613–
Landholding Agency: Air Force
Property Number: 189010263
Status: Unutilized
Reason: Secured Area.

Tract 131R
Youghiogheny River Lake, Rt. 2, Box 100
Friendsville Co: Garrett MD
Landholding Agency: COE
Property Number: 319240007
Status: Underutilized
Reason: Floodway.

Michigan

Middle Marker Facility
Yipsilanti Co: Washtenaw MI 48198–
Location: 549 ft. north of intersection of Coolidge and Bradley Ave. on East side of street
Landholding Agency: DOT
Property Number: 879120006
Status: Unutilized
Reason: Within airport runway clear zone.

Minnesota

Parcel G
Pine River
Cross Lake Co: Crow Wing MN 56442–
Location: 3 miles from city of Cross Lake between highways 6 and 371.
Landholding Agency: COE
Property Number: 319011037
Status: Excess
Reason: Other
Comment: Highway right of way.

VAMC
VA Medical Center
4801 8th Street No.
St. Cloud Co: Sterns MN 56303–
Landholding Agency: VA
Property Number: 979010049
Status: Underutilized
Reason: Within 2,000 ft. of flammable or explosive material.

Mississippi

Parcel 1
Grenada Lake
Section 20
Grenada Co: Grenda MS 38901–0903
Landholding Agency: COE
Property Number: 319011018
Status: Underutilized
Reason: Within airport runway clear zone.

Missouri

Ditch 19, Item 2, Tract No. 230
St. Francis Basin Project
2½ miles west of Malden Co: Dunklin MO
Landholding Agency: COE
Property Number: 319130001
Status: Unutilized
Reason: Floodway.

Union Lake
Sec 7, Twshp 42 north, Ranger West
Beaufort Co: Franklin MO
Landholding Agency: COE
Property Number: 319240008
Status: Unutilized
Reason: Floodway.

New Mexico

Facility 75100
Holloman Air Force Base Co: Otero NM 88330–

Landholding Agency: Air Force
Property Number: 189240043
Status: Unutilized
Reason: Secured Area.

New York

Tract 1
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 979010011
Status: Unutilized
Reason: Secured Area.

Tract 2
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 979010012
Status: Underutilized
Reason: Secured Area.

Tract 3
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 979010013
Status: Underutilized
Reason: Secured Area.

Tract 4
VA Medical Center
Bath Co: Steuben NY 14810–
Location: Exit 38 off New York State Route 17.
Landholding Agency: VA
Property Number: 979010014
Status: Unutilized
Reason: Secured Area.

North Carolina

Land
Atlantic Intracoastal Waterway Co: Corrituck NC
Location: Near old Coinjack Bridge.
Landholding Agency: COE
Property Number: 319011537
Status: Unutilized
Reason: Floodway.

North Dakota

Tracts 1 & 2
Garrison Dam
Lake Sakakawea
Williston Co: Williams ND 58801–
Landholding Agency: COE
Property Number: 319410015
Status: Excess
Reason: Within 2,000 ft. of flammable or explosive material, Floodway.

Ohio

Ohio River
Pike Island Lock and Dam
RD #1, Box 33
Tiltonsville Co: Jefferson OH
Landholding Agency: COE
Property Number: 319011561
Status: Underutilized
Reason: Floodway.

Pennsylvania

Lock and Dam #7
Monongahela River
Greensboro Co: Greene PA
Location: Left hand side of entrance roadway to project.
Landholding Agency: COE
Property Number: 319011564
Status: Unutilized
Reason: Floodway.

Lock and Dam #3
Monongahela River
Elizabeth Co: Allegheny PA 15037–0455
Landholding Agency: COE
Property Number: 319240014
Status: Unutilized
Reason: Floodway.

South Dakota

Badlands Bomb Range
60 miles southeast of Rapid City, SD
1½ miles south of Highway 44
Co: Shannon SD
Landholding Agency: Air Force
Property Number: 189210003
Status: Unutilized
Reason: Secured Area.

Tennessee

McClure Bend
Cordell Hull Dam and Reservoir
Carthage Co: Smith TN 37030–
Location: Highway 85 to McClure Bend Road.
Landholding Agency: COE
Property Number: 219040412
Status: Underutilized
Reason: Floodway.

Brooks Bend
Cordell Hull Dam and Reservoir
Highway 85 to Brooks Bend Road
Gainesboro Co: Jackson TN 38562–
Location: Tracts 800, 802–806, 835–837, 900–902, 1000–1003, 1025
Landholding Agency: COE
Property Number: 219040413
Status: Underutilized
Reason: Floodway.

Cheatham Lock and Dam
Highway 12
Ashland City Co: Cheatham TN 37015–
Location: Tracts E–513, E–512–1 and E–512–2
Landholding Agency: COE
Property Number: 219040415
Status: Underutilized
Reason: Floodway.

Tract 6737
Blue Creek Recreation Area
Barkley Lake, Kentucky and Tennessee
Dover Co: Stewart TN 37058–
Location: U.S. Highway 79/TN Highway 761
Landholding Agency: COE
Property Number: 319011478
Status: Underutilized
Reason: Floodway.

Tracts 3102, 3105, and 3106
Brimstone Launching Area
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011479
Status: Excess
Reason: Floodway.

Tract 3507
Proctor Site
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 52
Landholding Agency: COE
Property Number: 319011480
Status: Unutilized
Reason: Floodway.

Tract 3721
Obey
Cordell Hull Lake and Dam Project
Celina Co: Clay TN 38551–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011481
Status: Unutilized
Reason: Floodway.

Tracts 608, 609, 611 and 612
Sullivan Bend Launching Area
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011482
Status: Underutilized
Reason: Floodway.

Tract 920
Indian Creek Camping Area
Cordell Hull Lake and Dam Project
Granville Co: Smith TN 38564–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011483
Status: Underutilized
Reason: Floodway.

Tracts 1710, 1716 and 1703
Flynns Lick Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Whites Bend Road
Landholding Agency: COE
Property Number: 319011484
Status: Underutilized
Reason: Floodway.

Tract 1810
Wartrace Creek Launching Ramp
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011485
Status: Underutilized
Reason: Floodway.

Tract 2524
Jennings Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011486
Status: Unutilized
Reason: Floodway.

Tracts 2905 and 2907
Webster
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38551–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011487
Status: Unutilized
Reason: Floodway.

Tracts 2200 and 2201
Gainesboro Airport
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: Big Bottom Road
Landholding Agency: COE
Property Number: 319011488

Status: Underutilized
Reason: Within airport runway clear zone. Floodway.

Tracts 710C and 712C
Sullivan Island
Cordell Hull Lake and Dam Project
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011489
Status: Unutilized
Reason: Floodway.

Tract 2403, Hensley Creek
Cordell Hull Lake and Dam Project
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 85
Landholding Agency: COE
Property Number: 319011490
Status: Unutilized
Reason: Floodway.

Tracts 2117C, 2118 and 2120
Cordell Hull Lake and Dam Project
Trace Creek
Gainesboro Co: Jackson TN 38562–
Location: Brooks Ferry Road
Landholding Agency: COE
Property Number: 319011491
Status: Unutilized
Reason: Floodway.

Tracts 424, 425 and 426
Cordell Hull Lake and Dam Project
Stone Bridge
Carthage Co: Smith TN 37030–
Location: Sullivan Bend Road
Landholding Agency: COE
Property Number: 319011492
Status: Unutilized
Reason: Floodway.

Tract 517
J. Percy Priest Dam and Reservoir
Suggs Creek Embayment
Nashville Co: Davidson TN 37214–
Location: Interstate 40 to S. Mount Juliet Road.
Landholding Agency: COE
Property Number: 319011493
Status: Underutilized
Reason: Floodway.

Tract 1811
West Fork Launching Area
Smyrna Co: Rutherford TN 37167–
Location: Florence road near Enon Springs Road
Landholding Agency: COE
Property Number: 319011494
Status: Underutilized
Reason: Floodway.

Tract 1504
J. Perry Priest Dam and Reservoir
Lamon Hill Recreation Area
Smyrna Co: Rutherford TN 37167–
Location: Lamon Road
Landholding Agency: COE
Property Number: 319011495
Status: Underutilized
Reason: Floodway.

Tract 1500
J. Perry Priest Dam and Reservoir
Pools Knob Recreation
Smyrna Co: Rutherford TN 37167–
Location: Jones Mill Road
Landholding Agency: COE
Property Number: 319011496
Status: Underutilized
Reason: Floodway.

Tracts 245, 257, and 256
J. Perry Priest Dam and Reservoir
Cook Recreation Area
Nashville Co: Davidson TN 37214–
Location: 2.2 miles south of Interstate 40 near Saunders Ferry Pike.
Landholding Agency: COE
Property Number: 319011497
Status: Underutilized
Reason: Floodway.

Tracts 107, 109 and 110
Cordell Hull Lake and Dam Project
Two Prong
Carthage Co: Smith TN 37030–
Location: US Highway 85
Landholding Agency: COE
Property Number: 319011498
Status: Unutilized
Reason: Floodway.

Tracts 2919 and 2929
Cordell Hull Lake and Dam Project
Sugar Creek
Gainesboro Co: Jackson TN 38562–
Location: Sugar Creek Road
Landholding Agency: COE
Property Number: 319011500
Status: Unutilized
Reason: Floodway.

Tracts 1218 and 1204
Cordell Hull Lake and Dam Project
Granville—Alvin Yourk Road
Granville Co: Jackson TN 38564–
Landholding Agency: COE
Property Number: 319011501
Status: Unutilized
Reason: Floodway.

Tract 2100
Cordell Hull Lake and Dam Project
Galbreaths Branch
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 53
Landholding Agency: COE
Property Number: 319011502
Status: Unutilized
Reason: Floodway.

Tract 104 et. al.
Cordell Hull Lake and Dam Project
Horshoe Bend Launching Area
Carthage Co: Smith TN 37030–
Location: Highway 70 N
Landholding Agency: COE
Property Number: 319011504
Status: Underutilized
Reason: Floodway.

Tracts 510, 511, 513 and 514
J. Percy Priest Dam and Reservoir Project
Lebanon Co: Wilson TN 37087–
Location: Vivrett Creek Launching Area, Alvin Sperry Road
Landholding Agency: COE
Property Number: 319130007
Status: Underutilized
Reason: Floodway.

Tract A–142, Old Hickory Beach
Old Hickory Blvd.
Old Hickory Co: Davidson TN 37138–
Landholding Agency: COE
Property Number: 319130008
Status: Underutilized
Reason: Floodway.

Texas

Tracts 104, 105–1, 105–2 & 118
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010397
Status: Underutilized
Reason: Floodway.

Part of Tract 201–3
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010398
Status: Underutilized
Reason: Floodway.

Part of Tract 323
Joe Pool Lake Co: Dallas TX
Landholding Agency: COE
Property Number: 319010399
Status: Underutilized
Reason: Floodway.

Tract 702–3
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 319010401
Status: Unutilized
Reason: Floodway.

Tract 706
Granger Lake
Route 1, Box 172
Granger Co: Williamson TX 76530–9801
Landholding Agency: COE
Property Number: 319010402
Status: Unutilized
Reason: Floodway.

Virginia

Parcel 1 (Byrd Field)
Richmond IAP
5680 Beulah Road
Richmond Co: Henrico VA 23150–
Landholding Agency: Air Force
Property Number: 189010435
Status: Unutilized
Reason: Floodway.

Parcel 3 (Byrd Field)
Richmond IAP
5680 Beulah Road
Richmond Co: Henrico VA 23150–
Landholding Agency: Air Force
Property Number: 189010436
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material.

Parcel 2, (Byrd Field)
Richmond IAP
5680 Beulah Road
Richmond Co: Henrico VA 23150–
Landholding Agency: Air Force
Property Number: 189010437
Status: Unutilized
Reason: Within 2,000 ft. of flammable or explosive material. Secured Area.

ANG Site
Camp Pendleton
Virginia Air National Guard
Virginia Beach Co: (See County) VA 23451–
Landholding Agency: Air Force
Property Number: 189010589
Status: Unutilized
Reason: Secured Area.

0.07 Acre, Dismal Swamp Canal
West of U.S. Rt. 17
Chesapeake VA
Landholding Agency: COE
Property Number: 319210012
Status: Unutilized
Reason: Other

Comment: Inaccessible.

Washington

Fairchild AFB
SE corner of base
Fairchild AFB Co: Spokane WA 99011–
Landholding Agency: Air Force
Property Number: 189010137
Status: Unutilized
Reason: Secured Area.

Fairchild AFB
Fairchild AFB Co: Spokane WA 99011–
Location: NW corner of base
Landholding Agency: Air Force
Property Number: 189010138
Status: Unutilized
Reason: Secured Area.

West Virginia

Ohio River
Pike Island Locks and Dam
Buffalo Creek
Wellsburg Co: Brooke WV
Landholding Agency: COE
Property Number: 319011529
Status: Unutilized
Reason: Floodway.

Morgantown Lock and Dam
Box 3 RD #2
Morgantown Co: Monongahelia WV 26505–
Landholding Agency: COE
Property Number: 319011530
Status: Unutilized
Reason: Floodway.

London Lock and Dam
Route 60 East
Rural Co: Kanawha WV 25126–
Location: 20 miles east of Charleston, W. Virginia
Landholding Agency: COE
Property Number: 319011690
Status: Unutilized
Reason: Other
Comment: .03 acres; very narrow strip of land located too close to busy highway.

[FR Doc. 94–3568 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–29–M

## Office of the Assistant Secretary for Public and Indian Housing

**[Docket Nos. N–94–3389; FR–3151–N–02 and N–94–3622; FR–3416–N–03]**

## Public and Indian Housing Resident Management Program Technical Assistance Program; Announcement of Funding Awards FY 1992 and FY 1993

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Announcement of funding awards.

**SUMMARY:** In accordance with section 102(a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, this announcement notifies the public of funding decisions made by the Department in the FY 1992 and FY 1993 competition for funding under the NOFAs for Public and Indian Housing Resident Management Technical Assistance Grant Program. This announcement contains the names and addresses of the award winners and the amount of the awards.

**FOR FURTHER INFORMATION CONTACT:** Christine Jenkins, Office of Resident Initiatives, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, telephone (202) 708–3611. A telecommunication device for hearing or speech impaired persons (TDD) is available at (202) 708–9300. (These are not toll-free telephone numbers.)

**SUPPLEMENTARY INFORMATION:** The purpose of the competition was to provide funds for Technical Assistance Grants under the Public and Indian Housing Program for Resident Councils, Resident Management Corporations, and Resident Organizations. These funds will assist in training and other activities for resident management of public and Indian housing. This program is authorized under section 20 of the United States Housing Act of 1937 (42 U.S.C. 1437r); section 7(d) Department of Housing and Urban Development Act (42 U.S.C. 3535(d)). The Department announced the availability of approximately $4.4 million for FY 1992 and $4.7 million for FY 1993.

The 1992 and 1993 awards announced in this Notice were selected for funding in competitions announced in **Federal Register** Notices published on April 14, 1992 (57 FR 12970); June 8, 1993 (58 FR 32254); and an extension Notice published August 11, 1993 (58 FR 42739). Recipients were chosen in a national competition based on criteria contained in the Notices.

In accordance with section 102 (a)(4)(C) of the Department of Housing and Urban Development Reform Act of 1989, the Department is publishing the names, addresses, and amount of funds awarded, as listed at the end of this Notice.

Dated: February 4, 1994.

**Joseph Shuldiner,**

*Assistant Secretary for Public and Indian Housing.*

### FISCAL YEAR 1992; PUBLIC AND INDIAN HOUSING RECIPIENTS OF FINAL FUNDING DECISIONS

Program Name: Public and Indian Housing Resident Management Technical Assistance Grant Program (RMTAG)

[Statute: Public Law 100–42, February 5, 1988]

| Funding recipient (name and address) | Amount approved |
|---|---|
| Riverside Tenants Association Inc., 15 Olson Drive, Ansonia, CT 06401– | $40,000 |
| Birch Carmichael Howard Tenants Council, 22A Birch Street, Presque Isle, ME 04769– | 40,000 |
| Morin Heights & Veteran's Memorial Tenant Assn., 679 Social Street, Woonsocket, RI 02895– | 40,000 |
| Codding Court Tenants Assn., 92 Lester Court #1C, Providence, RI 02907– | 40,000 |
| Newark Tenants Council, 303 Washington Street, Newark, NJ 07102– | 40,000 |
| Jersey City Tenant Affairs Board, 400 U.S. Hwy. 1, Jersey City, NJ 07306– | 38,000 |
| White Plains PH Tenant Council, P.O. Box 547, White Plains, NY 10602– | 40,000 |
| Buffalo Public Housing Resident Council Corp., 359 Suffolk Street, Buffalo, NY 14215– | 40,000 |
| Kenilworth Parkside RMC, 4417 Quarles Street, N.E., Washington, DC 20019– | 100,000 |
| Southwest Public Housing Coalition, 124 "P" Street, S.W., Washington, DC 20024– | 100,000 |
| Valley Green Resident Council, 916 Varney Street, S.E., Washington, DC 20032– | 60,000 |
| Claremont Homes Tenant Council, 4458 Clareway, Baltimore, MD 21213– | 40,000 |
| Ohio View Acres Resident Council, 17–D Denver Drive, McKees Rocks, PA 15136– | 40,000 |
| South Hills Terrace Tenant Organization, 116 South Hills Terrace, Brownsville, PA 15417– | 39,100 |
| Sheldon Park Resident Council, 424 Park Street, Natrona Heights, PA 15065– | 40,000 |
| Broadhead Manor Resident Council, 1900 Broadhead Fording Rd, Pittsburgh, PA 15205– | 100,000 |
| Harbor Heights & Grant Street Organization, 720 Altman Road, New Castle, PA 16101– | 40,000 |
| Northview Heights Tenant Council, 600 Mount Pleasant Road, Pittsburgh, PA 15214– | 40,000 |
| Coopersdale RMC, 17–441 Coopersdale Homes, Johnstown, PA 15906–8154 | 10,500 |
| Harrison Plaza Tenant Council, 1240 N. 10th Street, Philadelphia, PA 19122– | 60,000 |

Program Name: Public and Indian Housing Resident Management Technical Assistance Grant Program (RMTAG)—Continued

[Statute: Public Law 100–42, February 5, 1988]

| Funding recipient (name and address) | Amount approved |
|---|---|
| Southwark Tenant Council, 423 Carpenter Way, Philadelphia, PA 19147– | 40,000 |
| William Penn Resident Council, Union and Fulton St., Chester, PA 19016– | 100,000 |
| Westpark Tenant Council, 400 North Busti Street, Philadelphia, PA 19104– | 40,000 |
| Fairview Tenant Action Committee, 407 Fairview Street, Phoenixville, PA 19460– | 60,000 |
| Linmar Griffith Heights Resident Council, 374 Linmar Terrace, Aliquippa, PA 15001– | 40,000 |
| Calvert Square Advisory Council, Inc., 975 Bagnall Road, Norfolk, VA 23504– | 40,000 |
| Swanson Homes Tenant Council, 68 Swanson Parkway, Portsmouth, VA 23704– | 40,000 |
| Bowling Green TMC, 1218 Godfrey Avenue, Norfolk, VA 23504– | 100,000 |
| Oakleaf Forest TMC, 1883 Greenleaf Drive, Norfolk, VA 23523– | 40,000 |
| Tidewater Gardens Tenant Management Corporation, 826 Mariner Street, Norfolk, VA 23504– | 40,000 |
| Trenholm Court Resident Council, 616 No. Bainbridge St., Montogomery, AL 36104– | 40,000 |
| Overall Tenant Advisory Council, Inc., 1401 N.W. 7th Street, Miami, FL 33125– | 23,800 |
| Key West Housing Authority Resident Assoc., 1400 Kennedy Drive, Key West, FL 33040– | 40,000 |
| Neighborhood Action United Tenant Association, 44 Carson Drive, Fort Walton Beach, FL 32548– | 40,000 |
| Centennial Towers Resident Management Corp., Inc., 230 East First Street, Jacksonville, FL 32206– | 40,000 |
| Central Park Village Resident Council Mgt. Corp., 1000 Ibdia Street, Tampa, FL 33602– | 49,940 |
| College Hill Resident Management Corp., 2205 East 32nd Ave, #360, Tampa, FL 33605– | 54,500 |
| Harris Homes Resident Association, 1019 Sells Avenue, S.W., Atlanta, GA 30310– | 40,000 |
| Lawrence County Resident Council, Rt. #2, Box 300, Louisa, KY 41230– | 40,000 |
| Yazoo Housing Resident Council Inc., 274 Magnola Drive, Yazoo City, MS 39194– | 60,000 |
| Residents of Brairfield/Robertson Place, PO Box 832, Hattiesburg, MS 39403–0832 | 40,000 |
| Piedmont Park, Inc., 231 West Fifth Street, Winston-Salem, NC 27101– | 100,000 |
| Cleveland Avenue Homes, Inc., 231 West Fifth Street, Winston-Salem, NC 27101– | 100,000 |
| Happy Hill Gardens, Inc., 231 West Fifth Street, Winston-Salem, NC 27101– | 100,000 |
| Residents Promoting a Better Community, 501–D Walrond Court, Lafayette, TN 37083– | 40,000 |
| Harriet Tubman Resident Association, 1918 Hardy Street, Chattanooga, TN 37406– | 40,000 |
| Hollywood Resident Association, 3101 N. 63rd Avenue, Hollywood, FL 33024– | 39,950 |
| William Green Homes Resident Management Corp, 1230 North Larabee, Chicago, IL 60610 | 40,000 |
| Lake Park Place Resident Mgmt Organization, 3939 South Lake Park, Chicago, IL 60653 | 40,000 |
| Martin Luther King Drive Resident, 3723 South King Drive, Chicago, IL 60623 | 40,000 |
| St. Agatha Schattered Sites Resident Organization, 1404 South Albany, Chicago, Il 60623 | 40,000 |
| Brooklyn Resident Council, 300 South 6th Street, Brooklyn, IL 62059 | 40,000 |
| Lebanon Resident Council, 503 So. Plum St., Suite A, Lebanon, IL 62254 | 40,000 |
| Concerned Neighbors of Williamson County, 601 North 6th Street, Herrin, IL 62948 | 40,000 |
| Executive Resident Council of Bloomington, 1422 West Market, Bloomington, IL 61701 | 40,000 |
| North East Centralia Resident Council, 607 North McKee, Centralia, IL 62801 | 40,000 |
| Robert A. Taft Homes Resident Council Org., 610 N.E. Washington, Peoria, IL 61603 | 40,000 |
| Joint Resident Management Council, 1215 North Hill Street, Springfield, IL 62702 | 40,000 |
| Gary Housing Authority City-Wide Resident Council, 2164 Harrison Street, Gary, IN 46407 | 40,000 |
| Executive Council Sr. High-rise Communities, 901 Ft. Wayne Avenue, Indianapolis, IN 46202 | 40,000 |
| Unity Resident Management Corporation, 1711 Green Road, Ann Arbor, MI 48105 | 85,000 |
| City-Wide Residents Council, 1575 Ames Avenue, St. Paul, MN 55106 | 40,000 |
| Harborview Residents Council, 1202 North Lake Avenue, Duluth, MN 55805 | 40,000 |
| Leech Lake Reservation Resident Organization, Route 3, Box 100, Cass Lake, MN 56633– | 40,000 |
| City Wide Public Housing Resident Council (MLW), 5163 North 20th Street, Milwaukee, WI 53209 | 40,000 |
| Norman Housing Authority Resident Council, Inc., 700 North Berry Rd., Norman, OK 73069– | 40,000 |
| Falls Acres Neighborhood Association, 213 Butler Drive, Shawnee, OK 74801– | 95,000 |
| Residents United, 1708 East 3rd Street, Austin, TX 78702– | 100,000 |
| Roseland Homes Resident Management Corporation, 2021 N. Washington, Dallas, TX 75204– | 45,600 |
| Bryan Public Housing Resident Council, 1016 Bryant Street, Bryan, TX 77803– | 37,900 |
| Riley Arnold Apts/J.A. Cavile Resident Association, 500 West Belknap, Fort Worth, TX 76102– | 100,000 |
| Our Casas Resident Council, 301 S. Frio, Suite 229, San Antonio, TX 78207– | 12,000 |
| Wilmington House Resident Council, 4220 Wilmington; Houston, TX 77051– | 40,000 |
| Central Iowa Regional Advisory Council, 1111 Ninth St., Suite 390, Des Moines, IA 50314– | 40,000 |
| Riverview Resident Management Corporation, 313 Paseo, Kansas City, MO 64106– | 100,000 |
| Elmwood Park Resident Council, 1400 Wibracht, St. Louis, MO 63132– | 40,000 |
| Blumeyer Tenant Association, 801 N. Compton, St. Louis, MO 63103– | 100,000 |
| Gothenburg Tenant Association, 810 20th Street, Gothenburg, NE 69138– | 40,000 |
| Missoula Housing Authority Resident Council, 1319 E. Broadway, Missoula, MT 59802– | 40,000 |
| Omaha Tribal Tenants Organization, P.O. Box 277, Macy, NE 68039– | 38,490 |
| Resident Councils of Casas de Esperanza, 130 North Hamilton, #1, Chandler, AZ 85225– | 40,000 |
| Dos Rios Resident Management Firm, Inc., 1233 Richards Blvd., Sacramento, CA 95814- | 88,000 |
| Sierra Vista Resident Council, 1602 E. Eleventh Street, Stockton, CA 95206– | 22,000 |
| Esperanza Resident Management Council, 1907 3rd Street, Alameda, CA 94501– | 40,000 |
| Robert B. Pitts Plaza Resident Council, 1150 Scott Street, San Francisco, CA 94115– | 40,000 |
| Normont Terrace Coordinating Council, 938 West 256th St., #386, Harbor City, CA 90710– | 11,400 |
| Spruce Park Resident Council, 1608 21st Avenue, F–Q, Fairbanks, AK 99701– | 40,000 |
| Geneva Woods Resident Council, P.O. Box 241054, Douglas, AK 99824– | 40,000 |
| Yakima Nation Housing Resident Council, 617 Larena Lane, Wapato, WA 98951– | 60,000 |

Program Name: Public and Indian Housing Resident Management Technical Assistance Grant Program (RMTAG)—Continued

[Statute: Public Law 100–42, February 5, 1988]

| Funding recipient (name and address) | Amount approved |
|---|---|
| Makah Housing Resident Council, P. O. Box 888, Neah Bay, WA 98357– | 100,000 |
| Residents Action Council Seattle Housing Authority, 2445 NW 57th St. #611, Seattle, WA 98107– | 100,000 |
| Salishan Alliance for Community Services, 1720 East 44th Street, Tacoma, WA 98404– | 51,000 |
| Clark County Residents Council Board, 603 Council Bluffs Way, Vancouver, WA 98661– | 40,000 |

## FISCAL YEAR 1993; PUBLIC AND INDIAN HOUSING RECIPIENTS OF FINAL FUNDING DECISIONS

Program Name: Public and Indian Housing Resident Management Technical Assistance Grant Program (RMTAG)

[Statute: Public Law 100–42, February 5, 1988]

| Funding recipient (name and address) | Amount approved |
|---|---|
| Oakwood Knoll Tenant Association, 1 Oakwood Knoll #1, Norwich, CT 06360–6699 | $40,000 |
| Berkeley Heights Tenants Council, 32 Harris Circle, Waterbury, CT 06704– | 30,000 |
| RC of the Housing Authority, City of Newport, 97 Sims Street, Newport, RI 02840–1212 | 100,000 |
| Senior Citizens Group of Sunset Terrace, 415 Sunset Ave., #1, North Providence, RI 02904–5654 | 40,000 |
| Solfield and Gelber Tenants Association, 233 Huntington, Perth Amboy, NJ 08861–0390 | 40,000 |
| Delaney-Dunlap Residents Association, 919 Convery Boulevard, Perth Amboy, NJ 08862–0390 | 60,000 |
| Speer Vreeland and Chestnut Residents Organization, 11 Aspen Place, Passaic, NJ 07055–5896 | 40,000 |
| Johnson Houses Resident Council, 175 East 112th St., New York, NY 10007–2516 | 40,000 |
| Wilmington Family Tenant Council, 2800 Tatnall St. B2, Wilmington, DE 19802– | 40,000 |
| Church and Farnum Resident Organization, 33 E. Farnum St #103, Lancaster, PA 17602–4253 | 40,000 |
| Erie Tenant Council, 1902–G Buffalo Road, Erie, PA 16510– | 60,000 |
| Waynesboro Resident Organization, 997 Tenth Street, Waynesboro, VA 22980 | 40,000 |
| Lansdowne Park Resident Council, 2804 Salem Turnpike, Roanoke, VA 24017– | 40,000 |
| Bristol R&HA Tenants Committee, Inc., 650 Quarry Street, Bristol, VA 24201– | 40,000 |
| The Danville Four Umbrella Organization, 149 Cedar Terrace #2, Danville, VA 24541– | 68,200 |
| Brookside Resident Council, 89 Belle Terre #205, Lynchburg, VA 24501– | 40,000 |
| Birchwood Resident Council, Inc., 3001–D Birchwood Dr., Lynchburg, VA 24501– | 60,000 |
| Association of Concerned Tenants of Fox Meadow, P. O. Box 2511, Lebanon, VA 24266– | 35,000 |
| Franklin Resident Council, 933 Pretlow Street, Franklin, VA 23851– | 40,000 |
| Jamestown Place Resident Council, 1533 Pike Ln., SE, Roanoke, VA 24014– | 40,000 |
| Roberts Village RMC, 2733 Monrovia Drive, Norfolk, VA 23504– | 66,666 |
| Diggs Town Tenant Management Corporation, 1616 Vernon Drive, Norfolk, VA 23523– | 23,712 |
| Young Terrace Tenant Management Corporation, 1823 Smith Street, Norfolk, VA 23510– | 60,000 |
| Grandy Village Tenant Management Corporation, 3173 Kimball Terrace, Norfolk, VA 23504– | 40,000 |
| East Roberts Village RMC, 2733 Monrovia Dr., Norfolk, VA 23501 | 66,666 |
| Moton Circle RMC, 2733 Monrovia Dr., Norfolk, VA 23501– | 66,666 |
| Crestview Public Housing Tenant Association, 398 School Avenue, Crestview, FL 32536–3305 | 40,000 |
| Gainesville Public Housing Resident Council, 100 NE. Main St #411, Gainesville, FL 32601– | 40,000 |
| Washington Park Resident Council, 1420 N. Florida Ave., Lakeland, FL 33805– | 40,000 |
| Riverview Terrace Resident Council, 417 East Hanlon St., Tampa, FL 33604– | 34,400 |
| James Park/Clearview RMC Association, 1051 3rd Ave. N. C–1, St. Petersburg, FL 33705– | 60,000 |
| Herndon Homes Resident Association, 508 Kennedy St. #117, Atlanta, GA 30318– | 40,000 |
| Neighborhood Residents at Work, Inc., 451 Francis Bartow Pl., Savannah, GA 31401– | 100,000 |
| Greenwood Housing Authority Resident Council, 15–B Thurman Drive, Greenwood, MS 38930– | 40,000 |
| Inter-Project Council, Incorporated, PO Box 28007, Raleigh, NC 27611– | 100,000 |
| Cornwallis Community Neighborhood Council, 3000 Waver Street, Durham, NC 27707– | 98,077 |
| Statesville Housing Authority Resident's Corp., 601 Grove Street, Statesville, NC 28677– | 100,000 |
| Davila Freytes Public Project Resident Council, Davila, Edif 12, Apt 47, Barceloneta, PR 00617– | 40,000 |
| El Coqui Public Project Residents Council, El Coqui Calle I G84, Catano, PR 00962– | 40,000 |
| Residents United Hand in Hand, Inc., San Antonio, San Antonio, EDIF D, #674, San Juan, PR 00901– | 100,000 |
| Jardines de Cupey Resident Council, Jardines, EDIF10, #120, San Juan, PR 00926– | 100,000 |
| Committee of Initiatives Jose N. Gandara Project, Gandara, EDIF 11, #183, Ponce, PR 00730– | 40,000 |
| West Riverside Resident Association, 115 Hamilton Street, McMinnville, TN 37110– | 40,000 |
| HiSiTS, Inc., 912–A First Ave. So., Nashville, TN 37210– | 40,000 |
| Cabrini Green Rowhouse Council, 931 N. Cleveland, Chicago, IL 60610– | 40,000 |
| Wells Extension Resident Management Organization, 551 E. 36th Place, Apt. #601, Chicago, IL 60653 | 40,000 |
| 2450 W. Monroe Street Resident Organization, 2450 W. Monroe #702, Chicago, IL 60612– | 40,000 |
| Concord Village Resident Management Corporation, 3136 Concord Court, Indianapolis, IN 46222– | 40,000 |
| City-Wide Resident Management Corporation, 910 West 22nd Place, Gary, IN 46407– | 60,000 |
| R.I.S.E. at Pleasant Point, P.O. Box 339 (Shore Front, Perry, ME 04667– | 40,000 |
| Harbor View Resident Management Corp., 1202 N. Lake Ave., Duluth, MN 55805— | 59,000 |
| Resident Management Corporation—MPHA, 1707 Third Ave. S., Minneapolis, MN 55404– | 50,070 |
| Brand Whitlock, Albertus Brown, McClinton Nunn RA, 630 McClinton Nunn, Toledo, OH 43602– | 40,000 |
| Addison Square Resident Council, 8601 Hough Avenue, Cleveland, OH 44106– | 100,000 |
| Ironton Metropolitan HA Resident Council, 628 S. Ninth Sreet, Ironton, OH 45638 | 40,000 |
| Columbus PHA Communities United, 590 Van Buren Ave, Columbus, OH 43201 | 40,000 |
| Truax Area Resident Management Assn., Inc. (TARMA), 11 Straubel Ct. #406, Madison, WI 53704– | 35,000 |

Program Name: Public and Indian Housing Resident Management Technical Assistance Grant Program (RMTAG)—Continued

[Statute: Public Law 100–42, February 5, 1988]

| Funding recipient (name and address) | Amount approved |
|---|---|
| Menominee Housing Resident Organization, P.O. Box 261, Keshena, WI 54135– | 33,650 |
| Arkadelphia Resident Council, 670 S. 6th Street, Arkadelphia, AR 71923 | 40,000 |
| Resident Association, 1000 Wolfe Street, Little Rock, AR 72202– | 40,000 |
| Neighbors Who Care, Box 137, Paragould, AR 72450–0137 | 40,000 |
| Kickapoo Resident Assoc., Rt. 1, Box 800A, Horton, KS 66439 | 40,000 |
| Woodbrook Estates HO Assc, Route 7, Lot B–35, Ada, OK 74820 | 40,000 |
| Resident Council of the Lubbock Housing Authority, PO Box 2568, Lubbock, TX 79408–2568 | 40,000 |
| Butler/Whispering Oaks RMC, PO Box 430, Fort Worth, TX 76101–0430 | 60,000 |
| Magnolia Homes Resident Council, 1601 Strand #8–H, Galveston, TX 77551–1099 | 35,000 |
| Grandview Park Manor Resident Association, 1244 Ray, Kansas City, KS 66102– | 40,000 |
| Bellevue Housing Resident Council, 8214 Armstrong Circle, Omaha, NE 68147– | 28,000 |
| Gothenburg Tenant Association, 810–20th Street, Gothenburg, NE 69138–0035 | 56,000 |
| Hall County Housing Residents Council, 915 Baumann Drive, Grand Island, NE 68803– | 40,000 |
| HOPE Resident Council, 6683 Kalua Road, Boulder, CO 80301– | 40,000 |
| Blackfeet Resident Organization, PO Box 864, Browning, MT 59417 | 40,000 |
| Kenel Resident Organization, HC 61 Box 35, McLaughlin, SD 57642– | 39,876 |
| Neighborhood Assistance Council, 1981 East 'A' Street, Casper, WY 82601 | 60,000 |
| Siler Homes Resident Council, Inc., 3270 Miller Rd, Flagstaff, AZ 86004– | 40,000 |
| Hayes Valley Tenant's Association, 749–A Hayes Street, San Francisco, CA 94102– | 32,085 |
| Redlands Resident Advisory Group, 131 W. Lugonia Street, Redlands, CA 92373, | 40,000 |
| Medical Center Advisory Group, 1650 W. 10th Street, San Bernardino, CA 92411– | 40,000 |
| Colton Resident Advisory Group, 772 Pine Street, Colton, CA 92324– | 40,000 |
| Waterman Gardens Resident Advisory Group, 382 Crestview, San Bernardino, CA 92410– | 40,000 |
| Chino Resident Advisory Group, 13088 Monte Vista, Chino, CA 91710– | 40,000 |
| RC of the HA of the City of Calexico, 1840 Rockwood Avenue #99, Calexico, CA 92231 | 92,300 |
| Carmelitos Tenants' Association, 1041 Via Wanda Bldg. 51, Long Beach, CA 90805– | 40,000 |
| Leggett Court Resident Council, 1860 Los Feliz Drive #23, Thousand Oaks, CA 91362– | 32,500 |
| Hacienda Village Resident Advisory Council, 1515 E. 105th Street, Los Angeles, CA 90002– | 95,000 |
| William Mead Homes Resident Advisory Council, 1300 N. Cardinal Street, Los Angeles, CA 90012– | 100,000 |
| Pleasant Valley Tenant Association, 5111 Squires Drive, Oxnard, CA 93030– | 40,000 |
| Colonia Village Tenants Association, 226 N. Marquita Street, Oxnard, CA 93030– | 40,000 |
| Organizacion de Residentes de Nueva Maravilla, 4909 Brooklyn Ave., Rm. 7, Los Angeles, CA 90022– | 99,500 |
| Pico Aliso Resident Advisory Council, 535 S. Gless #96, Los Angeles, CA 90033– | 41,143 |
| Riverside Housing Council, 500 Sparkman Ct, West Sacramento, CA 95606– | 40,000 |
| Kent Executive Empowerment Program (KEEP), 10628 SE 206th, Kent, WA 98031– | 100,000 |
| Auburn Resident Council, 1748 I Pl NE, Apt. 25, Auburn, WA 98002– | 40,000 |
| Bellingham/Whatcom Resident Council, 1808 16th St, Apt B, Bellingham, WA 98225– | 40,000 |

[FR Doc. 94–3686 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–33–P

**[Docket No. D–94–1049; FR–3597–D–01]**

## Redelegation of Authority for the Issuance of Waivers of Office of Public and Indian Housing Directives

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**NOTICE:** Notice of redelegation of authority.

**SUMMARY:** The Assistant Secretary for Public and Indian Housing is redelegating to all HUD Field Office Public Housing Division Directors, and the Director, Office of Native American Programs, and, in turn the Directors, Offices of Indian Programs (waiver officials), the authority to issue waivers of Office of Public and Indian Housing directives. A similar redelegation of authority for Office of Housing Directives was recently signed by the Assistant Security for Housing-Federal Housing Commissioner and published in the **Federal Register.**

**EFFECTIVE DATE:** Februry 9, 1994.

**FOR FURTHER INFORMATION CONTACT:** Mildred M. Hamman, Directives Management Officer, Office of Public and Indian Housing, Department of Housing and Urban Development, room 4244, 451 7th Street SW., Washington, DC 20410, telephone (202) 708–0846. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101–235, approved December 15, 1989) (HUD Reform Act), amended section 7 of the Department of Housing and Urban Development Act (42 U.S.C. 3535) (HUD Act) by adding section 7(q), governing circumstances upon which the Department may issue waives of regulations and handbooks. According to section 7(q)(2), only an individual of Assistant Secretary rank or the equivalent may waive a regulation. This redelegation of authority does not address the authority to waive regulations.

With respect to handbooks, section 7(q)(4) states that a waiver of a provision of a handbook must:

(A) Be in writing;

(B) Specify the grounds for approving the waivers; and

(C) Be maintained in indexed form and made available for public inspection for not less than the 3-year period beginning on the date of the waiver.

On April 22, 1991, at 56 FR 16337, HUD published a Statement of Policy implementing section 106 of the HUD Reform Act. The notice stated that although new section 7(q)(4) of the HUD Act only addressed "handbooks", HUD would apply this term to all of the Department's directives in order to give section 7(q)(4) "the widest possible

coverage." Therefore, the term "directive" was defined in the notice as follows:

Directives means a Handbook (including a change or supplement), notice, interim notice, special directive, and any other issuance that the Department may classify as a directive.

HUD's Statement of Policy also indicated that the authority to waive directives may be delegated to any officer or employee in the issuing official's organization, as well as to any officer or employee in a Field or Regional Office. This Statement of Policy, therefore, effectively delegated to each Assistant Secretary, the official responsible for issuing directives, the authority to waive directives.

The current process of reviewing waiver requests in headquarters frequently adds an unnecessary layer to a procedure that can be adequately carried out at the field level. Officials in the field are often best situated to assess, and react promptly to, requests for relief from administrative requirements of general application, where specific circumstances, unanticipated under the directive, warrant a departure from the ordinary standard.

Therefore, in keeping with the stated objectives of the Secretary of Housing and Urban Development to improve the efficiency and enhance the productivity of the Department, the Assistant Secretary for Public and Indian Housing is redelegating the authority to waive Office of Public and Indian Housing directives to all waiver officials, effective immediately, with the following exceptions:

1. A directive, or portion thereof, that restates a statutory, regulatory or contractual provision;
2. A directive, or portion thereof, that requires a HUD field office action to be performed (such as a mandatory process to determine the frequency of monitoring visits at housing agencies);
3. OMB approved HUD forms, reporting requirements, and the use of prescribed forms for the collection and reporting of national data; and
4. A Notice of Funding Availability and associated processing instructions.

All Directors to whom waiver authority is hereby redelegated must comply with the policies and procedures for waiving directives set out in the Statement of Policy. Waiver officials are cautioned against the development of local requirements, processes, or procedures to replace those that are waived, which would counteract the intent of the waiver process.

This redelegation of the authority does not except any public and Indian housing programs or program components. If, however, the Assistant Secretary elects at a later time to except a new program, the redelegation accompanying the new program will state that the authority to waive directives concerning this program is not redelegated. Also, the Assistant Secretary may at a later time elect to modify or withdraw in its entirety the authority to waive directives redelegated herein.

Before approval of a request for a waiver of a directive, the waiver official will consult with the HUD counsel in the field office and request written approval that the directive at issue is one that can be lawfully waived. For example, a directive, or portion thereof, which restates provisions of a regulation cannot be waived by waiver officials. Finally, waiver officials must observe management control procedures designed to prevent fraud, waste and mismanagement when considering a waiver request.

Waiver officials are required to submit a copy of each waiver justification both to the Departmental Directives Management Officer, Office of Administrative and Management Services—ASES, Office of Administration, room 5286 and to Office of Public and Indian Housing, Attention: Directives Management Officer, within 30 calendar days after issuance of the waiver. The waiver justification must cite the specific directive, or provision thereof, being waived, include a statement that the HUD field office counsel considers the waiver lawful, the time period the waiver shall be in effect (if not indefinitely), as well as the reason(s) for granting the waiver. This is so because HUD is required by statute to maintain a record of all such waivers and make them available for public inspection. The Office of Public and Indian Housing will periodically review all waivers to assess such matters as: (a) Whether a particular directive (or provision thereof) warrants revision (because, for example, the exception should become the rule), and (b) whether there is consistency.

Accordingly, the Assistant Secretary for Public and Indian Housing redelegates as follows:

*Section A. Authority Redelegated*

The Assistant Secretary for Public and Indian Housing redelegates to all HUD Field Office Public Housing Division Directors, the Director, Office of Native American Programs and, in turn, the Directors, Offices of Indian Programs (waiver officials), the authority to issue waivers of Office of Public and Indian Housing directives.

*Section B. Authority Excepted*

1. A directive, or portion thereof, that restates a statutory, regulatory or contractual provision;
2. A directive, or portion thereof, that requires a HUD field office action;
3. OMB approved HUD forms, reporting requirements, and the use of prescribed forms for the collection and reporting of national data; and
4. A Notice of Funding Availability and associated processing instructions.

*Section C. No Further Redelegation*

The authority granted to waiver officials under this redelegation may not be further redelegated pursuant to this redelegation.

**Authority:** Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)), and sec. 7(q), Department of Housing and Urban Development Act (42 U.S.C. 3535(q).

Dated: February 9, 1994.

**Joseph Shuldiner,**

*Assistant Secretary for Public and Indian Housing.*

[FR Doc. 94–3687 Filed 2–17–94; 8:45 am]

BILLING CODE 4210–33–M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

**[OR–100–6310–02; GP4–076]**

## DEPARMENT OF AGRICULTURE

### Forest Service

### Wild and Scenic River Management Plan and Final Corridor Boundary, Oregon

**AGENCIES:** Bureau of Land Management; Roseburg District, Roseburg, Oregon, Department of the Interior, and U.S. Forest Service; Roseburg, Oregon, Department of Agriculture.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Wild and Scenic Rivers Act, this notice announces the availability of the Final Management Plan and Corridor Boundary for the designated segment of The North Umpqua River, a component of the Wild and Scenic Rivers System. The final corridor boundary of the designated segment of the North Umpqua River runs from the Soda Springs Powerhouse in Section 18, T. 26 S., R. 3 E., WM., downstream to Rock Creek in Section 1, T. 26 S., R. 2 W., WM, and averages one-quarter mile either side of the river. A detailed legal description is available upon request.

**ADDRESSES:**

Bureau of Land Management, Roseburg District Office, 777 NW Garden Valley Blvd., Roseburg, OR. 97470

Umpqua National Forest, P.O. Box 1008, Roseburg, OR. 97470

**FOR FURTHER INFORMATION CONTACT:**

(1) Gail Schaefer, Area Manager; Mt Scott Resource Area; Bureau of Land Management; Roseburg District Office; 777 NW Garden Valley Blvd.; Roseburg, OR. 97470. Telephone (503) 440–4930.

(2) Don Ostby, Forest Supervisor; Umpqua National Forest; P.O. Box 1008; Roseburg, OR. 97470. Telephone (503) 672–6601.

Dated: January 24, 1994.

**James Moorhouse,**

*District Manager, Bureau of Land Management.*

**Don Ostby,**

*Forest Supervisor, Forest Service.*

[FR Doc. 94–3664 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–33–M

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**[ES 940–04–4120–14–241A; ALES 44853]**

## Competitive Coal Lease Offering by Sealed Bid; Jefferson, Tuscaloosa and Walker Counties, AL

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Competitive coal lease offering by sealed bid.

**SUMMARY:** Notice is hereby given that as a result of an application filed by Drummond Company, Incorporated, certain coal resources located on scattered tracts located in Jefferson, Tuscaloosa and Walker Counties, Alabama will be offered for competitive leasing by sealed bid in accordance with the provisions of the Mineral Leasing Act of 1920, as amended and supplemented (30 U.S.C. 181 *et seq.*). The application area consists of private surface area with federally-owned coal intermingled with private coal. The coal resource being offered is underground mineable, bypass, coal. The lands contained in the application have been designated the Shoal Creek Bypass Tract and are described as follows:

*Jefferson County*

T. 18 S., R. 7 W., Huntsville Meridian
Sec. 19, NESE, SENE;
Sec. 20, E2NE, NESE, W2SW;
Sec. 21, SWNW;
Sec. 33, NW;

*Tuscaloosa County*

T. 18 S., R. 7 W., Huntsville Meridian
Sec. 5, S2NW;
Sec. 7, NWNW;
T. 17 S., R. 8 W., Huntsville Meridian
Sec. 25, SENE, NESE;
Sec. 26, NENE;
T. 18 S., R. 8 W., Huntsville Meridian
Sec. 1, S2SW, NWSW, SWNW;
Sec. 11, N2NE, SWNE, NESW, SENE, E2SE, NWSE;
Sec. 13, Fractional NWNW;

*Walker County*

T. 17 S., R. 7 W., Huntsville Meridian
Sec. 30, N2NE, N2NW, SWNW, NWSW;
Sec. 32, NW;

Containing 1,609.5 acres.

The Shoal Creek Bypass Tract will be leased to the qualified bidder of the highest cash amount, provided that the high bid for the tracts equals or exceeds the fair market value (FMV) for the tracts as determined by the authorized officer after the sale. The Department has established a minimum bid of $100 per acre for the tract. The minimum bid is not to be considered as representing the amount for which the tracts may actually be leased, since FMV will be determined in a separate postsale analysis. If identical high-sealed bids are received, the tying high bidders will be asked to submit followup sealed bids until a high bid is received. All tie-breaking bids must be submitted within the 15 minutes following the authorized officer's announcement at the sale that high bids have been received.

**DATES:** The sale will be held at 10 a.m., Friday, March 18, 1994, in the Public Room of the Bureau of Land Management, Eastern States, 7450 Boston Boulevard, Springfield, Virginia 22153. Each bid must be clearly identified on the outside of the sealed envelope containing the bid. The bids should be sent by certified mail, return receipt or be hand delivered on or before 5 p.m., Thursday, March 17, 1994. Any bids received after 5 p.m., March 17, 1994, will not be considered.

**SUPPLEMENTARY INFORMATION:** The coal resource being offered is limited to the Mary Lee-Blue Creek Seam. The proximate analysis for the coal resource being offered is as follows:

MARY LEE-BLUE CREEK SEAM

[Proximate Analysis (%) Dry Basis]

| | |
|---|---|
| Moisture | ..... |
| Ash | 9.44 |
| Volatile | 25.34 |
| Fixed Carbon | 65.20 |
| Btu/lb | 13,872 |
| Sulfur | 0.66 |

(Float composite for the two coal beds)

The coal contained in the Shoal Creek Bypass Tract contains approximately 8.065 million short tons of recoverable coal.

**RENTAL AND ROYALTY:** Any lease issued as a result of this offering will provide for payment of an annual rental of $3 per acre and a royalty payable to the United States of 8 percent of the value of the coal mined by underground methods and shall be determined in accordance with 43 CFR 3485.2.

**NOTICE OF AVAILABILITY:** Bidding instructions and bidder qualifications are included in the Detailed Statement of Lease Sale. Copies of the Detailed Statement and of the proposed coal lease are available at the Bureau of Land Management, Eastern States. Case file documents are also available for public inspection at Eastern States.

**FOR FURTHER INFORMATION CONTACT:** For more complete data on this lease application, please contact Ms. Pearl Flaver Tillman at (703) 440–1511 or Mr. Ian J. Senio at (703) 440–1526 at the Bureau of Land Management, Eastern States, 7450 Boston Boulevard, Springfield, Virginia 22153.

Dated: February 14, 1994.

**Carson W. Culp, Jr.,**

*State Director.*

[FR Doc. 94–3787 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–GJ–M

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**[NM–010–4333–04/G910–G40012]**

## Emergency Off-Road Vehicle Closures; New Mexico

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** (1) Emergency off-road vehicle closure in the Sombrillo Area of Critical Environmental Concern and near the community of La Puebla, approximately five miles northeast of Española, New Mexico; (2) Emergency off-road vehicle closure near Dixon, New Mexico, amending the **Federal Register** notice dated May 20, 1993; (3) Emergency off-road vehicle designation of the Santa Cruz Lake Overlook access road, with a seasonal closure from mid-November through mid-March.

**DATES:** Effective February 18, 1994.

**FOR FURTHER INFORMATION CONTACT:** Terry Humphrey, Outdoor Recreation Planner, Taos Resource Area, 224 Cruz Alta Road, Taos, NM 87571. Phone (505) 758–8851.

**SUPPLEMENTARY INFORMATION:** (1) A total of 9,485 acres of public lands within T. 20 N., R. 9 E., an area bounded by New Mexico Highway 76 to the north, New Mexico Highway 520 to the east, Nambe Indian Reservation to the south, and U.S. Highway 84 to the west will be closed to off-road vehicles for a period of two years from the date of this notice, or until completion of transportation

planning for the area. This closure amends the emergency closure of 520 acres of public lands as noted in the **Federal Register** (May 20, 1993) to: (a) Include the Sombrillo Area of Critical Environmental Concern and isolated public tracts near La Puebla, New Mexico; (b) allow for a designated motorcycle/all terrain vehicle trail parallel to Santa Fe County Road 88 between the 160 acre area open to off-road vehicle use and extending for approximately 0.75 miles to the northeast to tie in with a residential area access road; if unauthorized off-road activity occurs as a consequence of opening this trail, the trail will be closed to off-road vehicles. Off-road vehicle use is causing serious conflicts with adjacent property owners through noise and dust generated by vehicle activity, as well as concerns for visual and natural resource degradation. A recent inventory of the area revealed a large number of new trails and multiple trailing, compromising soil, vegetation, watershed, cultural, paleontological, and scenic resources in the area. The emergency restrictions are necessary to prevent any further degradation to these resources. (2) An emergency off-road vehicle closure of approximately 3,950 acres of public lands near Dixon, New Mexico, amending the **Federal Register** notice dated May 20, 1993, lies within T. 23 E., R. 10 E., S½ Sec. 19, SE¼ Sec. 22, SW¼ Sec. 23, Sec. 27–30, Sec. 33–35, and is necessary to prevent further deterioration of natural and cultural resources. This closure will be in effect for a period of two years from the date of this notice, or until completion of transportation planning for the area. Recent monitoring has shown a large number of new trails and multiple trailing, compromising soil, vegetation, watershed, cultural, paleontological, and scenic resources in the area. (3) A seasonal road closure from mid-November through mid-March of the Santa Cruz Lake Overlook access road, within T. 20 N., R. 10 E., Sections 18 and 19, is necessary to prevent serious acts of vandalism during periods when the Recreation Area is unsupervised.

The closures are necessary to mitigate resource conflicts while allowing BLM to work with local residents and other public land users to work out a long-term resolution of the conflicts created by off-road vehicle use in these areas. The affected areas will be signed at all key access points following publication of this notice. Once transportation planning is completed with public involvement, the emergency designations will be replaced.

These actions comply with regulations contained in 43 CFR 8364.1 (closure and restriction orders). Persons who violate the closures/limitations may be subject to fines of not more than $1,000 or imprisonment for not longer than 12 months, or both. Right-of-way holders or permittees may use established routes as part of their normal business.

Maps of the affected area are available for public inspection at the Bureau of Land Management's office in Santa Fe, 1474 Rodeo Road, and in Taos, 224 Cruz Alta Road.

Dated: February 4, 1994.

**Michael R. Ford,**

*District Manager.*

[FR Doc. 94–3410 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–FB–M

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**[NM–030–4210–01; NMNM90603]**

## Recreation and Public Purposes Act Classification, Sierra County, NM

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice of realty action; Recreation and Public Purposes (R&PP) Act Classification.

**SUMMARY:** The following public land in Sierra County, New Mexico has been examined and found suitable for classification for lease or conveyance to Sierra County for a rifle range under the provisions of the R&PP Act, as amended (43 U.S.C. 869 *et seq.*).

T. 13 S., R. 4 W.,
Sec. 29, NMPM W½SE¼
Containing 80 acres, more or less.

Sierra County proposes to use the subject land for a rifle range. The proposed project is in conformance with the White Sands Resource Area Resource Management Plan.

**DATES:** Comments on the proposed lease/conveyance or classification of public land must be submitted on or before April 4, 1994.

**ADDRESSES:** Comments should be sent to the Bureau of Land Management, Las Cruces District Office, 1800 Marquess, Las Cruces, New Mexico, 88005.

**FOR FURTHER INFORMATION CONTACT:** Bernie Creager at the address above or at (505) 525–4324.

**SUPPLEMENTARY INFORMATION:** The lease/patent, when issued, will be subject to the following terms, conditions, and reservations:

1. All valid existing rights of record.

2. Provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior.

3. A right-of-way for ditches and canals constructed by the authority of the United States.

4. All minerals shall be reserved to the United States, together with the right to prospect for, mine, and remove the minerals.

Upon publication of this notice in the **Federal Register,** the lands will be segregated from all other forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the R&PP Act and leasing under the mineral leasing laws. For a period of 45 days from the date of publication of this notice, interested persons may submit comments regarding the proposed lease/conveyance or classification of lands to the Las Cruces District Manager. Any adverse comments will be reviewed by the State Director. In the absence of any adverse comments, the classification will become effective 60 days from the date of publication of this notice.

Dated: February 9, 1994.

**Stephanie Hargrove,**

*Associate District Manager.*

[FR Doc. 94–3804 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–FB–M

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**[WY–930–4210–06; WYW 131654]**

## Proposed Withdrawal and Opportunity for Public Meeting; Wyoming

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The U.S. Department of Agriculture, Forest Service, has filed an application to withdraw 80.22 acres of National Forest System lands for 40 years to protect the recreational resources and planned facilities for the proposed Garden of the Gods Campground. This notice closes the land for up to 2 years from location and entry under the United States mining laws. The land will remain open to mineral leasing and to all other uses which may be made of National Forest System lands.

**DATES:** Comments and request for meeting should be received on or before May 19, 1994.

**ADDRESSES:** Comments should be sent to the Wyoming State Director, BLM, 2515 Warren Avenue, P.O. Box 1828, Cheyenne, Wyoming 82001.

**FOR FURTHER INFORMATION CONTACT:** Janet Booth, BLM Wyoming State Office, (307) 775–6124.

**SUPPLEMENTARY INFORMATION:** On January 10, 1994, the U.S. Department of Agriculture filed an application to withdraw the following described National Forest System lands from location and entry under the United

States mining laws, subject to valid existing rights:

**Sixth Principal Meridian, Wyoming**

Bighorn National Forest

T. 55 N., R. 89 W.,
Sec. 2, S½ of lots 2 and 3, N½SW¼NE¼, N½SE¼NW¼.

The area described contains 80.22 acres in Sheridan County.

For a period of 90 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management.

Notice is hereby given that an opportunity for a public meeting is afforded in connection with the proposed withdrawal. All interested persons who desire a public meeting for the purpose of being heard on the proposed withdrawal must submit a written request to the Wyoming State Director within 90 days from the date of publication of this notice. Upon determination by the authorized officer that a public meeting will be held, a notice of time and place will be published in the **Federal Register** at least 30 days before the scheduled date of the meeting.

The application will be processed in accordance with the regulations set forth in 43 CFR 2300.

For a period of 2 years from the date of publication of this notice in the **Fedral Register**, the land will be segregated as specified above unless the application is denied or cancelled or the withdrawal is approved prior to that date. During the segregative period, the Forest Service will continue to permit uses within the statutory authorities pertinent to National Forest lands and subject to discretionary approval.

Dated: February 11, 1994.

**David J. Walter,**

*Acting State Director.*

[FR Doc. 94–3801 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–22–M

## Fish and Wildlife Service

### Reopening of Comment Period on the Draft Recovery Plan for the Large-Flowered Fiddleneck

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Reopening of comment period.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) gives notice that the comment period will be reopened on the draft recovery plan for the large-flowered fiddleneck (*Amsinckia grandiflora*). The reopening of the comment period will allow comments on this plan to be submitted from all interested parties.

**DATES:** The comment period on the draft recovery plan is reopened February 18, 1994. Comments from all interested parties must be received by April 4, 1994, to receive consideration by the Service.

**ADDRESSES:** Persons wishing to review the draft recovery may obtain a copy by contacting the Field Supervisor, Sacramento Field Office, U.S. Fish and Wildlife Service, 2800 Cottage Way, room E–1803, Sacramento, California 95825–1846 or by calling (916) 978–4866. Written comments and materials regarding the draft recovery plan should be addressed to the Field Supervisor, Sacramento Field Office, U.S. Fish and Wildlife Service at the address listed above. Comments and materials received are available on request for public inspection, by appointment, during normal business hours at the above address.

**FOR FURTHER INFORMATION CONTACT:** Kirsten Tarp at the above address (telephone 916/978–4866).

**SUPPLEMENTARY INFORMATION:**

#### Background

Historically known from a few locations in the northern Diablo Range, part of the Inner South Coast Range of California, natural populations of the large-flowered fiddleneck are currently restricted to western San Joaquin and eastern Alameda Counties. Reintroductions have been made in San Joaquin and Contra Costa Counties. Critically low number of individuals due to the loss of habitat from urban and agricultural conversion and live-stock grazing, environmental and genetic stochasticity, and competition or interference from associated plants (mostly non-native weeds) imminently threaten the continued existence of *Amsinckia grandiflora*. The primary objectives of the draft recovery plan are to stabilize the long-term status and ensure the viability of the species in the wild, thereby enabling the large-flowered fiddleneck to be downlisted.

The comment period on the draft recovery plan originally closed on February 8, 1994 (58 FR 64963). Written comments may now be submitted until April 4, 1994, to the above Sacramento, California address.

#### Author

The author of this notice is Kirsten Tarp (See above Sacramento, California address (telephone: 916–978–4866)).

#### Authority

The authority for this action is section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: February 11, 1994.

**Marvin L. Plenert,**

*Regional Director, Region 1, U.S. Fish and Wildlife Service.*

[FR Doc. 94–3802 Filed 2–17–94; 8:45 am]

BILLING CODE 4310–55–M

## INTERSTATE COMMERCE COMMISSION

### Notice of Intent To Engage in Compensated Intercorporate Hauling Operations

This is to provide notice as required by 49 U.S.C. 10524(b)(1) that the named corporations intend to provide or use compensated intercorporate hauling operations as authorized in 49 U.S.C. 10524(b).

A. 1. Parent corporation, address of principal office and state of incorporation: ConAgra, Inc., One ConAgra Drive, Omaha, NE 68102–5001 (a Delaware corporation)

2. Wholly owned subsidiaries which will participate in the operations, and state of incorporation:

| | Corporation | State |
|---|---|---|
| 1 | Ag-Chem, Inc | Maryland. |
| 2 | Arrow Industries, Inc | Texas. |
| 3 | Atwood Commodities, Inc | Nebraska. |
| 4 | Atwood-Kellogg Co | Minnesota. |
| 5 | Balcom Chemicals, Inc | Colorado. |
| 6 | Beatrice Cheese, Inc | Delaware. |
| 7 | Beatrice Cheese Trucking, Inc | Delaware. |
| 8 | Berger and Company | California. |

| | Corporation | State |
|---|---|---|
| 9 | Berliner & Marx, Inc | Delaware. |
| 10 | Blue Coach Foods, Inc | Delaware. |
| 11 | Central Valley Chem., Inc | Texas. |
| 12 | ConAgra, Inc | Delaware. |
| 13 | ConAgra Fertilizer Company | Nebraska. |
| 14 | ConAgra International Fertilizer Company | Delaware. |
| 15 | ConAgra International Inc | Delaware. |
| 16 | ConAgra Pet Products, Inc | Delaware. |
| 17 | ConAgra Poultry Company | Delaware. |
| 18 | ConAgra Transportation, Inc | Delaware. |
| 19 | Cook Family Foods, Ltd | Pennsylvania. |
| 20 | Country Skillet Catfish Company | Delaware. |
| 21 | County Line Cheese Co., Inc | Indiana. |
| 22 | Cropmate Company | Delaware. |
| 23 | CSK Enterprises, Inc | Delaware. |
| 24 | CTC North America, Inc | Delaware. |
| 25 | Dartec, Inc | Colorado. |
| 26 | Dixie Ag Supply, Inc | Alabama. |
| 27 | Donnell Ag Products, Inc | Texas. |
| 28 | Estronics, Inc | Delaware. |
| 29 | Golden Valley Microwave Foods, Inc | Minnesota. |
| 30 | Gotham Asset Management, Inc | Delaware. |
| 31 | Grower Service Corp (NY) | New York. |
| 32 | HACCO, Inc | Wisconsin. |
| 33 | HACO, Inc | Illinois. |
| 34 | Hanau Meat Company, Inc | New York. |
| 35 | Heartland Ag Agency, Inc | Minnesota. |
| 36 | Hess & Clark, Inc | Ohio. |
| 37 | Hunt-Wesson, Inc | Delaware. |
| 38 | J.R.R.W. Transport, Inc | Iowa. |
| 39 | Klein-Berger Company | Colorado. |
| 40 | Lamb Weston, Inc | Delaware. |
| 41 | Longmont Transportation, Inc | Colorado. |
| 42 | Loveland Ind., Inc | Colorado. |
| 43 | Lynn Transportation | Iowa. |
| 44 | L.L. Cheese Co., Inc | Delaware. |
| 45 | Mapelli Food Distribution Company | Colorado. |
| 46 | Mid Valley Chem., Inc | Texas. |
| 47 | Midwest Agriculture Warehouse Co | Nebraska. |
| 48 | Miller Bros. Co | Utah. |
| 49 | Monfort, Inc | Delaware. |
| 50 | Monfort International Sales Corp | Colorado. |
| 51 | Monfort Transportation Company | Colorado. |
| 52 | National Foods Inc | New York. |
| 53 | National Foods Transportation Co., Inc | New York. |
| 54 | Northwest Chemical Corporation | Oregon. |
| 55 | Oat Ventures, Inc | Delaware. |
| 56 | Omaha Vaccine Co., Inc | Nebraska. |
| 57 | Ostlund Chemical Company | North Dakota. |
| 58 | Platte Chem. Corp | Nebraska. |
| 59 | PRO–VET Companies, Inc | Delaware. |
| 60 | Public Grain Elevator of New Orleans, Inc | Louisiana. |
| 61 | Pueblo Chemical & Supply Co | Colorado. |
| 62 | Ravan Products, Inc | Georgia. |
| 63 | Snake River Chem., Inc | Idaho. |
| 64 | Spencer Beef Corporation | Nebraska. |
| 65 | Swift-Eckrich, Inc | Delaware. |
| 66 | Swissrose International, Inc | New Jersey. |
| 67 | S.E. Enterprises, Inc | Delaware. |
| 68 | Transbas, Inc | Tennessee. |
| 69 | Transquip Resources, Inc | Oklahoma. |
| 70 | Tri River Chemical Company, Inc | Washington. |
| 71 | Tri State Chemicals, Inc | Texas. |
| 72 | Tri State Delta Chemicals, Inc | Mississippi. |
| 73 | Tropmi Import Co | Florida. |
| 74 | UAP Special Products, Inc | Nebraska. |
| 75 | UAPLP, Inc | Delaware. |
| 76 | UAP/GA Ag Chem, Inc | Georgia. |
| 77 | United Agri Products, Inc | Delaware. |
| 78 | United Plastic Films, Inc | Georgia. |
| 79 | UPF, Inc | Georgia. |
| 80 | U.A.P. Florida | Florida. |
| 81 | Valencia Advertising Co | Delaware. |
| 82 | Valencia Foods Inc | California. |

| | Corporation | State |
|---|---|---|
| 83 | Westchem Agricultural Chemicals, Inc | Montana. |
| 84 | Yellowstone Valley Chemicals Inc | Montana. |

B. 1. Parent corporation and address of principal office: Furst McNess Company, 120 East Clark St., Freeport, IL 61032
2. Wholly-owned subsidiaries which will participate in the operations, and state(s) of incorporation:
(1) Regal Crown Corporation, an Illinois Corporation
(2) J T Merchandising Services, Inc, an Illinois Corporation
(3) Miracle Feeds, Inc., an Illinois Corporation
(4) Miracle Feeds of Canada, Limited, an Ontario Corporation

C. 1. Parent corporation and address of principal office: The Scotts Company, 14111 Scottslawn Road, Marysville, Ohio 43041.
2. Wholly-owned subsidiaries which will participate in the operations, and State(s) of incorporation:

The O. M. Scott & Sons Company, Delaware
Hyponex Corporation, Delaware
Republic Tool & Manufacturing Corp., Delaware
Scotts Grass Co., Ohio
Scotts Sod Co., Ohio
Scotts Energy Co., Ohio
Scotts Pesticide Co., Ohio
Scotts Green Lawns Co., Ohio
Scotts Plant Co., Ohio
Scotts Tree Co., Ohio
Scotts Service Co., Ohio
Scotts Products Co., Ohio
Scotts Fertilizer Co., Ohio
Scotts Park Co., Ohio
Scotts ProTurf Co., Ohio
Scotts Control Co., Ohio
Scotts Professional Products Co., Ohio
Scotts Turf Co., Ohio
Scotts Best Lawns Co., Ohio
Scotts Weed Control Co., Ohio
Scotts Golf Co., Ohio
Scotts Garden Co., Ohio
Scotts Design Co., Ohio
Scotts Tech Rep Co., Ohio
Scotts Broad Leaf Co., Ohio
Scotts Insecticide Co., Ohio
Scotts Spreader Co., Ohio
Scotts Improvement Co., Ohio
Hyponex Corporation, California
Hyponex Corporation, Florida
Hyponex Corporation, Texas
Hyponex Corporation, Colorado
Bunyon Enterprises, Inc., Georgia
Old Fort Financial Corp., Delaware
Hyper Humus, Inc., New Jersey
Scotts-Sierra Horticultural Products Company, California
Scotts-Sierra Crop Protection Company, California

**Sidney L. Strickland, Jr.,**

*Secretary.*

[FR Doc 94–3769 Filed 2–17–94; 8:45 am]

BILLING CODE 7035–01–M

**[Docket No. AB–55; Sub-No. 483X]**

## CSX Transportation, Inc.—Discontinuance of Trackage Rights Exemption—in Orange, Culpeper, Fauquier, Prince William, and Fairfax Counties, VA

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments and Discontinuances of Trackage Rights* to discontinue its trackage rights on approximately 76.5 miles of rail line owned by Norfolk Southern Railway Company (NS) from milepost 84.7, at Orange, to milepost 8.2, at Alexandria, in Orange, Culpeper, Fauquier, Prince William, and Fairfax Counties, VA. NS will continue to provide rail service on the line.

CSXT has certified that: (1) No CSXT local traffic has moved pursuant to the trackage rights operation over the line for at least 2 years; (2) there is no CSXT overhead traffic on the line; (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 Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the 49 CFR 1105.7 (environmental), 49 CFR 1105.8 (historic requirement), 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 use of this exemption, any employee adversely affected by the discontinuance 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. 10505(d) must be filed.

This exemption will be effective on March 20, 1994, unless stayed pending reconsideration. Petitions to stay must be filed by February 28, 1994. Petitions to reopen must be filed by March 10, 1994, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.[1]

A copy of any petition filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, 500 Water Street, J150, Jacksonville, FL 32202.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

Decided: February 10, 1994.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

**Sidney L. Strickland, Jr.,**

*Secretary.*

[FR Doc. 94–3770 Filed 2–17–94; 8:45 am]

BILLING CODE 7035–01–P

[1] Because NS will continue to provide service over the line, there is no need to provide for trail use/rail banking or public use conditions, or to include offer of financial assistance language, routinely provided for in abandonment proceedings.

## DEPARTMENT OF JUSTICE

### Bureau of Prisons

### Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Construction of a Federal Correctional Institution Near Scranton, PA

**AGENCY:** Federal Bureau of Prisons, Department of Justice.

**ACTION:** Notice of intent to prepare a Draft Environmental Impact Statement (DEIS).

**SUMMARY:**

**Proposed Action**

The U.S. Department of Justice, Federal Bureau of Prisons has determined that, in order to meet increasing demands for additional inmate capacity, a new Federal Correctional Institution (FCI) is needed in its system.

The Bureau of Prisons proposes to construct and operate a medium security Federal Correctional Institution, with an adjacent minimum security satellite camp, in Lackawanna County, Pennsylvania. The main medium security facility would be designated to have a rated capacity of approximately 1,200 inmates, and the minimum security component approximately 500. The Bureau of Prisons is proposing to build the facility near Scranton, Pennsylvania, on a 413 acre site located Jessup Borough, Lackawanna County, Pennsylvania. The 413 acre tract is located approximately one mile within the locally proposed

1,124 acre Moosic Mountain Business Park northeast of the intersection of Marshwood Road and State Route 247. Additionally, the site would be used for road access, administration, programs and services, parking, and support facilities.

In the process of evaluating the tract of land, several aspects will receive a detailed examination including utilities, traffic patterns, noise levels, visual intrusions, threatened and endangered species, cultural resources, and socio-economic impacts.

**Alternatives**

In developing the DEIS, the options of "no action" and "alternative sites" for the proposed facility will be fully and thoroughly examined.

**Scoping Process**

Several informal public meetings have already been held on the proposed project, and during the preparation of the DEIS, there will be numerous other opportunities for public involvement. The public scoping meeting will begin at 7:30 p.m. on Thursday, February 22, 1994, at Firoelli's Restaurant, 1501 Main Street, Peckville, Pennsylvania. The meeting will be well publicized and is scheduled at a time that will make the meeting possible for the public and interested agencies or organizations to attend.

**DEIS Preparation**

Public notice will be given concerning the availability of the DEIS for public review and comment.

**ADDRESSES:** Questions concerning the proposed action and the DEIS can be answered by: David J. Dorworth, Senior Site Selection Specialist, Site Selection and Environmental Review Branch, Federal Bureau of Prisons, 320 First Street, NW., Washington, DC 20534, Telephone: (202) 514–6470.

Dated: February 9, 1994.

**Patricia K. Sledge,**

*Chief, Site Selection and Environmental Review Branch.*

[FR Doc. 94–3444 Filed 2–17–94; 8:45 am]

BILLING CODE 4410–05–M

## DEPARTMENT OF LABOR

### Office of the Secretary

### Agency Recordkeeping/Reporting Requirements Under Review by the Office of Management and Budget (OMB)

**BACKGROUND:** The Department of Labor, in carrying out its responsibilities under the Paperwork Reduction Act (44 U.S.C. chapter 35), considers comments on the reporting/recordkeeping requirements that will affect the public.

**LIST OF RECORDKEEPING/REPORTING REQUIREMENTS UNDER REVIEW:** As necessary, the Department of Labor will publish a list of the Agency recordkeeping/reporting requirements under review by the Office of Management and Budget (OMB) since the last list was published. The list will have all entries grouped into new collections, revisions, extensions, or reinstatements. The Departmental Clearance Officer will, upon request, be able to advise members of the public of the nature of the particular submission they are interested in.

Each entry may contain the following information:

The Agency of the Department issuing this recordkeeping/reporting requirement.
The title of the recordkeeping/reporting requirement.
The OMB and/or Agency identification numbers, if applicable.
How often the recordkeeping/reporting requirement is needed.
Whether small businesses or organizations are affected.
An estimate of the total number of hours needed to comply with the recordkeeping/reporting requirements and the average hours per respondent.
The number of forms in the request for approval, if applicable.
An abstract describing the need for and uses of the information collection.

**COMMENTS AND QUESTIONS:** Copies of the recordkeeping/reporting requirements may be obtained by calling the Departmental Clearance Officer, Kenneth A. Mills (202) 219–5095).

Comments and questions about the items on this list should be directed to Mr. Mills, Office of Information Resources Management Policy, U.S. Department of Labor, 200 Constitution Avenue, NW., room N–1301, Washington, DC 20210. Comments should also be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, Room 3001, Washington, DC 20503 (202) 395–6880).

Any member of the public who wants to comment on recordkeeping/reporting requirements which have been submitted to OMB should advise Mr. Mills of this intent at the earliest possible date.

**Extension**

Pension and Welfare Benefits Administration
Prohibited Transaction Class Exemption 80–83
1210–0064
Recordkeeping
Businesses or other for-profit; Small businesses or organizations
1 respondent; 1 hour per response; 1 total hour

This class exemption exempts from the prohibited transaction provisions of the Employee Retirement Income Security Act (ERISA) of 1974 certain transactions involving an employee benefit plan's purchase of securities which may aid the issuer of the securities to reduce or retire indebtedness to a party in interest.

Pension and Welfare Benefits Administration
Prohibited Transaction Class Exemption 77–10
1210–0081
Recordkeeping
Businesses or other for-profit; Non-profit institutions; Small businesses or organizations
1 respondent; 1 hour per response; 1 total hour

This class exemption complements class exemption 76–1. It permits participating employers, unions, or another plan to lease office space from or to obtain administrative services or goods from a multiple employer or multiemployer plan.

Pension and Welfare Benefits Administration
Prohibited Transaction Class Exemption 80–51
1210–0082
Recordkeeping
Businesses or other for-profit
1 respondent; 1 hour per response; 1 total hour

This class exemption exempts from the prohibited transaction provisions of Employee Retirement Income Security Act (ERISA) of 1974 certain transactions between a bank collective investment fund and persons who are parties in interest with respect to a plan as long as the plan's participation in the collective investment fund does not exceed a specified percentage of the total assets in the collective investment fund.

Pension and Welfare Benefits Administration
Prohibited Transaction Class Exemption 90–1
1210–0083
Recordkeeping (six years)
Businesses or other for-profit; Small businesses or organizations
1 respondent; 1 hour per response; 1 total hour

This class exemption allows parties in interest of an employee benefit plan that

invests in an insured pooled separate account to engage in transactions with the separate account if the plan's participation in the separate account does not exceed certain limits.

Employment and Training Administration

Attestation by Employers for Off-Campus Work Authorization for F–1 Students

1205–0315; ETA 9034

On Occasion

Individuals or households; State or local governments; Business or other for-profit; Federal agencies or employees; Non-profit institutions; Small businesses or organizations

13,008 respondents; .998 hours per response; 13,002 total hours; 1 form

The information provided on this form by employers seeking to use aliens admitted as students on F–1 visas in off-campus work will permit the Department of Labor to meet Federal responsibilities for program administration, management and oversight.

Employment and Training Administration

Quarterly Determinations, Allowance Activities and Employability Services under the Trade Act: Training Waivers Issued and Revoked

1205–0016; ETA 563 and 9027

Quarterly

| Form No. | Affected public | Respondents | Reports | Average time per response (minutes) |
|---|---|---|---|---|
| ETA 563 | State or local governments | 45 | 95 | 12 |
| ETA 9027 | do | 52 | 1 | 15 |

3,472 total hours

Quarterly data on Trade Adjustment Assistance (TAA) and the North American Free Trade Agreement (NAFTA) activity is needed for timely program evaluation necessary for competent administration and for providing legally mandated reports to the Congress on the TAA Program. Quarterly number of training waivers issued and revoked by reason are needed for proper administration and to provide statutorily required reports to the Congress.

Signed at Washington, DC, this 8th day of February, 1994.

**Kenneth A. Mills,**

*Departmental Clearance Officer*

[FR Doc. 94–3774 Filed 2–17–94; 8:45 am]

BILLING CODE 4510–29–P

## All Items Consumer Price Index for All Urban Consumers, United States City Average

Pursuant to section 112 of the 1976 amendments to the Federal Election Campaign Act (Pub. L. 94–283, 2 U.S.C. 441a), the Secretary of Labor has certified to the Chairman of the Federal Election Commission and publishes this notice in the **Federal Register** that the United States City Average All Items Consumer Price Index for All Urban Consumers (1967=100) increased 193.0 percent from its 1974 annual average of 147.7 to its 1993 annual average of 432.7. Using 1974 as a base (1974=100), I certify that the United States City Average All Items Consumer Price Index for All Urban Consumers thus increased 193.0 percent from its 1974 annual average of 100 to its 1993 annual average of 293.0.

Signed at Washington, D.C., on the 31st day of January 1994.

**Robert B. Reich,**

*Secretary of Labor.*

[FR Doc. 94–3773 Filed 2–17–94; 8:45 am]

BILLING CODE 4510–24–M

## Employment Standards Administration

## Wage and Hour Division

## Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency have an interest in the rates determined as prevailing is encouraged to submit wage rate and

fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., room S–3014, Washington, DC 20210.

**New General Wage Determination Decisions**

The numbers of the decisions added to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" are listed by Volume and State.

*Volume I*

New York
NY940049 (Feb. 18, 1994)
NY940050 (Feb. 18, 1994)
NY940051 (Feb. 18, 1994)
NY940052 (Feb. 18, 1994)
NY940053 (Feb. 18, 1994)
NY940054 (Feb. 18, 1994)
NY940055 (Feb. 18, 1994)
NY940056 (Feb. 18, 1994)
NY940057 (Feb. 18, 1994)
NY940058 (Feb. 18, 1994)
NY940059 (Feb. 18, 1994)

*Volume II*

Maryland
MD940050 (Feb. 18, 1994)
Pennsylvania
PA940063 (Feb. 18, 1994)

*Volume V*

Iowa
IA940044 (Feb. 18, 1994)
IA940045 (Feb. 18, 1994)
IA940046 (Feb. 18, 1994)
IA940047 (Feb. 18, 1994)
IA940048 (Feb. 18, 1994)
IA940049 (Feb. 18, 1994)
IA940050 (Feb. 18, 1994)
IA940051 (Feb. 18, 1994)
IA940052 (Feb. 18, 1994)

*Volume VI*

Arizona
AZ940014 (Feb. 18, 1994)
AZ940015 (Feb. 18, 1994)
AZ940016 (Feb. 18, 1994)

**Modification to General Wage Determination Decisions**

The number of decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

*Volume I*

None

*Volume II*

Pennsylvania
PA940023 (Feb. 11, 1994)
PA940028 (Feb. 11, 1994)
Virginia
VA940011 (Feb. 11, 1994)
VA940022 (Feb. 11, 1994)

*Volume III*

None

*Volume IV*

None

*Volume V*

Iowa
IA940031 (Feb. 11, 1994)
IA940037 (Feb. 11, 1994)
New Mexico
NM940001 (Feb. 11, 1994)

*Volume VI*

Alaska
AK940001 (Feb. 11, 1994)
AK940005 (Feb. 11, 1994)
AK940006 (Feb. 11, 1994)
AK940008 (Feb. 11, 1994)
AK940009 (Feb. 11, 1994)
Arizona
AZ940002 (Feb. 11, 1994)
Washington
WA940001 (Feb. 11, 1994)
WA940002 (Feb. 11, 1994)

**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. Subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783–3238.

When ordering 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 14th day of February 1994.

**Alan L. Moss,**

*Director, Division of Wage Determinations.*

[FR Doc. 94–3669 Filed 2–17–94; 8:45 am]

BILLING CODE 4510–27–M

## Employment and Training Administration

### Investigations Regarding Certifications of Eligibility to Apply for Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Office of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under title II, chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 28, 1994.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Office of Trade Adjustment Assistance, at the address shown below, not later than February 28, 1994.

The petitions filed in this case are available for inspection at the Office of the Director, Office of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 7th day of February, 1994.

**Marvin M. Fooks,**

*Director, Office of Trade Adjustment Assistance.*

APPENDIX

| Petitioner (union/workers/firm) | Location | Date received | Date of petition | Petition No. | Articles produced |
|---|---|---|---|---|---|
| Beloit Corp. (IAM) | Beloit, WI | 2/07/94 | 1/28/94 | 29,459 | Paper Making Machinery. |
| Elgin Electronics (Wkrs) | Erie, PA | 2/07/94 | 1/24/94 | 29,460 | Telephones. |
| Dahlberg, Inc. (Wkrs) | Golden Valley, MN | 2/07/94 | 2/19/94 | 29,461 | Hearing Aids. |
| Intermet Foundries Inc., Lower Basin (Wkrs). | Lynchburg, VA | 2/07/94 | 1/15/94 | 29,462 | Castings—Automobile. |
| Geosignal, Inc. (Wkrs) | Denver, CO | 2/07/94 | 1/24/94 | 29,463 | Exploration, Oil and Gas. |
| Marilynn Management Corp. (ILGWU) | Bishopville, SC | 2/07/94 | 1/26/94 | 29,464 | Ladies' Dresses. |
| Northrop Corp. (UAW) | Norwood, MA | 2/07/94 | 1/21/94 | 29,465 | Missile Components. |
| Anthony Fashions, Inc. (Wkrs) | Pittston, PA | 2/07/94 | 1/24/94 | 29,466 | Women's Dresses. |
| Pacific Western Forest Industries (Wkrs). | St. Helens, OR | 2/07/94 | 1/10/94 | 29,467 | Softwood Plywood. |
| Sensor Systems, Inc. (Wkrs) | Chatsworth, CA | 2/07/94 | 1/21/94 | 29,468 | Aircraft Antenna. |
| Thomas Cook Travel Money Service (Co). | Princeton, NJ | 2/07/94 | 1/11/94 | 29,469 | Service (Financial). |
| ICI/Fiberlite (Co) | Greenville, TX | 2/07/94 | 1/18/94 | 29,470 | Graphite Composite Material. |
| Wainoco Oil & Gas Co. (Wkrs) | Houston, TX | 2/07/94 | 1/17/94 | 29,471 | Oil and Gas. |
| White Hall—Robbins (Wkrs) | Hammonton, NJ | 2/07/94 | 1/25/94 | 29,472 | Pharmaceutical Products. |
| Smith Industries, Inc. (Co) | Houston, TX | 2/07/94 | 1/13/94 | 29,473 | Oil & Gas Equipment. |
| Leslie Fay Co. (ILGWU) | Morrow, GA | 2/07/94 | 1/19/94 | 29,474 | Ladies' Sportswear, Warehouse & Services. |
| Mewbourne Oil (Wkrs) | Oklahoma City, OK | 2/07/94 | 1/03/94 | 29,475 | Oil and Gas. |
| Mewbourne Oil (Wkrs) | Midland, TX | 2/07/94 | 1/03/94 | 29,476 | Oil and Gas. |
| Service Fracturing Co. (Co/Wks) | Hays, KS | 2/07/94 | 2/07/94 | 29,477 | Oil Field Services. |

[FR Doc. 94–3775 Filed 2–17–94; 8:45 am]
BILLING CODE 4510–30–M

[TA–W–29,043]

## Litton Systems, Inc., Litton Guidance & Control Systems Division, Grants Pass, OR; Negative Determination on Reconsideration

On January 13, 1994, the Department issued an Affirmative Determination Regarding Application for Reconsideration for workers and former workers of the subject firm. This notice was published in the **Federal Register** on January 21, 1994 (59 FR 3378).

The former workers stated that production and employment declines occurred because production on the LN 93 and LN 94 systems was transferred to Korea.

New findings on reconsideration show that the major portion of the worker separations occurred in the 1989 to 1991 period. Section 223(b)(1) of the Trade Act does not permit the certification of workers who were separated more than one year from the date of the petition. The date of the instant petition is September 7, 1993.

Other findings on reconsideration show that although production on the LN 93 and LN 94 programs was transferred from Grants Pass to Korea with the completed portion being shipped back to the U.S., it did not account for a sufficient portion of the production at Grants Pass to warrant certification.

Further, the findings show that the workers at Grants Pass are not separately identifiable by product.

Lastly, worker separations on the SNAP and PADS programs stated in the petition were negligible in the period relevant to the petition.

The Trade Act was not intended to provide TAA benefits to everyone who is in some way affected by increased imports but only to those accounting for a substantial portion of the workers' firm and who experienced a decline in sales or production and employment and an increase in imports of like or directly competitive products which contributed importantly to declines in sales or production and employment in the period relevant to the petition.

### Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance to workers and former workers of Litton Systems, Inc., Litton Guidance & Control Systems Division in Grants Pass, Oregon.

Signed at Washington, DC, this 8th day of February 1994.

**Stephen A. Wandner,**

*Deputy Director, Office of Legislation & Actuarial Services, Unemployment Insurance Service.*

[FR Doc. 94–3776 Filed 2–17–94; 8:45 am]
BILLING CODE 4510–30–M

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 94–012]

## NASA Advisory Council (NAC), Space Science Advisory Committee; Space Physics Subcommittee; Meeting

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, Public Law 92–463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Science Advisory Committee, Space Physics Subcommittee.

**DATES:** March 2–4, 1994, 8 a.m. to 5 p.m.

**ADDRESSES:** National Aeronautics and Space Administration, room MIC–5, 300 E Street SW., Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Dr. George L. Withbroe, Code SS, National Aeronautics and Space Administration, Washington, DC 20546, 202/358–1544.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

—Space Physics Division Overview: Budget, Ongoing Program, Future Activities

—Program Reports for Magnetospheric, Cosmic and Heliospheric Physics, Solar Physics, and Ionosphere-Thermosphere-Mesophere

—Space Physics Research and Analysis Program
—Strategic Planning
—Discussion and Writing Groups

It is imperative that the meeting be held on these dates to accommodate the scheduling priorities of the key participants. Visitors will be requested to sign a visitor's register.

Dated: February 10, 1994.

**Timothy M. Sullivan,**

*Advisory Committee Management Officer, National Aeronautics and Space Administration.*

[FR Doc. 94–3734 Filed 2–17–94; 8:45 am]

BILLING CODE 7510–01–M

## NATIONAL SCIENCE FOUNDATION

### Alan T. Waterman Award Committee; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

*Date and Time:* Monday, March 14, 1994; 9 a.m.–3 p.m.

*Place:* Room 1295, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230.

*Type of Meeting:* Closed.

*Contact Person:* Mrs. Susan E. Fannoney, Executive Secretary, Room 1225, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: 703/306–1096.

*Purpose of Meeting:* To provide advice and recommendations in the selection of the Alan T. Waterman Award recipient.

*Agenda:* To review and evaluate nominations as part of the selection process for awards.

*Reason for Closing:* The nominations being reviewed include information of a personal nature where disclosure would constitute unwarranted invasions of personal privacy. These matters are exempt under 5 U.S.C. 552b(c)(6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3796 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

### DOE/USGS/NSF Council for Continental Scientific Drilling; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

*Name:* Council for Continental Scientific Drilling (30).

*Date and Time:* March 9 & 10, 1994; 8 a.m. to 6 p.m. each day.

*Place:* Room 3753; National Science Foundation; 4201 Wilson Boulevard; Arlington, VA 22230.

*Type of Meeting:* Open to the public. Persons may participate in the meeting as time and space permit.

*Contact:* Dr. James F. Hays, Division Director, Division of Earth Sciences, room 785, National Science Foundation, Arlington, VA 22230, (703) 306–1550; and Donald W. Klick, ICG/CSD Executive Secretary, 922 National Center, U.S. Geological Survey, Reston, VA 22092, (703) 648–6346.

*Minutes:* May be obtained from the Contact Person(s) listed above.

*Agenda:* Briefings on accomplishments, current activities, and future plans of the DOE, NSF, and USGS and CSD programs; discussions of recommendations for organizational structure, procedures, schedule, and related matters for the U.S. CSDP overview by the Council for CSD.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3797 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

### Earth Sciences Proposal Review Panel; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

*Name:* Earth Sciences Proposal Review Panel (1569).

*Date:* March 16, 17 & 18, 1994.

*Time:* 8 a.m. to 6 p.m. each day.

*Place:* Room 380, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

*Type of Meeting:* Closed.

*Contact Person:* Dr. Alan M. Gaines, Section Head, Division of Earth Sciences, room 785, National Science Foundation, Arlington, VA, (703) 306–1553.

*Purpose of Meeting:* To provide advice and recommendations concerning proposals submitted to NSF for financial support.

*Agenda:* To review and evaluate earth sciences proposals as part of the selection process for awards.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3794 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

### Special Emphasis Panel in Human Resource Development; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

*Name:* Special Emphasis Panel in Human Resource Development.

*Date & Time:* March 10, 1994: 8:30 a.m. to 5 p.m.; March 11, 1994: 8:30 a.m. to 3 p.m.; March 12, 1994: 8:30 a.m. to 12:30 p.m.

*Place:* National Science Foundation, 4201 Wilson Blvd. room 380, Arlington, VA 22230.

*Type of Meeting:* Closed.

*Contact Person:* Lola E. Rogers, Program Director, 4201 Wilson Blvd, suite 815, Arlington, VA 22230. Telephone: 703/306–1637.

*Purpose of Meeting:* To provide advice and recommendations concerning proposals submitted to NSF for financial support.

*Agenda:* To review and evaluate unsolicited proposals submitted to the Model Projects for Women and Girls Program.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b (c)(4) and (6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3793 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

### Special Emphasis Panel in Human Resource Development; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

*Name:* Special Emphasis Panel in Human Resource Development.

*Date and Time:* Monday, March 14; Tuesday, March 15, 1994; 8 a.m.–5 p.m.

*Place:* Room 3751, National Science Foundation, 4201 Wilson Blvd., Arlington, VA.

*Type of Meeting:* Closed.

*Contact Person:* Drs. Costello, Brown & Betty Ruth Jones, Program Directors, HRD, room 815, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230. Telephone: (703) 306–1633.

*Purpose of Meeting:* To provide advice and recommendations concerning proposals submitted to NSF for financial support.

*Agenda:* To review and evaluate Partnerships for Minority Student Achievement proposals as part of the selection process for awards.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including

technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3795 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

## Special Emphasis Panel in Materials Research; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463 as amended), the National Science Foundation announces the following meetings:

*Name:* Special Emphasis Panel in Materials Research (DMR).

*Date and Time:* March 4, 1994, 8:30 am—5 pm.

*Place:* National Science Foundation, 4201 Wilson Blvd., room 340, Arlington, VA 22230.

*Type of Meeting:* Closed.

*Contact Person:* Dr. Lorretta J. Inglehart, Program Director, Instrumentation for Materials Research Program, Division of Materials Research, room 1065 National Science Foundation, Arlington, VA 22230. Telephone (703) 306–1817.

*Purpose of Meetings:* To provide advice and recommendations concerning support for DMR Instrumentation Proposals.

*Agenda:* Evaluation of proposals.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial Data such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552 b. (c)(4) and (6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3798 Filed 2–17–94, 8:45 am]

BILLING CODE 7555–01–M

## Special Emphasis Panel in Materials Research; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463 as amended), the National Science Foundation announces the following meeting.

*Name:* Special Emphasis Panel in Materials Research (DMR).

*Date and Time:* March 3, 1994, 8:30 a.m.–5 p.m.

*Place:* National Science Foundation, 4201 Wilson Blvd., room 3102, Arlington, VA 22230.

*Type of Meeting:* Closed.

*Contact Person:* Dr. Lorretta J. Inglehart, Program Director, Instrumentation for Materials Research Program, Division of Materials Research, room 1065, National Science Foundation, Arlington, VA 22230. Telephone (703) 306–1817.

*Purpose of Meeting:* To provide advice and recommendations concerning support for DMR Instrumentation Proposals.

*Agenda:* Evaluation of proposals.

*Reason for Closing:* The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data such as salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b.(c) (4) and (6) of the Government in the Sunshine Act.

Dated: February 15, 1994.

**M. Rebecca Winkler,**

*Committee Management Officer.*

[FR Doc. 94–3799 Filed 2–17–94; 8:45 am]

BILLING CODE 7555–01–M

## NUCLEAR REGULATORY COMMISSION

**[Docket No. 50–336]**

## Northeast Nuclear Energy Co., Millstone Nuclear Power Station, Unit No. 2; Notice of Issuance of Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission is considering issuance of an amendment to Operating License No. DPR–65 to Northeast Nuclear Energy Company, (the licensee) for Millstone Nuclear Power Station, Unit No. 2 located in Waterford, Connecticut.

### Identification of Proposed Action

The amendment would consist of changes to the operating license and Technical Specifications (TS). The changes would modify the spent fuel pool (SFP) by introducing neutron absorbing (poison) rodlets (pins) into the stored fuel and increase the required burnup in Region C to permit removal of the cell blockers, thus increasing by 234 fuel assemblies the storage capacity of the SFP.

The amendment to the TS is responsive to the licensee's application dated May 14, 1993, as supplemented by letters of July 10, July 16, November 30, December 1, 1993, and January 27, 1994. The NRC staff has prepared an Environmental Assessment of the proposed action, "Environmental Assessment By the Office of Nuclear Rector Regulation Relating to the Modification of the Spent Fuel Storage Pool, Operating License No. DPR–65, Northeast Nuclear Energy Company, Millstone Nuclear Power Station, Unit No. 2. Docket No. 50–336" dated February 14, 1994.

### Summary of Environmental Assessment

The Final Generic Environmental Impact Statement (FGEIS) on Handling and Storage of Spent Light Water Power Reactor Fuel (NUREG–0575) concluded that the environmental impact of interim storage of spent fuel was negligible and the cost of the various alternatives reflects the advantage of continued generation of nuclear power with the accompanying spent fuel storage. Because of the differences in SFP designs, the FGEIS recommended licensing SFP expansion on a case-by-case basis.

For Millstone Unit 2, the SFP modification will not create any significant additional radiological effects or measurable nonradiological environmental impacts. The licensee has evaluated the effect of the changes on the calculated consequences of a spectrum of postulated design basis accidents and concludes that the effect of the proposed TS changes are small and that the calculated consequences are within regulatory requirements and staff guideline dose values. The total occupational exposure for the modification and the additional occupational exposure for subsequent operation of the modified SFP will not significantly increase since the radiation fields in the area near the pool are not expected to increase during the SFP modification. Divers will not be used during the modifications and the licensee will prepare and follow specific procedures that are consistent with good ALARA principles and practices. Therefore, the staff concludes that the exposure to workers is as low as is reasonably achievable (ALARA) and is acceptable.

### Finding of No Significant Impact

The staff has reviewed this proposed facility modification relative to the requirements set forth in 10 CFR part 51. Based upon the environmental assessment, the staff concluded that there are no significant radiological or nonradiological impacts associated with the proposed action and that the proposed license amendment will not have a significant effect on the quality of the human environment. Therefore, the Commission has determined, pursuant to 10 CFR 51.31, not to prepare an environmental impact statement for the proposed amendment.

For further details with respect to this action, see (1) the application for the amendment to the Technical Specifications dated May 14, 1993, as supplemented by letters of July 10, July

16, November 30, December 1, 1993, and January 27, 1994, (2) the FGEIS on Handling and Storage of Spent Light Power Reactor Fuel (NUREG–0575), (3) the Final Environmental Statement for Milestone, Unit No. 2 issued June 1973, and (4) the Environmental Assessment dated February 14, 1994. These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room located at the Learning Resource Center, Three Rivers Community-Technical College, Thames Valley Campus, 574 New London Turnpike, Norwich, Connecticut 06360.

Dated at Rockville, Maryland, this 14th day of February 1994.

For the Nuclear Regulatory Commission.

**John F. Stolz,**

*Director, Project Directorate I–4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 94–3728 Filed 2–17–94; 8:45 am]

BILLING CODE 7590–01–M

## POSTAL RATE COMMISSION

### Notice of Commission Visit

February 14, 1994.

Notice is hereby given that on February 22, through February 25, 1994, members of the Commission and certain advisory staff personnel will visit the offices and/or mailing operations of Donnelley Marketing in Stamford, Connecticut; Readers Digest in Pleasantville, New York; and, officials of McGraw-Hill and Time Warner in New York City.

A report of the visits will be on file in the Commission's Docket Room. For further information contact Charles L. Clapp, Secretary of the Commission at 202–789–6840.

**Charles L. Clapp,**

*Secretary.*

[FR Doc. 94–3852 Filed 2–17–94; 8:45 am]

BILLING CODE 7710–FW–P

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34–33609; File No. SR–Amex–94–01]**

### Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the American Stock Exchange, Inc. Relating to Expiring Equity Option Exercise Advices

February 9, 1994.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 11, 1994, the American Stock Exchange, Inc. ("Amex" 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 Amex. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Exchange proposes to amend Rule 980 relating to the exercise of expiring equity option contracts to require members and member organizations to advise the Exchange of their final exercise decisions for such options prior to the Exchange's exercise cut-off time. The text of the proposed rule change is available at the Office of the Secretary, the Amex, and at the Commission.

**II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Amex 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 the Statutory Basis for, the Proposed Rule Change*

Exchange Rule 980 specifies that the cut-off time for all members and member organizations to exercise outstanding expiring equity options contracts is 5:30 p.m. Eastern Standard Time ("EST") ("exercise cut-off time") on the business day immediately prior to the expiration date of such options. This is the latest time that a member organization can accept instructions to exercise an expiring options contract from a customer or a non-clearing member. The rule also provides that 5:30 p.m. EST is the latest time that a member organization can prepare an internal notice with instructions to either not exercise an options position which would otherwise automatically be exercised, or exercise an options position that would not be automatically exercised pursuant to Options Clearing Corporation ("OCC") Rule 805.[1]

While all options exchanges have a uniform 5:30 p.m. EST exercise cut-off time on the last business day prior to the expiration date of the options,[2] OCC rules permit exchanges to accept exercise instructions for expiring options from clearing firms until 12 a.m. EST on the options' expiration date. The Exchange believes that this additional time within which to receive instructions was provided to accommodate: (1) Corrections or errors made in good faith; (2) trade reconciliations; and (3) certain exceptional circumstances that either restrict a customer's ability to inform his brokerage firm or impact a firm's ability to receive final exercise decisions before the exercise cut-off time.

According to the Exchange, however, there have been some situations where members and member firms have either delayed making exercise decisions until after the exercise cut-off time in anticipation of the release of significant news concerning a particular underlying company, or having made decisions prior to the exercise cut-off time, changed these decisions based upon such news. In one notable situation, certain firms that anticipated the release of material news regarding a particular company allegedly delayed making their exercise decisions until after the exercise cut-off time, causing firms who claimed to have been disadvantaged by such conduct to commence a series of highly publicized arbitration proceedings and lawsuits.

To enable the Exchange to determine whether options holders have made their final decisions no later than the prescribed exercise cut-off time and not on the basis of market developments occurring after the exercise cut-off time, the Exchange proposes that Rule 980 be amended to provide for an exercise advice procedure. Specifically, the procedure would require that any determination to exercise or not exercise an expiring equity option that does not meet the parameters for OCC's Exercise by Exception system must be indicated to the Exchange either by submitting a "Contrary Exercise Advice Form" to a designated place on the Exchange Floor or by transmitting the contrary exercise advice electronically to OCC prior to the 5:30 p.m. EST exercise cut-off time. The

[1] The automatic exercise system ("Exercise by Exception") allows OCC clearing members to exercise in-the-money options at expiration which are at or above a predetermined threshold without submitting input entries into OCC.

[2] See, e.g., Philadelphia Stock Exchange, Inc. Rule 1042.

proposed amendment does not affect procedures for expiring options that meet the parameters of OCC's Exercise by Exception system and which are to be exercised or not exercised in reliance on that system.

The Exchange represents that the proposed rule change reflects a coordinated effort among all the options exchanges and the OCC. The Exchange states that the proposed exercise advice procedure has been reviewed and endorsed by the Intermarket Surveillance Group ("ISG")[3] which, upon the Commission's approval of the applicable rule changes, will issue a joint exchange circular to explain the operation of the new provisions to members and member organizations. It is anticipated that each of the options exchanges will be submitting (or have submitted) rule proposals requiring the submission of advices for expiring equity options in the same manner.[4]

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act, in general, and furthers the objectives of section 6(b)(5) in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

*(B) Self-Regulatory Organization's Statement on Burden on Competition*

The Amex does not believe that the proposed rule change will impose any inappropriate burden on competition.

*(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

No written comments were solicited or received with respect to the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reason for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to file No. SR–Amex–94–01 and should be submitted by March 11, 1994.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[5]

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 94–3700 Filed 2–17–94; 8:45 am]

BILLING CODE 8010–01–M

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**[Release No. 34–33610; File No. SR–Phlx–93–37]**

## Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Philadelphia Stock Exchange, Inc., Relating to the Exercise Cut-Off Procedure for Equity Options Contracts

February 9, 1994.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on December 20, 1993, 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 Phlx. 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, pursuant to Rule 196–4 of the Act, proposes to amend Phlx Rule 1042 (Exercise of Option Contracts) by incorporating a new exercise cut-off procedure.

Specifically, the Exchange proposes to require that an option holder's final exercise decision (*i.e.*, whether or not to exercise an expiring equity option)[1] be indicated to the Exchange by either submitting a Contrary Exercise Advice ("Advice") form (to a designated place at the Exchange or to the Options Clearing Corporation ("OCC") pursuant to OCC procedures) or by choosing to rely on OCC's exercise-by-exception procedure, which automatically makes an exercise determination for applicable option holders.[2] The deadline for the submission of a final exercise decision would remain at 5:30 p.m. Eastern Standard Time on the business day immediately preceding the expiration date ("exercise cut-off time").

To implement this new procedure, proposed Rule 1042(b) would require members and member organizations to take steps to ensure that final exercise decisions respecting their proprietary positions, and the positions of members and non-members for whom the responsibility to make such indications has been accepted by them, are properly indicated to the Exchange. In addition, to allow time for processing, each member organization would be required to establish a deadline prior to the exercise cut-off time after which it will no longer accept final exercise decisions in expiring equity options from customers.

Rule 1042(b) will continue to provide the following exceptions to the exercise cut-off procedure: (i) To remedy mistakes made in good faith; (ii) to respond to a failure to reconcile an

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[3] ISG was formed on July 14, 1983 to, among other things, coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. *See* Intermarket Surveillance Group Agreement, July 14, 1983. The members of the ISG are: the Amex; the Chicago Board Options Exchange, Inc.; the Chicago Stock Exchange, Inc.; the Cincinnati Stock Exchange, Inc.; the National Association of Securities Dealers, Inc.; the New York Stock Exchange, Inc.; the Pacific Stock Exchange, Inc.; and the Philadelphia Stock Exchange, Inc. ("Phlx").

[4] *See, e.g.*, File No. SR–Phlx–93–37.

[5] 17 CFR 200.30–(a)(12) (1993).

[1] The term "final exercise decision" would generally replace the term "exercise instructions" in the amended rule.

[2] Specifically, exercise-by-exception is the system which allows OCC clearing members to exercise in-the-money options at expiration which are at or above the predetermined threshold without submitting input entries into OCC. *See* OCC Rule 805.

unmatched Exchange option transaction; and (iii) where exceptional circumstances restricted either a customer's ability to inform the respective member organization or a member organization's ability to receive final exercise decisions before the exercise cut-off time.[3] The current exception respecting foreign currency options is proposed to be deleted and replaced with Commentary .03 to Rule 1042, which provides that Rule 1042(b) does not apply to foreign currency options or index options. In this regard, the following new title to Rule 1042 is proposed: "Exercise of Equity Option Contracts."

In addition, Rule 1042 as amended would require that a memorandum setting forth the circumstances surrounding the exercise be prepared and a copy filed with the Exchange's Market Surveillance Department in any instance of an equity option exercise not submitted "automatically" through OCC's exercise-by-exception procedure, and for which a Contrary Exercise Advice was either not timely submitted or amended after the exercise cut-off time. Each such memorandum must reflect the time the final exercise decision was made, or in the case of a customer, the time the final exercise decision was received, and must be kept in accordance with SEC Rules 17a–3(a)(6) and 17a–4. Under the proposal, all of the exceptions listed in Rule 1042(b) would require a written memorandum setting forth the circumstances giving rise to the exception.[4]

Pursuant to the proposed rule change, the burden of establishing an exception would rest solely on the member or member organization seeking to rely on one of the exemptive provisions. Current procedure requires clearing organizations to record the receipt of exercise decisions in connection with the exercise cut-off rule. The proposed procedure would allow members to either submit Contrary Exercise Advices directly to the Exchange or to the firm responsible for processing such Advices on their behalf. Thus, since members would have the ability to submit Advices directly to the Exchange, it is the member (and not necessarily the clearing agent) who must establish that an exception relied upon by that member is consistent with the rule. To address possible instances where no Advice is submitted while an exercise notice is nonetheless tendered for a strike price outside the exercise-by-exception parameters and where none of the exceptions apply, Commentary .02 specifies that such exercises would be deemed conduct inconsistent with just and equitable principles of trade if effected on the basis of material information obtained after the exercise cut-off time.

The Exchange notes that the exercise cut-off time as well as the actual exercise procedure remain unchanged, including the submission of exercise notices to OCC contained in Rule 1042(a), which would still be governed by OCC rules.[5] In this regard, Commentary .01 as amended expressly states that the reporting of final exercise decisions pursuant to Rule 1042 does not serve to substitute as the effective "exercise notice" to OCC regarding the exercise or non-exercise of expiring equity options. A technical amendment changing several references in Rule 1042(a) to read "OCC" is also proposed herein.

The text of the proposed rule change is available at the Office of the Secretary, the Phlx, 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 Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The 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 the Statutory Basis for, the Proposed Rule Change*

Phlx Rule 1042 governs the exercise of option contracts traded on the Exchange. Specifically, Rule 1042(a) refers to OCC rules and procedures regarding the actual exercise of option contracts as well as the submission of exercise notices to OCC for trade dates prior to the last day of business prior to expiration. Rule 1042(b) concerns the exercise cut-off time and submission of exercise instructions to the Exchange for expiring options on the last day of trading in such options. At this time, the Phlx proposes to incorporate a new exercise cut-off procedure into Rule 1042, featuring the use of a Contrary Exercise Advice for the submission of final exercise decisions and the ability to submit such Advices directly to the Exchange. The Exchange represents that the purposes behind these amendments are to bolster the audit trail requirements of Rule 1042, to incorporate a more convenient process for members to indicate exercise intentions to the Exchange, and to further ensure that the exercise cut-off time efficiently provides a level playing field among market participants with respect to final exercise decisions.

The new procedure would enable option holders to bypass the clearing firm when submitting a Contrary Exercise Advice directly to the Exchange. The Exchange will designate a place on the trading floor for the submission of these Advices, similar to the current procedure for the submission of index option exercise notices.[6] In those instances where a member holding an expiring option submits an Advice directly to the Exchange, the responsibility for the timely and proper submission of such Advice shifts from the option holder's clearing agent to the option holder himself. For example, a Registered Option Trader's ("ROT") clearing agent would not be held responsible for direct submissions by the ROT to the Exchange.

Under the proposal, Exchange members would still be able to submit their final exercise decisions, on a Contrary Exercise Advice, to the respective clearing member. The clearing member would then be required to either submit the Advice directly to the Exchange at the designated place or to OCC pursuant to OCC procedures, and would be required to do so prior to the exercise cut-off time. Regardless of to whom the submission is made, the Exchange believes that the proposed changes would result in an efficient audit trail being generated for purposes of identifying late entries. The Exchange believes the proposal would constitute an important change in current procedures by enabling a self-regulatory organization ("SRO") to confirm the

[3] Under the current rule, only a customer's ability to send and a member's ability to receive final exercise decisions could serve as an exception. Because a customer can submit exercise decisions to a member organization who in turn submits them to OCC, that member organization's ability to receive the customer's decision can also qualify as an exemption under the rule. Under the proposal, a member's ability to send decisions could also qualify as an exception.

[4] Rule 1042 currently only requires a memorandum with respect to the first and third exception to the Rule. *See* Rule 1042, Commentary .02.

[5] See generally OCC rules and Phlx Rules 1002, 1004, and 1005.

[6] See Phlx Rule 1042A and Floor Procedure Advice G–1.

timeliness of option exercise instruction submissions.

The Exchange further believes that the proposed memorandum requirement of Rule 1042 should also bolster the Exchange's audit trail by requiring that a memorandum be prepared and filed with the Exchange's Market Surveillance Department detailing the circumstances surrounding any non-automatic exercise that was not submitted on a Contrary Exercise Advice in a timely manner. In addition, with respect to the exceptions to the exercise cut-off procedure, the Exchange believes that the proposed change expressly stating that the burden of establishing such an exception lies with the person seeking the exception should also improve the Exchange's ability to surveil for violations of the procedure.

The Exchange believes that the proposed changes to the exercise cut-off procedure for expiring equity options reflect a coordinated effort among the options exchanges and OCC. Accordingly, because the Phlx expects similar proposed rule changes to be filed with the Commission in the near future,[7] uniformity among options exchanges should help option holders and other members adjust to the new procedure and incorporate the changes into their respective procedures. In this regard, the Exchange will recognize Contrary Exercise Advices submitted to other national options exchanges for any option listed both on the Phlx and that other exchange.

The Exchange believes that the proposed rule change is consistent with section 6 of the Act in general, and with section 6(b)(5), in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, and to protect investors and the public interest. Specifically, the Exchange believes that consistent with section 6(b)(5) of the Act, the proposed change to Rule 1042 should improve the Exchange's ability to surveil for violations of the exercise cut-off time because the submission of Contrary Exercise Advices directly to the Exchange as well to OCC should provide an accurate audit trail to identify late entries. In addition, the Exchange believes that the proposed procedure should reduce the onus on clearing firms of collecting exercise instructions, because the new procedure will enable option holders to bypass the clearing firm by submitting a Contrary Exercise Advice directly to the Exchange.

In summary, the Exchange believes that Phlx investigations into late entries of exercise decisions should ensure compliance with Rule 1042, and, accordingly, promote just and equitable principles of trade.

*(B) Self-Regulatory Organization's Statement on Burden on Competition*

The Phlx does not believe that the proposed rule change will impose any 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 solicited or received with respect to the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR–Phlx–93–37 and should be submitted March 11, 1994.

For the Commission, by the Division of market Regulation, pursuant to delegated authority.[8]

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 94–3701 Filed 2–17–94; 8:45 am]

BILLING CODE 8010–01–M

[7] See, *e.g.*, File No. SR–Amex–94–01.

[8] 17 CFR 200.30–3(a)(12) (1993).

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**[Release No. IC–20070; 812–8384]**

## IDS Bond Fund, Inc., et al.; Notice of Application

February 14, 1994.

**AGENCY:** Securities and Exchange Commission ("SEC" or "Commission").

**ACTION:** Notice of Application for Exemption under the Investment Company Act of 1940 (the "Act").

**APPLICANTS:** IDS Bond Fund, Inc., IDS California Tax-Exempt Trust, IDS Discovery Fund, Inc., IDS Equity Plus Fund, Inc., IDS Extra Income Fund, Inc., IDS Federal Income Fund, Inc., IDS Global Series, Inc., IDS Growth Fund, Inc., IDS High Yield Tax-Exempt Fund, Inc., IDS International Fund, Inc., IDS Investment Series, Inc., IDS Managed Retirement Fund, Inc., IDS Market Advantage Series, Inc., IDS New Dimensions Fund, Inc., IDS Precious Metals Fund, Inc., IDS Progressive Fund, Inc., IDS Selective Fund, Inc., IDS Special Tax-Exempt Series Trust, IDS Stock Fund, Inc., IDS Tax-Exempt Bond Fund, Inc., IDS Utilities Income Fund, Inc. (each series is referred to as a "Front-End Load Fund"), IDS Money Market Series, Inc. and IDS Tax-Free Money Fund, Inc. (each series is referred to as a "Money Market Fund"), IDS Strategy Fund, Inc. (each series is referred to as a "Back-End Load Fund") (collectively, the "Funds"), and IDS Financial Corporation ("IDS" or the "Investment Manager") and IDS Financial Services Inc. ("IDS Financial" or the "Distributor").

**RELEVANT ACT SECTIONS:** Order requested under section 6(c) of the Act for an exemption from sections 2(a)(32), 2(a)(35), 18(f), 18(g), 18(i), 22(c), and 22(d) of the Act and rule 22c–1 thereunder.

**SUMMARY OF APPLICATION:** Applicants request an order that would supersede two prior orders that permit some of the Funds to assess and, under certain circumstances, waive a contingent deferred sales charge ("CDSC") on certain redemptions of shares. The

present order would (1) expand the investment companies eligible to assess a CDSC, and (2) permit the Funds to issue multiple classes of shares representing interests in the same portfolio of securities.

**FILING DATES:** The application was filed on May 6, 1993, and amended on October 1, 1993, and December 15, 1993. Applicants have agreed to file an additional amendment, the substance of which is incorporated herein, during the notice period.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 14, 1994 and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

**ADDRESSES:** Secretary, SEC, 450 Fifth Street, N.W., Washington, DC 20549; Applicants, Laura M. Moret, IDS Financial Corporation, IDS Tower 10—Unit 52, Minneapolis, Minnesota 55440.

**FOR FURTHER INFORMATION CONTACT:** Deepak T. Pai, Staff Attorney, at (202) 272–3809 or Robert A. Robertson, Branch Chief, at (202) 272–3030 (Division of Investment Management, Office of Investment Company Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

**Applicants' Representations**

1. Each Fund is an open-end management investment company registered under the Act. The Funds currently have different distribution structures. Shares of the Back-End Load Funds are offered to investors subject to a CDSC and distribution fees adopted pursuant to rule 12b–1 under the Act. Shares of the Front-End Load Funds are offered to investors subject to a front-end sales load and rule 12b–1 fees that are lower than those applicable to the Back-End Load Funds.

2. Each Fund has entered into or will enter into an investment management agreement with IDS pursuant to which IDS provides investment management services. Each Fund also has entered into or will enter into a distribution agreement with IDS Financial pursuant to which IDS Financial Acts as principal underwriter for the Fund.

3. Applicants request an exemption that would permit the Funds (a) to issue multiple classes of shares representing interests in the same portfolio of securities and (b) to assess and, under certain circumstances, waive a CDSC on certain redemptions of shares. The order would supersede two prior orders that permit some of the Funds to assess and, under certain circumstances, waive a CDSC.[1] Applicants also request that any relief apply to any open-end management investment company or series within those companies that are advised by IDS and in the same "group of investment companies" with the Funds, as defined in rule 11a–3, that operate in a manner identical in all material respects to that of the Funds.

*A. The Multiple Pricing System*

1. Applicants propose to establish multiple distribution arrangements (the "Multiple Pricing System") using different classes of shares within the same Fund. Under the Multiple Pricing System, each Fund, except the Money Market Funds, will offer investors the option of purchasing shares with a front-end sales load and a rule 12b–1 service fee of up to .25% of the average daily net asset value ("Class A shares" or the Front-End Load Option"). Certain large purchasers of Class A shares and participants in qualified plans purchasing Class A shares will not be subject to a front-end sales load but will be subject to a CDSC not to exceed 4%. The CDSC will be eliminated in plans with more than 100 participants or plan assets of more than $1 million. In addition, each Fund will offer investors the option of purchasing shares with a CDSC, an annual distribution charge of up to .75% of average daily net assets and an annual service fee of up to .25% of average daily net assets under a rule 12b–1 plan ("Class B shares" or the "Deferred Option"). Some Funds will offer Class C shares that will be offered without imposition of either a sales load, distribution charge, or service fee ("Class C shares"). Class C shares will be offered exclusively to participants and trustees in employee benefits plans which meet minimum requirements, and to certain investors that will be specified in a Fund's prospectus. The Money Market Funds will offer one class of shares, which may have a service fee.

2. Applicants request the authority to create additional classes that may differ from Class A, Class B, and Class C shares only in the following respects: (a) the impact of the disproportionate payments made under the rule 12b–1 distribution plan; (b) the impact of the disproportionate payments made because of a non-rule 12b–1 service fee; (c) any different expenses for each class of shares ("Class Expenses"), which are set forth in condition 1 below; (d) the fact that the classes will vote separately with respect to the Fund's rule 12b–1 distribution plan; (e) the different exchange privileges of the classes; and (f) the designation of each class.

3. Class B shares will have a conversion feature providing for automatic conversion to Class A shares after a certain holding period of up to eight years. Upon the expiration of the holding period, Class B shares (except those purchased through the reinvestment of dividends and other distributions paid in respect of Class B shares of that Fund) will automatically convert to Class A shares of the Fund at the relative net asset values of each of the classes. Shares purchased through the reinvestment of dividends and other distributions paid in respect of Class B shares are also Class B shares. However, for purposes of conversion to Class A, all Class B shares in a shareholder's Fund account that were purchased through the reinvestment of dividends and other distributions paid in respect of Class B shares (and that have not converted to Class A shares as provided in the following sentence) will be considered to be held in a separate sub-account. Each time any Class B shares in the shareholder's Fund account (other than those in the sub-account referred to in the preceding sentence) convert to Class A, a *pro-rata* portion of Class B shares then in the sub-account will also convert to Class A. The portion will be determined by the ratio that the shareholder's Class B shares converting to Class A bears to the shareholder's total Class B shares not acquired through dividends and distributions.

4. Applicants contemplate that Class A shares of a Fund will be exchangeable only for Class A shares of the other Funds, except for Class A shares of the Money Market Funds which may be exchanged for Class B shares at the request of the shareholder. Class B shares of a Fund will be exchangeable only for Class B shares of the other Funds. Class C shares of a Fund will be exchangeable only for Class C shares of the other Funds. The exchange

[1] *Investors Mutual, Inc. et al.* Investment Company Act Releases Nos. 13906 (April 26, 1984) (notice) and 13974 (May 31, 1984) (order), and *IDS Financial Corporation, et al.* Investment Company Act Releases Nos. 17059 (July 10, 1989) (notice) and 17099 (August 4, 1989) (order).

privileges will comply with rule 11a–3 under the Act.

5. Under the Multiple Pricing System, the net asset value of each class will reflect the expenses allocated to it. All expenses incurred by a Fund will be allocated based on the relative net asset values of each class, except to the extent that each class's net asset value and expenses will reflect the expenses of rule 12b–1 plans and any Class Expenses.

*B. The CDSC*

1. Applicants also request an exemption to permit the Funds to assess a CDSC on certain redemptions of Class B shares, and waive the CDSC with respect to certain types of redemptions. The CDSC will be imposed by each Fund on a redemption of Class B shares during a specified period up to eight years. In determining the applicability and rate of any CDSC, it will be assumed that a redemption is made first of amounts representing capital appreciation, next of shares representing reinvestment of dividends and capital gains distributions, and finally of other shares held for the longest period of time. This will result in the charge, if any, being imposed at the lowest possible rate.

2. The amount of the CDSC charged to a Class B shareholder of a Fund will depend on the number of years that have elapsed since the shareholder made the purchase payment from which an amount is being redeemed. Any changes in CDSC amounts, rates of reduction or the CDSC period will be reflected in the prospectus of the affected Fund, and the change will not adversely affect shares that were issued prior to the date of the change. The sum of any front-end sales charge, asset based sales charge, and CDSC will not exceed the maximum sales charge provided for in Article III, Section 26 of the Rules of Fair Practice of the NASD.

3. The CDSC for Class B will be waived on redemptions of shares: (1) In the event of the shareholder's death; (2) held in IRAs and qualified plans for which IDS Acts as custodian, such as Keogh plans, tax-sheltered custodial accounts or corporate pension plans if the shareholder is at least 59½ years old, and the redemption is not part of a custodian-to-custodian transfer (unless a taxable retirement distribution), or if the redemption is part of an approved "substantially equal periodic payment" arrangement; or (3) held in a trusteed employee benefit plan.

4. Class A shareholders who are participants in qualified plans with the daily transfer recordkeeping service also maybe charged a CDSC on certain redemptions. In no event will the CDSC exceed 4% of the purchase payments made by the shareholder. The CDSC for Class A will be eliminated for plans with more than $1 million in plan assets or more than 100 participants.

5. Class A shareholders who invest or who have aggregate investments in the Funds of $1 million or more may purchase Class A shares without paying a front-end sales load. If that investment is redeemed in the first two years after purchase, a CDSC of 1% may be imposed on the redemption.

6. The CDSC for Class A shares will be waived: (1) In the event of the shareholder's death; (2) in connection with lump-sum or other distributions following retirement or attaining age 59½, and the redemption is not part of a custodian-to-custodian transfer (unless a taxable retirement distribution), or if the redemption is part of an approved "substantially equal periodic payment" agreement; or (3) with respect to loans or hardship withdrawals.

7. The CDSC for the additional classes of shares may be different than the one described for Classes A and B, but will be calculated in the same manner.

**Applicants' Legal Analysis**

1. Applicants request an exemption under section 6(c) of the Act from sections 18(f)(1), 18(g), and 18(i) to the extent the Multiple Pricing System may result in a senior security, as defined by section 18(g), the issuance and sale of which would be prohibited by section 18(f)(1), and to the extent the allocation of voting rights under the Multiple Pricing System may violate the provisions of 18(i). Applicants believe that the Multiple Pricing System does not raise any of the legislative concerns that section 18 was designed to ameliorate. The proposal does not involve borrowings and does not affect the Funds' existing assets or reserves. Applicants believe that the proposed allocation of expenses and voting rights relating to the rule 12b–1 plans in the manner described above is equitable and would not discriminate against any group of shareholders.

2. Applicants also request an exemption under section 6(c) from sections 2(a)(32), 2(a)(35), 22(c), and 22(d) of the Act and rule 22c–1 thereunder to assess and, under certain circumstances, waive a CDSC on redemptions of shares. Applicants believe that the imposition of the CDSC is fair and in the best interests of their shareholders because it applies only to amounts representing purchase payments and does not apply to amounts representing increases in the value of an investor's account through capital appreciation or to amounts representing reinvestment of distributions.

*Applicant's Conditions*

Applicants agree that any order granting the requested relief shall be subject to the following conditions.

1. Each class of shares will represent interests in the same portfolio of investments of the Fund, and be identical in all respects, except as set forth below. The only differences among the classes of shares of the Fund will relate solely to: (a) the impact of the disproportionate payments made under the rule 12b–1 distribution plan; (b) the impact of the disproportionate payments made because of a non-rule 12b–1 service fee; (c) any different Class Expenses which are limited to: (i) Any transfer agency fees identified by the transfer agent as being attributable to a specific class; (ii) printing and postage expenses related to preparing and distributing materials such as shareholder reports, prospectuses, and proxies to current shareholders; (iii) Blue Sky registration fees incurred by a class of shares; (iv) Commission registration fees incurred by a class of shares; (v) the expenses of administrative personnel and services as required to support the shareholders of a specific class; (vi) litigation or other legal expenses relating solely to one class of shares; (vii) fees and expenses of members of boards incurred as a result of issues relating to one class of shares; (viii) costs relating to obtaining shareholder approval of a rule 12b–1 plan for a class or an amendment to a rule 12b–1 plan; (ix) and any other incremental expenses subsequently identified that should be properly allocated to one class which shall be approved by the Commission pursuant to an amended order; (d) the fact that the classes will vote separately with respect to the Fund's rule 12b–1 distribution plan, except as provided in condition 15 below; (e) the different exchange privileges of the classes of shares; and (f) the designation of each class of shares of the Fund.

2. The members of the board of each Fund, including a majority of the independent board members, shall have approved the Multiple Pricing System. The minutes of the meetings of the board of the Fund regarding the deliberation of the board with respect to the approvals necessary to implement the Multiple Pricing System will reflect in detail the reasons for determining that the proposed Multiple Pricing System is in the best interests of the Fund and its shareholders.

3. The initial determination of the Class Expenses that will be allocated to a particular class of a Fund and any subsequent changes thereto will be reviewed and approved by a vote of the board of the affected Fund, including a majority of the independent board members. Any person authorized to direct the allocation and disposition of monies paid or payable by a Fund to meet Class Expenses shall provide to the board, and the board shall review, at least quarterly, a written report of the amounts so expended and the purpose for which the expenditures were made.

4. On an ongoing basis, the members of the boards of each of the Funds, pursuant to their fiduciary responsibilities under the Act and otherwise, will monitor each Fund for the existence of any material conflicts among the interests of the various classes of shares. The members of the boards of each Fund, including a majority of the independent board members, shall take such action as is reasonably necessary to eliminate any conflicts that may develop. The Investment Manager and the Distributor will be responsible for reporting any potential or existing conflicts to the members of the boards. If a conflict arises the Investment Manager and the Distributor at their own costs will remedy the conflict up to and including establishing a new registered management investment company.

5. The shareholders services plan will be adopted and operated in accordance with the procedures set forth in rule 12b–1(b) through (f) as if the expenditures made thereunder were subject to rule 12b–1, except that shareholders need not enjoy the voting rights specified in rule 12b–1.

6. The members of the boards of the Funds will receive quarterly and annual Statements concerning distribution expenditures complying with paragraph (b)(3)(ii) of rule 12b–1, as it may be amended from time to time. In the Statements, only expenditures properly attributable to the sale or servicing of a particular class of shares will be used to justify any distribution or servicing fee charged to that class. Expenditures not related to the sale or servicing of a specific class of shares will not be presented to the members of the boards to support rule 12b–1 fees charged to shareholders of that class of shares. The Statements, including the methods of allocations upon which they are based, will be subject to the review and approval of the independent board members in the exercise of their fiduciary duties.

7. Dividends paid by a Fund with respect to each class of shares, to the extent any dividends are paid, will be calculated in the same manner, at the same time and on the same day and will be in the same amount, except for fee payments made under the rule 12b–1 plans and any Class Expenses.

8. The methodology and procedures for calculating the net asset value and dividends/distributions of the various classes and the proper allocation of expenses among the various classes has been reviewed by an independent examiner. The independent examiner has rendered a report to applicants which has been provided to the staff of the Commission, filed as exhibit E to the application stating that the methodology and procedures are adequate to ensure that the calculations and allocations will be made in an appropriate manner. On an ongoing basis, the independent examiner, or an appropriate substitute independent examiner, will monitor the manner in which the calculations and allocations are being made and, based upon this review, will render at least annually a report to the Funds that the calculations and allocations are being made properly. The reports of the independent examiner shall be filed as part of the periodic reports filed with the Commission pursuant to sections 30(a) and 30(b)(1) of the Act. The work papers of the independent examiner with respect to these reports, following a request by the Funds that the Funds agree to make, will be available for inspection by the Commission's staff upon the written request for these work papers by a senior member of the Division of Investment Management, limited to the Director, an Associate Director, the Chief Accountant, the Chief Financial Analyst, an Assistant Director and any Regional Administrators or Associate and Assistant Administrators. The initial report of the independent examiner is a "report on policies and procedures placed in operation" and ongoing reports will be "reports on policies and procedures placed in operation and tests of operating effectiveness" as defined and described in SAS No. 70 of the AICPA, as it may be amended from time to time, or in similar auditing standards as may be adopted by the AICPA from time to time.

9. The applicants have adequate facilities in place to ensure implementation of the methodology and procedures for calculating the net asset value and dividends/distributions among the several classes of shares and the proper allocation of expenses among the several classes of shares and the independent examiner has concurred with this representation in the initial report referred to in condition (7) above and the Funds will be concurred with by the independent examiner, or an appropriate substitute independent examiner, on an ongoing basis at least annually in the ongoing reports referred to in condition (7) above. Applicants will take immediate corrective measures if this representation is not concurred in by the independent examiner, or appropriate substitute independent examiner.

10. The prospectuses of the Funds will include a statement to the effect that a financial planner and any other person entitled to receive compensation for selling or servicing shares of the Funds may receive a different amount of compensation for selling one particular class of shares of the Fund over another.

11. The Distributor will adopt compliance standards as to when shares of a particular class may be sold to particular investors. The applicants will require all persons selling shares of the Funds to agree to conform to these standards.

12. The conditions pursuant to which the exemptive order is granted and the duties and responsibilities of the members of the Boards of the Funds with respect to the Multiple Pricing System will be furnished to the members of the Boards.

13. Each Fund will disclose in its prospectus the respective expenses, performance data, distribution arrangements, services, fees, sales loads, deferred sales loads, conversion features and exchange privileges applicable to each class of shares in every prospectus, regardless of whether all classes of shares are offered through each prospectus. The Fund will disclose the respective expenses and performance data applicable to all classes of shares in every shareholder report. The shareholder reports will contain, in the statement of assets and liabilities and statement of operations, information related to the Fund as a whole and not on a per class basis. Each Fund's per share data, however, will be prepared on a per class basis with respect to all classes of shares of the Fund. To the extent any advertisement or sales literature describes the expenses or performance data applicable to any class of shares, it will disclose the expenses and/or performance data applicable to all classes of shares. The information provided by applicants for publication in any newspaper or similar listing of the Funds' net asset values and public offering prices will separately present each class of shares.

14. Applicants acknowledge that the grant of the exemptive order requested by this application will not imply Commission approval, authorization or

acquiescence in any particular level of payments that the Funds may make pursuant to rule 12b–1 plans in reliance on the exemptive order.

15. Any class of shares with a conversion feature will convert into another class of shares on the basis of the relative net asset values of the two classes, without the imposition of any sales load, fee, or other charge. After conversion, the converted shares will be subject to an asset-based sales charge and/or service fee (as those terms are defined in ART III Sec. 26 of the NASD's Rules of Fair Practice), if any, that in the aggregate are lower than the asset-based sales charge and service fee to which they were subject prior to the conversion.

16. If a Fund implements any amendment to its rule 12b–1 plan or, if presented to shareholders, adopts or implements any amendment of a non-rule 12b–1 shareholder services plan that would increase materially the amount that may be borne by the Target Class (the class into which the shares of another class convert) shares under the plan, existing Purchase Class (the class from which shares convert) will stop converting into Target Class shares unless the Purchase Class shareholders, voting separately as a class, approve the proposal. The members of the board shall take such action as is necessary to ensure that existing Purchase Class shares are exchanged or converted into a new class of shares ("New Target Class"), identical in all material respects to Target Class shares as they existed prior to implementation of the proposal, no later than such shares previously were scheduled to convert into Target Class shares. If deemed advisable by the members of the board to implement the foregoing, such action may include the exchange of all existing Purchase Class shares for a new class ("New Purchase Class"), identical to existing Purchase Class shares in all material respects except that New Purchase Class shares will convert into New Target Class shares. New Target Class or New Purchase Class shares may be formed without further exemptive relief. Exchanges or conversions described in this condition shall be effected in a manner that the members of the board reasonably believe will not be subject to federal taxation. In accordance with Condition 4, any additional cost associated with the creation, exchange, or conversion of New Target Class or New Purchase Class shares shall be borne solely by the Investment Manager and the Distributor. Purchase Class shares sold after the implementation of the proposal may convert into Target Class shares subject to the higher maximum payment provided that the material features of the Target Class plan and the relationship of such plan to the Purchase Class shares are disclosed in an effective registration statement.

17. Applicants will comply with the provisions of proposed rule 6c–10 under the Act (see Investment Company Release No. 16619) (Nov. 2, 1988), as such rule is currently proposed and as it may be reproposed, adopted or amended.

For the Commission, by the Division of Investment Management, under delegated authority.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 94–3763 Filed 2–17–94; 8:45 am]

BILLING CODE 8010–01–M

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**[Rel. No. IC–20069; No. 812–8576]**

## New York Life MFA Series Fund, Inc., et al.

February 10, 1994.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of Application for an Order under the Investment Company Act of 1940 ("1940 Act").

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**APPLICANTS:** New York Life MFA Series Fund, Inc. (the "Fund"); New York Life Insurance and Annuity Corporation ("NYLIAC"); and NYLIAC's separate accounts, MFA Separate Account I ("MFA I"), NYLIAC MFA Separate Account II ("MFA II"), NYLIAC Variable Annuity Separate Account I ("NYLIAC I"), NYLIAC Variable Annuity Separate Account II ("NYLIAC II"), New York Life Insurance and Annuity Corporation VLI Separate Account ("NYLIAC VLI"), NYLIAC Variable Universal Life Separate Account I ("NYLIAC VUL I"), and NYLIAC Variable Universal Life Separate Account II ("NYLIAC VUL II") (together, "Separate Accounts"); (collectively, "Applicants").

**RELEVANT 1940 ACT SECTION:** Order requested under section 17(b) granting exemptions from the provisions of section 17(a) of the 1940 Act.

**SUMMARY OF APPLICATION:** Applicants seek an order that would permit the Fund's Money Market Portfolio to merge into the Fund's Cash Management Portfolio.

**FILING DATE:** The application was filed on September 15, 1993 and amended and restated on January 7, 1994.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the Application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on March 8, 1994, and should be accompanied by proof of service on Applicant in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the requestor's interest, the reasons for the request, and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

**ADDRESSES:** Secretary, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Applicant 1740 Broadway, New York, 10019.

**FOR FURTHER INFORMATION CONTACT:** Yvonne M. Hunold, Senior Counsel (202) 272–2676, or Michael V. Wible, Special Counsel (202) 272–2060, Office of Insurance Products (Division of Investment Management).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application; the complete application is available for a fee from the Commission's Public Reference Branch.

### Applicant's Representations

1. NYLIAC, a stock life insurance company, is a wholly-owned subsidiary of New York Life Insurance Company ("New York Life"), a mutual life insurance company. NYLIAC is licensed to sell insurance and annuities in all states and in the District of Columbia.

2. The Fund is an open-end, diversified management investment company, organized as a series investment company as defined by Rule 18f-2 under the 1940 Act. The Fund currently is comprised of eight portfolios: Capital Appreciation, Government, Indexed Equity, Bond, Total Return, Cash Management, Money Market, and Common Stock Portfolios (collectively, "Portfolios"). Fund shares have been sold only to Separate Accounts established by NYLIAC to fund its variable life insurance and variable annuity contracts. Fund shares also will be sold in the future to other separate accounts of NYLIAC or its affiliates, or separate accounts of unaffiliated insurance companies.

3. MFA I, MFA II, NYLIAC I, and NYLIAC II are the Separate Accounts that fund NYLIAC's variable annuity contracts, while NYLIAC VLI, NYLIAC VUL I and NYLIAC VUL II fund NYLIAC's variable life insurance contracts (together, "Contracts"). Each Separate Account is a registered unit investment trust under the 1940 Act.

Contract owners may elect to have their investment allocated among the Separate Accounts' investment divisions ("Divisions"), which correspond to the Fund's eight portfolios. Presently, MFA I and II and NYLIAC VLI invest in the Money Market, Common Stock and Bond Portfolios, while NYLIAC I and II, and NYLIAC VUL I and II invest in the Cash Management, Indexed Equity, Capital Appreciation, Total Return, and Government Portfolios. As of December 15, 1993, NYLIAC I and II also made available the Common Stock and Bond Portfolios as investment options.

4. Two of the Fund's eight Portfolios, the Money Market and Cash Management Portfolios, are proposed to be merged. Money Market Portfolio shares currently are held only by MFA I, MFA II and NYLIAC VLI shareholders. New Contracts which invest in the Money Market Portfolio are being sold by MFA I and MFA II in only one state, and only until NYLIAC's new variable annuity is approved in that state. Sales of variable life insurance contracts funded by NYLIAC VLI ceased on July 1, 1988. The Cash Management Portfolio is currently available to present and future shareholders of NYLIAC I, NYLIAC II, NYLIAC VUL I, and NYLIAC VUL II.

5. The Money Market and Cash Management Portfolios' investment objectives are nearly identical: "maximum current income consistent with preservation of capital and maintenance of liquidity" for the Money Market Portfolio, and "as high a level of current income as is considered consistent with the preservation of capital and liquidity" for the Cash Management Portfolio.

6. Net assets as of June 30, 1993 and November 30, 1993, were $19,196,617 and $23,701,649, respectively, for the Cash Management Portfolio, and $45,853,329 and $41,114,420, respectively, for the Money Market Portfolio. As of June 30, 1993, the combined pro forma assets were $65,049,946, giving effect to the proposed reorganization at the then net asset value per share.

7. Both the Money Market and the Cash Management Portfolios rely on Rule 2a-7 under the 1940 Act to value their portfolio securities on the amortized cost basis. Rule 2a-7 requires, among other things, that all portfolio securities have at the time of purchase a maximum remaining maturity of 13 months and that a portfolio maintain a dollar weighted portfolio maturity of not more than 90 days. As of June 30, 1993, the dollar weighted portfolio maturities were 27.13 days for the Money Market Portfolio and 60.53 days for the Cash Management Portfolio. For the 7-day period ending June 30, 1993, the yields on an annual basis before expenses, including investment advisory and other expenses, were 3.17% for the Money Market Portfolio and 3.23% for the Cash Management Portfolio. After payment of such expenses, the yields were 2.90% and 2.61%, respectively, with an expense reimbursement (applicable only to the Cash Management Portfolio), and would have been 2.90% and 2.11%, respectively, without reimbursement. The rates of return for the Money Market Portfolio for the past 5 years are as follows:

| | Rate of return (percent) |
|---|---|
| Eleven Months Ending 11/30/93 .. | 2.62 |
| Year Ending 1992 ..... | 3.49 |
| Year Ending 1991 ..... | 5.74 |
| Year Ending 1990 ..... | 7.95 |
| Year Ending 1989 ..... | 8.93 |
| Year Ending 1988 ..... | 7.36 |

The rate of return for the Cash Management Portfolio for the ten month, one day period from January 29, 1993 (inception) to November 30, 1993, is 2.17%.

8. New York Life provides investment advice and related services to the Money Market Portfolio under an investment advisory agreement approved on October 23, 1984, for a fee equal on an annual basis to 0.25% of the average daily value of the aggregate net assets of the Portfolios. The Money Market Portfolio also must pay certain additional operating expenses, which amounted to .01% during 1992. For years ended December 31, 1990, 1991, and 1992, the Money Market Portfolio's ratio of expenses to average net assets was 0.26% in each year. The Money Market Portfolio is not subject to an expense reimbursement agreement.

9. MacKay-Shields Financial Corporation ("MacKay-Shields"), an indirect wholly-owned subsidiary of New York Life, is the investment adviser to the Cash Management Portfolio, for which it is paid a fee equal to 0.25% annually of the average daily net assets. NYLIAC is the administrator of the Cash Management Portfolio and is paid an annual fee for its services equal to 0.20% of the Portfolio's average daily net assets. NYLIAC has entered into an expense reimbursement agreement effective through the earlier of (1) December 31, 1996, or (ii) such time as the Cash Management Portfolio has $250 million in assets, limiting to 0.17% annually the "other expenses" of the Cash Management Portfolio (i.e., expense incurred in addition to the investment advisory and administration fees). The total expense ratio for the Cash Management Portfolio, for the period from inception of the Portfolio on January 29, 1993 and ending June 30, 1993, would have equaled 1.24% before reimbursement and was .62% after reimbursement. The combined total expense ratio for the Cash Management and Money Market Portfolios, absent reimbursement, would have been 1.062%, if the merger had taken place at the beginning of the year.

10. Applicants submit that the total fees paid by the Money Market Portfolio are at lower rates than the current industry standard for similar products and lower than the fees paid by the Cash Management Portfolio because insurance related investment products represented a new direction for New York Life when shares of the Money Market Portfolio were initially offered. New York Life has since delegated most of its advisory functions to its subsidiary, MacKay-Shields. New York Life also has determined that it will only manage new insurance related investment products at a fee which is similar to the rates charged by it to most of the other investment companies in the NYLIAC group of funds.

11. The Applicants propose to merge the Money Market and Cash Management Portfolios under a Plan of Merger ("Plan") that was unanimously approved by the Fund's Board of Directors ("Board"), including a majority who are not interested persons of the Fund of NYLIAC. The stated principal purposes of the merger are to eliminate the redundancy caused by the similarity of the Money Market and Cash Management Portfolios' investment objectives, to counter the effects of the anticipated decline in premium payments received under Contracts which permit allocation to the Money Market Portfolio, reduce management and transaction costs and improve investment performance.

12. The Board has determined that the interests of Contract owners indirectly invested in the Money Market and Cash Management Portfolios will not be diluted and that the proposed merger is in the best interests of each affected Portfolio and its shareholders. The Board unanimously concluded that the benefits of the merger to Contract owners who can currently allocate premiums to the Money Market Portfolio outweigh the benefit of the lower fee currently assessed on the Money Market Portfolio (compared to the higher fees of the Cash Management Portfolio) because of expected economies of scale and cost savings

which will be reflected in improved future performance of the Cash Management Portfolio. Because shares of the Money Market Portfolio are no longer being sold, the assets in that Portfolio, absent the merger, would decline as a result of surrenders and annuitizations. The merger allows new monies from the sale of shares of the Cash Management Portfolio to be combined with the existing Money Market Portfolio assets resulting in economies of scale. The investment adviser also will be better equipped to make investment decisions and manage cash flows where the size of the Portfolio is larger and where monies are flowing in, as well as out, of the fund. Additionally, certain expenses incurred by each Portfolio will be reduced on a percentage basis as the funds are combined.

13. The Plan was approved at a Special Meeting of Fund shareholders held on December 14, 1993, with 77.6% voting in favor, 15.6% opposing and 6.8% abstaining. The affirmative vote of two-thirds of the outstanding shares of the Money Market Portfolio was required to approve the transaction. Contract owners with cash value in the Divisions of the Separate Accounts that invest in the Money Market Portfolio as of the record date were sent a proxy statement containing information relating to the proposed Merger and related transactions and were asked to vote on the proposed Merger.

14. Under the Plan, on the closing date (December 14, 1993, or such later date as may be agreed upon by the parties), the Cash Management Portfolio would acquire all the assets and liabilities of the Money Market Portfolio in exchange for issuance of shares of the Cash Management Portfolio. Each shareholder of the Money Market Portfolio will receive shares of the Cash Management Portfolio equal in net asset value at the date of the exchange to the net asset value of the shareholder's Money Market Portfolio shares then outstanding. Thereafter, expenses paid by such shareholders will be those applicable to the Cash Management Portfolio, which are higher than those of the Money Market Portfolio. The shares of the Cash Management Portfolio issued under the Plan have been registered under the 1933 Act.

15. The future cash value of Contracts indirectly invested in the Money Market Portfolio will reflect the investment performance and expenses of the Cash Management Portfolio. Otherwise, the proposed merger will have no economic impact on Contract values, fees or charges under these Contracts or the rights or interest of owners. The proposed merger also will not have adverse tax consequences for the Contract owners. No gain or loss will be recognized by the Money Market or Cash Management Portfolios or the shareholders thereof as a result of consummation of the merger. Applicants will receive an opinion of tax counsel as to these representations. The holding period and tax basis of the shares of the Cash Management Portfolio received by a shareholder will be the same as the holding period and tax basis of the shareholder's shares of the Money Market Portfolio.

**Applicants' Legal Analysis**

1. The Applicants request that the Commission issue an order under section 17(b) of the 1940 Act exempting the proposed Plan from the provisions of section 17(a) of the Act to the extent necessary to permit the Cash Management Portfolio to acquire substantially all of the assets of the Money Market Portfolio in exchange for shares of the Cash Management Portfolio.

2. Section 17(a)(1) of the 1940 Act prohibits any affiliated person of a registered investment company, or any affiliated person of such person acting as principal, from knowingly selling any security or other property to that company. Section 17(a)(2) of the 1940 Act generally prohibits such affiliated persons from knowingly purchasing any security or other property from the registered investment company.

3. The proposed Merger may result in transactions prohibited by section 17(a) because of potential affiliations among the Portfolios. NYLIAC, through the Separate Accounts, technically owns 100% of the outstanding shares of each Portfolio and, thus, may be considered a "5% affiliate" of each Portfolio, as defined in section 2(a)(3) of the 1940 Act.[1] Each Portfolio consequently would be an affiliated person of an affiliated person (i.e., NYLIAC), and transactions between the Portfolios thus may be subject to the prohibitions of Section 17(a).

An affiliation between the Portfolios also may arise if they are considered to be under the "common control" of NYLIAC. As part of the same Fund, the Portfolios each have common directors and officers as well as a common investment adviser. Because NYLIAC organized the Fund, each Portfolio also could be deemed under NYLIAC's common control. If the Portfolios are considered under common control, they would be affiliated persons of one another.

4. Section 17(b) of the 1940 Act requires the Commission to grant an order, upon application, exempting proposed transactions otherwise prohibited by section 17(a), if evidence establishes that:

(1) The terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned;

(2) The proposed transaction is consistent with the policies of each registered investment company concerned, as recited in its registration statements and reports filed under the 1940 Act; and

(3) The proposed transaction is consistent with the general purposes of the 1940 Act.

The Applicants represent that the Plan and the proposed transactions satisfy these tests.

5. The Fund's Board, including a majority of the disinterested Directors, reviewed, evaluated and approved the terms of the proposed merger, including the consideration to be paid or received by all parties. The Board determined that the Plan will be in the best interests of the shareholders of, and of Contractowners indirectly invested in, each affected Portfolio. The Board also determined that the consummation of the proposed Plan will not result in the dilution of the current interests of any such shareholder or Contractowner.

6. The Board considered the following factors, among others: expense ratios and published information regarding the fees and expenses of the affected Portfolios and of similar funds; the comparative investment performance of the Money Market and Cash Management Portfolios; the terms and conditions of the proposed Plan and whether it would result in a dilution of shareholder interests; costs incurred by the Portfolios as a result of the proposed transactions; and tax consequences of the proposed Plan. The Board noted, in particular: (a) The potential benefits to shareholders and owners; (b) the virtual indistinguishable investment objectives, policies, restrictions and investment holdings of the affected Portfolios; (c) the terms and conditions of the proposed Plan which might affect the price of shares (or owner interests) to be exchanged; and (d) direct or indirect costs to be incurred by the affected Portfolios or shareholders or owners invested in such Portfolios.

[1] Section 2(a)(3) of the 1940 Act defines the term "affiliated person," in relevant part, as: (A) Any person directly or indirectly owning, controlling, or holding with power to vote, 5 per centum or more of the outstanding voting securities of such other person; (B) any person 5 per centum or more of whose outstanding voting securities are directly or indirectly owned, controlled, or held with power to vote, by such person; (C) any person directly or indirectly controlling, controlled by, or under common control with, such other persons; * * *

7. As noted above, the Money Market Portfolios is available for allocation by owners of variable annuities funded by MFA I and MFA II and by owners of variable life insurance contracts funded by NYLIAC VLI. Sales of flexible premium annuity contracts commenced on January 23, 1984 and ceased on September 1, 1989. Sales of the single premium annuity contracts are being suspended on a state-by-state basis as variable annuities issued out of NYLIAC I and NYLIAC II are introduced. Sales of such Contracts are currently being made in only one state. Premiums received under new contracts and additional premiums under old contracts have been at the following levels during the past three and one-half years:

PREMIUMS RECEIVED UNDER CONTRACTS

[In thousands of dollars]

| | New | Old | Total |
|---|---|---|---|
| Year Ending 12/31/90 . | $42,979 | $39,468 | $82,447 |
| Year Ending 12/31/91 . | 34,926 | 35,074 | 70,000 |
| Year Ending 12/31/92 . | 55,821 | 34,009 | 89,830 |
| Six Months Ending 06/30/93 . | 23,259 | 21,165 | 44,424 |

Sales of variable life insurance policies commenced on February 1, 1984 and ceased on July 1, 1988. Additional premiums received under old policies have been at the following levels during the past three and one-half years:

PREMIUMS RECEIVED UNDER CONTROLS

| | New | Old | Total |
|---|---|---|---|
| Year Ending 12/31/90 ..... | N/A | $6,207,877 | $6,207,877 |
| Year Ending 12/31/91 ..... | N/A | 5,623,161 | 5,623,161 |
| Year Ending 12/31/92 ..... | N/A | 5,059,180 | 5,059,180 |
| Six Months Ending 06/30/93 ..... | N/A | 2,330,924 | 2,330,924 |

8. The Board considered the recent trend of premium payments and expectations of future premium payments under the Contracts offering the Money Market Portfolio as an investment option. The Board concluded that action is necessary to provide Contract owners certain benefits and avoid certain adverse impact on these owners. The Board believes that less money will be allocated to the Money Market Portfolio as new premiums decline and existing contracts are surrendered. Consequently, Contract owners invested in the Money Market Portfolio would be adversely affected because a smaller portfolio cannot achieve the portfolio diversification and other management efficiencies associated with a larger portfolio. In contrast, a merger of the Money Market and Cash Management Portfolios, together with the expectation of additional premiums being allocated to the Cash Management Portfolio through receipt of new premiums under old Contracts, and sales of new contracts which permit allocation to that portfolio, should result in a larger portfolio which can be managed more effectively.

9. As noted above, the expense ratio of the Cash Management Portfolio currently is higher than that of the Money Market Portfolio. The Board believes, however, that this small detriment is outweighed by the benefits of having a larger portfolio. Moreover, New York Life provides advisory services and bears almost all of the expenses of the Money Market Portfolio under an advisory agreement which it can terminate without penalty on 60 days notice. Although the Board has no reason to believe that New York Life intends to do so, if the proposed merger is not consummated and New York Life terminates the current advisory agreement, the Board will consider such alternative advisory arrangements as are deemed appropriate and submit their recommendations to the shareholders of the Money Market Portfolio.

10. As noted above, the investment objectives of the Portfolios to be merged, although not the same, are, in the opinion of the Board, for all intent and purposes, identical as are the expected rates of return. For the seven-day period ending June 30, 1993, the annualized gross yields (excluding investment advisory and other expenses) were 3.17% for the Money Market Portfolio, and 3.23% for the Cash Management Portfolio.

11. The proposed merger will not affect the price of outstanding shares of the Cash Management Portfolio, or the Contract values or interests of Contract owners indirectly invested therein. The transfer of Money Market Portfolio assets to the Cash Management Portfolio in exchange for issuance of Cash Management Portfolio shares will be made at relative net asset values of the Portfolios on the closing date. The aggregate value of shares to be issued to the Money Market Divisions will equal the aggregate value of shares held by those Divisions immediately prior to the proposed merger. Thus, the aggregate value of outstanding units of interest of the Money Market Division will not change on the closing date as a result of the share exchange phase of the proposed merger. Further, the aggregate value of such units supporting the cash value of each Contractowner invested in those Divisions immediately prior to the merger will remain unchanged immediately after the share exchange phase of the merger. The share exchange phase of the proposed merger will impose no tax liability upon any shareholders or Contract owners and will not dilute the interests of shareholders or Contract owners currently invested in the Money Market or Cash Management Portfolios.

12. NYLIAC will pay all of the direct and indirect expenses of the proposed Plan. Although MacKay-Shields, New York Life and NYLIAC may derive some benefits as a result of the proposed Plan, the expenses of that Plan will not dilute investors' interests.

13. Notwithstanding the prohibitions of section 17(a), Rule 17a–8 under the 1940 Act permits mergers, consolidations or purchases or sales of substantially all of the assets involving registered investment companies which may be affiliated persons, or affiliated persons of affiliated persons, solely by reason of having a common investment adviser, common directors and/or common officers. The exemption provided by Rule 17a–8 is conditioned upon a determination by a majority of Directors who are not interested persons that (a) participation in the transaction is in the best interests of that registered investment company, and (b) the interests of the existing shareholders of that registered investment company will not be diluted as a result of the transaction.

14. Given the potential affiliations described above, the Portfolios may be deemed to be affiliated persons of one another for reasons other than that they have a common investment adviser, common directors, and/or common officers. The Portfolios each may be an affiliated person of an affiliated person because NYLIAC may be a 5% affiliate of each Portfolio. Further, the Portfolios may be direct affiliates of each other if they are considered under the common control of NYLIAC. Because of these potential affiliations, the Fund and the Portfolios may not be able to rely on

Rule 17a–8. Nevertheless, the Board evaluated the relevant considerations and determined that the Plan will comply with the conditions that Rule 17a–8 requires for the protection of investment companies and their shareholders. Applicants believe that the Plan more closely resembles the situations encompassed by Rule 17a–8, rather than other situations which the Rule deliberately excludes, because NYLIAC does not have voting control of any shares and, therefore, the share exchange phase of the proposed merger is no more susceptible to overreaching or to the taking of unfair advantage of investors than is any transaction covered by Rule 17a–8.

15. The Fund submits that the share exchange phase of the Plan will comply with all of the conditions that Rule 17a–8 requires for the protection of investment companies and their shareholders and agrees to the grant of the order requested herein being specifically conditioned on the Fund's Board having made the requisite determinations that the participation of the Money Market and Cash Management Portfolios in the proposed Plan is in the best interests of each Portfolio and that such participation will not dilute the interests of shareholders or owners invested in the affected Portfolios. The basis of these findings will be recorded in the Fund's minute book.

16. For the reasons set forth above, the merger, which has been approved by the shareholders and Contract owners invested in the Money Market Portfolio, will be consistent with the policies of the Money Market and Cash Management Portfolios as recited in the Fund's registration statement and reports filed under the 1940 Act. Further, the Plan is consistent with the general purposes of the 1940 Act as stated in the Findings and Declaration of Policy in Section 1 of the 1940 Act. The merger does not present any of the conditions or abuses that the 1940 Act was designed to mitigate or eliminate. In particular, Section 1(b)(6) of the 1940 Act states that the national public interest and the interest of investors are adversely affected when investment companies are reorganized without the consent of their security holders. The proposed merger, as noted above, has been approved by the owners of two-thirds of the outstanding shares of the Money Market Portfolio. Contract owners with cash value in the Money Market Divisions received a proxy statement containing all material disclosures, including a description of all material aspects of the merger and copies thereof. The shares of the Money Market Portfolio held by MFA I and II, and NYLIAC VLI, will be replaced with shares of the Cash Management Portfolio simultaneously with the proposed merger of the two Portfolios. The share exchange phase of the proposed merger is, thus, consistent with the general purposes of the 1940 Act.

**Conclusion**

1. Applicants represent that the terms of the proposed merger, including the consideration to be paid and received, are reasonable and fair and do not involve overreaching on the part of any person concerned. In particular, the share exchange phase will not dilute the interests of shareholders or Contract owners currently invested in any of the Portfolios involved in the merger. Further, the merger will result in no tax liability to Contract owners.

2. Applicants also represent that the proposed merger will be consistent with the policies of the Separate Accounts as recited in their current registration statements and reports filed under the 1940 Act and with the general purposes of the 1940 Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 94–3704 Filed 2–17–94; 8:45 am]

BILLING CODE 8010–01–M

## DEPARTMENT OF STATE

**[Public Notice 1951]**

### Defense Trade Advisory Group; Open Meeting

**SUMMARY:** Pursuant to section 10(a)(1) of the Federal Advisory Committee Act (FACA), notice is hereby given of a meeting of the Defense Trade Advisory Group (DTAG). The DTAG, established in February 1992 pursuant to the FACA (Public Law 92–463; 5 U.S.C. app. I), is an advisory committee consisting of private sector defense trade specialists. They advise the Department on policies, regulations, and technical issues affecting defense trade.

The meeting will include speakers from the Bureau of Political-Military Affairs; reports on DTAG Working Group progress, accomplishments, and future projects; and unclassified briefings on topics of interest to defense exporters.

**DATES:** The open session will take place on Thursday, March 17, 1994 from 9 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held in the Loy Henderson Conference Room, U.S. Department of State, 2201 C Street, NW., Washington, DC 20520.

**SUPPLEMENTARY INFORMATION:** Members of the public may attend the open session as seating capacity allows, and will be permitted to participate in the discussion in accordance with the Chairman's instructions.

As access to the Department of State is controlled, persons wishing to attend the meeting must notify the DTAG Executive Secretariat by Friday, February 25, 1994. Each person should provide his or her name, company or organizational affiliation, date of birth, and social security number to the DTAG Secretariat at telephone number (202) 647–4231 or fax number (202) 647–4232 (Attention: Eva Chesteen). Attendees must carry a valid photo ID with them. They should enter the building through the C-Street diplomatic entrance (21st and C Streets, NW.), where Department personnel will direct them to the Loy Henderson auditorium.

For further information, contact Linda Lum of the DTAG Secretariat, U.S. Department of State, Office of Export Control Policy (PM/EXP), Room 2422 Main State, Washington, DC 20520–2422. She may be reached at telephone number (202) 647–4231 or fax number (202) 647–4232).

Dated: February 8, 1994.

**Martha C. Harris,**

*Deputy Assistant Secretary for Export Controls, Bureau of Political-Military Affairs.*

[FR Doc. 94–3805 Filed 2–17–94; 8:45 am]

BILLING CODE 4710–25–M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**[Summary Notice No. PE–94–8]**

### Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR chapter I), dispositions of certain petitions previously received, and corrections.

The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 10, 1994.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3132.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frederick M. Haynes, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3939.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on February 14, 1994.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

**Dispositions of Petitions**

*Docket No.:* 26610
*Petitioner:* Mr. Dennis Buehn
*Sections of the FAR Affected:* 14 CFR 91.313(a)
*Description of Relief Sought/ Disposition:* To continue to permit Flying Boat, Inc., d.b.a. Chalks International Airline, to conduct air carrier flight crew member training in their Grumman HU–16B, which holds a restricted airworthiness certificate.
Grant, February 4, 1994, Exemption No. 5428A

*Docket No.:* 26730
*Petitioner:* New York Helicopter
*Sections of the FAR Affected:* 14 CFR 135.244(a)(1)
*Description of Relief Sought/ Disposition:* To extend the termination date of Exemption No. 5507 which granted relief from the operating requirements of § 135.244(a)(1) of the FAR to the petitioner and its pilots-in-command.
Denial, February 7, 1994, Exemption No. 5839

*Docket No.:* 26780
*Petitioner:* Air Transport Association of America
*Sections of the FAR Affected:* 14 CFR 121.337
*Description of Relief Sought:* To extend Exemption No. 5407 to continue to allow the petitioner and other similarly situated all cargo operators relief from the requirement to install Protective Breathing Equipment in each Class A, B, and E cargo compartment.
Grant, January 28, 1994, Exemption No. 5407B

*Docket No.:* 27555
*Petitioner:* Suburban Air Freight, Inc.
*Sections of the FAR Affected:* 14 CFR 135.143(c)(2)
*Description of Relief Sought:* To allow the petitioner to operate without a TSO–C112 (Mode S) transponder installed on its aircraft operating under the provisions of part 135.
Grant, February 1, 1994, Exemption No. 5837

[FR Doc. 94–3738 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

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**[Summary Notice No. PE–94–7]**

## Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petitions for exemption received and of dispositions of prior petitions.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before March 10, 1994.

**ADDRESSES:** Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC–200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC–200), room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3132.

**FOR FURTHER INFORMATION CONTACT:** Mr. Frederick M. Haynes, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3939.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on February 14, 1994.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

**Petitions for Exemption**

*Docket No.:* 24041
*Petitioner:* Butler Aircraft Co.
*Sections of the FAR Affected:* 14 CFR 91.529(a)(1)
*Description of Relief Sought/ Disposition:* To extend Exemption No. 2989 to continue to permit the petitioner to operate its McDonnell Douglas DC–6 and DC–7 aircraft without a flight engineer during flight crew training, ferry, and test flights conducted in preparation for firefighting operations under part 137.

**Dispositions of Petitions**

*Docket No.:* 26936
*Petitioner:* Woods Air Fuel, Inc.
*Sections of the FAR Affected:* 14 CFR 91.1
*Description of Relief Sought/ Disposition:* To permit the petitioner to operate its McDonnell Douglas DC–6A, S/N 43522, aircraft at a 5 percent increased zero fuel weight and landing weight for the purpose of distributing fuel by air service within the State of Alaska under the terms of part 91.
Denial, December 17, 1993, Exemption No. 5812

[FR Doc. 94–3739 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–13–M

## Federal Highway Administration

### Environmental Impact Statement: Multiple Counties, Alabama

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that two Environmental Impact Statements will be prepared for a proposed highway that will traverse the northern section of the State of Alabama.

**FOR FURTHER INFORMATION CONTACT:** Mr. Joe D. Wilkerson, Division Administrator, Federal Highway Administration, 500 Eastern Boulevard, Suite 200, Montgomery, Alabama 36117–2018, Telephone (205) 223–7370.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the State of Alabama Department of Transportation, will prepare two Environmental Impact Statements (EIS's) for Project DPS–A002(001). The proposal is to construct a multi-lane, limited access roadway that will function as a major segment of a Memphis to Atlanta transportation corridor. The facility will provide a direct link between the two metropolitan areas.

The facility, approximately 273.58 kilometers (170 miles) in length, will be divided into two segments for location studies and assessment of environmental impacts. Two Environmental Impact Statements will be prepared, one for the western part of the route, approximately 120.7 kilometer (75 miles) in length, from the existing four-lane facility near the Alabama/Mississippi State line and extending to an undetermined point near Interstate Highway 65 near Huntsville, Alabama and the second Impact Statement written for the eastern part of the project, approximately 152.9 kilometers (95 miles) in length, beginning at an undetermined point near Interstate Highway 65 near Huntsville, Alabama, and extending to the four-lane facility near the Alabama/Georgia border. There will be coordination in the location and environmental studies to establish a common location at I–65.

Alternatives under consideration include: (1) Alternate route locations, (2) a no action alternative, and (3) postponing the action Alternative.

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 an interest in this proposal. A series of public meetings will be held beginning in early 1994. In addition, public hearings will also be held. Public notice will be given of the time and place of the meetings and hearings. The Draft Environmental Impact Statements will be available for public and agency review and comment prior to the public hearings.

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's should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program)

**Joe D. Wilkerson,**

*Division Administrator, Montgomery, Alabama.*

[FR Doc. 94–3698 Filed 2–17–94; 8:45 am]

**BILLING CODE 4910–22–M**

## National Highway Traffic Safety Administration

### Research and Development Programs Meeting

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** This notice announces a public meeting at which NHTSA will describe and discuss specific research and development projects and requests suggestions for agenda topics.

**DATES AND TIMES:** The National Highway Traffic Safety Administration will hold a public meeting devoted primarily to presentations of specific research and development projects on March 23, 1994, beginning at 1:30 p.m. and ending at approximately 5 p.m. The deadline for interested parties to suggest agenda topics is 4:15 p.m. on March 1, 1994. Questions may be submitted in advance regarding the Agency's research and development projects. They must be submitted in writing by March 16, 1994 to the address given below. If sufficient time is available, questions received after the March 16 date will be answered at the meeting in the discussion period. The individual, group or company asking a question does not have to be present for the question to be answered. A consolidated list of the questions submitted by March 16 will be available at the meeting and will be mailed to requesters after the meeting.

**ADDRESSES:** The meeting will be held at the Ramada Inn, near Detroit Metro, 8270 Wickham Rd., Romulus, MI 48174. Suggestions for specific R&D topics as described below and questions for the March 23, 1994, meeting relating to the Agency's research and development programs should be submitted to George L. Parker, Associate Administrator for Research and Development, NRD–01, National Highway Traffic Safety Administration, room 6206, 400 Seventh St. SW., Washington, DC 20590. The fax number is 202–366–5930.

**SUPPLEMENTARY INFORMATION:** NHTSA intends to provide detailed presentations about its research and development programs in a series of quarterly public meetings. The series started in April, 1993. The purpose is to make available more complete and timely information regarding the Agency's research and development programs. This fifth meeting will be held on March 23, 1994.

NHTSA requests suggestions from interested parties on the specific agenda topics. NHTSA will base its decisions about the agenda, in part, on the suggestions it receives by close of business at 4:15 p.m. on March 1, 1994. Before the meeting, it will publish a notice with an agenda listing the research and development topics to be discussed. NHTSA asks that the suggestions be taken from the list below and that they be limited to five, in priority order, so that the presentations at the March 23 R&D meeting can be most useful to the audience. Please note that almost all of these topics have been discussed at the previous four meetings to some extent and that presentations at the fifth meeting will be reports on current status, results, and plans.

Specific Crashworthiness R&D topics are:

Improved frontal crash protection
Highway traffic injury studies
Head and neck injury research
Thorax injury research
Human injury simulation and analysis
Crash test dummy component development
Vehicle agressivity and fleet compatibility
Upgrade side crash protection
Upgrade seat and occupant restraint systems
Child safety research
Electric and alternate fuel vehicle safety

Specific Crash Avoidance R&D topics are:

Truck crashworthiness/occupant protection
Truck tire traction
Portable data acquisition system for crash avoidance research

Systems to enhance EMS response (automatic collision notification)
Vehicle motion environment
Crash causal analysis
Longer combination vehicle safety
Drowsy driver monitoring
Driver workload assessment
Performance guidelines for IVHS systems (approach)

Specific topics from the National Center for Statistics and Analysis are:

New data elements for FARS and NASS
Special crash investigations program regarding air bag performance
Pedestrian special NASS data collection project
Critical Outcome Data Evaluation System (CODES)—Linkage of databases on police accident reporting and medical outcomes.

This meeting is following on the next day by the regular quarterly NHTSA Technical Industry Meeting, which is being announced in a separate notice.

Questions regarding research projects that have been submitted in writing not later than close of business on March 16, 1994, will be answered as time permits. A transcript of the meeting, copies of materials handed out at the meeting, and copies of the suggestions offered by commenters will be available for public inspection in the NHTSA Technical Reference Section, room 5108, 400 Seventh Street, SW., Washington, DC 20590. Copies of the transcript will then be available at 10 cents a page, upon request to NHTSA Technical Reference Section. The Technical Reference Section is open to the public from 9:30 a.m. to 4 p.m.

NHTSA will provide technical aids to participants as necessary, during the NHTSA Industry Research and Development Meeting. Thus any person desiring assistance of "auxiliary aids" (e.g. sign-language interpreter, telecommunication devices for deaf persons (TTDs), readers, taped texts, braille materials, or large print materials and/or a magnifying device), please contact Barbara Coleman on 202/366–1537 by COB March 16, 1994.

**FOR FURTHER INFORMATION CONTACT:** Dr. Richard L. Strombotne, Special Assistant for Technology Transfer Policy and Programs, Office of Research and Development, 400 Seventh Street, SW., Washington, DC 20590. Telephone: 202–366–4730. Fax number: 202–366–5930.

Issued: February 10, 1994.

**George L. Parker,**

*Associate Administrator for Research and Development.*

[FR Doc. 94–3710 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–59–M

## Research and Special Programs Administration

### International Standards on the Transport of Radioactive Materials; Public Meeting

**AGENCY:** Research and Special Programs Administration (RSPA), Department of Transportation.

**ACTION:** Notice of public meeting.

**SUMMARY:** This notice is to advise interested persons that RSPA will conduct a public meeting to discuss U.S. positions for issues to be considered at the tenth meeting of the International Atomic Energy Agency Standing Advisory Group on Safe Transport of Radioactive Material (SAGSTRAM).

**DATES:** March 9, 1994.

**ADDRESSES:** Room 6204, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:** George Brown, Chief, Radioactive Materials, Office of Hazardous Materials Transportation, Department of Transportation, Washington, DC 20590–0001; (202) 366–4545.

**SUPPLEMENTARY INFORMATION:** This meeting will be held to discuss U.S. positions for issues to be considered at the upcoming tenth meeting of SAGSTRAM to be held March 21 to 25, 1994, in Vienna, Austria. Topics to be covered include—

1. The impact of the new recommendations proposed by the International Commission on Radiological Protection (ICRP) and the draft of the IAEA Basic Safety Standards on the "Regulations for Safe Transport of Radioactive Material," IAEA Safety Series #6;

2. Mode-related aspects of the Regulations e.g. air transport of large quantities of radioactive materials and sea transport of irradiated nuclear fuel and other hazardous radioactive materials; and

3. Provisions for the transport of uranium hexafluoride also covering the chemical hazards.

The public is invited to attend without prior notification.

### Documents

Copies of documents related to the issues to be covered at the tenth meeting of SAGSTRAM may be obtained from RSPA. A listing of these documents is available on the Hazardous Materials Information Exchange (HMIX), RSPA's computer bulletin board. Documents may be ordered by filling out an on-line request form on the HMIX or by contacting RSPA's Dockets Unit (202–366–4453). For more information on the use of the HMIX system, contact the HMIX information center; 1–800–PLANFOR (752–6367); in Illinois, 1–800–367–9592; Monday through Friday, 8:30 a.m. to 5 p.m. Central time.

Issued in Washington, DC, on February 15, 1994.

**Alan I. Roberts,**

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 94–3731 Filed 2–17–94; 8:45 am]

BILLING CODE 4910–60–M

## UNITED STATES INFORMATION AGENCY

### AR Local Government Project

**AGENCY:** United States Information Agency.

**ACTION:** Notice—request for proposals.

**TITLE:** Public Administration at the Municipal Level: A Program for the American Republics.

**SUMMARY:** The Office of Citizen Exchanges (E/P) announces a competitive grants program for non-profit organizations to develop programs in the area of local government/public administration. The project should link the U.S. organization's international exchange interests with counterpart institutions or groups in the American Republics.

Interested applicants are urged to read the complete **Federal Register** announcement before addressing inquiries to the Office or submitting their proposals. After the deadline for submitting proposals, USIA officers may not discuss this competition in any way with applicants until final decisions are made.

**ANNOUNCEMENT NAME AND NUMBER:** All communications concerning this announcement should refer to the AR LOCAL GOVERNMENT PROJECT. This announcement number is *E/P–94–24.* Please refer to this title and number in all correspondence or telephone calls to USIA.

**DATES:** Deadline for Proposals: All copies must be received at the U.S. Information Agency by 5 p.m., Washington, DC time on March 24, 1994. Faxed documents will not be accepted, nor will documents postmarked March 24, 1994, but received at a later date.

It is the responsibility of each grant applicant to ensure that proposals are received by the above deadline. The grant project activity should begin after July 1, 1994.

**ADDRESSES:** The original and 14 copies of the completed application and

required forms should be submitted by the deadline to: U.S. Information Agency, Ref: AR Local Government Project (E/P–94–24), Grants Management Division (E/XE), 301 4th Street, SW., room 336, Washington, DC 20547.

**FOR FURTHER INFORMATION CONTACT:** Interested organizations, institutions should contact: Benjamin Cromer, American Republics and East Asia and Pacific Division, Office of Citizen Exchanges (E/P), room 220, United States Information Agency, 301 Fourth Street, SW., Washington, DC 20547. Please telephone 202–619–5326 or fax 202–619–4350 to request detailed application packets, which include award criteria, all necessary forms, and guidelines for preparing proposals, including specific budget preparation.

**Objectives of the AR Local Government Training Program**

The Office of Citizen Exchanges (E/P) of the United States Information Agency proposes a two-way exchange program for municipal officials from the American Republics to study U.S. public administration. This exchange will involve two components: A two-week U.S. study tour by a delegation from the American Republics with a follow-on visit to the region by U.S. public administration experts. The U.S. tour will include stops in Washington and several small and large cities and towns; in Washington, the delegation would meet with officials of such organizations such as the U.S. League of Cities and the U.S. Conference of Mayors.

*Program Guidelines:* National governments in the American Republics are increasingly decentralizing government, transferring such essential services as health care and education from the federal and state level to the cities. Moreover, these governments are looking toward the U.S. for successful models to assist them in these efforts.

Reforms currently underway in the region include modernization of local administrative operations, and improvements in sanitation, education, and social services. Furthermore, in Argentina, the Interior Ministry has unveiled new political reforms aimed at cities, such as granting legal status to municipal political parties and giving voters the power to recall elected officials. Assisting and influencing these developments is an invaluable investment in democracy building and another tool in the fight against official corruption in Latin America.

USIA is interested in proposals for programs that will foster effective administration of local and regional governments in the region. Programs might examine and seek to improve relationships among local executive, legislative, and judicial elements, or they might address the knowledge and skills necessary to administer one or more of these branches of local government.

Program topics could include judicial administration, budget development, financial management, tax policies and mechanisms, election practices, management of municipal services, privatization of government property, consumer protection, business regulation (as opposed to control), licensing, or environmental protection. Programs might further the development of information and library systems relevant to local government or improve committee and staff structures of local governments.

Study tours could examine specific issues such as city-state and state-federal relations, explaining how local governments implement state and federal programs, and the workings of city administrations, exploring how cities can increase efficiency, reduce costs, improve services, and satisfy local environmental concerns such as sewage treatment and recycling requirements.

Training in the American Republics should be conducted mostly in local centers, preferably those outside the capital city. Projects should lay the groundwork for new and continuing links between professional organizations in the U.S. and the American Republics.

The political climate facing U.S. cities, including municipal elections participation by citizens in local elections, and the roles of city managers, mayors, and city councils, is another aspect that should be addressed.

Pursuant to the Bureau's authorizing legislation, grant programs must maintain a non-political character and should be balanced and representative of the diversity of American political, social and cultural life.

*Selection of Participants:* Participants will be selected by USIS Posts. Delegates should speak Spanish, or if they are from a non-Spanish speaking country in Latin America, understand Spanish. Elected and appointed officials from the Southern Cone region will be given higher priority in the selection process, however, delegates from other countries in the American Republics such as Colombia and Venezuela can be included. Moreover, countries such as Honduras and Venezuela that have recently introduced direct elections of local officials will be given higher priority.

Delegates will also be selected for their ability to influence local public administration in their home country. For instance, Argentinean participants may be members of the National Academy of Public Administration, which is establishing an Institute of City Administration in Argentina, or from provinces where reforms are in place. A byproduct of the program will be the interaction among delegates who will be able to discuss common problems, and potential solutions, with their peers.

This project will be executed by a U.S. not-for-profit institution that, through its proposal, illustrates extensive experience and success in coordinating international exchange programs. U.S. organizations with established working relationships with counterpart institutions in the American Republics will receive priority consideration under this competition. At the conclusion of this exchange, the grantee will conduct participant evaluations and submit a final report to USIA.

*Funding:* Competition for USIA funding support is intense. Selection of a grantee institution is based on the substantive nature of the program proposal; the applicant's professional capability to carry the program through to successful conclusion; and cost effectiveness such as in-kind contributions and the ability to keep overhead costs at a minimum.

USIA can devote up to $175,000 for this project; however, organizations with fewer than four years of successful experience in managing international exchange programs are limited to $60,000, and their budget submission should correspond to this limitation.

All proposals should demonstrate in-depth, substantive knowledge of the relevant issues, established connections with partner institutions, and the capacity to organize and conduct the program. Organizational abilities include: appropriate orientation activities for the participants; detailed work plan for all phases of the project, tentative agendas for study tours, workshops, and internships; letters of commitment from internship hosts; and selection procedures.

Applicants may wish to consult the USIS office at the appropriate U.S. Embassy before submitting proposals.

USIA will give priority to proposals from U.S. organizations with partner organizations in the American Republics that can help ensure the program meets its goals and objectives. Applicants are encouraged to demonstrate partner relationships by providing copies of correspondence or

other materials as appendices to proposals.

Moreover, these partner institutions are encouraged to provide cost-sharing or significant in-kind contributions such as local housing, transportation, interpreting, translating and other local currency costs and to assist with the organization of projects.

*Materials Development:* USIA encourages the development, where needed, of written, audio and video materials in the local language to enhance the programs. For example, if not already available, glossaries of specialized terms in local government or public administration might be developed.

*Scope:* Proposals should limit their focus to local governance. Proposals for programs that are broader in scope will be eligible, but are less likely to receive USIA support. USIA encourages proposals that feature "train the trainers" models; the creation of indigenous training centers; schemes to create professional networks or professional associations to disseminate information; and other enduring aspects.

*Participant Selection:* All grant proposals must clearly describe the type of persons who will participate in the program as well as the process by which participants will be selected.

Programs in support of internships in the U.S. must include letters tentatively committing host institutions to support the internships. In the selection of all foreign participants, USIA and USIS Posts retain the right to nominate participants and to accept or deny participants recommended by the program institution.

While applicants must provide an all-inclusive budget with the proposal, they may also include separate sub-budgets for each program component, phase, location, or activity. Competition for USIA funding support is keen. Please note: All participants will be covered under the terms of a USIA-sponsored health insurance policy. The premium is paid by USIA directly to the insurance company.

*The following costs are eligible for funding:*

1. Transportation costs. International and domestic air fares, visas, transit costs, and ground transportation costs are eligible for funding.

2. Per Diem. For the U.S. program, organizations have the option of using a flat $140/day for program participants or the published U.S. Federal per diem rates for individual American cities. For activities outside the U.S., the published federal per diem rates must be used.

**Note:** Grantee staff must use the published federal per diem rates, not the flat rate.

3. Interpreters. Interpreters for the U.S. program are provided by the U.S. State Department Language Services Division. Generally, two simultaneous interpreters are provided for every four visitors who need interpretation. USIA grants do not pay for foreign interpreters to accompany delegations from their home country. Grant proposal budgets should contain a flat $140/day per diem for each Department of State (DOS) interpreter, as well as home-program-home air transportation of $400 per interpreter plus any U.S. travel expenses during the program. Salary expenses for interpreters are covered elsewhere and should not be part of an applicant's proposed budget.

4. Book and cultural allowance. Participants are entitled to a one-time cultural allowance of $150 per person, in addition to a book allowance of $50. Escorts are reimbursed for actual cultural expenses up to $150. U.S. staff do not receive these allowances.

5. Consultants. Consultants may be employed to provide specialized expertise or to make presentations. Generally, honoraria should not exceed $250 per day.

Subcontracting organizations may also be used, in which case the written agreement between the prospective grantee and subcontractor should be included with the proposal.

6. Room rental. Room rental generally should not exceed $250 per day.

7. Materials development. Proposals may contain costs to purchase, develop, and translate materials for participants.

8. One working meal per project. Per capita costs may not exceed $5–$8 for a lunch and $14–$20 for a dinner; this amount includes room rental if applicable. The number of invited guests may not exceed participants by more than a factor of two to one.

9. A return travel allowance of $70 for each participant. This allowance is for incidental expenditures incurred during international travel.

10. Costs for an audit. The proposal MUST include the cost of an audit that:

a. Complies with the requirements of OMB circular No. 1–133, Audits of Institutions of Higher Education and Other Nonprofit Institutions;

b. Complies with the requirements of the American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92–9; and

c. Includes review by the recipient's independent auditor of a recipient-prepared supplemental schedule of indirect cost rate computation, if such a rate is being proposed.

The audit costs shall be identified separately for:

a. Preparation of basic financial statements, and other accounting services; and

b. Preparation of the supplemental reports and schedules required by OMB Circular No. A–133, AICPA SOP 92–9, and the review of the supplemental schedule of indirect cost rate computation.

11. Cost-sharing. Cost-sharing in the form of allowable direct or indirect costs is encouraged. The recipient must maintain written records to support all allowable costs claimed as being its contribution to cost participation, as well as costs to be paid by the U.S. government. Such records are subject to audit.

The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A–110, Attachment E, "Cost-sharing and Matching" and should be described in the proposal. In the event the recipient does not provide the minimum amount of cost sharing as stipulated in the recipient's budget, the Agency's contribution will be reduced in proportion to the recipient's contribution.

*Application Requirements:* Proposals must be structured in accordance with the instructions contained in the application package.

*Review Process:* USIA acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the application packet. Eligible proposals will be forwarded to panels of USIA officers for advisory review. Proposals are reviewed by USIS posts and by USIA's Office of American Republics. Proposals may also be reviewed by the Office of General Counsel or other Agency offices. Funding decisions are at the discretion of the Associate Director for Educational and Cultural Affairs. Final technical authority for grant awards resides with USIA's contracting officer.

The award of any grant is subject to availability of funds. The U.S. Government reserves the right to reject any or all applications received. USIA will not pay for design and development costs associated with submitting a proposal. Applications are submitted at the risk of the applicant; should circumstances prevent award of a grant all preparation and submission costs are at the applicant's expense.

*USIA will not award funds for activities conducted prior to the actual grant award.*

*Review Criteria:* USIA will consider proposals based on the objectives stated in this RFP, as well as the following criteria:

1. *Quality of Program Idea:* Proposals should exhibit originality and relevance to USIA's mission, and demonstrate a clearly defined need.

2. *Institutional Ability/Capacity/Record:* Applicants should demonstrate the potential for program excellence by documenting previous successful programs. If an organization is a former USIA grant recipient, responsible fiscal management and full compliance with all reporting requirements for past USIA grants is essential.

3. *Project Personnel:* Thematic and logistical expertise should be relevant to the proposed program. Resumes included with the proposal should reflect this relevance.

4. *Program Planning:* A detailed work plan should provide time-lines for the accomplishment of each phase of the project and clearly demonstrate how the grantee institution will meet these deadlines. In addition, the work plan should indicate how it will accomplish project goals.

5. *Thematic Expertise:* Proposals should demonstrate the organization's expertise in the subject area.

6. *Cross-Cultural Expertise and Area Expertise:* Proposals should show evidence of sensitivity to historical, linguistic, and other cross-cultural factors, as well as relevant knowledge of the target area/country.

7. *Multiplier Effect/Follow-On Activities:* Proposed programs should strengthen long-term mutual understanding, facilitate sharing of information, and establish long-term institutional and individual relationships. Proposals should also reflect an institution's commitment to continued exchange activity beyond the term of the USIA grant.

8. *Cost-Effectiveness:* Overhead and administrative costs should be kept as low as possible. All other items proposed for USIA funding should be necessary and appropriate to achieve the program's objectives.

9. *Cost-Sharing:* Proposals should maximize cost-sharing through other private sector support as well as direct funding contributions and/or in-kind support from the prospective grantee institution.

10. *Project Evaluation:* Proposals should include a plan to evaluate the activity's success. The applicant should include a draft of a questionnaire or other evaluation technique to demonstrate which evaluation method will be utilized. Applicants will be expected to submit intermediate reports after each project component is concluded, or quarterly, whichever is less frequent.

**Note:** The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by USIA that contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the U.S. Government. Awards cannot be made until funds have been fully appropriated by the U.S. Congress and allocated and committed through internal USIA procedures. Applicants will be notified of the results of the review process on or about June 1, 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 10, 1994.

**Barry Fulton,**

*Acting Associate Director, Bureau of Educational and Cultural Affairs.*

FR Doc. 94–3679 Filed 2–17–94; 8:45 am]

BILLING CODE 8230–01–M

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## Title: Russia-U.S. Teacher Exchange Program (RUSTEP)

**AGENCY:** United States Information Agency.

**ACTION:** Notice—request for proposals.

**SUMMARY:** The Office of Academic Programs [E/A] of the United States Information Agency [USIA] invites applications from U.S. educational, cultural, and other not-for-profit organizations, with a minimum of four years experience in successfully administering international exchange programs, to arrange U.S. teaching assignments and programming for 25 experienced Russian teachers in U.S. schools, colleges, and universities; to monitor the Russian teachers in the participating U.S. schools and colleges/universities during academic year 1994–95; to identify five experienced American teachers to teach in Russia; and to provide program evaluations. Consortia of U.S. non-profit organizations may also collaboratively develop program proposals in response to this announcement. Only one organization or consortium will be awarded the grant.

This program may be funded by the Freedom Support Act and final awards are subject to the availability of FY94 funds.

**DATES:** *Deadline for proposals:* All copies of proposals for grants under this request must be received at the U.S. Information Agency by 5 p.m. Washington, DC time on March 18, 1994. Faxed documents will not be accepted, nor will documents postmarked on March 18 but received at a later date. It is the responsibility of each grant applicant to ensure that its proposal is received by the above deadline.

*Approximate program dates* (participants' arrival and departure): August, 1994 to end of the academic year in May or June 1995.

*Duration:* The award will begin approximately four months prior to participants' arrival date in August, 1994, for which period only administrative costs concerned with recruitment, placement and orientation planning will be allowed. The termination date will be approximately three months following participants' departure to their home countries. No funds may be expended until the agreement is signed.

**ADDRESSES:** The original, four fully tabbed copies (Tabs A–U), and 10 copies (Tabs A–D) of the completed application, including required forms, should be submitted in the format described in the Bureau's application package and mailed to: U.S. Information Agency, Ref: Freedom Support—Teacher Exchange, Grants Management Division, E/XE, room 336, 301 4th Street, SW., Washington, DC 20547.

**FOR FURTHER INFORMATION CONTACT:** Interested organizations/institutions should contact Ilo-Mai Harding, Teacher Exchange Branch, E/ASX, room 353, 301 4th Street SW., Washington, DC 20547, telephone: (202) 619–4556, fax (202) 401–1433, to request detailed application packets, which include award criteria additional to this announcement, all necessary forms, and guidelines for preparing proposals, including specific budget preparation information, and the Attachment Checklist outlining the contents of a complete application package.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Bureau's authorizing legislation, programs must maintain a non-political character and should be balanced and representative of the diversity of American political, social, and cultural life.

### Overview

Grant funding is intended to provide an opportunity for 25 experienced Russian teachers from secondary schools and pedagogical institutes to actively teach in U.S. classrooms, experience community life in the United States, and develop projects in such areas as teaching methodologies, curricula, and/or text book writing for use in Russia. The grant also provides for five experienced U.S. teachers to introduce teaching methodologies, curricula, and/or text book writing

approaches to Russian secondary schools and pedagogical institutes. USIA is interested in proposals that foster long-term linkages between U.S. high schools and colleges/universities and comparable Russian schools and pedagogical institutes. The participating U.S. schools and colleges/universities should reflect a broad institutional and geographic diversity. Additionally, in selecting the participating host institutions, the recipient institution should be mindful of USIA's goal to reflect the cultural and ethnic diversity of the U.S. in all programs. While the benefits of the exchange may be directly enjoyed by the Russian participants, the American institutions and individuals will also gain from the cultural and professional expertise which these Russian educators are able to offer.

**Guidelines**

*Eligibility:* U.S. non-profit educational, cultural, and other not-for-profit organizations with a minimum of four years experience in successfully administering international exchange programs are eligible to apply.

Program planning and administration: The recipient organization will be responsible for activities related to the identification of host U.S. educational institutions, placement of Russian teachers therein, identification of U.S. teachers to be assigned in Russia, and all program logistics, as described below, orientation coordination, coordination of one mid-program seminar, monitoring in the U.S., and program evaluation.

The following factors should be considered and addressed in detail in proposals which are submitted by applicants:

A. The recruitment and selection of host U.S. educational institutions: USIA will be responsible for the final approval of all participating host institutions. The recipient organization will be responsible for:

—Identifying U.S. secondary schools and accredited institutions of higher education to host the selected Russian participants;
—Working with U.S. institutions to devise constructive teaching assignments in the teachers' fields of expertise; and
—Assuring that host institution officials will identify affordable housing, to be paid for with each participant's USIA stipend.

The recipient organization will place no fewer than 25 teachers in separate schools/colleges. Some placements will be for one full academic year and some for one semester: The specific number of each will be determined by USIA. The organization must demonstrate the capacity to secure quality school/college placements. The proposal must include a description of the process the organization will use to make school/college placements.

To reflect the diversity of the country, placements will be spread all across the U.S. At the same time, the recipient organization may concentrate groups of teachers in clusters of two to three in a given area or region. The purpose of clustering is to facilitate periodic gatherings, networking among participants, and coordination of programming and excursions, as well as monitoring and feedback. All proposals must identify the target regions, states and/or communities in which placements will be sought.

During the exchange period, participants should have sole responsibility for no more than three courses (two at the post-secondary level) at one time and should be given opportunities to observe, team teach and serve as cultural resources. Outside of the assigned school setting, participants should be provided opportunities to visit other school systems, interact in the community and possibly attend courses at local universities.

The host institution will be expected to provide a buddy system and mentorship by at least one administrator, appropriate orientation activities, appropriate days of leave for professional development and language training, and other considerations which are valuable to international visitors.

Each teacher will be required to work on and complete by the end of his/her tenure a project designed to capture his/her educational experiences in the United States and to enhance teaching practices in Russia. Examples of such projects are: Writing textbooks, developing new curriculum, or comparing methodologies. Following guidelines provided by USIA, through the recipient organization, the host institutions will be expected to provide support and guidance as well as sufficient time to complete the project.

B. The placement of Russian candidates: USIA will be responsible for final selection of all Russian participants. Candidates will be recruited by an independent organization based in Russia, under contract with USIA. The U.S. recipient organization will be responsible for:

—Reviewing the Russian dossiers; and
—Placing the teachers in appropriate institutions after securing the approval of a candidate by the host institution.

Selected participants will be fluent in English. The majority of participants will be experienced teachers of social sciences. Other fields from which participants will be drawn include English as a foreign language, business, math and science. Courses to be taught could include topics such as English as a Second Language, Russian culture and/or Russian literature, and statistics.

C. The identification of American educators to teach in Russia: USIA will be responsible for final selection of all U.S. participants. The U.S. recipient institution will be responsible for:

—Soliciting applications from secondary and post-secondary educators associated with the participating institutions (U.S. institutions hosting Russian educators);
—Developing an application form using existing USIA models; and
—Communicating with an independent organization based in Russia, contracted by USIA, who is responsible for the placement of U.S. teachers in Russian institutions.

Applicants must meet the qualifications deemed necessary by USIA. Some placements will be for an academic year and some for one semester: The specific number of each will be determined by the recipient institution in consultation with USIA.

D. Logistics, Orientation and Maintenance in the U.S.: The recipient will be responsible for:

—Arranging in-bound and out-bound international travel for all participants;
—Coordinating domestic transportation in Russia to and from the point of international travel with USIA designated organization in Moscow;
—Arranging U.S. domestic and local travel for all participants;
—Preparing and sending necessary pre-departure orientation materials to all participants;
—Assisting U.S. teachers in acquiring Russian visas;
—Conducting a three-day orientation program in Washington, D.C. for all participants;
—Conducting a two-day, mid-program seminar on teaching methodologies and curriculum development for the Russian participants;
—Providing sufficient guidelines (such as time-lines, standards, and responsibilities) to both the host institution and the Russian educator throughout the conception, development and completion of the individual projects;
—Gathering these projects to be part of the final evaluation report to USIA;

—Disbursing stipend in three installments, with the first installment larger than subsequent amounts to allow for "settling-in" expenses;
—Administering tax withholding and reporting as required by Federal, State, and local authorities and in accordance with relevant tax treaties;
—Providing assistance to Russian participants regarding tax procedures;
—Disbursing books/materials allowance checks and providing teachers with guidance for use of this materials grant;
—Purchasing computers and software, including electronic communication capabilities (which will be usable and serviceable in Russia) for use during and after the program;
—Providing more than adequate training for Russian participants in the use of basic software, especially electronic communications; and
—Communicating clearly the guidelines and information regarding visa regulations and the participants' expedient return upon completion of the program;
—Enrolling participants in USIA insurance programs and preparing insurance identification cards.

The organization's approach to the Washington, D.C. orientation and mid-term seminar, in terms of program and logistics, should be described.

Proposed Budget: Grant-funded items of expenditure will include, but are not limited to, the following categories:

Program Costs:

—A stipend of $2,000 per month for each Russian and U.S. teacher for basic support and housing expenses;
—A book allowance of $1,000 for each Russian and U.S. teacher to purchase U.S. educational materials for donation to the Russian home/host institutions;
—A personal computer for each Russian and U.S. teacher to use during the program and subsequently donate to the Russian home/host institution;
—International and domestic (in Russia and U.S.) transportation for each Russian and U.S. teacher from the home city to orientation, from orientation to the city of assignment, and return to the home city;
—A three-day orientation program in Washington, DC for U.S. and Russian participants, including lodging, meals, speaker fees, materials, facilities, local transportation, etc.;
—Preparation and shipment of pre-department orientation materials;
—A two-day, mid-program seminar for the Russian participants, including domestic and local transportation, lodging, meals, speaker fees, materials, facilities, etc.;
—Computer training and other professional development; and
—Tax withholdings, if necessary.

Administrative costs:

—Salaries and benefits;
—Communications (e.g., fax, telephone, postage);
—Office supplies;
—If necessary, administration of tax withholding and reporting as required by Federal, State, and local authorities and in accordance with relevant tax treaties;
—Audit expenses, as outlined below;
—Other direct costs; and
—Indirect costs.

Administrative costs should be kept low; this will be an important factor in the grant competition. Organizations must submit a comprehensive line item budget. Details are available in the application packet. Organizations should be familiar with OMB Circulars A110, A122/A–21 and A133/A–128 on cost accounting principles.

Cost sharing is strongly encouraged. Cost sharing may be in the form of allowable direct or indirect costs. The recipient must maintain written records to support all allowable costs which are claimed as begin its contribution to cost participation, as well as costs to be paid by the federal government. Such records are subject to audit.

The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A110, Attachment E. Cost sharing and matching should be described in the proposal. In the event the recipient does not provide the minimum amount of cost sharing as stipulated in the recipient's budget, the Agency's contribution will be reduced in proportion to the recipient's contribution.

The recipient's proposal shall include the cost of an audit that:

(1) Complies with the requirements of OMB Circular No. A–133, Audits of Institutions of Higher Education and Other Nonprofit Institutions;

(2) Complies with the requirements of American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92–9; and

(3) Includes review by the recipient's independent auditor of a recipient-prepared supplemental schedule of indirect cost rate computation, if such a rate is being proposed.

The audit costs shall be identified separately for:

(1) Preparation of basic financial statement and other accounting services; and

(2) Preparation of the supplemental reports and schedules required by OMB Circular No., A–133, AICPA SOP 92–9, and the review of the supplemental schedule of indirect cost rate computation.

*Review process:* USIA will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the application packet. Eligible proposals will be forwarded to panels of USIA officers for advisory review. All eligible proposals will also be reviewed by the appropriate geographic area office, and the budget and contract offices. Proposals may also be reviewed by the Agency's Office of General Counsel.

Funding decisions are at the discretion of the Associate Director of Educational and Cultural Affairs. Final technical authority for grant awards resides with the Agency's Office of Contracts.

*Review Criteria:* Technically eligible applications will be competitively reviewed according to the following criteria:

1. Reasonable, Feasible, and Flexible Objectives: Proposals should clearly demonstrate how the institution will meet the program's purposes as outlined in this RFP.

2. Multiplier Effect/Impact: Proposed programs should strengthen long-term mutual understanding, to include maximum sharing of information and establishment of long-term institutional and individual linkages.

3. Cost Effectiveness: The overhead and administrative components of grants, as well as salaries and honoraria, should be kept as low as possible. All other items should be necessary and appropriate. Proposals should maximize cost-sharing through other private sector support as well as institutional direct funding contribution.

4. Institutional Capacity: Proposed personnel and institutional resources should be adequate and appropriate to achieve the program or project's goals.

5. Institution's Track Record/Ability: Proposals should demonstrate a track record of successful programs, including responsible fiscal management and full compliance with all reporting requirements for past Agency grants as determined by USIA's Office of Contracts (M/KG). The Agency will consider the past performance of prior recipients and the demonstrated potential new applicants.

6. Follow-on Activities: proposals may provide an independent plan for continued activity (without USIA

support) and communication which insures that USIA supported programs are not isolated events.

7. Evaluation Plan: Proposals should provide a plan for evaluation by the recipient institution.

8. Geographic Diversity: The Agency will seek to provide geographic diversity through the placement in the United States.

9. Organizational Restrictions: The Agency will need to consider any restrictions an organization may have on their acceptance of teachers for the placement program. If no restrictions are mentioned and explained in the proposal, the organization is obligated to accept any participant assigned by the Agency.

10. Organizational Standing: An organization submitting a proposal should be in good standing with USIA and the Council on Standards for International Educational Travel.

11. Re-entry Training: The proposal should demonstrate the organization's understanding of the importance of re-entry training and describe the content of the proposed program.

*Notice:* The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by the Agency that contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the Government. Final award cannot be made until funds have been fully appropriated by Congress, allocated and committed through internal USIA procedures.

The winning organization may be asked to conduct a second and possibly third year of the RUSTEP, depending upon the organization's performance during year one and the availability of program funds.

*Notification:* All applicants will be notified of the results of the review process in April, 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 10, 1994.

**Barry Fulton,**

*Acting Associate Director, Bureau of Educational and Cultural Affairs.*

[FR Doc. 94–3678 Filed 2–17–94; 8:45 am]

BILLING CODE 8230–01–M

## Russian Teaching Assistants Program (RTAP) in the United States

**AGENCY:** United States Information Agency.

**ACTION:** Notice—request for proposals.

**SUMMARY:** The United States Information Agency (USIA) invites applications from U.S. educational, cultural, and other not-for-profit organizations, to arrange a teaching assistantship program primarily for a full academic year for up to 60 young Russian graduate students and recent graduates of pedagogical institutions. The program should provide participants with assistantships to teach at U.S. post-secondary institutions under professional supervision and expose them to U.S. teaching methods, teaching aids, curricula, and technology used at both the secondary and post-secondary levels.

This program is funded by the Freedom Support Act, and final awards are subject to the availability of FY 94 funds.

**DATES:** Deadline for proposals. All copies must be received at USIA by 5 p.m. Washington, DC time, on March 18, 1994. Faxed documents will not be accepted, nor will documents postmarked March 18 but received at a later date. It is the responsibility of each applicant to ensure that proposals are received by the above deadline.

Approximate program dates (participants' arrival and departure): August 26, 1994, to end of the academic year in May or June 1995.

Duration: The award will begin approximately four months prior to participants' arrival date in August 1994. The termination date will be approximately three months following participants' departure. No funds may be expended until the agreement is signed.

**ADDRESSES:** Three originals, containing tabs A–U (see "Application Checklist" in Application Package), and 10 copies, containing tabs A–D, of the completed proposal are to be submitted in the format described in the Bureau's Application Package and mailed to: U.S. Information Agency, Ref.: Russian Teaching Assistants Program (RTAP) in the U.S., Grants Management Division, E/XE, room 336, 301 4th Street, SW., Washington, DC 20547.

**FOR FURTHER INFORMATION CONTACT:** Interested U.S. organizations should contact Dr. Katherine Passias at the U.S. Information Agency, Advising, Teaching, and Specialized Programs Division, Fulbright Teacher Exchange Branch (E/ASX), room 353, 301 4th St., SW., Washington, DC 20547, telephone: (202) 619–4556, to request detailed application packets, which include award criteria additional to this announcement, all necessary forms, and guidelines for preparing proposals, including specific budget preparation information, and the Attachment Checklist outlining the contents of a complete application package.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Bureau's authorizing legislation, programs must maintain a nonpolitical character and should be balanced and representative of the diversity of American political, social, and cultural life.

### Overview

U.S. institutions applying for the Russian Teaching Assistants Program (RTAP) cooperative agreement must have a minimum of four years experience in successfully administering international exchange programs. The RTAP should provide assistantships in U.S. post-secondary institutions for up to 60 Russian graduate students and recent graduates of pedagogical institutions in the fields of social sciences, business education, and English as a foreign language. The program should expose teaching assistants to U.S. teaching methods and approaches at both secondary and post-secondary levels under the supervision of experienced U.S. teachers in the respective fields of specialization. The program should provide opportunities for participants to take courses for credit or non-credit to broaden their knowledge in their field(s) of specialization and about U.S. institutions, culture and society. The RTAP experience should also enhance the teaching assistants' understanding of the U.S. educational and political institutions, society and culture. While the benefits of the exchange will be directly felt by the Russian teaching assistants, U.S. institutions and individuals will also gain from the cultural and professional expertise which these Russian teaching assistants have to offer. The host institution may also utilize the teaching assistants as resource persons in Russian language and culture or as occasional lecturers in courses related to the Russian language, society and culture. Participants will have a good working knowledge of English.

Placements should be primarily for a full academic year in two-year and four-year U.S. colleges and universities, which may include accredited schools of business and technical institutes. Under special circumstances, one semester placements may be considered, but should be kept to a minimum. Participants should be placed as assistants to one or two professors for no more than three different courses, preferably two, in a given subject area,

and allowed to take a minimum of two courses for credit or non-credit.

Host institutions' cost sharing of educational and living expenses of the teaching assistants while they are on campus is mandatory in this program. The recipient organization will be responsible for the following functions:

1. Negotiating host institutions' tuition waivers and campus or other housing costs;

2. Making round-trip international travel arrangements for participants from points of departure in Russia to Washington, DC;

3. Meeting participants upon arrival;

4. Arranging a three-day orientation program in Washington, DC, at the beginning of the program and a one-day debriefing/re-entry program in Washington, DC, prior to participants departure for Russia;

5. Disbursing the following stipends under the cooperative agreement:

a. A monthly stipend of $900 for each participant to cover meals, incidentals and miscellaneous educational costs,

b. A one-time settling-in allowance of $200, and

c. A one-time educational book allowance of $300; and

6. Procuring from U.S. private-sector donations, or purchasing at minimal cost, new or used personal computers for the Russian participants.

**Guidelines**

*Eligibility:* U.S. non-profit educational, cultural, and other not-for-profit organizations that have a minimum of four years experience with international exchange programs are eligible to apply. The project director or key program staff responsible for the administration of RTAP must have demonstrated expertise in conducting successful exchange programs, preferably with some expertise in U.S.-Russian exchanges. The recipient organization's staff traveling under USIA cooperative agreement support must be U.S. citizens with demonstrated qualifications for this service.

*Program planning and administration:* The recipient organization will perform administrative and program functions to successfully place up to 60 Russian teaching assistants in regionally accredited post-secondary institutions with the review and approval of USIA.

Proposals submitted by applicants must address in detail the activities listed below as well as other administrative activities deemed necessary to successfully carry out this program:

*A. The recruitment, selection, and placement in U.S. post-secondary institutions:* The recipient organization will be solely responsible for identifying accredited two-year and four-year colleges and universities, including schools of business and technical institutes, to host selected participants and for negotiating the terms of the assistantships. Placements should be for one full academic year at the post-secondary level. Single semester placements may be considered but should be kept to a minimum. The recipient organization must demonstrate the capability to secure quality post-secondary placements and ensure that host institutions will abide by the RTAP guidelines and accept the cost-sharing arrangements required by the program.

U.S. colleges and universities participating in RTAP should reflect broad institutional and geographic diversity throughout the U.S. Additionally, in selecting participating host institutions, the recipient organization should be mindful of USIA's goal to reflect the cultural and ethnic diversity of the U.S.

The recipient organization will generate an application packet for U.S. host institutions. Application packets going to prospective host institutions should request detailed information about the availability of assistantships for the Russian participants, including the title of the course(s), the department within the institution awarding the assistantship, the terms of their cost-sharing agreement signed by an authorizing official, and how they will use the participants as resource persons. The USIA Fulbright Teacher Exchange Branch can offer guidance on developing application packets for the host institutions.

**Note:** USIA contacts in Russia will generate an application packet for the Russian teaching assistants and recruit and screen applicants. Applications with supporting documents to be used for placement purposes in the U.S. will be sent to the U.S. recipient organization through USIA.

*B. Orientation and Debriefing/re-entry Programs:* The recipient organization will be responsible for planning and organizing, in consultation with USIA, a three-day orientation program at the beginning of the program and a one-day debriefing/re-entry program at the end of the program in Washington, DC.

**Note:** These are program days and do not include arrival and departure days to respective sites.

A campus site in the D.C. area is highly recommended for these activities. The orientation program content and format will be subject to approval by the USIA program office and should be planned in consultation with that office. The orientation activities should include a general introduction to American culture, society, education systems and institutions; teaching methods in the social sciences, business education, and English as a foreign language; and a thorough briefing of the RTAP program requirements and guidelines.

For the debriefing/re-entry program at the end of the academic year, the recipient organization will be responsible for a two- to three-hour re-entry discussion session USIA program office staff present. The USIA program office will be responsible for conducting an oral evaluation of the program and a briefing about Agency educational materials and resources available to participants abroad through the USIA cultural service in Russia, the U.S. Information Service (USIS).

The recipient organization will also generate an orientation packet for the Russian teaching assistants about the RTAP program and studying and living in the U.S., which may be mailed to the participants prior to their departure for the U.S. The USIA program office can provide the recipient organization with sample orientation materials of similar programs.

*C. Evaluation and Follow-up:* The recipient organization will be required to evaluate the effectiveness of the program and submit a summary of the findings to the USIA program office. Two evaluation instruments should be developed, one to be completed by the RTAP participants and another by the host institutions. The evaluation instruments should be submitted to USIA for review and approval.

*D. Administration Logistics:* The recipient organization will be responsible for arranging round-trip international travel from points of departure to Washington, DC, and U.S. domestic travel from Washington, DC, to the campus site of assigned host institutions; assisting participants with their return travel when necessary; coordinating all aspects of the orientation and debriefing/re-entry programs; meeting participants upon arrival in Washington, DC; disbursing monthly stipends (which may be disbursed on a quarterly basis) and other allowances; preparing and sending necessary pre-departure orientation materials; briefing participants on USIA medical insurance coverage and U.S. government tax regulations; and monitoring the teaching assistants while on campus to ensure that the program guidelines are observed.

The recipient organization will also be required to liaise with the USIA contact office in Moscow responsible for

recruiting the Russian participants to coordinate international travel arrangements and orientation program dates in Washington, DC.

*Application Requirements:* Proposals must be submitted by the deadline and must conform to the eligibility requirements and academic fields identified in this announcement. In addition to the required tabs (A–U) of the "Application Checklist" included in the complete application package, proposals should also include:

1. A complete program schedule and timeline and a plan for reviewing and selecting U.S. colleges and universities. (Note: The Agency will participate in the final review process.)

2. Provisions for a "multiplier effect," i.e., future follow-up and networking between the Russian participants and the appropriate U.S. educational, community and scholarly organizations and institutions.

**Proposed Budget**

Applicant organizations must submit a comprehensive line item budget, including derivational costs for each item. Administrative and participant program costs must be listed separately. Budget details are available in the application packet. Administrative costs, including indirect costs, should be kept as low as possible. Administrative costs should be prorated over the entire grant period (approximately fifteen months), indicating percentage of time required for each major administrative function within the required time frame to successfully carry out that function, e.g., percent of time required for recruitment, placement, and planning and organizing the Washington orientation and debriefing/re-entry programs, etc.

The USIA cooperative agreement will provide a stipend of $900 per month for each participant for the entire grant period, which should not exceed ten months, to cover meals, other educational and living expenses, and incidental expenses, a one-time settling-in allowance of $200, and a one-time book allowance of $300. Host institutions' tuition waiver and campus or other housing accommodations, should be included in the budget as host institutions' estimated cost-sharing for each item. Procurement of private-sector-donated personal computers should also be included as a cost-sharing item, or as a cost item as appropriate. Administration of tax withholding and reporting required by Federal, State and Local authorities and in accordance with relevant tax treaties are allowable costs.

Per diem and domestic travel for the Washington, DC programs should be budgeted as separate items. Budgets that do not allocate administrative and program costs consistent with the budget instructions will not be considered. The Agency reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program, which may be imposed by social or economic changes in Russia during the grant period. Administrative costs should be kept as low as possible. Cost effectiveness should be an important consideration in developing total budget costs. Organizations should be familiar with grant regulations described in OMB Circulars A110, A122/A–21 and A133/A128.

Cost-sharing of the recipient organization may be in the form of allowable direct or indirect costs. The recipient must maintain written records to support all allowable costs which are claimed as being its contribution to cost participation, as well as costs to be paid by the Federal Government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A110, Attachment E—Cost Sharing and Matching and should be described in the proposal. In the event the recipient does not provide the minimum amount of cost sharing as stipulated in the recipient's budget, the Agency's contribution will be reduced in proportion to the recipient's contribution. Programs must conform to all Agency requirements, eligibility factors and budget guidelines contained in the application package, and are subject to final review by the USIA contracting officer.

The recipient's proposal shall include the cost of an audit that:

(1) Complies with the requirements of OMB Circular No. A–133, Audits of Institutions of Higher Education and Other Nonprofit Institutions;

(2) Complies with the requirements of American Institute of Certified Public Accountants (AICPA) Statement of Position (SOP) No. 92–9; and

(3) Includes review of the recipient's independent auditor of a recipient-prepared supplemental schedule of indirect cost rate computation, if such a rate is being proposed.

The audit costs shall be identified separately for:

(1) Preparation of basic financial statements and other accounting services; and

(2) Preparation of the supplemental reports and schedules required by OMB Circular No. A–133, AICPA SOP 92–9, and the review of the supplemental schedule of indirect cost rate computation.

**Review Process**

USIA will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the application packet. Eligible proposals will be forwarded to panels of USIA officers for advisory review. All eligible proposals will also be reviewed by USIA's geographic area office, and the budget and contracts offices. Proposals may also be reviewed by the Agency's General Counsel. Funding decisions are at the discretion of the Associate Director for Educational and Cultural Affairs. Final technical authority for USIA cooperative agreement awards resides with USIA's contracting officer.

**Review Criteria**

Technically eligible applications will be competitively reviewed according to the following criteria:

1. Overall quality: The content, definition, organization, and detailed planning of all aspects of the program; appropriateness of program plan and content to program objectives; in-depth knowledge of the U.S. educational community; experience and expertise of the project director and professional staff assigned to the program; evidence of understanding of Russian culture and civilization and cross-cultural needs of participants.

2. Program planning: Rigor of logistical planning of all components of the program, including the Washington, DC, orientation; adequacy, relevancy and appropriateness of the program plan to achieve program objectives; evidence of administrative capabilities (with specific discussion of how administrative and logistical arrangements will be undertaken); and strategy to ensure availability, adequacy, and appropriateness of host institutions' housing and other institutional support consistent with program guidelines and objectives.

3. Institutional capacity: Adequacy of proposed resources, including professional staff and available educational network(s), to successfully administer RTAP.

4. Institution's Track Record/Ability: Clear evidence of applicant institution's track record of successful programs and experience with similar international exchange programs and preferably with some experience with U.S.-Russian exchanges. Demonstrated expertise of

the Project Director to assume the administration of this program.

5. Evaluation and follow-up: Adequacy of an evaluation plan to determine the effectiveness of the program, which should include monitoring procedures and evaluation instruments to be completed at the end of the program by RTAP teaching assistants and host institutions; and adequacy of the follow-up procedures and provisions for "multiplier effect," i.e., future follow-up and networking between the Russian participants and the appropriate U.S. educational, community and scholarly organizations and institutions.

6. Cost-effectiveness: The overhead and administrative components of the program, as well as salaries and honoraria, should be kept as low as possible. All other items should be necessary and appropriate. In-kind contributions should also be considered.

7. Cost-sharing: Proposals should maximize cost-sharing through host institutions and other private sector support as well as institutional direct funding contributions.

### Notice

The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by the Agency that contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the Government. Final awards cannot be made until funds have been fully appropriated by Congress, allocated and committed through internal USIA procedures.

The winning organization may be asked to conduct a second and possibly third year of the RTAP, depending upon performance during year one and the availability of funds.

### Notification

All applicants will be notified of the results of the review process in April 1994. Awarded grants will be subject to periodic reporting and evaluation requirements.

Dated: February 10, 1994.

**Barry Fulton,**

*Acting Associate Director, Bureau of Educational and Cultural Affairs.*

[FR Doc. 94–3677 Filed 2–17–94; 8:45 am]

BILLING CODE 8230–01–M

## DEPARTMENT OF VETERANS AFFAIRS

### Geriatrics and Gerontology Advisory Committee; Meeting

The Department of Veterans Affairs gives notice under Public Law 92–463 that a meeting of the Geriatrics and Gerontology Advisory Committee (GGAC) will be held February 23 and 24, 1994, by the Department of Veterans Affairs, in the Omar Bradley Conference Room at TechWorld, Room 1105, 801 I Street, NW., Washington, DC. The purpose of the Geriatrics and Gerontology Advisory Committee is to advise the Secretary of Veterans Affairs and the Acting Under Secretary for Health relative to the care and treatment of the aging veterans, and to evaluate the Geriatric Research, Education and Clinical Centers. The committee will meet on February 23 from 8:30 a.m. until 4:30 p.m. and will reconvene on February 24 at 8:30 a.m. and adjourn at 12 noon. The meeting is open to the public up to the seating capacity of the room. For those wishing to attend contact Jacqueline Holmes, Program Assistant, Office of Assistant Chief Medical Director for Geriatrics and Extended Care (phone 202–535–7164) prior to February 18, 1994.

VA's health care reform, Long-term Care Resident Training, Aging and Geriatrics Merit Review, VA and private sector collaboration in long-term care and National VA Geriatrics Data Base Pilot Study will be the primary topics for discussion.

Dated: February 3, 1994.

**Heyward Bannister,**

*Committee Management Officer.*

[FR Doc. 94–3751 Filed 2–17–94; 8:45 am]

BILLING CODE 8320–01–M

# Sunshine Act Meetings

Federal Register
Vol. 59, No. 34
Friday, February 18, 1994

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

## FEDERAL COMMUNICATIONS COMMISSION

### FCC To Hold Open Commission Meeting, Tuesday, February 22, 1994

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Tuesday, February 22, 1994, which is scheduled to commence at 9:30 a.m., in Room 856, at 1919 M Street, NW., Washington, D.C.

*Item No., Bureau, and Subject*

1—Cable Services—Title: Implementation of the Cable Television Consumer Protection and Competition Act of 1992—Rate Regulation (MM Docket No. 92–266). Summary: The Commission will consider adoption of a *Second Order on Reconsideration, Fourth Report and Order, and Fifth Notice of Proposed Rulemaking* concerning regulation of rates for regulated cable service, rate regulation of small systems, and issues raised on reconsideration of initial rules establishing rate regulation of cable service.

2—Cable Services—Title: Implementation of the Cable Television Consumer Protection and Competition Act of 1992—Rate Regulation (MM Docket No. 93–215). Summary: The Commission will consider adoption of a *Report and Order and Second Notice of Proposed Rulemaking* concerning requirements governing cost-of-service showings for regulated cable service.

3—Cable Services—Title: Implementation of the Cable Television Consumer Protection and Competition Act of 1992—Rate Regulation (MM Docket No. 92–266) and Tier Buy-Through Prohibition (MM Docket No. 92–262). Summary: The Commission will consider adoption of a *Third Order on Reconsideration* in MM Docket No. 92–266 addressing issues raised on reconsideration concerning initial rules establishing rate regulation of cable service, and issues raised on reconsideration in MM Docket No. 92–262 concerning the tier buy-through prohibition.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Steve Svab, Office of Public Affairs, telephone number (202) 632–5050.

Dated: February 15, 1994.

Federal Communications Commission.

**William F. Caton,**

*Acting Secretary.*

[FR Doc. 94–3855 Filed 2–16–94; 11:08 am]

BILLING CODE 6712–01–M

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 10:00 a.m. on Tuesday, February 22, 1994, to consider the following matters:

*Summary Agenda*

No substantive discussion of the following items is anticipated. These matters will be resolved with a single vote unless a member of the Board of Directors requests that an item be moved to the discussion agenda.

Disposition of minutes of previous meetings.

Reports of actions approved by the standing committees of the Corporation and by officers of the Corporation pursuant to authority delegated by the Board of Directors.

FDIC's 1993 Year-end Financial Management Report.

*Discussion Agenda*

Memorandum and resolution re: Proposed amendments to Part 348 of the Corporation's rules and regulations, entitled "Management Official Interlocks," which would provide an exemption from the regulation for any management interlock between two depository institutions located in a relevant metropolitan statistical area ("RMSA") or community if their combined share of the total deposits in the RMSA or community is no more than 20 percent.

Memorandum and resolution re: Proposed amendment to section 327.4 of Part 327 of the Corporation's rules and regulations, entitled "Assessments," which would exclude certain liabilities arising under depository institution investment contracts from the insurance assessment base.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550–17th Street, NW., Washington, DC.

The FDIC will provide attendees with auxiliary aids (e.g., sign language interpretation) required for this meeting. Those attendees needing such assistance should call (202) 942–3132 (Voice); (202) 942–3111 (TTY), to make necessary arrangements.

Requests for further information concerning the meeting may be directed to Mr. Robert E. Feldman, Acting Executive Secretary of the Corporation, at (202) 898–6757.

Dated: February 15, 1994.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Acting Executive Secretary.*

[FR Doc. 94–3828 Filed 2–15–94; 4:44 pm]

BILLING CODE 6714–01–M

# Corrections

Federal Register
Vol. 59, No. 34
Friday, February 18, 1994

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

## OFFICE OF PERSONNEL MANAGEMENT

### The President's Pay Agent

*Correction*

In notice document 94-670 beginning on page 2216 in the issue of Thursday, January 13, 1994, several salary tables contained incorrect headings and pay rates. For the convenience of the reader, the tables are reprinted below in their entirety. .

**1994 Salary Tables—General Schedule and Locality Rates of Pay**

*January 1994*

* * * * * *

SALARY TABLE NO. 94–CHI—INCORPORATING THE 5.34 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF CHICAGO-GARY-KENOSHA, IL–IN–WI

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,539 | $12,957 | $13,373 | $13,789 | $14,207 | $14,453 | $14,862 | $15,277 | $15,296 | $15,686 |
| GS–2 | 14,097 | 14,433 | 14,900 | 15,296 | 15,467 | 15,922 | 16,377 | 16,832 | 17,287 | 17,742 |
| GS–3 | 15,383 | 15,896 | 16,409 | 16,922 | 17,435 | 17,948 | 18,461 | 18,974 | 19,487 | 20,000 |
| GS–4 | 17,268 | 17,844 | 18,419 | 18,994 | 19,569 | 20,144 | 20,719 | 21,294 | 21,870 | 22,445 |
| GS–5 | 19,319 | 19,963 | 20,607 | 21,250 | 21,894 | 22,537 | 23,181 | 23,825 | 24,468 | 25,112 |
| GS–6 | 21,535 | 22,252 | 22,969 | 23,687 | 24,404 | 25,121 | 25,839 | 26,556 | 27,274 | 27,991 |
| GS–7 | 23,930 | 24,728 | 25,525 | 26,322 | 27,120 | 27,917 | 28,715 | 29,512 | 30,309 | 31,107 |
| GS–8 | 26,502 | 27,386 | 28,270 | 29,154 | 30,038 | 30,922 | 31,805 | 32,689 | 33,573 | 34,457 |
| GS–9 | 29,273 | 30,248 | 31,224 | 32,199 | 33,175 | 34,150 | 35,126 | 36,101 | 37,077 | 38,052 |
| GS–10 | 32,237 | 33,312 | 34,386 | 35,461 | 36,535 | 37,610 | 38,684 | 39,758 | 40,833 | 41,907 |
| GS–11 | 35,418 | 36,599 | 37,780 | 38,961 | 40,142 | 41,323 | 42,504 | 43,684 | 44,865 | 46,046 |
| GS–12 | 42,450 | 43,865 | 45,279 | 46,694 | 48,109 | 49,523 | 50,938 | 52,353 | 53,768 | 55,182 |
| GS–13 | 50,479 | 52,161 | 53,843 | 55,526 | 57,208 | 58,890 | 60,573 | 62,255 | 63,937 | 65,619 |
| GS–14 | 59,651 | 61,640 | 63,629 | 65,617 | 67,606 | 69,595 | 71,584 | 73,573 | 75,561 | 77,550 |
| GS–15 | 70,166 | 72,504 | 74,843 | 77,182 | 79,520 | 81,859 | 84,197 | 86,536 | 88,874 | 91,213 |

Note: Law enforcement officers receiving statutory special salary rates are entitled to higher rates of pay under salary table 94–CHI (LEO). Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

* * * * * *

SALARY TABLE NO. 94–DET—INCORPORATING THE 4.84 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF DETROIT-ANN ARBOR-FLINT, MI

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,479 | $12,895 | $13,309 | $13,724 | $14,140 | $14,384 | $14,792 | $15,205 | $15,224 | $15,612 |
| GS–2 | 14,030 | 14,364 | 14,830 | 15,224 | 15,394 | 15,847 | 16,299 | 16,752 | 17,205 | 17,658 |
| GS–3 | 15,310 | 15,820 | 16,331 | 16,841 | 17,352 | 17,863 | 18,373 | 18,884 | 19,394 | 19,905 |
| GS–4 | 17,186 | 17,759 | 18,331 | 18,904 | 19,476 | 20,049 | 20,621 | 21,193 | 21,766 | 22,338 |
| GS–5 | 19,228 | 19,868 | 20,509 | 21,149 | 21,790 | 22,431 | 23,071 | 23,712 | 24,352 | 24,993 |

## SALARY TABLE NO. 94–DET—INCORPORATING THE 4.84 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF DETROIT-ANN ARBOR-FLINT, MI—CONTINUED

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–6 | 21,432 | 22,146 | 22,860 | 23,574 | 24,288 | 25,002 | 25,716 | 26,430 | 27,144 | 27,858 |
| GS–7 | 23,817 | 24,610 | 25,404 | 26,197 | 26,991 | 27,785 | 28,578 | 29,372 | 30,166 | 30,959 |
| GS–8 | 26,377 | 27,256 | 28,136 | 29,016 | 29,895 | 30,775 | 31,654 | 32,534 | 33,414 | 34,293 |
| GS–9 | 29,134 | 30,105 | 31,076 | 32,046 | 33,017 | 33,988 | 34,959 | 35,930 | 36,901 | 37,871 |
| GS–10 | 32,084 | 33,154 | 34,223 | 35,292 | 36,362 | 37,431 | 38,500 | 39,570 | 40,639 | 41,708 |
| GS–11 | 35,250 | 36,426 | 37,601 | 38,776 | 39,951 | 41,127 | 42,302 | 43,477 | 44,652 | 45,828 |
| GS–12 | 42,248 | 43,656 | 45,064 | 46,472 | 47,880 | 49,288 | 50,696 | 52,104 | 53,512 | 54,920 |
| GS–13 | 50,239 | 51,914 | 53,588 | 55,262 | 56,937 | 58,611 | 60,285 | 61,959 | 63,634 | 65,308 |
| GS–14 | 59,368 | 61,347 | 63,327 | 65,306 | 67,285 | 69,265 | 71,244 | 73,223 | 75,203 | 77,182 |
| GS–15 | 69,833 | 72,160 | 74,488 | 76,815 | 79,143 | 81,470 | 83,798 | 86,125 | 88,452 | 90,780 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

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## SALARY TABLE NO. 94–NY—INCORPORATING THE 5.77 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND, NY–NJ–CT–PA

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,590 | $13,010 | $13,428 | $13,845 | $14,265 | $14,512 | $14,923 | $15,340 | $15,359 | $15,750 |
| GS–2 | 14,154 | 14,492 | 14,961 | 15,359 | 15,530 | 15,987 | 16,444 | 16,901 | 17,358 | 17,815 |
| GS–3 | 15,446 | 15,961 | 16,476 | 16,991 | 17,506 | 18,021 | 18,536 | 19,051 | 19,566 | 20,081 |
| GS–4 | 17,339 | 17,916 | 18,494 | 19,071 | 19,649 | 20,226 | 20,804 | 21,381 | 21,959 | 22,536 |
| GS–5 | 19,398 | 20,044 | 20,691 | 21,337 | 21,983 | 22,629 | 23,276 | 23,922 | 24,568 | 25,215 |
| GS–6 | 21,623 | 22,343 | 23,063 | 23,783 | 24,504 | 25,224 | 25,944 | 26,665 | 27,385 | 28,105 |
| GS–7 | 24,028 | 24,828 | 25,629 | 26,430 | 27,230 | 28,031 | 28,832 | 29,633 | 30,433 | 31,234 |
| GS–8 | 26,611 | 27,498 | 28,385 | 29,273 | 30,160 | 31,048 | 31,935 | 32,823 | 33,710 | 34,597 |
| GS–9 | 29,392 | 30,372 | 31,351 | 32,331 | 33,310 | 34,290 | 35,269 | 36,248 | 37,228 | 38,207 |
| GS–10 | 32,369 | 33,448 | 34,527 | 35,605 | 36,684 | 37,763 | 38,842 | 39,921 | 41,000 | 42,078 |
| GS–11 | 35,563 | 36,749 | 37,934 | 39,120 | 40,306 | 41,491 | 42,677 | 43,863 | 45,049 | 46,234 |
| GS–12 | 42,623 | 44,044 | 45,464 | 46,885 | 48,305 | 49,726 | 51,146 | 52,567 | 53,987 | 55,408 |
| GS–13 | 50,685 | 52,374 | 54,063 | 55,752 | 57,442 | 59,131 | 60,820 | 62,509 | 64,198 | 65,887 |
| GS–14 | 59,894 | 61,891 | 63,888 | 65,885 | 67,882 | 69,879 | 71,876 | 73,873 | 75,870 | 77,867 |
| GS–15 | 70,452 | 72,800 | 75,149 | 77,497 | 79,845 | 82,193 | 84,541 | 86,889 | 89,237 | 91,585 |

Note: General Schedule employees in the New York-Northern New Jersey-Long Island, NY–NJ–CT–PA CMSA are entitled to higher rates of pay under salary table 94–IGA. Law enforcement officers are entitled to higher rates of pay under salary table 94–NY (LEO). Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

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## SALARY TABLE NO. 94—OKC-INCORPORATING THE 3.34 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF OKLAHOMA CITY, OK

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,301 | $12,711 | $13,119 | $13,527 | $13,937 | $14,178 | $14,580 | $14,987 | $15,006 | $15,388 |
| GS–2 | 13,829 | 14,159 | 14,617 | 15,006 | 15,173 | 15,620 | 16,066 | 16,513 | 16,959 | 17,406 |
| GS–3 | 15,091 | 15,594 | 16,097 | 16,601 | 17,104 | 17,607 | 18,110 | 18,614 | 19,117 | 19,620 |
| GS–4 | 16,941 | 17,505 | 18,069 | 18,633 | 19,197 | 19,762 | 20,326 | 20,890 | 21,454 | 22,019 |
| GS–5 | 18,953 | 19,584 | 20,215 | 20,847 | 21,478 | 22,110 | 22,741 | 23,372 | 24,004 | 24,635 |
| GS–6 | 21,126 | 21,830 | 22,533 | 23,237 | 23,941 | 24,645 | 25,348 | 26,052 | 26,756 | 27,460 |
| GS–7 | 23,476 | 24,258 | 25,040 | 25,823 | 26,605 | 27,387 | 28,169 | 28,952 | 29,734 | 30,516 |
| GS–8 | 25,999 | 26,866 | 27,733 | 28,600 | 29,467 | 30,334 | 31,201 | 32,068 | 32,935 | 33,803 |
| GS–9 | 28,717 | 29,674 | 30,631 | 31,588 | 32,545 | 33,502 | 34,459 | 35,416 | 36,373 | 37,330 |
| GS–10 | 31,625 | 32,679 | 33,733 | 34,787 | 35,841 | 36,895 | 37,950 | 39,004 | 40,058 | 41,112 |
| GS–11 | 34,746 | 35,904 | 37,063 | 38,221 | 39,380 | 40,538 | 41,697 | 42,855 | 44,014 | 45,172 |
| GS–12 | 41,644 | 43,032 | 44,420 | 45,808 | 47,195 | 48,583 | 49,971 | 51,359 | 52,747 | 54,135 |
| GS–13 | 49,521 | 51,171 | 52,821 | 54,472 | 56,122 | 57,772 | 59,423 | 61,073 | 62,723 | 64,374 |
| GS–14 | 58,518 | 60,469 | 62,420 | 64,372 | 66,323 | 68,274 | 70,225 | 72,176 | 74,127 | 76,078 |

## SALARY TABLE NO. 94—OKC-INCORPORATING THE 3.34 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF OKLAHOMA CITY, OK—Continued

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–15 | 68,834 | 71,128 | 73,422 | 75,716 | 78,010 | 80,304 | 82,599 | 84,893 | 87,187 | 89,481 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

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## SALARY TABLE NO. 94–SLC—INCORPORATING THE 3.09 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF SALT LAKE CITY-OGDEN, UT

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,271 | $12,680 | $13,087 | $13,494 | $13,904 | $14,144 | $14,545 | $14,951 | $14,970 | $15,351 |
| GS–2 | 13,796 | 14,124 | 14,582 | 14,970 | 15,137 | 15,582 | 16,027 | 16,473 | 16,918 | 17,363 |
| GS–3 | 15,054 | 15,556 | 16,058 | 16,560 | 17,062 | 17,564 | 18,067 | 18,569 | 19,071 | 19,573 |
| GS–4 | 16,900 | 17,462 | 18,025 | 18,588 | 19,151 | 19,714 | 20,277 | 20,840 | 21,403 | 21,965 |
| GS–5 | 18,907 | 19,537 | 20,166 | 20,796 | 21,426 | 22,056 | 22,686 | 23,316 | 23,946 | 24,576 |
| GS–6 | 21,075 | 21,777 | 22,479 | 23,181 | 23,883 | 24,585 | 25,287 | 25,989 | 26,691 | 27,393 |
| GS–7 | 23,419 | 24,199 | 24,980 | 25,760 | 26,541 | 27,321 | 28,101 | 28,882 | 29,662 | 30,442 |
| GS–8 | 25,936 | 26,801 | 27,666 | 28,531 | 29,396 | 30,261 | 31,126 | 31,991 | 32,856 | 33,721 |
| GS–9 | 28,648 | 29,602 | 30,557 | 31,512 | 32,466 | 33,421 | 34,375 | 35,330 | 36,285 | 37,239 |
| GS–10 | 31,549 | 32,600 | 33,652 | 34,703 | 35,755 | 36,806 | 37,858 | 38,909 | 39,961 | 41,012 |
| GS–11 | 34,662 | 35,818 | 36,973 | 38,129 | 39,285 | 40,440 | 41,596 | 42,751 | 43,907 | 45,063 |
| GS–12 | 41,543 | 42,928 | 44,312 | 45,697 | 47,081 | 48,466 | 49,850 | 51,235 | 52,619 | 54,004 |
| GS–13 | 49,401 | 51,047 | 52,693 | 54,340 | 55,986 | 57,632 | 59,279 | 60,925 | 62,572 | 64,218 |
| GS–14 | 58,377 | 60,323 | 62,269 | 64,216 | 66,162 | 68,108 | 70,055 | 72,001 | 73,947 | 75,894 |
| GS–15 | 68,667 | 70,956 | 73,244 | 75,533 | 77,822 | 80,110 | 82,399 | 84,687 | 86,976 | 89,265 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

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## SALARY TABLE NO. 94–SF—INCORPORATING THE 6.18 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF SAN FRANCISCO-OAKLAND-SAN JOSE, CA

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,639 | $13,060 | $13,480 | $13,899 | $14,320 | $14,568 | $14,981 | $15,399 | $15,418 | $15,811 |
| GS–2 | 14,209 | 14,548 | 15,019 | 15,418 | 15,590 | 16,049 | 16,508 | 16,967 | 17,425 | 17,884 |
| GS–3 | 15,505 | 16,023 | 16,540 | 17,057 | 17,574 | 18,091 | 18,608 | 19,125 | 19,642 | 20,159 |
| GS–4 | 17,406 | 17,986 | 18,566 | 19,145 | 19,725 | 20,305 | 20,885 | 21,464 | 22,044 | 22,624 |
| GS–5 | 19,473 | 20,122 | 20,771 | 21,420 | 22,068 | 22,717 | 23,366 | 24,015 | 24,663 | 25,312 |
| GS–6 | 21,706 | 22,429 | 23,153 | 23,876 | 24,599 | 25,322 | 26,045 | 26,768 | 27,491 | 28,214 |
| GS–7 | 24,121 | 24,925 | 25,728 | 26,532 | 27,336 | 28,140 | 28,944 | 29,747 | 30,551 | 31,355 |
| GS–8 | 26,714 | 27,605 | 28,496 | 29,386 | 30,277 | 31,168 | 32,059 | 32,950 | 33,841 | 34,731 |
| GS–9 | 29,506 | 30,490 | 31,473 | 32,456 | 33,439 | 34,422 | 35,406 | 36,389 | 37,372 | 38,355 |
| GS–10 | 32,494 | 33,577 | 34,660 | 35,743 | 36,826 | 37,909 | 38,992 | 40,076 | 41,159 | 42,242 |
| GS–11 | 35,701 | 36,891 | 38,081 | 39,272 | 40,462 | 41,652 | 42,843 | 44,033 | 45,223 | 46,413 |
| GS–12 | 42,788 | 44,214 | 45,640 | 47,066 | 48,492 | 49,918 | 51,344 | 52,770 | 54,196 | 55,622 |
| GS–13 | 50,881 | 52,577 | 54,273 | 55,969 | 57,664 | 59,360 | 61,056 | 62,751 | 64,447 | 66,143 |
| GS–14 | 60,127 | 62,131 | 64,136 | 66,141 | 68,145 | 70,150 | 72,155 | 74,159 | 76,164 | 78,169 |
| GS–15 | 70,725 | 73,083 | 75,440 | 77,797 | 80,154 | 82,511 | 84,869 | 87,226 | 89,583 | 91,940 |

Note: General Schedule employees in the San Francisco-Oakland-San Jose, CA CMSA are entitled to higher rates of pay under salary table 94–IGA. Law enforcement officers are entitled to higher rates of pay under salary table 94–SF (LEO). Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

SALARY TABLE NO. 94–RUS—INCORPORATING THE 3.09 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF REST OF U.S.

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,271 | $12,680 | $13,087 | $13,494 | $13,904 | $14,144 | $14,545 | $14,951 | $14,970 | $15,351 |
| GS–2 | 13,796 | 14,124 | 14,582 | 14,970 | 15,137 | 15,582 | 16,027 | 16,473 | 16,918 | 17,363 |
| GS–3 | 15,054 | 15,556 | 16,058 | 16,560 | 17,062 | 17,564 | 18,067 | 18,569 | 19,071 | 19,573 |
| GS–4 | 16,900 | 17,462 | 18,025 | 18,588 | 19,151 | 19,714 | 20,277 | 20,840 | 21,403 | 21,965 |
| GS–5 | 18,907 | 19,537 | 20,166 | 20,796 | 21,426 | 22,056 | 22,686 | 23,316 | 23,946 | 24,576 |
| GS–6 | 21,075 | 21,777 | 22,479 | 23,181 | 23,883 | 24,585 | 25,287 | 25,989 | 26,691 | 27,393 |
| GS–7 | 23,419 | 24,199 | 24,980 | 25,760 | 26,541 | 27,321 | 28,101 | 28,882 | 29,662 | 30,442 |
| GS–8 | 25,936 | 26,801 | 27,666 | 28,531 | 29,396 | 30,261 | 31,126 | 31,991 | 32,856 | 33,721 |
| GS–9 | 28,648 | 29,602 | 30,557 | 31,512 | 32,466 | 33,421 | 34,375 | 35,330 | 36,285 | 37,239 |
| GS–10 | 31,549 | 32,600 | 33,652 | 34,703 | 35,755 | 36,806 | 37,858 | 38,909 | 39,961 | 41,012 |
| GS–11 | 34,662 | 35,818 | 36,973 | 38,129 | 39,285 | 40,440 | 41,596 | 42,751 | 43,907 | 45,063 |
| GS–12 | 41,543 | 42,928 | 44,312 | 45,697 | 47,081 | 48,466 | 49,850 | 51,235 | 52,619 | 54,004 |
| GS–13 | 49,401 | 51,047 | 52,693 | 54,340 | 55,986 | 57,632 | 59,279 | 60,925 | 62,572 | 64,218 |
| GS–14 | 58,377 | 60,323 | 62,269 | 64,216 | 66,162 | 68,108 | 70,055 | 72,001 | 73,947 | 75,894 |
| GS–15 | 68,667 | 70,956 | 73,244 | 75,533 | 77,822 | 80,110 | 82,399 | 84,687 | 86,976 | 89,265 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables" cover sheet.

**1994 Salary Tables for Law Enforcement Officers**

*January 1994*

* * * * * *

SALARY TABLE NO. 94–BOS (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 16 PERCENT LEO SPECIAL PAY ADJUSTMENT FOR THE BOSTON-WORCESTER-LAWRENCE, MA–NH–ME–CT CMSA

[Effective January 1993]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $13,807 | $14,268 | $14,726 | $15,184 | $15,645 | $15,915 | $16,366 | $16,823 | $16,844 | $17,274 |
| GS–2 | 15,523 | 15,893 | 16,408 | 16,844 | 17,032 | 17,533 | 18,035 | 18,536 | 19,037 | 19,538 |
| GS–3 | 20,329 | 20,894 | 21,459 | 22,024 | 22,589 | 23,154 | 23,719 | 24,283 | 24,848 | 25,413 |
| GS–4 | 22,816 | 23,449 | 24,083 | 24,716 | 25,349 | 25,983 | 26,616 | 27,250 | 27,883 | 28,516 |
| GS–5 | 26,236 | 26,944 | 27,653 | 28,362 | 29,071 | 29,780 | 30,488 | 31,197 | 31,906 | 32,615 |
| GS–6 | 27,664 | 28,454 | 29,244 | 30,034 | 30,824 | 31,613 | 32,403 | 33,193 | 33,983 | 34,773 |
| GS–7 | 29,864 | 30,742 | 31,620 | 32,499 | 33,377 | 34,255 | 35,133 | 36,011 | 36,889 | 37,767 |
| GS–8 | 31,131 | 32,104 | 33,077 | 34,051 | 35,024 | 35,997 | 36,970 | 37,944 | 38,917 | 39,890 |
| GS–9 | 33,309 | 34,384 | 35,458 | 36,532 | 37,606 | 38,680 | 39,754 | 40,829 | 41,903 | 42,977 |
| GS–10 | 36,683 | 37,866 | 39,049 | 40,232 | 41,415 | 42,599 | 43,782 | 44,965 | 46,148 | 47,331 |
| GS–11 | 39,003 | 40,303 | 41,603 | 42,904 | 44,204 | 45,504 | 46,805 | 48,105 | 49,406 | 50,706 |
| GS–12 | 46,746 | 48,304 | 49,861 | 51,419 | 52,977 | 54,535 | 56,093 | 57,651 | 59,209 | 60,767 |
| GS–13 | 55,587 | 57,440 | 59,292 | 61,145 | 62,997 | 64,850 | 66,702 | 68,555 | 70,407 | 72,260 |
| GS–14 | 65,687 | 67,877 | 70,067 | 72,258 | 74,448 | 76,638 | 78,828 | 81,018 | 83,208 | 85,398 |
| GS–15 | 77,266 | 79,842 | 82,417 | 84,992 | 87,567 | 90,142 | 92,718 | 95,293 | 97,868 | 100,443 |

Note: Special law enforcement adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

* * * * * *

SALARY TABLE NO. 94–CLE (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 3.34 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF CLEVELAND-AKRON, OH

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,301 | $12,711 | $13,119 | $13,527 | $13,937 | $14,178 | $14,580 | $14,987 | $15,006 | $15,388 |
| GS–2 | 13,829 | 14,159 | 14,617 | 15,006 | 15,173 | 15,620 | 16,066 | 16,513 | 16,959 | 17,406 |
| GS–3 | 18,110 | 18,614 | 19,117 | 19,620 | 20,123 | 20,627 | 21,130 | 21,633 | 22,136 | 22,640 |
| GS–4 | 20,326 | 20,890 | 21,454 | 22,019 | 22,583 | 23,147 | 23,711 | 24,276 | 24,840 | 25,404 |
| GS–5 | 23,372 | 24,004 | 24,635 | 25,267 | 25,898 | 26,529 | 27,161 | 27,792 | 28,424 | 29,055 |

SALARY TABLE NO. 94–CLE (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 3.34 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF CLEVELAND-AKRON, OH—Continued

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–6 | 24,645 | 25,348 | 26,052 | 26,756 | 27,460 | 28,163 | 28,867 | 29,571 | 30,274 | 30,978 |
| GS–7 | 26,605 | 27,387 | 28,169 | 28,952 | 29,734 | 30,516 | 31,299 | 32,081 | 32,863 | 33,645 |
| GS–8 | 27,733 | 28,600 | 29,467 | 30,334 | 31,201 | 32,068 | 32,935 | 33,803 | 34,670 | 35,537 |
| GS–9 | 29,674 | 30,631 | 31,588 | 32,545 | 33,502 | 34,459 | 35,416 | 36,373 | 37,330 | 38,286 |
| GS–10 | 32,679 | 33,733 | 34,787 | 35,841 | 36,895 | 37,950 | 39,004 | 40,058 | 41,112 | 42,166 |
| GS–11 | 34,746 | 35,904 | 37,063 | 38,221 | 39,380 | 40,538 | 41,697 | 42,855 | 44,014 | 45,172 |
| GS–12 | 41,644 | 43,032 | 44,420 | 45,808 | 47,195 | 48,583 | 49,971 | 51,359 | 52,747 | 54,135 |
| GS–13 | 49,521 | 51,171 | 52,821 | 54,472 | 56,122 | 57,772 | 59,423 | 61,073 | 62,723 | 64,374 |
| GS–14 | 58,518 | 60,469 | 62,420 | 64,372 | 66,323 | 68,274 | 70,225 | 72,176 | 74,127 | 76,078 |
| GS–15 | 68,834 | 71,128 | 73,422 | 75,716 | 78,010 | 80,304 | 82,599 | 84,893 | 87,187 | 89,481 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

* * * * * *

SALARY TABLE NO. 94–DET (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 4.84 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF DETROIT-ANN ARBOR-FLINT, MI

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,479 | $12,895 | $13,309 | $13,724 | $14,140 | $14,384 | $14,792 | $15,205 | $15,224 | $15,612 |
| GS–2 | 14,030 | 14,364 | 14,830 | 15,224 | 15,394 | 15,847 | 16,299 | 16,752 | 17,205 | 17,658 |
| GS–3 | 18,373 | 18,884 | 19,394 | 19,905 | 20,415 | 20,926 | 21,437 | 21,947 | 22,458 | 22,968 |
| GS–4 | 20,621 | 21,193 | 21,766 | 22,338 | 22,911 | 23,483 | 24,056 | 24,628 | 25,200 | 25,773 |
| GS–5 | 23,712 | 24,352 | 24,993 | 25,633 | 26,274 | 26,915 | 27,555 | 28,196 | 28,836 | 29,477 |
| GS–6 | 25,002 | 25,716 | 26,430 | 27,144 | 27,858 | 28,572 | 29,286 | 30,000 | 30,714 | 31,428 |
| GS–7 | 26,991 | 27,785 | 28,578 | 29,372 | 30,166 | 30,959 | 31,753 | 32,547 | 33,340 | 34,134 |
| GS–8 | 28,136 | 29,016 | 29,895 | 30,775 | 31,654 | 32,534 | 33,414 | 34,293 | 35,173 | 36,052 |
| GS–9 | 30,105 | 31,076 | 32,046 | 33,017 | 33,988 | 34,959 | 35,930 | 36,901 | 37,871 | 38,842 |
| GS–10 | 33,154 | 34,223 | 35,292 | 36,362 | 37,431 | 38,500 | 39,570 | 40,639 | 41,708 | 42,778 |
| GS–11 | 35,250 | 36,426 | 37,601 | 38,776 | 39,951 | 41,127 | 42,302 | 43,477 | 44,652 | 45,828 |
| GS–12 | 42,248 | 43,656 | 45,064 | 46,472 | 47,880 | 49,288 | 50,696 | 52,104 | 53,512 | 54,920 |
| GS–13 | 50,239 | 51,914 | 53,588 | 55,262 | 56,937 | 58,611 | 60,285 | 61,959 | 63,634 | 65,308 |
| GS–14 | 59,368 | 61,347 | 63,327 | 65,306 | 67,285 | 69,265 | 71,244 | 73,223 | 75,203 | 77,182 |
| GS–15 | 69,833 | 72,160 | 74,488 | 76,815 | 79,143 | 81,470 | 83,798 | 86,125 | 88,452 | 90,780 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

* * * * * *

SALARY TABLE NO. 94–IND (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 3.68 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF INDIANAPOLIS, IN

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,341 | $12,753 | $13,162 | $13,572 | $13,983 | $14,225 | $14,628 | $15,037 | $15,055 | $15,439 |
| GS–2 | 13,874 | 14,205 | 14,666 | 15,055 | 15,223 | 15,671 | 16,119 | 16,567 | 17,015 | 17,463 |
| GS–3 | 18,170 | 18,675 | 19,180 | 19,685 | 20,190 | 20,695 | 21,199 | 21,704 | 22,209 | 22,714 |
| GS–4 | 20,393 | 20,959 | 21,525 | 22,091 | 22,657 | 23,223 | 23,789 | 24,355 | 24,922 | 25,488 |
| GS–5 | 23,449 | 24,083 | 24,716 | 25,350 | 25,983 | 26,617 | 27,250 | 27,884 | 28,517 | 29,151 |
| GS–6 | 24,726 | 25,432 | 26,138 | 26,844 | 27,550 | 28,256 | 28,962 | 29,668 | 30,374 | 31,080 |
| GS–7 | 26,692 | 27,477 | 28,262 | 29,047 | 29,832 | 30,617 | 31,402 | 32,186 | 32,971 | 33,756 |
| GS–8 | 27,825 | 28,694 | 29,564 | 30,434 | 31,304 | 32,174 | 33,044 | 33,914 | 34,784 | 35,653 |
| GS–9 | 29,772 | 30,732 | 31,692 | 32,652 | 33,612 | 34,572 | 35,532 | 36,492 | 37,452 | 38,412 |
| GS–10 | 32,787 | 33,844 | 34,902 | 35,959 | 37,017 | 38,074 | 39,132 | 40,189 | 41,247 | 42,305 |
| GS–11 | 34,860 | 36,023 | 37,185 | 38,347 | 39,509 | 40,672 | 41,834 | 42,996 | 44,158 | 45,321 |
| GS–12 | 41,781 | 43,173 | 44,566 | 45,958 | 47,351 | 48,743 | 50,136 | 51,528 | 52,920 | 54,313 |

SALARY TABLE NO. 94–IND (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 3.68 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF INDIANAPOLIS, IN—Continued

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–13 | 49,683 | 51,339 | 52,995 | 54,651 | 56,307 | 57,962 | 59,618 | 61,274 | 62,930 | 64,585 |
| GS–14 | 58,711 | 60,668 | 62,626 | 64,583 | 66,541 | 68,498 | 70,456 | 72,413 | 74,371 | 76,328 |
| GS–15 | 69,060 | 71,362 | 73,664 | 75,965 | 78,267 | 80,569 | 82,870 | 85,172 | 87,474 | 89,775 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers"

* * * * * *

SALARY TABLE NO. 94–LA (LEO 1)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 16 PERCENT LEO SPECIAL PAY ADJUSTMENT FOR THE LOS ANGELES-RIVERSIDE-ORANGE COUNTY, CA CMSA

[Effective January 1993]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $13,807 | $14,268 | $14,726 | $15,184 | $15,645 | $15,915 | $16,366 | $16,823 | $16,844 | $17,274 |
| GS–2 | 15,523 | 15,893 | 16,408 | 16,844 | 17,032 | 17,533 | 18,035 | 18,536 | 19,037 | 19,538 |
| GS–3 | 20,329 | 20,894 | 21,459 | 22,024 | 22,589 | 23,154 | 23,719 | 24,283 | 24,848 | 25,413 |
| GS–4 | 22,816 | 23,449 | 24,083 | 24,716 | 25,349 | 25,983 | 26,616 | 27,250 | 27,883 | 28,516 |
| GS–5 | 26,236 | 26,944 | 27,653 | 28,362 | 29,071 | 29,780 | 30,488 | 31,197 | 31,906 | 32,615 |
| GS–6 | 27,664 | 28,454 | 29,244 | 30,034 | 30,824 | 31,613 | 32,403 | 33,193 | 33,983 | 34,773 |
| GS–7 | 29,864 | 30,742 | 31,620 | 32,499 | 33,377 | 34,255 | 35,133 | 36,011 | 36,889 | 37,767 |
| GS–8 | 31,131 | 32,104 | 33,077 | 34,051 | 35,024 | 35,997 | 36,970 | 37,944 | 38,917 | 39,890 |
| GS–9 | 33,309 | 34,384 | 35,458 | 36,532 | 37,606 | 38,680 | 39,754 | 40,829 | 41,903 | 42,977 |
| GS–10 | 36,683 | 37,866 | 39,049 | 40,232 | 41,415 | 42,599 | 43,782 | 44,965 | 46,148 | 47,331 |
| GS–11 | 39,003 | 40,303 | 41,603 | 42,904 | 44,204 | 45,504 | 46,805 | 48,105 | 49,406 | 50,706 |
| GS–12 | 46,746 | 48,304 | 49,861 | 51,419 | 52,977 | 54,535 | 56,093 | 57,651 | 59,209 | 60,767 |
| GS–13 | 55,587 | 57,440 | 59,292 | 61,145 | 62,997 | 64,850 | 66,702 | 68,555 | 70,407 | 72,260 |
| GS–14 | 65,687 | 67,877 | 70,067 | 72,258 | 74,448 | 76,638 | 78,828 | 81,018 | 83,208 | 85,398 |
| GS–15 | 77,266 | 79,842 | 82,417 | 84,992 | 87,567 | 90,142 | 92,718 | 95,293 | 97,868 | 100,443 |

Note: This salary table applies only to law enforcement officers whose official duty stations are located within the Los Angeles-Riverside-Orange County, CA CMSA. Law enforcement officers whose official duty stations are located in Santa Barbara County or that portion of Edwards Air Force Base outside the Los Angeles-Riverside-Orange County, CA CMSA are entitled to the rates of pay under salary table 94–LA (LEO 2). Special law enforcement adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

* * * * *

SALARY TABLE NO. 94–PHL (LEO) RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S) INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 4.96 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF PHILADELPHIA-WILMINGTON-ATLANTIC CITY, PA–NJ–DE–MD

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,493 | $12,910 | $13,325 | $13,739 | $14,156 | $14,401 | $14,809 | $15,222 | $15,241 | $15,630 |
| GS–2 | 14,046 | 14,381 | 14,847 | 15,241 | 15,411 | 15,865 | 16,318 | 16,772 | 17,225 | 17,678 |
| GS–3 | 18,394 | 18,905 | 19,417 | 19,928 | 20,439 | 20,950 | 21,461 | 21,972 | 22,483 | 22,995 |
| GS–4 | 20,645 | 21,218 | 21,791 | 22,364 | 22,937 | 23,510 | 24,083 | 24,656 | 25,229 | 25,802 |
| GS–5 | 23,739 | 24,380 | 25,021 | 25,663 | 26,304 | 26,945 | 27,587 | 28,228 | 28,869 | 29,511 |
| GS–6 | 25,031 | 25,746 | 26,460 | 27,175 | 27,890 | 28,605 | 29,320 | 30,034 | 30,749 | 31,464 |
| GS–7 | 27,022 | 27,816 | 28,611 | 29,406 | 30,200 | 30,995 | 31,789 | 32,584 | 33,378 | 34,173 |
| GS–8 | 28,168 | 29,049 | 29,929 | 30,810 | 31,691 | 32,571 | 33,452 | 34,332 | 35,213 | 36,094 |
| GS–9 | 30,139 | 31,111 | 32,083 | 33,055 | 34,027 | 34,999 | 35,971 | 36,943 | 37,915 | 38,887 |
| GS–10 | 33,192 | 34,262 | 35,333 | 36,403 | 37,474 | 38,544 | 39,615 | 40,686 | 41,756 | 42,827 |
| GS–11 | 35,291 | 36,467 | 37,644 | 38,821 | 39,997 | 41,174 | 42,350 | 43,527 | 44,704 | 45,880 |
| GS–12 | 42,297 | 43,706 | 45,116 | 46,526 | 47,935 | 49,345 | 50,754 | 52,164 | 53,574 | 54,983 |
| GS–13 | 50,297 | 51,973 | 53,649 | 55,325 | 57,002 | 58,678 | 60,354 | 62,030 | 63,707 | 65,383 |
| GS–14 | 59,436 | 61,417 | 63,399 | 65,381 | 67,362 | 69,344 | 71,326 | 73,307 | 75,289 | 77,271 |

SALARY TABLE NO. 94–PHL (LEO) RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO's) INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 4.96 PERCENT LOCALITY PAY ADJUSTMENT FOR THE LOCALITY PAY AREA OF PHILADELPHIA-WILMINGTON-ATLANTIC CITY, PA–NJ–DE–MD—Continued

[Effective January 1994]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–15 | 69,913 | 72,243 | 74,573 | 76,903 | 79,233 | 81,563 | 83,893 | 86,224 | 88,554 | 90,884 |

Note: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

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SALARY TABLE NO. 94–SD (LEO)— RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 8 PERCENT LEO SPECIAL PAY ADJUSTMENT FOR THE SAN DIEGO, CA METROPOLITAN STATISTICAL AREA

[Effective January 1993]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,855 | $13,284 | $13,711 | $14,137 | $14,566 | $14,818 | $15,238 | $15,663 | $15,683 | $16,082 |
| GS–2 | 14,453 | 14,797 | 15,277 | 15,683 | 15,858 | 16,324 | 16,791 | 17,257 | 17,724 | 18,190 |
| GS–3 | 18,927 | 19,453 | 19,979 | 20,505 | 21,031 | 21,557 | 22,083 | 22,609 | 23,135 | 23,661 |
| GS–4 | 21,243 | 21,832 | 22,422 | 23,012 | 23,601 | 24,191 | 24,781 | 25,370 | 25,960 | 26,550 |
| GS–5 | 24,426 | 25,086 | 25,746 | 26,406 | 27,066 | 27,726 | 28,386 | 29,046 | 29,705 | 30,365 |
| GS–6 | 25,756 | 26,491 | 27,227 | 27,962 | 28,698 | 29,433 | 30,169 | 30,904 | 31,640 | 32,375 |
| GS–7 | 27,805 | 28,622 | 29,440 | 30,257 | 31,075 | 31,892 | 32,710 | 33,528 | 34,345 | 35,163 |
| GS–8 | 28,984 | 29,890 | 30,796 | 31,702 | 32,608 | 33,515 | 34,421 | 35,327 | 36,233 | 37,139 |
| GS–9 | 31,012 | 32,012 | 33,012 | 34,012 | 35,013 | 36,013 | 37,013 | 38,013 | 39,013 | 40,013 |
| GS–10 | 34,153 | 35,254 | 36,356 | 37,458 | 38,559 | 39,661 | 40,762 | 41,864 | 42,966 | 44,067 |
| GS–11 | 36,313 | 37,524 | 38,734 | 39,945 | 41,156 | 42,366 | 43,577 | 44,788 | 45,998 | 47,209 |
| GS–12 | 43,522 | 44,972 | 46,423 | 47,873 | 49,324 | 50,774 | 52,224 | 53,675 | 55,125 | 56,576 |
| GS–13 | 51,754 | 53,478 | 55,203 | 56,928 | 58,653 | 60,377 | 62,102 | 63,827 | 65,552 | 67,276 |
| GS–14 | 61,157 | 63,196 | 65,235 | 67,274 | 69,313 | 71,352 | 73,391 | 75,430 | 77,469 | 79,509 |
| GS–15 | 71,938 | 74,335 | 76,733 | 79,131 | 81,528 | 83,926 | 86,323 | 88,721 | 91,119 | 93,516 |

Note: Special law enforcement adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

SALARY TABLE NO. 94–SF (LEO)—RATES OF PAY FOR LAW ENFORCEMENT OFFICERS (LEO'S), INCLUDING SPECIAL SALARY RATES AT GS–3 THROUGH GS–10 AND INCORPORATING THE 16 PERCENT LEO SPECIAL PAY ADJUSTMENT FOR THE SAN FRANCISCO-OAKLAND-SAN JOSE, CA CMSA

[Effective January 1993]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $13,807 | $14,268 | $14,726 | $15,184 | $15,645 | $15,915 | $16,366 | $16,823 | $16,844 | $17,274 |
| GS–2 | 15,523 | 15,893 | 16,408 | 16,844 | 17,032 | 17,533 | 18,035 | 18,536 | 19,037 | 19,538 |
| GS–3 | 20,329 | 20,894 | 21,459 | 22,024 | 22,589 | 23,154 | 23,719 | 24,283 | 24,848 | 25,413 |
| GS–4 | 22,816 | 23,449 | 24,083 | 24,716 | 25,349 | 25,983 | 26,616 | 27,250 | 27,883 | 28,516 |
| GS–5 | 26,236 | 26,944 | 27,653 | 28,362 | 29,071 | 29,780 | 30,488 | 31,197 | 31,906 | 32,615 |
| GS–6 | 27,664 | 28,454 | 29,244 | 30,034 | 30,824 | 31,613 | 32,403 | 33,193 | 33,983 | 34,773 |
| GS–7 | 29,864 | 30,742 | 31,620 | 32,499 | 33,377 | 34,255 | 35,133 | 36,011 | 36,889 | 37,767 |
| GS–8 | 31,131 | 32,104 | 33,077 | 34,051 | 35,024 | 35,997 | 36,970 | 37,944 | 38,917 | 39,890 |
| GS–9 | 33,309 | 34,384 | 35,458 | 36,532 | 37,606 | 38,680 | 39,754 | 40,829 | 41,903 | 42,977 |
| GS–10 | 36,683 | 37,866 | 39,049 | 40,232 | 41,415 | 42,599 | 43,782 | 44,965 | 46,148 | 47,331 |
| GS–11 | 39,003 | 40,303 | 41,603 | 42,904 | 44,204 | 45,504 | 46,805 | 48,105 | 49,406 | 50,706 |
| GS–12 | 46,746 | 48,304 | 49,861 | 51,419 | 52,977 | 54,535 | 56,093 | 57,651 | 59,209 | 60,767 |
| GS–13 | 55,587 | 57,440 | 59,292 | 61,145 | 62,997 | 64,850 | 66,702 | 68,555 | 70,407 | 72,260 |
| GS–14 | 65,687 | 67,877 | 70,067 | 72,258 | 74,448 | 76,638 | 78,828 | 81,018 | 83,208 | 85,398 |
| GS–15 | 77,266 | 79,842 | 82,417 | 84,992 | 87,567 | 90,142 | 92,718 | 95,293 | 97,868 | 100,443 |

Note: Special law enforcement adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Law Enforcement Officers" cover sheet.

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## 1994 Salary Table for Interim Geographic Adjustments—Salary Table No. 94–IGA

*January 1994*

* * * * * *

### SALARY TABLE NO. 94–IGA—INCLUDING 8 PERCENT INTERIM GEOGRAPHIC ADJUSTMENTS

[Effective January 1993]

| | Annual rates by grade and step | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| GS–1 | $12,855 | $13,284 | $13,711 | $14,137 | $14,566 | $14,818 | $15,238 | $15,663 | $15,683 | $16,082 |
| GS–2 | 14,453 | 14,797 | 15,277 | 15,683 | 15,858 | 16,324 | 16,791 | 17,257 | 17,724 | 18,190 |
| GS–3 | 15,771 | 16,297 | 16,823 | 17,349 | 17,875 | 18,401 | 18,927 | 19,453 | 19,979 | 20,505 |
| GS–4 | 17,704 | 18,294 | 18,884 | 19,473 | 20,063 | 20,653 | 21,243 | 21,832 | 22,422 | 23,012 |
| GS–5 | 19,807 | 20,467 | 21,127 | 21,787 | 22,447 | 23,107 | 23,766 | 24,426 | 25,086 | 25,746 |
| GS–6 | 22,078 | 22,814 | 23,549 | 24,285 | 25,020 | 25,756 | 26,491 | 27,227 | 27,962 | 28,698 |
| GS–7 | 24,534 | 25,352 | 26,169 | 26,987 | 27,805 | 28,622 | 29,440 | 30,257 | 31,075 | 31,892 |
| GS–8 | 27,172 | 28,078 | 28,984 | 29,890 | 30,796 | 31,702 | 32,608 | 33,515 | 34,421 | 35,327 |
| GS–9 | 30,012 | 31,012 | 32,012 | 33,012 | 34,012 | 35,013 | 36,013 | 37,013 | 38,013 | 39,013 |
| GS–10 | 33,051 | 34,153 | 35,254 | 36,356 | 37,458 | 38,559 | 39,661 | 40,762 | 41,864 | 42,966 |
| GS–11 | 36,313 | 37,524 | 38,734 | 39,945 | 41,156 | 42,366 | 43,577 | 44,788 | 45,998 | 47,209 |
| GS–12 | 43,522 | 44,972 | 46,423 | 47,873 | 49,324 | 50,774 | 52,224 | 53,675 | 55,125 | 56,576 |
| GS–13 | 51,754 | 53,478 | 55,203 | 56,928 | 58,653 | 60,377 | 62,102 | 63,827 | 65,552 | 67,276 |
| GS–14 | 61,157 | 63,196 | 65,235 | 67,274 | 69,313 | 71,352 | 73,391 | 75,430 | 77,469 | 79,509 |
| GS–15 | 71,938 | 74,335 | 76,733 | 79,131 | 81,528 | 83,926 | 86,323 | 88,721 | 91,119 | 93,516 |

Note: The adjusted rates of pay above apply only to General Schedule employees in the New York-Northern New Jersey-Long Island, NY–NJ–CT–PA CMSA, San Francisco-Oakland-San Jose, CA CMSA, and Los Angeles-Riverside-Orange County, CA CMSA. Law enforcement officers are entitled to higher rates of pay under salary tables 94–NY (LEO), 94–SF (LEO), and 94–LA (LEO 1). The adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Table for Interim Geographic Adjustments" cover sheet.

* * * * *

### LOCALITY RATES OF PAY FOR MEMBERS OF THE SENIOR EXECUTIVE SERVICE AND EMPLOYEES IN SENIOR-LEVEL AND SCIENTIFIC OR PROFESSIONAL POSITIONS

[Effective January 1994]

| Locality pay area | Salary Table No. 94–ES (LOC)—Senior Executive Service (SES) | | | | | | Salary table No. 94–SL/ST (LOC)—Senior-level (SL) and Scientific or Professional (ST) Positions | |
|---|---|---|---|---|---|---|---|---|
| | ES–1 | ES–2 | ES–3 | ES–4 | ES–5 | ES–6 | Minimum | Maximum |
| Atlanta, GA | $96,486 | $101,160 | $105,729 | $111,442 | $116,115 | $120,166 | $83,016 | $120,166 |
| Boston-Worcester-Lawrence, MA–NH–ME–CT | 97,982 | 102,728 | 107,368 | 113,169 | 117,915 | 122,029 | 84,303 | 122,029 |
| Chicago-Gary-Kenosha, IL–IN–WI | 97,861 | 102,601 | 107,236 | 113,030 | 117,770 | 121,878 | 84,199 | 121,878 |
| Cincinnati-Hamilton, OH–KY–IN | 96,820 | 101,510 | 106,096 | 111,828 | 116,518 | 120,583 | 83,304 | 120,583 |
| Cleveland-Akron, OH | 96,003 | 100,653 | 105,200 | 110,884 | 115,534 | 119,564 | 82,601 | 119,564 |
| Dallas-Fort Worth, TX | 96,811 | 101,501 | 106,086 | 111,817 | 116,507 | 120,571 | 83,296 | 120,571 |
| Dayton-Springfield, OH | 96,402 | 101,072 | 105,638 | 111,345 | 116,015 | 120,062 | 82,944 | 120,062 |
| Denver-Boulder-Greeley, CO | 97,118 | 101,822 | 106,422 | 112,171 | 116,876 | 120,953 | 83,560 | 120,953 |
| Detroit-Ann Arbor-Flint, MI | 97,396 | 102,114 | 106,727 | 112,493 | 117,211 | 121,300 | 83,800 | 121,300 |
| Houston-Galveston-Brazoria, TX | 98,957 | 103,750 | 108,437 | 114,296 | 119,089 | [1]123,100 | 85,143 | [1]123,100 |
| Huntsville, AL | 96,709 | 101,393 | 105,974 | 111,699 | 116,384 | 120,444 | 83,208 | 120,444 |
| Indianapolis, IN | 96,319 | 100,984 | 105,546 | 111,249 | 115,914 | 119,958 | 82,872 | 119,958 |
| Kansas City, MO–KS | 95,966 | 100,614 | 105,159 | 110,841 | 115,489 | 119,518 | 82,569 | 119,518 |
| Los Angeles-Riverside-Orange County, CA | 98,186 | 102,942 | 107,592 | 113,405 | 118,161 | 122,283 | 84,479 | 122,283 |
| Memphis, TN–AR–MS | 95,771 | 100,410 | 104,946 | 110,616 | 115,255 | 119,275 | 82,401 | 119,275 |
| New York-N. New Jersey-Long Island, NY–NJ–CT–PA | 98,260 | 103,020 | 107,674 | 113,491 | 118,251 | 122,376 | 84,543 | 122,376 |
| Norfolk-Virginia Beach-Newport News, VA–NC | 95,947 | 100,595 | 105,139 | 110,819 | 115,467 | 119,495 | 82,553 | 119,495 |
| Oklahoma City, OK | 96,003 | 100,653 | 105,200 | 110,884 | 115,534 | 119,564 | 82,601 | 119,564 |
| Philadelphia-Wilmington-Atlantic City, PA–NJ–DE–MD | 97,508 | 102,231 | 106,849 | 112,622 | 117,345 | 121,439 | 83,896 | 121,439 |
| Sacramento-Yolo, CA | 96,328 | 100,994 | 105,556 | 111,259 | 115,925 | 119,969 | 82,880 | 119,969 |
| St. Louis, MO–IL | 95,771 | 100,410 | 104,946 | 110,616 | 115,255 | 119,275 | 82,401 | 119,275 |
| Salt Lake City-Ogden, UT | 95,771 | 100,410 | 104,946 | 110,616 | 115,255 | 119,275 | 82,401 | 119,275 |
| San Antonio, TX | 95,771 | 100,410 | 104,946 | 110,616 | 115,255 | 119,275 | 82,401 | 119,275 |
| San Diego, CA | 96,505 | 101,179 | 105,750 | 111,463 | 116,138 | 120,189 | 83,032 | 120,189 |
| San Francisco-Oakland-San Jose, CA | 98,641 | 103,419 | 108,091 | 113,931 | 118,709 | 122,850 | 84,871 | 122,850 |
| Seattle-Tacoma-Bremerton, WA | 96,542 | 101,218 | 105,791 | 111,506 | 116,183 | 120,235 | 83,064 | 120,235 |

## LOCALITY RATES OF PAY FOR MEMBERS OF THE SENIOR EXECUTIVE SERVICE AND EMPLOYEES IN SENIOR-LEVEL AND SCIENTIFIC OR PROFESSIONAL POSITIONS—Continued

[Effective January 1994]

| Locality pay area | Salary Table No. 94–ES (LOC)—Senior Executive Service (SES) | | | | | | Salary table No. 94–SL/ST (LOC)—Senior-level (SL) and Scientific or Professional (ST) Positions | |
|---|---|---|---|---|---|---|---|---|
| | ES–1 | ES–2 | ES–3 | ES–4 | ES–5 | ES–6 | Minimum | Maximum |
| Washington-Baltimore, DC–MD–VA–WV | 96,830 | 101,520 | 106,106 | 111,839 | 116,529 | 120,594 | 83,312 | 120,594 |
| Rest of U.S | 95,771 | 100,410 | 104,946 | 110,616 | 115,255 | 119,275 | 82,401 | 119,275 |

[1] Rate limited to the rate for level III of the Executive Schedule (5 U.S.C. 5304(g)(2)).

NOTE: Law enforcement officers are entitled to the rates on salary tables 94–ES (LEO) or 94–SL/ST (LEO), as appropriate. Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Members of the Senior Executive Service, Employees in Senior-Level and Scientific or Professional Positions, Administrative Law Judges, and Members of Boards of Contract Appeals" cover sheet.

## LOCALITY RATES OF PAY FOR ADMINISTRATIVE LAW JUDGES AND MEMBERS OF BOARDS OF CONTRACT APPEALS

[Effective January 1994]

| Locality pay area | Salary table No. 94–ALJ (LOC)—Administrative Law Judges | | | | | | | | Salary table No. 94–BCA (LOC)—Members of Boards of Contract Appeals (BCA) | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | AL–3/A | AL–3/B | AL–3/C | AL–3/D | AL–3/E | AL–3/F | AL–2 | AL–1 | Chairman | Vice chairman | Other members |
| Atlanta, GA | $78,108 | $84,116 | $90,125 | $96,133 | $102,141 | $108,149 | $114,158 | $120,166 | $120,166 | $116,561 | $112,956 |
| Boston-Worcester-Lawrence, MA–NH–ME–CT | 79,319 | 85,420 | 91,522 | 97,623 | 103,724 | 109,826 | 115,927 | 122,029 | 122,029 | 118,368 | 114,707 |
| Chicago-Gary-Kenosha, IL–IN–WI | 79,221 | 85,315 | 91,409 | 97,503 | 103,597 | 109,691 | 115,784 | 121,878 | 121,878 | 118,222 | 114,566 |
| Cincinnati-Hamilton, OH–KY–IN | 78,379 | 84,408 | 90,437 | 96,466 | 102,495 | 108,524 | 114,553 | 120,583 | 120,583 | 116,965 | 113,348 |
| Cleveland-Akron, OH | 77,717 | 83,695 | 89,673 | 95,652 | 101,630 | 107,608 | 113,586 | 119,564 | 119,564 | 115,977 | 112,391 |
| Dallas-Fort Worth, TX | 78,371 | 84,400 | 90,428 | 96,457 | 102,485 | 108,514 | 114,542 | 120,571 | 120,571 | 116,954 | 113,337 |
| Dayton-Springfield, OH | 78,040 | 84,043 | 90,046 | 96,050 | 102,053 | 108,056 | 114,059 | 120,062 | 120,062 | 116,460 | 112,858 |
| Denver-Boulder-Greeley, CO | 78,619 | 84,667 | 90,715 | 96,762 | 102,810 | 108,858 | 114,905 | 120,953 | 120,953 | 117,324 | 113,696 |
| Detroit-Ann Arbor-Flint, MI | 78,845 | 84,910 | 90,975 | 97,040 | 103,105 | 109,170 | 115,235 | 121,300 | 121,300 | 117,661 | 114,022 |
| Houston-Galveston-Brazoria, TX | 80,108 | 86,271 | 92,433 | 98,595 | 104,757 | 110,919 | 117,081 | [1]123,100 | [1]123,100 | 119,546 | 115,849 |
| Huntsville, AL | 78,288 | 84,311 | 90,333 | 96,355 | 102,377 | 108,399 | 114,422 | 120,444 | 120,444 | 116,830 | 113,217 |
| Indianapolis, IN | 77,973 | 83,970 | 89,968 | 95,966 | 101,964 | 107,962 | 113,960 | 119,958 | 119,958 | 116,359 | 112,760 |
| Kansas City, MO–KS | 77,687 | 83,663 | 89,639 | 95,614 | 101,590 | 107,566 | 113,542 | 119,518 | 119,518 | 115,933 | 112,347 |
| Los Angeles-Riverside-Orange County, CA | 79,484 | 85,598 | 91,712 | 97,827 | 103,941 | 110,055 | 116,169 | 122,283 | 122,283 | 118,615 | 114,946 |
| Memphis, TN–AR–MS | 77,529 | 83,493 | 89,456 | 95,420 | 101,384 | 107,348 | 113,311 | 119,275 | 119,275 | 115,697 | 112,119 |
| New York-N. New Jersey-Long Island, NY–NJ–CT–PA | 79,544 | 85,663 | 91,782 | 97,901 | 104,020 | 110,138 | 116,257 | 122,376 | 122,376 | 118,705 | 115,033 |
| Norfolk-Virginia Beach-Newport News, VA–NC | 77,672 | 83,646 | 89,621 | 95,596 | 101,571 | 107,545 | 113,520 | 119,495 | 119,495 | 115,910 | 112,325 |
| Oklahoma City, OK | 77,717 | 83,695 | 89,673 | 95,652 | 101,630 | 107,608 | 113,586 | 119,564 | 119,564 | 115,977 | 112,391 |
| Philadelphia-Wilmington-Atlantic City, PA–NJ–DE–MD | 78,935 | 85,007 | 91,079 | 97,151 | 103,223 | 109,295 | 115,367 | 121,439 | 121,439 | 117,796 | 114,152 |
| Sacramento-Yolo, CA | 77,980 | 83,979 | 89,977 | 95,975 | 101,974 | 107,972 | 113,971 | 119,969 | 119,969 | 116,370 | 112,771 |
| St. Louis, MO–IL | 77,529 | 83,493 | 89,456 | 95,420 | 101,384 | 107,348 | 113,311 | 119,275 | 119,275 | 115,697 | 112,119 |
| Salt Lake City-Ogden, UT | 77,529 | 83,493 | 89,456 | 95,420 | 101,384 | 107,348 | 113,311 | 119,275 | 119,275 | 115,697 | 112,119 |
| San Antonio, TX | 77,529 | 83,493 | 89,456 | 95,420 | 101,384 | 107,348 | 113,311 | 119,275 | 119,275 | 115,697 | 112,119 |
| San Diego, CA | 78,123 | 84,132 | 90,142 | 96,151 | 102,161 | 108,170 | 114,180 | 120,189 | 120,189 | 116,583 | 112,978 |
| San Francisco-Oakland-San Jose, CA | 79,853 | 85,995 | 92,138 | 98,280 | 104,423 | 110,565 | 116,708 | 122,850 | 122,850 | 119,165 | 115,479 |
| Seattle-Tacoma-Bremerton, WA | 78,153 | 84,165 | 90,177 | 96,188 | 102,200 | 108,212 | 114,224 | 120,235 | 120,235 | 116,628 | 113,021 |
| Washington-Baltimore, DC–MD–VA–WV | 78,386 | 84,416 | 90,446 | 96,475 | 102,505 | 108,535 | 114,564 | 120,594 | 120,594 | 116,976 | 113,358 |
| Rest of U.S. | 77,529 | 83,493 | 89,456 | 95,420 | 101,384 | 107,348 | 113,311 | 119,275 | 119,275 | 115,697 | 112,119 |

[1] Rate limited to the rate for level III of the Executive Schedule (5 U.S.C. 5304(g)(2)).

NOTE: Locality rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Members of the Senior Executive Service, Employees in Senior-Level and Scientific or Professional Positions, Administrative Law Judges, and Members of Boards of Contract Appeals" cover sheet.

## SPECIAL LAW ENFORCEMENT ADJUSTED RATES OF PAY FOR MEMBERS OF THE SENIOR EXECUTIVE SERVICE AND EMPLOYEES IN SENIOR-LEVEL AND SCIENTIFIC OR PROFESSIONAL POSITIONS

[Effective January 1994]

| Special pay adjustment area | Salary table No. 94–ES (LEO)—Senior Executive Service (SES) | | | | | | Salary table No. 94–SL/ST (LEO)—Senior-Level (SL) and Scientific or Professional (ST) Positions | |
|---|---|---|---|---|---|---|---|---|
| | ES–1 | ES–2 | ES–3 | ES–4 | ES–5 | ES–6 | Minimum | Maximum |
| Boston-Worcester-Lawrence, MA–NH–ME–CT | $107,764 | $112,984 | $118,088 | [1] $123,100 | [1] $123,100 | [1] $123,100 | $92,720 | [1] $123,100 |
| Los Angeles-Riverside-Orange County, CA [2] | 107,764 | 107,764 | 112,984 | 118,088 | [1] 123,100 | [1] 123,100 | [1] 123,100 | 92,720 |
| New York-N. New Jersey-Long Island, NY–NJ–CT–PA | 107,764 | 112,984 | 118,088 | [1] 123,100 | [1] 123,100 | [1] 123,100 | 92,720 | [1] 123,100 |
| San Diego, CA | 100,332 | 105,192 | 109,944 | 115,884 | 120,744 | [1] 123,100 | 86,325 | [1] 123,100 |
| San Francisco-Oakland-San Jose, CA | 107,764 | 112,984 | 118,088 | [1] 123,100 | [1] 123,100 | [1] 123,100 | 92,720 | [1] 123,100 |

[1] Rate limited to the rate for level III of the Executive Schedule (5 U.S.C. 5304(g)(2)).

[2] Does not include Santa Barbara County or that portion of Edwards Air Force Base outside the Los Angeles-Riverside-Orange County, CA CMSA.

NOTE: Special law enforcement adjusted rates of pay are considered basic pay only for certain purposes—see "1994 Salary Tables for Members of the Senior Executive Service, Employees in Senior-Level and Scientific or Professional Positions, Administrative Law Judges, and Members of Boards of Contract Appeals" cover sheet.

### 1994 Salary Table for the Executive Schedule

*January 1994*

The scheduled rates of pay for the Executive Schedule were authorized under 5 U.S.C. 5318 and Executive Order 12826 of December 30, 1992. Public Law 103–123 canceled the general pay adjustment for the General Schedule for 1994, which resulted in no adjustment in the Executive Schedule for 1994.

**Rates of Pay for the Executive Schedule**

Effective January 1993

SALARY TABLE NO. 94–EX—EXECUTIVE SCHEDULE (EX)

| | Annual rate |
|---|---|
| Level I | $148,400 |
| Level II | 133,600 |
| Level III | 123,100 |
| Level IV | 115,700 |
| Level V | 108,200 |

**Definitions of Locality Pay Areas**

The regulation defining the locality pay areas (5 CFR § 531.603) was issued by the Office of Personnel Management under the authority in 5 U.S.C. 5304(i). With two exceptions, the geographic boundaries of the pay localities for the first locality payments coincide with the boundaries of the 27 Metropolitan Statistical Areas (MSA's) and Consolidated Metropolitan Statistical Areas (CMSA's) within which the Bureau of Labor Statistics conducted salary surveys for locality pay purposes, plus 1 additional area composed of the "Rest of the United States." MSA's and CMSA's are defined by the Office of Management and Budget in OMB Bulletin No. 93–17, June 30, 1993.

The two exceptions are the Los Angeles-Riverside-Orange County, CA, and the Washington-Baltimore, DC–MD–VA–WV, locality pay areas. These two areas also include certain areas outside the corresponding CMSA's.

The definitions of the locality pay areas follow. Unless otherwise noted, all of the components listed below are counties. The geographic codes are maintained by the General Services Administration, which periodically publishes them in *Worldwide Geographic Location Codes*. The geographic codes listed for the majority of the pay areas consist of a 2-digit State and a 3-digit county identifier. When necessary, city codes were added to the geographic code. These areas are identified by a 2-digit State, a 4-digit city, and a 3-digit county code. The District of Columbia is identified by its 2-digit State code only.

In parts of the Boston and New York pay areas where nine-digit codes are used, this list covers all locations within the boundaries of the pay area that are listed in *Worldwide Geographic Location Codes*. Some minor civil divisions that are part of the OMB definition of the CMSA do not appear here because they have no geographic code. In some instances, there are multiple locations within a single minor civil division that have a geographic code. Each is listed here separately.

Atlanta, GA

13–013 Barrow
13–015 Bartow
13–045 Carroll
13–057 Cherokee
13–063 Clayton
13–067 Cobb
13–077 Coweta
13–089 DeKalb
13–097 Douglas
13–113 Fayette
13–117 Forsyth
13–121 Fulton
13–135 Gwinnett
13–151 Henry
13–217 Newton
13–223 Paulding
13–227 Pickens
13–247 Rockdale
13–255 Spalding
13–297 Walton

Boston-Worcester-Lawrence, MA–NH–ME–CT

Massachusetts

25–009 all of Essex County
25–017 all of Middlesex County
25–021 all of Norfolk County
25–023 all of Plymouth County
25–025 all of Suffolk County

The following parts of Bristol County:

250007005 Acushnet
250039005 Assonet
250096005 Berkley
250188005 Chartley
250251005 Dartmouth

250254005 Dighton
250281005 East Freetown
250299005 Easton
250315005 Fairhaven
250385005 Freetown
250670005 Mansfield
250850005 New Bedford
250911005 North Dartmouth
250912005 North Dighton
250913005 North Easton
250924005 Norton
251064005 Raynham
251062005 Raynham Center
251135005 Segreganset
251219005 South Dartmouth
251225005 South Easton
251280005 Taunton

The following part of Hampden County:

250489013 Holland

The following parts of Worcester County:

250032027 Ashburnham
250055027 Auburn
250079027 Barre
250080027 Barre Plains
250098027 Berlin
250110027 Blackstone
250117027 Bolton
250123027 Boylston
250150027 Brookfield
250185027 Charlton
250186027 Charlton City
250189027 Charlton Depot
250220027 Clinton
250252027 Douglas
250263027 Dudley
250272027 East Brookfield
250280027 East Douglas
250297027 East Princeton
250332027 Fayville
250350027 Fitchburg
250390027 Gardner
250436027 Grafton
250467027 Harvard
250480027 Holden
250510027 Hopedale
250555027 Jefferson
250565027 Lancaster
250585027 Leicester
250610027 Leominster
250619027 Linwood
250640027 Lunenburg
250664027 Manchaug
250745027 Mendon
250780027 Milford
250785027 Millbury
250820027 Millville
250834027 Morningdale
250900027 Northborough
250902027 Northbridge
250910027 N. Brookfield
250916027 N. Grafton
250918027 N. Oxford
250927027 N. Uxbridge
250944027 Oakdale
250943027 Oakham
250980027 Oxford
250999027 Paxton
251045027 Princeton
251080027 Rochdale
251100027 Rutland
251172027 Shrewsbury
251200027 South Barre
251203027 South Berlin
251204027 Southborough
251210027 Southbridge
251228027 South Grafton
251240027 South Lancaster
251260027 Spencer
251273027 Sterling
251266027 Sterling Junction
251271027 Still River
251278027 Sturbridge
251269027 Sutton
251283027 Templeton
251310027 Upton
251320027 Uxbridge
251376027 Waterville
251380027 Webster
251390027 Westborough
251395027 West Boylston
251410027 West Brookfield
251439027 Westminster
251455027 West Upton
251470027 Whitinsville
251500027 Winchendon
251520027 Worcester

New Hampshire

The following parts of Hillsborough County:

330011011 Amherst
330018011 Bedford
330031011 Brookline
330160011 Goffstown
330180011 Greenville
330234011 Hollis
330240011 Hudson
330299011 Litchfield
330310011 Manchester
330324011 Mason
330334011 Merrimack
330340011 Milford
330344011 Mont Vernon
330350011 Nashua
330357011 New Ipswich
330401011 Pelham
330434011 Reeds Ferry
330509011 Weare
330540011 Wilton

The following part of Merrimack County:

330236013 Hooksett

The following parts of Rockingham County:

330012015 Atkinson
330013015 Auburn
330025015 Brentwood
330032015 Candia
330045015 Chester
330087015 Danville
330085015 Derry
330105015 East Derry
330108015 East Hampstead
330112015 East Kingston
330123015 Epping
330130015 Exeter
330153015 Fremont
330176015 Greenland
330195015 Hampstead
330200015 Hampton
330199015 Hampton Beach
330201015 Hampton Falls
330252015 Kensington
330255015 Kingston
330305015 Londonderry
330355015 New Castle
330354015 Newfields
330356015 Newington
330370015 Newmarket
330381015 Newton
330382015 Newton Junction
330391015 North Hampton
330384015 North Salem
330417015 Plaistow
330430015 Portsmouth
330435015 Raymond
330445015 Rye
330447015 Rye Beach
330448015 Salem
330462015 Sandown
330466015 Seabrook
330474015 South Danville
330475015 South Hampton
330478015 Stratham
330533015 West Rye
330527015 Westville
330551015 Windham

The following parts of Strafford County:

330029017 Barrington
330090017 Dover
330100017 Durham
330140017 Farmington
330281017 Lee
330311017 Madbury
330342017 Milton
330345017 Milton Mills
330440017 Rochester
330443017 Rollinsford
330470017 Somersworth

Maine

The following parts of York County:

230450031 Berwick
231445031 Cape Neddick
232450031 Eliot
234250031 Kittery
234300031 Kitterypoint
237450031 South Berwick
239800031 York
239900031 York Beach
239950031 York Harbor

Connecticut

The following parts of Windham County:

090231015 Fabyan
090259015 Grosvenordale
090373015 Mechanicsville
090500015 N. Grosvenordale
090603015 Quinebaug
090749015 Thompson

Chicago-Gary-Kenosha, IL–IN–WI

Illinois

17–031 Cook
17–037 DeKalb
17–043 DuPage
17–063 Grundy
17–089 Kane
17–091 Kankakee
17–093 Kendall
17–097 Lake
17–111 McHenry
17–197 Will

Indiana

18–089 Lake
18–127 Porter

Wisconsin

55–059 Kenosha

Cincinnati-Hamilton, OH–KY–IN

Ohio

39–015 Brown
39–017 Butler
39–025 Clermont
39–061 Hamilton
39–165 Warren

Kentucky

21–015 Boone
21–037 Campbell
21–077 Gallatin
21–081 Grant
21–117 Kenton
21–191 Pendleton

Indiana

18–029 Dearborn
18–115 Ohio

Cleveland-Akron, OH

39–007 Ashtabula
39–035 Cuyahoga
39–055 Geauga
39–085 Lake
39–093 Lorain
39–103 Medina
39–133 Portage
39–153 Summit

Dallas-Fort Worth, TX

48–085 Collin
48–113 Dallas
48–121 Denton
48–139 Ellis
48–213 Henderson
48–221 Hood
48–231 Hunt
48–251 Johnson
48–257 Kaufman
48–367 Parker
48–397 Rockwall
48–439 Tarrant

Dayton-Springfield, OH

39–023 Clark
39–057 Greene
39–109 Miami
39–113 Montgomery

Denver-Boulder-Greeley, CO

08–001 Adams
08–005 Arapahoe
08–013 Boulder
08–031 Denver
08–035 Douglas
08–059 Jefferson
08–123 Weld

Detroit-Ann Arbor-Flint, MI

26–049 Genesee
26–087 Lapeer
26–091 Lenawee
26–093 Livingston
26–099 Macomb
26–115 Monroe
26–125 Oakland
26–147 St. Clair
26–161 Washtenaw
26–163 Wayne

Houston-Galveston-Brazoria, TX

48–039 Brazoria
48–071 Chambers
48–157 Fort Bend
48–167 Galveston
48–201 Harris
48–291 Liberty
48–339 Montgomery
48–473 Waller

Huntsville, AL

01–083 Limestone
01–089 Madison

Indianapolis, IN

18–011 Boone
18–057 Hamilton
18–059 Hancock
18–063 Hendricks
18–081 Johnson
18–095 Madison
18–097 Marion
18–109 Morgan
18–145 Shelby

Kansas City, MO–KS

Missouri

29–037 Cass
29–047 Clay
29–049 Clinton
29–095 Jackson
29–107 Lafayette
29–165 Platte
29–177 Ray

Kansas

20–091 Johnson
20–103 Leavenworth
20–121 Miami
20–209 Wyandotte

Los Angeles-Riverside-Orange County, CA

06–037 Los Angeles
06–059 Orange
06–065 Riverside
06–071 San Bernardino
06–083 Santa Barbara
06–111 Ventura
061077029 Edwards Air Force Base

Memphis, TN–AR–MS

Tennessee

47–047 Fayette
47–157 Shelby
47–167 Tipton

Arkansas

05–035 Crittenden

Mississippi

28–033 DeSoto

NewYork-Northern New Jersey-Long Island, NY–NJ–CT–PA

New York

36–005 Bronx
36–027 Dutchess
36–047 Kings
36–059 Nassau
36–061 New York
36–071 Orange
36–079 Putnam
36–081 Queens
36–085 Richmond
36–087 Rockland
36–103 Suffolk
36–119 Westchester

New Jersey

34–003 Bergen
34–013 Essex
34–017 Hudson
34–019 Hunterdon
34–021 Mercer
34–023 Middlesex
34–025 Monmouth
34–027 Morris
34–029 Ocean
34–031 Passaic
34–035 Somerset
34–037 Sussex
34–039 Union
34–041 Warren

Connecticut

09–001 all of Fairfield County
09–009 all of New Haven County

The following parts of Litchfield County:

090051005 Bethlehem
090083005 Bridgewater
090247005 Gaylordsville
090372005 Marble Dale
090450005 New Milford
090454005 New Preston
090535005 Oakville
090629005 Roxbury
090740005 Thomaston
090802005 Washington
090805005 Washington Depot
090817005 Watertown
090857005 Woodbury

The following parts of Middlesex County:

090130007 Clinton
090332007 Killingworth

Pennsylvania

42–103 Pike

Norfolk-Virginia Beach-Newport News, VA–NC

Virginia

51–073 Gloucester
51–093 Isle of Wight
51–095 James City County
51–115 Mathews
51–199 York
51–550 Chesapeake city
51–650 Hampton city
51–700 Newport News city
51–710 Norfolk city
51–735 Poquoson city
51–740 Portsmouth city
51–800 Suffolk city
51–810 Virginia Beach city
51–830 Williamsburg city

North Carolina

37–053 Currituck

Oklahoma City, OK

40–017 Canadian
40–027 Cleveland
40–083 Logan
40–087 McClain
40–109 Oklahoma
40–125 Pottawatomie

Philadelphia-Wilmington-Atlantic City, PA–NJ–DE–MD

Pennsylvania

42–017 Bucks
42–029 Chester
42–045 Delaware
42–091 Montgomery
42–101 Philadelphia

New Jersey

34–001 Atlantic
34–005 Burlington
34–007 Camden
34–009 Cape May
34–011 Cumberland
34–015 Gloucester
34–033 Salem

Delaware

10–003 New Castle

Maryland

24–015 Cecil

Sacramento-Yolo, CA

06–017 El Dorado
06–061 Placer
06–067 Sacramento
06–113 Yolo

St. Louis, MO-IL

Missouri

The following part of Crawford County:
297630055 Sullivan City
29–071 Franklin
29–099 Jefferson
29–113 Lincoln
29–183 St. Charles
29–189 St. Louis
29–219 Warren
29–510 St. Louis city

Illinois

17–027 Clinton
17–083 Jersey
17–119 Madison
17–133 Monroe
17–163 St. Clair

Salt Lake City-Ogden, UT

49–011 Davis
49–035 Salt Lake
49–057 Weber

San Antonio, TX

48–029 Bexar
48–091 Comal
48–187 Guadalupe
48–493 Wilson

San Diego, CA

06–073 San Diego

San Francisco-Oakland-San Jose, CA

06–001 Alameda
06–013 Contra Costa
06–041 Marin
06–055 Napa
06–075 San Francisco
06–081 San Mateo
06–085 Santa Clara
06–087 Santa Cruz
06–095 Solano
06–097 Sonoma

Seattle-Tacoma-Bremerton, WA

53–029 Island
53–033 King
53–035 Kitsap
53–053 Pierce
53–061 Snohomish
53–067 Thurston

Washington-Baltimore, DC-MD-VA-WV

11 District of Columbia

Maryland

24–003 Anne Arundel
24–005 Baltimore
24–009 Calvert
24–013 Carroll
24–017 Charles
24–021 Frederick
24–025 Harford
24–027 Howard
24–031 Montgomery
24–033 Prince George's
24–035 Queen Anne's
24–037 St. Mary's
24–043 Washington
24–510 Baltimore city

Virginia

51–013 Arlington
51–043 Clarke
51–047 Culpeper
51–059 Fairfax
51–061 Fauquier
51–099 King George
51–107 Loudoun
51–153 Prince William
51–177 Spotsylvania
51–179 Stafford
51–187 Warren
51–510 Alexandria city
51–600 Fairfax city
51–610 Falls Church city
51–630 Fredericksburg city
51–683 Manassas city
51–685 Manassas Park city

West Virginia

54–003 Berkeley
54–037 Jefferson

Rest of U.S.

Those portions of the 48 contiguous States and the District of Columbia not located within another locality pay area.

BILLING CODE 1505-01-D

federal register

Friday
February 18, 1994

Part II

# Department of Labor

## Mine Safety and Health Administration

30 CFR Part 56, et al.
Air Quality: Health Standards for Abrasive Blasting and Drill Dust Control; Final Rule

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 56, 57, 58, 70, and 72

RIN 1219–AA48

# Air Quality: Health Standards for Abrasive Blasting and Drill Dust Control

AGENCY: Mine Safety and Health Administration (MSHA), Labor.

ACTION: Final rule.

SUMMARY: This final rule addresses abrasive blasting and drill dust control at all metal and nonmetal and coal mines. The final rule retains existing requirements for rock drilling operations at metal and nonmetal mines and establishes new requirements for rock drilling operations at surface coal mines and surface work areas of underground coal mines. The final rule also revises existing requirements for rock drilling operations at underground coal mines. In addition, it establishes new specific standards for abrasive blasting operations at coal mines and expands existing provisions at metal and nonmetal mines.

EFFECTIVE DATE: April 19, 1994.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey; Director, Office of Standards, Regulations and Variances; MSHA; (703) 235–1910.

SUPPLEMENTARY INFORMATION:

## I. Background

On August 29, 1989 (54 FR 35760), MSHA published a notice in the Federal Register inviting public comment on a proposed rule on air quality, chemical substances, and respiratory protection in mining. The proposed rule addressed means of controlling exposure to hazardous substances, permissible exposure limits, exposure monitoring, dangerous atmospheres, respiratory protection, carcinogens, asbestos construction work, drill dust control, abrasive blasting, and prohibited areas for food and beverages. This final rule addresses abrasive blasting and drill dust control, which are the first of these sections to be completed.

In comments on the proposal, the Agency received requests to hold public hearings. In response, the Agency held three sets of public hearings on the proposed rule. The first set of public hearings, which specifically addressed abrasive blasting and drill dust control, was held in Denver, Colorado, on June 4, 1990, and in Pittsburgh, Pennsylvania, on June 7, 1990. Following the public hearings, the record remained open until August 30, 1991, to allow interested persons to submit supplementary statements and data.

During the rulemaking process, MSHA received written and oral comments from all segments of the mining community. The Agency's final rule addresses the comments received and is consistent with the goals of the Federal Mine Safety and Health Act of 1977 (Mine Act), Executive Order 12866, the Regulatory Flexibility Act, and the Paperwork Reduction Act.

After analyzing the comments received, the public hearing testimony, and technical and health data, the Agency is issuing this final rule on abrasive blasting and drill dust control to address immediate health concerns. The final rule makes no substantive changes to existing regulations for drill dust control at metal and nonmetal mines and at underground coal mines. However, the final rule establishes new requirements for drill dust control at surface coal mines. The final rule also expands existing requirements for abrasive blasting at metal and nonmetal mines and establishes new requirements for both surface and underground coal mines. The existing respirable coal mine dust standards in parts 70, 71, and 90 are unaffected by this final rule.

This final rule is consistent with section 101(a)(6)(A) of the Mine Act, which mandates the development of standards dealing with toxic substances to attain the highest degree of protection possible for miners. Section 101(a)(6)(A) also requires MSHA to take into consideration the latest available scientific data in the field, the feasibility of the standards, and experience gained under the Mine Act and other health and safety laws.

This rulemaking codifies health standards for abrasive blasting and drill dust control in a new part 58 for metal and nonmetal mines and a new part 72 for coal mines. In the following discussion, the designation "58/72" indicates that a standard appears in both parts 58 and 72.

In an effort to fully explore the issues presented by this rulemaking, MSHA has included in the rulemaking record several scientific studies concerning abrasive blasting and drill dust control that were published after the close of the comment period on August 30, 1991. These references are CDC/NIOSH Alert * * * Lead Poisoning in Construction Workers, April 1992; CDC/NIOSH Alert * * * Silicosis and Deaths in Rock Drillers, August 1992; CDC/NIOSH Alert * * * Silicosis and Deaths From Sandblasting, August 1992; Goodman et al., 1992; and Mickelsen and Froehlich, May 1993. None of these references are entirely new data, but rather they further confirm the Agency's rulemaking decision and address concerns raised by commenters. MSHA reviewed these documents in order to attain its statutory obligation to consider the latest available scientific data in the field.

## II. General Introduction

Whenever miners conduct abrasive blasting or drilling they are exposed to serious health hazards that require implementation of specific dust controls before engaging in the activity. Enforcement by using the permissible exposure limits alone would provide inadequate protection for miners in these activities. During abrasive blasting and drilling, there is the potential for extremely high exposures in short periods of time to both the miners doing the abrasive blasting or drilling and to other miners in the immediate area. Relying on samples could allow miners to receive extremely hazardous doses of contaminants before sampling results could be analyzed. In addition, miners could face rapidly changing environments, all having potential for high exposure. In addition, during abrasive blasting, although the type of abrasive material may remain constant, the coatings of the base material and the accumulated contaminants in the recycled abrasive material may cause exposure to vary widely (Rekus, 1988; Mickelsen and Froehlich, 1993).

Administrative controls, which control exposures by limiting the amount of time a miner is in a contaminated atmosphere, are not appropriate for abrasive blasting and drilling operations. Inherent in the effective use of administrative controls is the assumption that the environmental exposure will remain constant or predictable. This is not characteristic of these two operations.

Due to the nature of the work being performed, the location of these activities can change rapidly. The frequent change of location also can make it extremely difficult to get sampling results quickly enough to effectively evaluate a miner's current exposure. This is particularly true in the case of independent contractors who, by the time sampling results are evaluated, may have moved to another location or mine. There also exists the problem of maintaining sample integrity during abrasive blasting operations. When sampling is done outside of an abrasive blasting hood, high velocity rebounding or ricocheting abrasive material from the blasted surface can destroy the sample.

Because of these factors, the final rule specifies engineering controls for drill dust control at all mines and requires a

totally enclosed system or an abrasive blasting respirator during abrasive blasting operations.

Exposure to silica is a significant health hazard in abrasive blasting and in drilling. When workers inhale silica, the lungs react by developing fibrotic nodules and scarring around the trapped silica particles. This condition is known as silicosis and can result in respiratory difficulty and eventually death. Symptoms associated with silicosis include shortness of breath, fever, and cyanosis. Severe fungal or mycobacterial infections, such as tuberculosis, often cause complications and may be fatal. Dust-impaired macrophages can no longer function effectively in fighting disease by killing mycobacteria and other organisms.

It is generally believed that the silica dust overwhelms macrophages in the lungs (Craighead et al., 1988). This can be due to silica toxicity or to a combination of toxicity and dust overload (Morrow, 1988; Claypool, 1988; Berkow, 1987). When a person is exposed to respirable dust containing crystalline silica, three types of silicosis may occur, depending on the dust concentration. Chronic silicosis usually occurs following relatively low exposures over 10 or more years. Accelerated silicosis results from exposure to high concentrations over 5 to 10 years. Acute silicosis or silico-proteinosis occurs from exposure to the highest concentrations, with symptoms developing within a few weeks to 4 or 5 years from initial exposure (Merchant, 1986). Acute silicosis is characterized by the accumulation of an amorphous granular lipoprotein released into the air spaces and rapid development of respiratory disability in a few years (Vallyathan, 1988). Silico-proteinosis results from dust overload as well as silica toxicity (Claypool, 1988; Morrow, 1988; Heppleston et al., 1970; Rubin et al., 1980).

When particles impact a surface during abrasive blasting, they typically fracture into finer particles and become airborne. Inhalation of freshly fractured silica particles appears to produce a more severe lung reaction. Vallyathan (1988) studied freshly fractured silica dust and found it exhibited more toxic characteristics than silica that had aged at least 30 hours. Freshly fractured silica can react with water to release short-lived oxygenated free radicals. Alveolar macrophages are stimulated to a greater extent by freshly fractured free silica than silica that has been aged. Vallyathan theorizes that this freshly fractured silica and macrophage interaction may contribute to development of acute silicosis, which is associated with sandblasting, rock drilling, tunnelling, and silica flour mill operations.

## III. Abrasive Blasting

### *A. Introduction*

Abrasive blasting is the technique of projecting particles to remove paint or other unwanted substances from a surface for the purpose of preparing it for painting, welding, or other activities. In mining, the location and type of equipment being cleaned by abrasive blasting may change during every operation. The abrasive material can be composed of a single substance, such as silica, or a composite material, such as slag. The abrasive material, as well as anything removed from the object or surface, can become airborne. In some instances, the abrasive material can be collected and reused. This process has the potential for accumulation of various toxic substances, such as lead from paint (Rekus, 1988; CDC/NIOSH Alert, April 1992; Mickelsen and Froehlich, 1993). The exposure hazard associated with abrasive blasting is dependent on the type of abrasive blasting conducted, the type of abrasive material used, and the substance being abraded. Abrasive blasting represents a unique situation in mining that is difficult to control by using traditional means.

There are several different methods of abrasive blasting. Air pressure blasting is the most commonly used technique in mining. In this process, air pressure is used to propel abrasive material at a high velocity against an object to abrade unwanted substances from its surface. This type of abrasive blasting has the greatest potential to cause overexposure to toxic substances resulting from the abrasive material itself or the substances removed.

Another abrasive blasting method uses abrasive material entrained in water or other liquid media. The abrasive material is propelled by either liquid pressure or a combination of liquid and air pressure. The abrasive material entrained in the liquid media is forced to strike an object at a high velocity, which causes unwanted substances to be abraded. Though the potential for overexposure is reduced by the water used in this method, a health hazard still exists due to small fractured particles found in the mist that is generated. After blasting, cleanup of dried materials also can be a potential exposure problem (Craighead et al., 1988).

In mining, abrasive blasting is a commonly used method of cleaning surfaces in preparation for painting or welding. It is generally done on a periodic basis, most commonly during maintenance procedures and plant overhaul. For these activities, the hazards of abrasive blasting in mining are the same as those in general industry. The references cited in this preamble generally relate to studies conducted on non-miners. Documentation of similar disease prevalence in miners performing abrasive blasting is limited because miners who perform abrasive blasting are grouped into maintenance or general laborer job categories and, thus, are often difficult to identify. Also, many mine operators employ independent contractors to perform these activities, and disease prevalence among such contractors is difficult to track. Because the process and materials are essentially the same in mining as in general industry, MSHA believes that miners performing abrasive blasting experience risks similar to those described in the scientific studies cited in this preamble that address industries other than mining.

### *B. Background*

#### 1. Metal and Nonmetal Mining

Existing metal and nonmetal standards at 30 CFR 56/57.5010 prohibit the use of silica sand or other materials containing more than 1 percent free silica as an abrasive material in abrasive blasting at all surface mines and at the surface areas of underground mines, unless all exposed persons are protected by a full-flow respirator or equivalent. Existing § 57.5016 prohibits the use of silica sand or other materials containing more than 1 percent free silica as an abrasive substance in abrasive blasting operations underground.

The majority of abrasive blasting performed at metal and nonmetal mines is conducted on the surface and most of these operations are carried out by hand-held dry blasting methods. In almost all of these operations, abrasive blasting hoods with supplied air are used to protect the worker. These hoods are approved by the National Institute for Occupational Safety and Health (NIOSH). Also, small abrasive blasting work boxes are used in some maintenance shops.

#### 2. Coal Mining

Currently, MSHA does not specifically regulate abrasive blasting at surface and underground coal mines. However, 30 CFR 75.1720 and 77.1710 require protective clothing for protection against the impact of particles from such operations at coal mines. Abrasive blasting occurs at a

small number of surface and underground coal mines and then only on an infrequent basis. These operations may be performed by either the mine operator or an independent contractor. MSHA has observed abrasive blasting at coal mines where adequate respiratory protection was not being worn. Due to the serious health risk of overexposure to crystalline silica and other materials being used, the final rule requires the use of engineering controls or personal protective equipment at all abrasive blasting operations.

*C. Abrasive Blasting—Toxicity*

For many years, abrasive blasters have been considered to be at high risk of developing silicosis (Craighead et al., 1988). The use of sandblasting for the purpose of cleaning metal surfaces before painting has been prohibited by law in the United Kingdom since 1949 and in the European Economic Community since 1966 (Ziskind, 1976). The increased use of sand as an abrasive in the United States since World War II was noted to have produced a resurgence of accelerated silicosis in sandblasters (Ziskind, 1976). In 1974, NIOSH recommended that silica (or other substances containing more than 1 percent free silica) be prohibited as an abrasive blasting material (NIOSH, 1974).

Early reports of acute silicosis among sandblasters include Buechner and Ansari (1969), who reported evidence of an alveolar proteinosis-like response of pulmonary tissue to occupational silica exposure. Autopsy examination of four sandblasters revealed silica crystals and a protein material in the lungs. The workers had sandblasted for an average period of 4 years.

Abrasive blasters are also at high risk of developing active tuberculosis (Bailey et al., 1974). Merewether (1936) found that the average duration of employment at the time of death was 8.3 years for abrasive blasters with silico-tuberculosis, compared to 32 years for this fatal combination in other occupations. Bailey et al. (1974) also found similar results. Merewether (1936) reported that 5.4 percent (24 of 441) of the sandblasters in his study in Great Britain died from silicosis or silicosis with tuberculosis in a 3.5-year period.

In 1988, a physician reported three cases of silicosis in sandblasters (CDC MMWR, 1990). One of these individuals, a 34-year-old man, died with acute silicotic alveolar proteinosis. Later investigations revealed an additional seven sandblasters who had silicosis. All worked at one facility that used a mixture of flint and garnet to sandblast oil pipe. The mean duration of exposure was 4.5 years, with one case as short as 18 months. Blast cabinets and protective booths were poorly designed and not maintained. Workers wore only disposable respirators and none had been fit tested.

In another case, a 49-year-old nonsmoker with a 6-year history as a sandblaster was admitted to a hospital complaining of difficulty in breathing, cough, lack of appetite, fever and a 20-lb weight loss (Owens et al., 1988). He was diagnosed with chronic silicosis and bacterial pneumonia and died on the twentieth day of his hospital stay.

Four sandblasters in a tombstone factory developed acute silicosis after an average of 3-years' exposure at ages 23, 37, 38, and 47 (Suratt et al., 1977). Three of the four are known to have died from silicosis. It was determined that the blasting agent used during sandblasting contained 98 percent crystalline free silica. The employees worked inside enclosed but vented blasting chambers and wore negative pressure half-mask respirators with disposable filters.

Bailey et al. (1974) examined the records of 88 sandblaster-painters who were admitted to Charity Hospital in New Orleans. Of these, 83 had silicosis and 22 were confirmed as having tuberculosis. The mean age of these 22 individuals was 44, with an average exposure of 10 years. At the time of the study, 27 percent (8 of 22) had died. Three of these individuals died of "acute" silicosis, which had characteristics of pulmonary alveolar proteinosis. The average age at the time of death was 44.2 years, with an average exposure of 8.3 years. The authors note that in almost all of the 22 cases, the sandblaster hoods were not attached to an external air supply.

Samimi et al. (1974) studied sandblasting and associated workers on steel fabrication yards. They sampled sandblasters and workers physically located near the abrasive blasting operations. Personal exposure of helpers, pot handlers, painters, and welders indicated an average exposure from 1.9 to 7.4 times the permissible threshold limit value (TLV), with the helper having the highest exposure among the secondary occupations. Environmental samples on the outside of abrasive blasting hoods were as high as 37.25 mg/m$^3$, which was 318 times the TLV. Samples taken inside non-supplied-air abrasive blasting hoods exceeded the TLV in all cases, with the highest exposure being 80 times the TLV. Although sampling data indicated that overexposures occurred with supplied-air respirators being used, the authors noted that this may have been due to sampling during times when the respirator was not continually worn, as well as to poorly maintained equipment. Samples taken under modern and well-maintained hoods indicate exposures would be only one-third of the TLV.

In studies, other abrasives used instead of silica also have been demonstrated to be fibrogenic. MacKay et al. (1980) found that commercial coal-slag derived grit produced pulmonary fibrosis in rats. The copper slag tested did not produce fibrosis, but did produce granulomas.

Stettler et al. (1988) studied the fibrogenic and carcinogenic potential of copper and nickel smelter slags that have been used as a substitute for sand in abrasive blasting. The copper slags not only produced some fibrosis, but also produced lung tumors in the rats. The authors were unable to determine the exact causative agent because many trace elements, such as arsenic and beryllium, were present in the slags.

*D. Control Technology*

Abrasive blasting creates high particulate concentrations within open or enclosed spaces where the work is performed. The force of the abrasive stream (60 to 120 pounds per square inch (psi)) produces fine fragments of respirable size (less than 10 micrometers (μm) in diameter). A high percentage of the particles are in the 1 to 3 μm range in which alveolar deposition is significant (Bailey et al., 1974).

MSHA recognizes that there are limitations in the engineering controls for abrasive blasting in mining. Abrasive blasting, by its nature, is used to prepare equipment for maintenance. Because the equipment to be prepared can vary considerably in size and location at the mine, it would be extremely costly and technically very difficult to build temporary enclosures around the equipment with properly designed ventilation and dust filtration equipment to prevent exposure to miners. Some small equipment can be easily moved, which allows for abrasive blasting of that equipment to be performed in commercially available boxes, cabinets, or blasting rooms. Blast cleaning cabinets are used to clean relatively small objects that can be manipulated by hand. When using blasting cabinets, the operator stands outside of the enclosed cabinet and uses a set of attached gloves or remote controls to perform the blasting operation inside the enclosure. The blasting media is maintained inside the enclosed cabinet by negative pressure. When operators use a properly designed and maintained blasting cabinet,

exposure to hazardous material is minimal.

The majority of abrasive blasting in mining is done on large equipment at varied locations on the mine site. In these cases, the primary means of controlling exposure is the NIOSH-approved abrasive blasting hood. This hood has the advantage of providing safety protection from the impact of projected particles, as well as respiratory protection from toxic materials.

*E. Summary and Explanation of Rule*

Paragraph (a) of §§ 58/72.610 is derived from existing §§ 56/57.5010 for metal and nonmetal mines. Sections 56/57.5010 prohibit the use of materials containing more than 1 percent free silica as an abrasive substance in abrasive blasting operations at surface areas of metal and nonmetal mines, unless all exposed persons are protected with full-flow respirators or equivalent. Under the final rule, when an abrasive blasting operation is performed, all exposed miners must properly use respirators approved for abrasive blasting by NIOSH or the operation must be done in a totally enclosed device.

A commenter to the proposed rule recommended that MSHA require supplied-air respirators at surface mines, unless the work being performed was in a totally enclosed device with the operator outside the device. This commenter stated that eliminating silica-containing materials from abrasive blasting will not necessarily eliminate the associated health hazards, because animal experiments with other abrasive substitutes have produced fibrosis or scarring of the lungs. In addition, NIOSH recommended that abrasive blasting respirators be used whenever there is detectable silica in the abrasive blasting material, even when it constitutes less than 1 percent.

MSHA agrees with the commenter that other abrasive materials can present a health hazard in abrasive blasting. The final rule, therefore, expands the scope of the proposed rule to address these hazards by requiring respirators approved for abrasive blasting to be used when abrasive blasting is conducted, unless the work is performed in a totally enclosed device with the operator outside the device. Abrasive blasting respirators will also provide the necessary safety protection because they are designed to protect the wearer's head and neck against impact and abrasion from rebounding material, as well as provide respiratory protection. The impact of high-velocity rebounding or ricocheting abrasive material from the blasted surface can penetrate other types of personal protective equipment.

Existing metal and nonmetal §§ 56/57.5010 require the use of "full-flow respiratory protection or equivalent" when using abrasives containing more than 1 percent free silica. "Full-flow" is an outdated term referring to a respirator that had a flow of air mechanically forced into the facepiece, as opposed to a negative-pressure respirator that requires inhalation by the wearer to bring air through the filter into the facepiece. A "full-flow" respirator does not easily correspond to current NIOSH certification of respiratory protection. The proposed rule replaced "full-flow respiratory protection or equivalent" with "supplied-air respirator approved for abrasive blasting" which required NIOSH approval for that use.

Since the publication of the proposed rule, powered air-purifying respirators have received NIOSH approval for use in abrasive blasting operations. Powered air-purifying respirators approved by NIOSH for abrasive blasting would meet the current standard of "full-flow respiratory protection or equivalent." Therefore, MSHA is deleting the words "supplied-air" in the final rule to permit the use of any respirator approved by NIOSH for abrasive blasting. This will not result in any diminution of safety for the miner, but will permit the use of any new respiratory protection that has been approved by NIOSH for abrasive blasting operations.

NIOSH recommended banning the use of any product containing more than 1 percent free silica as an abrasive substance at all mines. They also recommended banning the use underground of any product that contained any detectable silica, including those containing less than 1 percent. NIOSH suggested that at surface operations where abrasive blasting products containing any detectable silica up to 1 percent are used, MSHA should require the use of abrasive blasting respirators.

In the preamble to the proposed rule, MSHA used the terms "quartz" and "free silica" interchangeably in the discussion on abrasive blasting, although the term "1 percent quartz" was used in the proposed rule itself. NIOSH in its comments expressed concern about the proposed exemption of material containing "1 percent free silica or less." In the final rule, MSHA is using "1 percent free silica" which is consistent with the wording of the current metal and nonmetal standard and is the term used by NIOSH.

MSHA disagrees with the suggestion that substances containing more than 1 percent free silica be banned at surface locations. Adequate protection will be provided to miners with the requirement that miners exposed to abrasive blasting use respirators approved for abrasive blasting or the operation be conducted in totally enclosed devices. Several types of abrasive blasting enclosures are commercially available and can be used successfully to control exposure to all contaminants, not just silica. Alternatively, abrasive blasting respirators also offer protection against all contaminants, including silica. As a result, the final rule does not ban the use of abrasive blasting materials containing silica at surface operations.

One commenter recommended monitoring of the environment when abrasive blasting products containing less than 1 percent free silica are used. This commenter suggested that abrasive blasting respirators or engineering controls be required if the level of exposure to respirable quartz dust at surface operations exceeds 50 $\mu g/m^3$. The requirement in the final rule requiring enclosure or abrasive blasting respirators affords more protection to the miners.

Other commenters recommended that the proposed section on abrasive blasting be deleted and that an exposure limit for silica sand govern the exposure during abrasive blasting operations. Because of factors previously discussed, specifying controls is necessary. Generally, it is not practical to conduct monitoring in an abrasive blasting zone because the sampling device could be destroyed or damaged by rebounding material. In addition, because of the wide variability in blasting operations, sampling is often inadequate as a means of assessing the miners' exposures. The safety hazard associated with abrasive blasting is such that hoods or enclosures are necessary to ensure better protection for miners engaged in abrasive blasting activities.

Paragraph (b) of §§ 58/72.610 is derived from existing metal and nonmetal § 57.5016 and prohibits the use of silica sand or other materials containing more than 1 percent free silica as an abrasive substance in abrasive blasting at underground mines. Currently, MSHA does not explicitly regulate abrasive blasting underground at coal mines. However, § 75.1720 requires protective clothing for protection against the impact of particles from such operations. NIOSH and the majority of commenters recommended that abrasive blasting materials containing more than 1

percent free silica be banned underground. MSHA agrees because airborne respirable silica could be carried from an abrasive blasting operation throughout the mine by the ventilation system, thus exposing unprotected miners. In addition, there are substitute abrasives that have been used effectively for this type of work underground. Accordingly, the Agency has retained the provision from the proposed rule which would ban the use underground of abrasive blasting materials containing more than 1 percent free silica.

Because §§ 58/72.500, respiratory protection, of the proposed Air Quality standard have not been promulgated, MSHA uses the term "properly used" and "approved by NIOSH" in § 72.610(a) to assure protection. Section 58.610 refers to §§ 56/57.5005 to assure continued proper use of respiratory protection. When the respiratory protection provisions of the Air Quality rulemaking are promulgated, §§ 58/72.610 will be modified to refer to that section.

## IV. Drill Dust Control

### *A. Introduction*

Drilling operations have long been recognized as causing respiratory hazards in mining. Most rock drilling produces respirable, silica-bearing dust that can cause silicosis and alveolar proteinosis. All types of silicosis have been documented in drillers. In 1958, the Public Health Service, in conjunction with the Bureau of Mines, issued a report on silicosis in metal and nonmetal mining that identified drilling as one of the most prolific dust-producing operations. In August 1992, the CDC/NIOSH of the Public Health Service again reemphasized its earlier warnings on silicosis occurring in rock drillers. In this Alert, NIOSH described 23 cases of silicosis occurring in rock drillers, including 11 rock drillers in coal mines. MSHA believes that control of drill dust also will prevent the development of pulmonary alveolar proteinosis, as well as a mixed dust fibrosis and silico-proteinosis.

MSHA has recognized the health hazard presented by drilling in underground coal mining and that surface coal mines also need the additional protection set forth in this final rule. In metal and nonmetal mines under existing regulations over the past 13 years, MSHA had three reports of pneumoconiosis in rock drillers and two cases in driller helpers. Over the past 10 years, there were 30 cases of pneumoconiosis reported to MSHA in highwall drill operators and helpers at surface coal mines.

In addition, Banks (1983) identified three cases of acute silicosis in coal miners. Parker et al. (1989) identified nine cases of silicosis in surface miners in a 10-year period in West Virginia. The median age of the miners was 35 years. All were drillers, driller helpers, or supervisors with a median of 6 years above-ground exposure. Four were nonsmokers. Two had acute silicosis, one of whom died within 2 years of diagnosis. Five had accelerated silicosis, one of whom had silico-tuberculosis. Two with longer periods of exposure were diagnosed as having chronic silicosis. Parker concluded that there were a number of inadequately protected individuals among above-ground workers.

All drillers and other miners must be protected from the inhalation hazard of respirable drill dust. In the history of rock drilling, various control techniques have been developed to reduce the amount of dust emitted from the drill. Installing drill dust controls at the source can reduce the amount of dust emitted and is effective in protecting all miners at a mine. Many of these source-control techniques are readily available and effective in the prevention of pneumoconiosis.

### *B. Background*

#### 1. Metal and Nonmetal Mining

The Public Health Service has reported that drilling was one of the most prolific dust-producing operations to which miners were exposed (Silicosis in the Metal Mining Industry, 1963). In that study, 11 percent of the samples collected for drilling operations contained excessive concentrations of silica-bearing dust. The study also cited improper ventilation, dry collaring of holes, and defective equipment as the primary causes of overexposure. In Medicine in the Mining Industries (1972), wet drilling was recognized as an efficient means of dust control.

Existing §§ 56/57.5003 for metal and nonmetal mines require that drill holes be collared and drilled wet or that other efficient dust control measures be used when drilling non-water-soluble materials. Efficient dust control measures also are required when drilling water-soluble materials. MSHA issues a citation when a drill dust control is missing, defective, or obviously ineffective by sight. In those cases where it is not obvious that a control is ineffective, an MSHA inspector has the option of reviewing the manufacturer's specifications or other pertinent data, or sampling to determine its effectiveness. Currently, MSHA issues about 90 citations and 3 orders per year for violations of §§ 56/57.5003.

#### 2. Coal Mining

The development of silicosis and pneumoconiosis among underground coal miners has been well documented, particularly among roof bolters and transportation workers. Existing §§ 70.400 through 70.400–3 address drill dust controls at underground coal mines. MSHA issues a citation for a violation of § 70.400 if visual observation indicates that the drill dust controls on the equipment are not functioning properly. Currently, MSHA issues about 15 such citations per year. Section 72.630 of the final rule is comparable to existing §§ 70.400 through 70.400–3 and MSHA's current interpretation of the regulation. Likewise, § 72.630 is a work practice standard that does not require sampling.

Surface coal miners were not recognized as facing as serious a risk as underground coal miners for many years (Parker et al., 1989). Evidence has indicated that highwall drill operators and helpers at surface coal mines have an increased risk of pneumoconiosis. Re-analysis by Banks et al. (1983) of data from a previous U.S. Public Health Service survey of surface coal miners, after exclusion of miners with underground mining experience, showed that 38 percent of the cases of pneumoconiosis in surface coal miners occurred in drill-crew members even though this group comprised only 11 percent of the study population.

In a 1984 evaluation of the prevalence of pneumoconiosis in surface coal mine drillers, Amandus et al. found a significantly higher incidence of category 1 or higher pneumoconiosis in persons with more than 10 years surface drilling experience than in those with less than 10 years or no drilling experience. Results of this study also indicated that the average coal mine dust level was significantly higher among drillers than that found for all miners.

Later Piacitelli et al. (1990) reported that the respirable coal mine dust samples submitted by coal mine operators and MSHA inspectors from 1982 to 1986 were usually well below the 2.0 mg/m$^3$ allowable limit for all surface job categories. However, samples collected for highwall drillers and helpers indicated that 78 percent and 77 percent, respectively, exceeded the quartz exposure limit and that 10 to 15 percent of miners in both categories exceeded the 2.0 mg/m$^3$ respirable coal mine dust standard.

Between 1989 and 1993, MSHA issued 112 citations for exceeding the allowable limit for respirable dust on highwall drill operators and helpers, of which 62 were for exceeding the 2.0 mg/m³ respirable dust standard. The remaining 50 citations were issued for exceeding the reduced respirable dust standard due to quartz content. As of July 1993, MSHA had placed 79 active highwall drills on a reduced respirable dust standard due to the quartz concentration in respirable dust samples collected on the drill operators. Also, there are 410 active roof bolters in underground coal mines on a reduced respirable dust standard due to quartz concentration on collected respirable dust samples.

Notwithstanding Agency enforcement efforts, cases of silicosis continue to be reported among surface coal miners. Therefore, in 1989, MSHA proposed that drillers be protected at surface operations and that the requirements be clarified for underground drillers. The final rule is a work practice standard that does not require sampling. This standard, in conjunction with existing regulations, is intended to provide miners with more protection from exposures to harmful amounts of silica and respirable coal mine dust.

*C. Drill Dust—Toxicity*

Pneumoconiosis began to receive increased attention toward the end of the last century as a result of the introduction of machine drills and the large quantities of dust they generate. Silicosis has long been recognized as a health risk in rock drillers (Silicosis in the Metal Mining Industry, 1963). In the past, rock drillers in underground coal mines were known to have developed silicosis, but drillers at surface coal mines were not considered to be at significant risk (Fairman et al., 1977). However, more recent studies indicate that surface rock drillers are being diagnosed with silicosis as well as other pneumoconioses (Banks et al., 1983; Parker et al., 1989; Goodman et al., 1992; Amandus et al., 1984; Piacitelli et al., 1990). A study conducted by NIOSH in 1987 of silica dust exposure to drill crews drilling overburden on a highwall at a surface coal mine indicated the occurrence of significant overexposures and a prevalence of pneumoconiosis five times greater than other surface workers (NIOSH MHETA 87–173–1882).

The August 1992 CDC/NIOSH Alert on Rock Drillers referenced a number of cases of silicosis among miners. One case involved an individual who first experienced respiratory symptoms in 1986 at age 33 (Goodman et al., 1992). The subject was a quarry driller using wet methods to suppress drill dust from 1973 to 1983. After 1983, he worked primarily as a driller at a surface coal mine using no controls. The miner died in 1991 of progressive respiratory failure.

Another driller reported respiratory problems in 1979 at age 34 (Banks et al., 1983). His history indicated that for the previous 5 years he had operated a rotary drill at a surface coal mine using dry drilling methods. This miner died of respiratory failure in 1981. A medical survey of nine other drillers working for the same company found two additional miners, ages 28 and 31, with accelerated silicosis after fewer than 6 years exposure.

One hospital in West Virginia reported seven cases of silicosis in surface miners from 1978 to 1988. The cases involved miners with a median age of 35 working in surface drilling for an average of 6 years (Parker et al., 1989). One case had active tuberculosis. In addition, a second possible case of tuberculosis was identified.

Ezenwa (1982) studied environmental and host factors in mines and mills. In Quebec metal mines, Ezenwa found that a significantly larger portion of miners who worked in drilling and crushing (associated with high dust levels) developed silicosis in 15 years relative to other occupations over the same time period. Of the 35 men with accelerated silicosis, 37 percent had working experience as drillers.

*D. Drill Dust Control—Technology*

Various effective drill dust control techniques have been developed that control the dust at the source. Many of these techniques are readily available and effective in the prevention of respirable drill dust overexposures. In addition, these dust control techniques can reduce the hazard from drill dust for other miners in the mine as opposed to personal respiratory protection equipment that only protects the individual wearing it, and then only if worn properly.

Most failures of drill dust controls are readily identified and easily corrected. Rather than mechanical breakdown of the controls, malfunctions are generally the result of oversights or poor maintenance, such as failure to turn on water, to fill water-holding tanks, or to empty filters.

The general types of dust controls for rock drilling are wet methods, dry methods, and ventilation control in underground coal mines. Wet drilling methods are known to be effective for dust control with non-water-soluble materials. These methods have been used as early as 1922 and are inexpensive, practical, reliable, and effective in controlling drill dust (Silicosis in the Metal Mining Industry, 1963). Examples of wet drilling controls include the introduction of water through a hollow drill stem, flooding of drill-holes, and water sprays. Dry methods include various methods to capture the dust at the source (the drill-hole), usually by vacuum, with subsequent removal of the dust from the work area air by filtration or other means. Effective dry dust collectors are readily available from several equipment manufacturers for drilling both water-soluble and non-water-soluble materials. General ventilation is not usually effective in underground coal mines for drill dust control, unless it can rapidly disperse and carry away the drill dust as well as direct the dust away from any workers in the area.

*E. Summary and Explanation of Rule*

1. Sections 58/72.620

Section 58.620 is a recodification with no substantive change of existing §§ 56/57.5003, which addresses drill dust control at metal and nonmetal mines. Section 72.620 established new requirements for drill dust control at surface coal mines and surface areas of underground coal mines. The final rule provides that drill holes be collared and drilled wet or that other effective dust control measures be used when drilling non-water-soluble material. The final rule also requires effective dust control measures when drilling water-soluble material.

NIOSH supported establishing rules for drill dust control at surface coal mines because the potential exists for significant overexposure to respirable free silica.

Many commenters objected to the specific control requirements contained in proposed §§ 58/72.620. These commenters recommended that MSHA delete all of the existing and proposed drill dust control standards and suggested that any new regulations addressing this issue be performance oriented. Commenters stated that when judging how to reduce miners' exposure to drill dust, operators should be given wide discretion and be allowed to take into account differences in mine conditions and mining operations.

Other commenters stated that MSHA should provide the same compliance options to metal and nonmetal and surface coal mine operators as are currently provided to underground coal mine operators. These commenters recommended that the language of proposed § 72.630 be made applicable to all mines. These commenters stated that

by requiring wet drilling, MSHA would be suppressing the development of new technology and that the Agency was not taking into consideration other effective measures of dust control, such as positive pressure cabs.

The final rule allows mine operators the option of using controls that are both practical and effective in controlling miners' exposures to drill dust. The methods listed in the final rule are basic and effective control technologies that are readily available to mine operators. In addition, the phrase "or other effective dust control measures" is included in the final rule to enable mine operators to use methods other than those specifically listed in the standard.

MSHA's primary concern is that any drill dust control method relied upon by the operator for the protection of miners' health have a level of proven effectiveness. As a result, the proposed language in §§ 58/72.620 is retained in the final rule.

Likewise, it is MSHA's intent that the final rule allow new technology. New methods of drill dust control may be used if their effectiveness can be demonstrated. In the same manner, new types of drilling may be developed and used if they include controls that are effective in controlling drill dust. Metal and nonmetal and surface coal mine operators do not have to seek MSHA approval before installing "effective" dust control technology.

MSHA agrees that positive pressure cabs are effective in controlling exposures to dust for persons located within the cabs. However, other miners may be working in the area. Because cabs do not control drill dust at the source of generation, they are not adequate to protect the health of miners located outside the cabs who are exposed to the drill dust.

Many commenters also stated that the proposed standards would be redundant and burdensome. They expressed concern that controls would be required without regard to actual exposures which mine operators are otherwise required to maintain within permissible exposure limits. These commenters stated that the presumption that all drill operators are overexposed unless there is a dust control system installed on the drill is not valid. These commenters recommended that citations for drill dust control be issued only when sampling data indicates that a miner is overexposed.

MSHA disagrees with these commenters because the hazard associated with drilling operations is so serious and the exposure so variable that a permissible exposure limit alone cannot be relied upon as the primary means of controlling drill dust exposure. The final rule requires that effective drill dust controls be provided, regardless of exposure. MSHA's experience has shown that drilling without effective dust controls is highly likely to result in overexposure, not only to the drill operator but also to other workers in the drilling area. Dust generated by drills underground can be carried to other areas of the mine by the ventilation system, creating contaminated air throughout the mine and exposing unprotected miners. There is evidence that the percentage of time that drill operators are overexposed is high enough to warrant controls (Banks et al., 1983). In addition, due to the nature of the drilling activity, the exposure concentration is not always consistent and, in some instances, a miner can be acutely exposed before sampling data indicates an overexposure.

One commenter recommended deleting the second sentence of §§ 58/72.620, "or other effective dust control measures," and stated that collaring and wet drilling should be the preferred means of drill dust control. This commenter stated that a standard requiring only collaring and wet drilling would be easier for MSHA to enforce because the provision for "alternative methods" would require the Agency to assess data. This commenter also suggested that operators could file a petition for modification with MSHA if they wanted to use an alternative dust control method.

MSHA recognizes that wet drilling is an established practice at metal and nonmetal mines. However, there are other methods of drill dust control, such as dry dust collectors, which are also effective in controlling drill dust. A requirement permitting only wet drilling and dry dust collection could stifle new technology that could be effective in the control of drill dust. MSHA has had experience enforcing this standard at metal and nonmetal mines and will enforce the requirements similarly at surface operations of coal mines. In addition, the Mine Act does not allow mine operators to petition for modification of health standards.

Some commenters expressed concern that the proposed standards on drill dust control would give too much discretion to MSHA inspectors. One commenter stated that an inspector could arrive at a mine, observe some dust coming from a drill, and issue a citation based solely on his subjective conclusion that the dust control method being used was "not effective." Some commenters recommended that an inspector be allowed to issue a citation only when an operator fails to have drill dust controls in place or when sampling results indicate an overexposure.

Under the final rule, MSHA will cite a mine operator when a dust control is missing, defective, or obviously ineffective by visual inspection. In those cases where it is not obvious that a control is effective, MSHA inspectors would have the option of reviewing manufacturer's specifications or other pertinent data relative to the design and operation of the dust control or, if practical, collecting samples to evaluate its effectiveness.

One commenter stated that MSHA needed to consider that climatic conditions play an important role in "effective" dust control. This commenter used wet and dry dust-collection systems and, under certain conditions, each method could be rendered inoperable. This commenter stated that the wet systems fail in cold temperatures, and the dry vacuum systems tend to plug when the drill bit enters moist areas. This commenter recommended that, as a temporary solution, operators be allowed to issue respiratory protection to the affected miners when controls fail due to temporary weather conditions.

MSHA agrees that problems can be encountered by drillers when using wet or dry drilling methods. However, there are precautions that the operator can take to reduce these problems, such as adding antifreeze to the water. Because of the need to control drill dust at the source, effective drill dust controls would not include personal protective equipment or administrative controls. After reviewing the comments received, MSHA has retained the proposed language in the final rule.

2. Section 72.630

Section 72.630, which addresses drill dust control at underground coal mines, recodifies existing §§ 70.400 through 70.400–3 and strengthens the maintenance requirement for dust collectors.

Paragraph (a) recodifies existing § 70.400 and requires that dust resulting from drilling in rock be controlled by use of permissible dust collectors, or by water, or water with a wetting agent, or by ventilation, or by any other method or device approved by the Secretary in the ventilation plan that is as effective in controlling the dust. This requirement is not intended to limit the introduction of new technology into the mining environment. However, because of health and safety concerns at underground coal mines, MSHA believes that the Agency should

evaluate the effectiveness of new technology before it is used.

Some commenters objected to the specific control requirements contained in the standard. Many recommended that MSHA delete all of the existing and proposed drill dust control standards and suggested that any new regulations addressing this issue be performance oriented. Some stated that, when judging how to reduce miners' exposure to drill dust, operators should be given wide discretion to take into account differences in mine conditions and mining operations.

A specific standard addressing the health hazards associated with drill dust continues to be necessary due to the likelihood of overexposure inherent in such operations. Underground coal mine operators have the option of using controls which are both practical and effective in controlling miners' exposure to drill dust. The methods listed in the final rule are basic and effective control technologies that are readily available to underground coal mine operators. In addition, the phrase "or by any other method or device approved by the Secretary that is as effective in controlling the dust" is included in the final rule in order to enable mine operators to use methods other than those specifically listed in the standard. As a result, the final rule makes only nonsubstantive editorial changes to §§ 70.400 through 70.400–3 and recodifies them as § 72.630.

As with § 72.620, many commenters stated that the proposed standard would be redundant and burdensome because controls would be required with no consideration of actual exposures. These commenters stated that the presumption that all drill operators are overexposed unless there is a dust control system installed on the drill is not valid. These commenters recommended that citations for drill dust control be issued only when sampling data indicates that a miner is overexposed. As stated above, because the hazard associated with drilling operations is so serious and exposure so variable, a permissible exposure limit alone cannot be relied upon as the primary means of controlling drill dust exposure.

As stated previously, MSHA will continue to cite a mine operator when a dust control is missing, defective, or obviously visually ineffective. In those cases where it is not obvious that a control is effective, MSHA inspectors will continue to have the option of reviewing manufacturer's specifications or other pertinent data relative to the design and operation of the dust control, or of sampling to determine its effectiveness.

Paragraph (b) recodifies existing § 70.400–1 which requires control of drill dust through the use of permissible dust collectors. In addition, as proposed, a new provision clarifies that dust collectors must be maintained in permissible and operating condition when they are provided as a method of controlling dust. The majority of commenters supported MSHA in requiring that dust collectors be maintained in permissible and operating condition. NIOSH commented that they supported MSHA's proposed rule for drill dust control at underground coal mines and that the proposed addition of maintenance requirements for dust collectors was appropriate for limiting the exposure of miners in these operations to respirable free silica.

Paragraph (c) recodifies § 70.400–2 with no change in the existing requirement that water used to control drill dust be applied through a hollow drill steel or stem or by the flooding of vertical drill holes in the floor. Some commenters recommended that paragraph (c) be deleted because they stated that the provision would place limits on the options available to mine operators for the control of drill dust at underground coal mines. One commenter stated that the wording in the proposed rule would place unnecessary limits on the methods by which water could be used to control dust. Another commenter stated that the wording in the proposed rule would limit the use of new technology and that the requirement to wet drill would be infeasible and difficult to implement in areas of low water availability and high altitude.

MSHA does not intend for this standard to be technology stifling. As indicated earlier, the operator is not restricted to the methods listed in the standard and, if circumstances are such that wet drilling is not practical or feasible, the operator has the option of using other effective methods approved by the Secretary of Labor. Wet drilling can be an inexpensive, practical, and effective means of controlling miners' exposure to drill dust at underground coal mines. This practice is currently in use at underground coal mines for drilling non-water-soluble materials.

Paragraph (d) recodifies existing § 70.400–3 with no change in the existing requirement that air currents be so directed that the dust is readily dispersed and carried away from the drill operator or other workers in the area. Many commenters stated that this provision was unnecessary because a mine operator would be instructed by MSHA not to direct the ventilation current toward a drill operator. Other commenters stated that the provision that permits the use of "ventilation * * * that is effective in controlling the dust" implies that MSHA will have to determine noncompliance through the demonstration of an overexposure to a permissible exposure limit. One commenter recommended deleting paragraph (d), stating that the preferred means of drill dust control should be limited to permissible dust collectors, water, or water with a wetting agent. This commenter stated that ventilation is less effective in the control of drill dust and harder for MSHA to enforce.

MSHA recognizes that ventilation may not always be a practical method of drill dust control and that it is not the predominant method used in underground coal mines. Under some circumstances, continuous mining machines and roof bolters work on a single split of air, and this can result in only the drillers being protected while persons working downwind could be exposed. If proper precautions are taken, however, ventilation can be an effective method of drill dust control. MSHA, therefore, has not deleted paragraph (d). MSHA will continue to determine compliance with this requirement under the final rule as it has enforced § 70.400–3; i.e., through the measurement of air quantity or other measures set forth in a mine's ventilation and methane and dust control plan. MSHA does not intend that exposure samples be the routine method of determining compliance with this paragraph.

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## VI. Executive Order 12866 and the Regulatory Flexibility Act

In accordance with Executive Order 12866, MSHA prepared a final regulatory impact analysis (RIA) to determine the incremental costs and benefits associated with the final rule on drill dust control and abrasive blasting. MSHA has determined in its RIA that this rule would neither result in major cost increases nor have an effect of $100 million or more on the economy. The RIA, which is available from MSHA upon request, is summarized as follows.

*Benefits*

The final rule enhances safety and health, and none of these revisions reduce miner protection. In providing an estimate of the potential benefits that is based on previous coal miner cases, it needs to be noted that some of these miners may have received a majority of their exposures in mining activities other than highwall drilling. In addition, metal and nonmetal mines, which have had to comply with these drill dust controls, perform considerably more highwall drilling than do coal mines. Whereas 30 surface coal miner pneumoconiosis cases were reported to MSHA during the previous 10 years, only 5 metal and nonmetal pneumoconiosis cases were reported to MSHA during this period. As a result, MSHA determined that compliance with the new requirements for drill dust controls at surface coal mines would have prevented between 10 and 20 of the 30 surface coal miner pneumoconiosis cases reported to MSHA during the preceding 10 years, for an average of 1 to 2 cases prevented annually.

Even though MSHA was unable to identify any specific case that would have been prevented by the new abrasive blasting requirements, compliance with the final rule will help to prevent potential future cases of silicosis and other dust diseases of the lungs.

*Costs*

MSHA has compared the costs associated with the existing requirements with the costs of the new requirements. Noting that approximately 250 coal highwall drillers will require some retrofitting at unit costs of about $2,500 for adding a collector or baghouse, about $8,000 for installing a dry dust collecting system, and about $7,000 for installing a wet drilling system, MSHA calculated that compliance with the final rule for drill dust controls will cost the coal mining industry about $950,000 in first-year costs, which would translate into about $155,000 in annualized costs. Annual costs for such items as maintenance of dust-collection systems, filter replacement, etc., are estimated to be about $95,000. Thus, the total annualized plus annual compliance cost is projected to be about $250,000.

With respect to the abrasive blasting requirements, MSHA determined that about 55 metal and nonmetal mines and 20 coal mines would be required to purchase new respiratory protective equipment. The unit costs for this equipment can range from $900 for a powered, air-purifying respirator (PAPR); $1,450 for an air-supplied hood retrofitted with an existing air compressor; $2,200 for an air-supplied hood retrofitted with an air distribution system; and between $1,000 and $1,500 for an abrasive blasting cabinet.

MSHA calculated that compliance with the final rule for abrasive blasting will cost the metal and nonmetal mining industry about $103,000 in first-year costs, which would translate into about $17,000 in annualized costs. Annual costs for such items as maintenance, filter replacement, etc., are estimated to be about $10,000. Thus, the total metal and nonmetal annualized plus annual compliance cost is projected to be about $27,000.

For coal mining, MSHA calculated that compliance with the final rule for abrasive blasting will cost about $40,000 in first-year costs, which would translate into about $7,000 in annualized costs. Annual costs for such items as maintenance, filter replacement, etc., will be about $4,000. Thus, the total coal annualized plus annual compliance cost will be about $11,000.

MSHA's final rule will have a minimal impact upon labor productivity, profits, prices, mining output, and mining employment. The Agency foresees no detrimental economic impact to this industry.

*Regulatory Flexibility Act*

The Regulatory Flexibility Act requires that agencies evaluate and include, wherever possible, compliance alternatives that minimize any adverse impact on small businesses when developing regulatory standards. This final rule includes alternative compliance methods, several of which will directly affect small mining operations.

MSHA determined that small mines will incur first-year costs of about $248,000, or annualized costs of about $41,000. Annual costs for small mines will be about $25,000. At the same time, MSHA determined that large mines will incur first-year costs of about $846,000, or annualized costs of about $138,000. Annual costs for large mines will be about $84,000.

MSHA determined that these new provisions will not generate a substantial cost increase for small mines. The lack of a substantial cost increase for small mines in conjunction with the fact that similar hazards exist in both large and small mining operations indicates that regulatory relief is not warranted for small mining operations. Therefore, MSHA has determined that the final rule will not have a significantly adverse impact upon a substantial number of small entities.

**VII. Paperwork Reduction Act**

This final rule contains no information paperwork requirements subject to the Paperwork Reduction Act of 1980.

*Derivation Table*

The following derivation table lists the final rule with the existing standard numbers from which it is derived.

| New section | Old section |
|---|---|
| 58.610(a) | 56 and 57.5010. |
| 58.610(b) | 57.5016. |
| 58.620 | 56 and 57.5003. |
| 72.610 | New. |
| 72.620 | New. |
| 72.630(a) | 70.400. |
| 72.630(b) | 70.400–1. |
| 72.630(c) | 70.400–2. |
| 72.630(d) | 70.400–3 |

*Redesignation Table*

The following redesignation table lists the existing standard with the final rule standard numbers.

| Old section | New section |
|---|---|
| 56 and 57.5003 | 58.620 |
| 56 and 57.5010 | 58.610(a) |
| 57.5016 | 58.610(b) |
| 70.400 | 72.630(a) |
| 70.400–1 | 72.630(b) |
| 70.400–2 | 72.630(c) |
| 70.400–3 | 72.630(d) |

**List of Subjects in 30 CFR Parts 56, 57, 58, 70, and 72**

Mine safety and health, Surface mining, Underground mining.

Dated: February 11, 1994.

**J. Davitt McAteer,**

*Assistant Secretary for Mine Safety and Health.*

Accordingly, chapter I of title 30 of the Code of Federal Regulations is amended as set forth below:

## PART 56—[AMENDED]

1. The authority citation for part 56 continues to read as follows:

**Authority:** 30 U.S.C. 811, 957, and 961.

**§ 56.5003 [Removed]**

2. Section 56.5003 is removed.

**§ 56.5010 [Removed]**

3. Section 56.5010 is removed.

## PART 57—[AMENDED]

4. The authority citation for part 57 continues to read as follows:

**Authority:** 30 U.S.C. 811, 957, and 961.

**§ 57.5003 [Removed]**

5. Section 57.5003 is removed.

**§ 57.5010 [Removed]**

6. Section 57.5010 is removed.

**§ 57.5016 [Removed]**

7. Section 57.5016 is removed.

8. A new part 58 is added to subchapter N, 30 CFR chapter I to read as follows:

## PART 58—HEALTH STANDARDS FOR METAL AND NONMETAL MINES

**Subpart A—General**

Sec.
58.1 Scope.

**Subparts B Through D—[Reserved]**

**Subpart E—Miscellaneous**

58.610 Abrasive blasting.
58.620 Drill dust control.

**Authority:** 30 U.S.C. 811, 957, and 961.

**Subpart A—General**

**§ 58.1 Scope.**

The health standards in this part apply to all metal and nonmetal mines.

**Subpart E—Miscellaneous**

**§ 58.610 Abrasive blasting.**

(a) *Surface and underground mines.* When an abrasive blasting operation is performed, all exposed miners shall use in accordance with §§ 56/57.5005 respirators approved for abrasive blasting by NIOSH or the operation shall be performed in a totally enclosed device with the miner outside the device.

(b) *Underground areas of underground mines.* Silica sand or other materials containing more than 1 percent free silica shall not be used as an abrasive substance in abrasive blasting.

**§ 58.620 Drill dust control.**

Holes shall be collared and drilled wet, or other effective dust control measures shall be used, when drilling non-water-soluble material. Effective dust control measures shall be used when drilling water-soluble materials.

## PART 70—[AMENDED]

9. The authority citation for part 70 is revised to read as follows:

**Authority:** 30 U.S.C. 811, 813(h), 957, and 961.

**§§ 70.400, 70.400–1, 70.400–2 and 70.400–3 [Removed].**

10. Sections 70.400, 70.400–1, 70.400–2, and 70.400–3 are removed.

11. A new part 72 is added to subchapter O to read as follows:

## PART 72—HEALTH STANDARDS FOR COAL MINES

**Subpart A—General**

Sec.
72.1 Scope.

**Subparts B Through D—[Reserved]**

**Subpart E—Miscellaneous**

72.610 Abrasive blasting.
72.620 Drill dust control at surface mines and surface areas of underground mines.
72.630 Drill dust control at underground areas of underground mines.

**Authority:** 30 U.S.C. 811, 813(h), 957, and 961.

**Subpart A—General**

**§ 72.1 Scope.**

The health standards in this part apply to all coal mines.

**Subpart E—Miscellaneous**

**§ 72.610 Abrasive blasting.**

(a) *Surface and underground mines.* When an abrasive blasting operation is performed, all exposed miners shall properly use respirators approved for

abrasive blasting by NIOSH, or the operation shall be performed in a totally enclosed device with the miner outside the device.

(b) *Underground areas of underground mines.* Silica sand or other materials containing more than 1 percent free silica shall not be used as an abrasive substance in abrasive blasting.

**§ 72.620 Drill dust control at surface mines and surface areas of underground mines.**

Holes shall be collared and drilled wet, or other effective dust control measures shall be used, when drilling non-water-soluble material. Effective dust control measures shall be used when drilling water-soluble material.

**§ 72.630 Drill dust control at underground areas of underground mines.**

(a) Dust resulting from drilling in rock shall be controlled by use of permissible dust collectors, or by water, or water with a wetting agent, or by ventilation, or by any other method or device approved by the Secretary that is as effective in controlling the dust.

(b) *Dust collectors.* Dust collectors shall be maintained in permissible and operating condition. Dust collectors approved under Part 33—Dust Collectors for Use in Connection with Rock Drilling in Coal Mines of this title or under Bureau of Mines Schedule 25B are permissible dust collectors for the purpose of this section.

(c) *Water control.* Water used to control dust from drilling rock shall be applied through a hollow drill steel or stem or by the flooding of vertical drill holes in the floor.

(d) *Ventilation control.* To adequately control dust from drilling rock, the air current shall be so directed that the dust is readily dispersed and carried away from the drill operator or any other miners in the area.

[FR Doc. 94–3591 Filed 2–17–94; 8:45 am]

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Friday
February 18, 1994

Part III

# Department of Education

34 CFR Part 363, et al.
Rehabilitation Services Administration Programs; Final Rule

## DEPARTMENT OF EDUCATION

### 34 CFR Parts 363, 369, 371, 373, 374, 375, 376, 377, 378, 379, 380, 381, 385, 387, 389, and 390

**RIN 1820–AB11**

### Rehabilitation Services Administration Programs

**AGENCY:** Department of Education.
**ACTION:** Final regulations.

**SUMMARY:** The Secretary amends the regulations governing a variety of programs administered by the Rehabilitation Services Administration (RSA). These regulations implement technical amendments to the Rehabilitation Act of 1973 made by the Rehabilitation Act Amendments of 1992 and by the Rehabilitation Act Amendments of 1993.

**EFFECTIVE DATE:** These regulations take effect either 45 days after publication in the **Federal Register** or later if the Congress takes certain adjournments, with the exception of §§ 373.30, 379.43, 381.10, and 385.45. Sections 373.30, 379.43, 381.10, and 385.45 will become effective after the information collection requirements contained in those sections have been submitted by the Department of Education and approved by the Office of Management and Budget under the Paperwork Reduction Act of 1980. If you want to know the effective date of these regulations, call or write the Department of Education contact person. A document announcing the effective date will be published in the **Federal Register.**

**FOR FURTHER INFORMATION CONTACT:** Beverlee Stafford, U.S. Department of Education, 400 Maryland Avenue, SW., room 3028 Switzer Building, Washington, DC 20202–2531. Telephone: (202) 205–9331. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** The Rehabilitation Act Amendments of 1992 (the Amendments) included a number of technical changes to make the Act more consistent with other Federal legislation affecting individuals with disabilities. In addition, the Amendments strengthen the focus on serving those individuals with the most severe disabilities and individuals with disabilities from minority backgrounds. Significant changes include:

—*Terminology and Definitional Changes.* The Rehabilitation Act Amendments of 1992 replaced the terms "handicap," "rehabilitation facility," and "employability" throughout the Act with the terms "disability," "community rehabilitation program," and "employment outcome," respectively. In addition, new or revised definitions of certain terms such as "individual with a disability," "supported employment," "ongoing support services," and "extended services" necessitated technical changes to various program regulations.

—*Outreach to Minorities.* A new provision was added that requires all applicants for new and continuation funding under the Act to demonstrate how they will address the needs of individuals with disabilities from minority backgrounds.

—*Client Assistance Information.* A new provision was added that requires all programs and projects funded under the Act to advise the individuals that they serve of the availability of the State Client Assistance Program and to provide information on how to obtain access to that program. The 1993 Amendments expanded this requirement to cover applicants for services as well as recipients of services.

—*State Supported Employment Services Program.* Each State is now required to serve only those individuals with the most severe disabilities under this program. In addition, States can now begin to serve individuals in supported employment as long as there is a reasonable expectation that an extended funding source will be identified during the course of the individual's rehabilitation program.

—*Projects for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities.* Nonprofit organizations, working in collaboration with State vocational rehabilitation agencies, can now apply for these project grants.

—*Projects with Industry.* These projects can now focus on careers and career advancement for individuals with disabilities. Eligibility for services must be determined by the project and confirmed, within 60 days, by the State vocational rehabilitation agency.

—*Protection and Advocacy of Individual Rights.* Although final regulations were issued for this program on August 12, 1993, additional statutory amendments were made to this program by Public Law 103–73. Changes with regard to eligible agencies, application requirements and limits on administrative costs have been incorporated.

—*Special Projects and Demonstrations.* The funding of construction and construction-related activities under the Special Demonstration Programs under parts 373 and 374 was eliminated by statute (Public Law 102–569).

### Waiver of Notice of Proposed Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act (20 U.S.C. 1232(b)(2)(A)) and the Administrative Procedure Act (5 U.S.C. 553), it is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, these amendments merely incorporate statutory changes into the regulations and do not implement substantive policy. Therefore, the Secretary has determined, pursuant to 5 U.S.C. 553(b)(B), that public comment on the regulations is unnecessary and contrary to the public interest.

### Regulatory Flexibility Act Certification

The Secretary certifies that these regulations contain only technical amendments and would not have a significant economic impact on a substantial number of small entities.

### Paperwork Reduction Act of 1980

Sections 363.11, 363.52, 369.21, 373.30, 379.43, 380.15, 381.10, and 385.45 contain information collection requirements. As required by the Paperwork Reduction Act of 1980, the Department of Education will submit a copy of these sections to the Office of Management and Budget (OMB) for its review. (44 U.S.C. 3504(h)).

State, public, and other nonprofit agencies and organizations, governing bodies of Indian tribes, and institutions of higher education are eligible to apply for grants under these regulations, as indicated in the various parts. The Department needs and uses the information to make grants. Annual public reporting burden for this collection of information is estimated to be as follows:

(1) Sections 363.11 and 363.52—average 10 hours per response for 81 respondents.

(2) Section 369.21—average 1.5 hours per response for 425 respondents.

(3) Section 373.30—average 2 hours per response for 125 respondents.

(4) Section 379.43—average 40 hours per response for 125 respondents.

(5) Section 380.15—average 1.5 hours per response for 120 respondents.

(6) Section 381.10—average 1.5 hours per response for 57 respondents.

(7) Section 385.45—average 3.5 hours per response for 1,150 respondents.

These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the Office of Information and Regulatory Affairs, OMB, room 3002, New Executive Office Building, Washington, DC 20503; Attention: Daniel J. Chenok.

**Intergovernmental Review**

These programs, with the exception of Vocational Rehabilitation Service Projects for American Indians with Disabilities, are subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

**Assessment of Educational Impact**

Based on its own review, the Department has determined that the regulations in this document do not require transmission of information that is being gathered by or is available from another agency or authority of the United States.

**List of Subjects**

*34 CFR Part 363*

Education, Grant programs—education, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 369*

Education, Grant programs—education, Grant programs—social programs, Manpower training programs, Reporting and recordkeeping requirements, Research, Technical assistance, Vocational rehabilitation.

*34 CFR Part 371*

Education, Grant programs—education, Vocational rehabilitation.

*34 CFR Part 373*

Education, Grant programs—education, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 374*

Education, Grant programs—education, Vocational rehabilitation.

*34 CFR Part 375*

Education, Grant programs—social programs, Vocational rehabilitation.

*34 CFR Part 376*

Education, Grant programs—education, Vocational rehabilitation.

*34 CFR Part 377*

Education, Grant programs—social programs, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 378*

Education, Grant programs—recreation, Recreation, Disability or individuals with disabilities.

*34 CFR Part 379*

Business and industry, Education, Grant programs—social programs, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 380*

Education, Grant programs—education, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 381*

Education, Grant programs—social programs, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 385*

Education, Grant programs—education, Reporting and recordkeeping requirements, Vocational rehabilitation.

*34 CFR Part 387*

Education, Grant programs—education, Vocational rehabilitation.

*34 CFR Part 389*

Education, Grant programs—education, Vocational rehabilitation.

*34 CFR Part 390*

Education, Grant programs—education, Vocational rehabilitation.

(Catalog of Federal Domestic Assistance Numbers: 84.128 Vocational Rehabilitation Service Projects; 84.128 Special Projects and Demonstrations for Providing Supported Employment Services to Individuals with the Most Severe Disabilities and Technical Assistance Projects; 84.128 Special Projects and Demonstrations for Making Recreational Activities Accessible to Individuals with Disabilities; 84.128 Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youth with Disabilities; 84.128G Vocational Rehabilitation Service Projects Program for Migratory Agricultural and Seasonal Farmworkers; 84.128J Projects for Initiating Recreational Programs for Individuals with Disabilities; 84.129 Rehabilitation Training; 84.187 The State Supported Employment Program; 84.234 Projects With Industry; 84.235 Special Projects and Demonstrations for Providing Vocational Rehabilitation Services to Individuals with Disabilities; 84.235D Demonstration Projects to Increase Client Choice Program; 84.240 Protection and Advocacy of Individual Rights; 84.246 Rehabilitation Short-Term Training; 84.250 Vocational Rehabilitation Service Projects for American Indians with Disabilities; 84.263 Experimental and Innovative Training; and 84.264 Rehabilitation Continuing Education Programs)

Dated: February 4, 1994.

**Judith E. Heumann,**

*Assistant Secretary for Special Education and Rehabilitative Services.*

The Secretary amends Parts 363, 369, 371, 373, 374, 375, 376, 377, 378, 379, 380, 381, 385, 387, 389, and 390 of Title 34 of the Code of Federal Regulations as follows:

1. Part 363 is revised to read as follows:

## PART 363—THE STATE SUPPORTED EMPLOYMENT SERVICES PROGRAM

**Subpart A—General**

Sec.

363.1 What is the State Supported Employment Services Program?
363.2 Who is eligible for an award?
363.3 Who is eligible for services?
363.4 What are the authorized activities under a State Supported Employment Services grant?
363.5 What regulations apply?
363.6 What definitions apply?

**Subpart B—How Does a State Apply for a Grant?**

363.10 What documents must a State submit to receive a grant?
363.11 What information and assurances must be included in the State plan supplement?

**Subpart C—How Does the Secretary Make a Grant?**

363.20 How does the Secretary allocate funds?
363.21 How does the Secretary reallocate funds?

**Subparts D–E—[Reserved]**

**Subpart F—What Post-Award Conditions Must Be Met by a State?**

363.50 What collaborative agreements must the State develop?
363.51 What are allowable administrative costs?
363.52 What are the information collection and reporting requirements?
363.53 What special conditions apply to services and activities under this program?
363.54 What requirements must a State meet before it provides for the transition of an individual to extended services?
363.55 What are the requirements for successfully rehabilitating an individual in supported employment?
363.56 What notice requirements apply to this program?

**Authority:** 29 U.S.C. 795j–q, unless otherwise noted.

### Subpart A—General

#### § 363.1 What is the State Supported Employment Services Program?

Under the State Supported Employment Services Program, the Secretary provides grants to assist States in developing and implementing collaborative programs with appropriate

entities to provide programs of supported employment services for individuals with the most severe disabilities who require supported employment services to enter or retain competitive employment.

(Authority: 29 U.S.C. 795j)

**§ 363.2 Who is eligible for an award?**

Any State is eligible for an award under this program.

(Authority: 29 U.S.C. 795n)

**§ 363.3 Who is eligible for services?**

A State may provide services under this program to any individual if—

(a) The individual has been determined eligible for vocational rehabilitation services in accordance with the criteria in section 102(a)(1) of the Act;

(b) The individual has been determined to be an individual with the most severe disabilities; and

(c) Supported employment has been identified as the appropriate rehabilitation objective for the individual on the basis of a comprehensive assessment of rehabilitation needs, including an evaluation of rehabilitation, career, and job needs.

(Authority: 29 U.S.C. 795m)

**§ 363.4 What are the authorized activities under a State Supported Employment Services grant?**

Under this program, the following activities are authorized:

(a) Any particularized assessment that is needed to supplement the comprehensive assessment of rehabilitation needs done under 34 CFR part 361 and that is provided subsequent to the development of the individualized written rehabilitation program. The supplementary assessment may be provided in circumstances such as the following:

(1) A reassessment of the suitability of the placement is warranted.

(2) There is a change in the individual's medical condition.

(b) Development of and placement in jobs for individuals with the most severe disabilities.

(c) Provision of supported employment services that are needed to support individuals with the most severe disabilities in employment, such as—

(1) Intensive on-the-job skills training and other training provided by skilled job trainers, co-workers, and other qualified individuals, and other services specified in section 103(a) of the Act in order to achieve and maintain job stability;

(2) Follow-up services, including regular contact with employers, trainees with the most severe disabilities, parents, guardians or other representatives of trainees, and other suitable professional and informed advisors in order to reinforce and stabilize the job placement; and

(3) Discrete post-employment services following transition that are unavailable from an extended services provider and that are necessary to maintain the job placement, such as job station redesign, repair and maintenance of assistive technology, and replacement of prosthetic and orthotic devices.

(Authority: 29 U.S.C. 795l)

**§ 363.5 What regulations apply?**

The following regulations apply to the State Supported Employment Services Program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR Part 76 (State-Administered Programs).

(2) 34 CFR Part 77 (Definitions that Apply to Department Regulations).

(3) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(4) 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(5) 34 CFR Part 81 (General Education Provisions Act—Enforcement).

(6) 34 CFR Part 82 (New Restrictions on Lobbying).

(7) 34 CFR Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(8) 34 CFR Part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this part 363.

(c) The following regulations in 34 CFR Part 361 (The State Vocational Rehabilitation Services Program): §§ 361.31; 361.32; 361.33; 361.34; 361.35; 361.39; 361.40; 361.41; 361.42; 361.47(a); 361.48; and 361.49.

**Note:** Many of the regulatory provisions cross-referenced in § 363.5(c) are affected by statutory changes made by the Rehabilitation Act Amendments of 1992. If these provisions conflict with statutory language, they are superseded by the statutory language. Program regulations for part 361 are being amended to implement statutory changes. When final regulations for part 361 are published, these cross-references will be corrected, if necessary.

(Authority: 29 U.S.C. 795j and 711(c))

**§ 363.6 What definitions apply?**

(a) *Definitions in 34 CFR part 361.* The following terms used in this part are defined in 34 CFR 369.4(b):

Act
Designated State unit
Individual with disabilities
Individual with severe disabilities
State plan

(b) *Definitions in EDGAR.* The following terms used in this part are defined in 34 CFR 77.1:

Fiscal Year
Nonprofit
Private Secretary
State

(c) *Other definitions.* The following definitions also apply to this part:

(1) *Supported employment* means—

(i)(A) Competitive work in integrated work settings for individuals with the most severe disabilities—

(*1*) For whom competitive employment has not traditionally occurred; or

(*2*) For whom competitive employment has been interrupted or intermittent as a result of a severe disability; and

(B) Who, because of the nature and severity of their disability, need intensive supported employment services from the designated State unit and extended services after transition in order to perform this work.

(ii) Transitional employment for individuals with the most severe disabilities due to mental illness.

(2) As used in the definition of "Supported employment"—

(i) *Competitive work* means work that at the time of transition is performed weekly on a full-time basis or on a part-time basis, as determined in each individualized written rehabilitation program, and for which an individual is compensated consistent with the wage standards provided for in the Fair Labor Standards Act;

(ii)(A) *Integrated work setting* means job sites where either—

(*1*)(*i*) Most employees are not disabled; and

(*ii*) An individual with the most severe disabilities interacts on a regular basis, in the performance of job duties, with employees who are not disabled; and

(*iii*) If an individual with the most severe disabilities is part of a distinct work group of only individuals with disabilities, the work group consists of no more than eight individuals; or

(*2*) If there are no other employees or the only other employees are individuals who are part of a work group as described in paragraph (c)(2)(ii)(A)(*1*)(*iii*) of this section of an

individual with the most severe disabilities interacts on a regular basis, in the performance of job duties, with individuals who are not disabled, including members of the general public.

(B) The interaction required by paragraphs (c)(2)(ii)(A)(*1*)(*ii*) and (c)(2)(ii)(A)(*2*) of this section may not be satisfied by contact between an individual with the most severe disabilities and individuals who provide on-going support services at the job site;

(iii) *Supported employment services* means on-going support services provided by the designated State unit with funds under this part—

(A) For a period not to exceed 18 months, unless under special circumstances a longer period to achieve job stabilization has been jointly agreed to by the individual and the rehabilitation counselor and established in the individualized written rehabilitation program, before an individual with the most severe disabilities makes the transition to extended services; and

(B) As discrete post-employment services following transition in accordance with § 363.4(c)(3);

(iv) *Extended services* means on-going support services and other appropriate services provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under this part, Part 381, Part 376, or Part 380, after an individual with the most severe disabilities has made the transition from State vocational rehabilitation agency support; and

(v) *Transitional employment* means a series of temporary job placements in competitive work in an integrated work setting with on-going support services for individuals with the most severe disabilities due to mental illness. In transitional employment, the provision of on-going support services must include continuing sequential job placements until job permanency is achieved.

(3) *On-going support services* means services that are—

(i) Needed to support and maintain an individual with the most severe disabilities in supported employment;

(ii) Based on a determination by the designated State unit of the individual's needs as specified in an individualized written rehabilitation program; and

(iii) Furnished by the designated State unit from the time of job placement until transition to extended services, except as provided in § 363.4(c)(3) and, following transition, by one or more extended services providers throughout the individual's term of employment in a particular job placement or multiple placements if those placements are being provided under a program of transitional employment. On-going support services must include, at a minimum, twice-monthly monitoring at the work site of each individual in supported employment to assess employment stability, unless under special circumstances, especially at the request of the individual, the individualized written rehabilitation program provides for off-site monitoring, and, based upon that assessment, the coordination or provision of specific services at or away from the work site, that are needed to maintain employment stability. If off-site monitoring is determined to be appropriate, it must, at a minimum, consist of two meetings with the individual and one contact with the employer each month. On-going support services consist of—

(A) Any particularized assessment needed to supplement the comprehensive assessment of rehabilitation needs;

(B) The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site;

(C) Job development and placement;

(D) Social skills training;

(E) Regular observation or supervision of the individual;

(F) Follow-up services such as regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representatives of the individuals, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;

(G) Facilitation of natural supports at the worksite;

(H) Any other service identified in the scope of rehabilitation services described in 34 CFR part 361; and

(I) Any service similar to the foregoing services.

(Authority: 29 U.S.C. 706(18), 706(27), 706(33), 706(34), 711(c), and 795j)

## Subpart B—How Does a State Apply for a Grant?

### § 363.10 What documents must a State submit to receive a grant?

To receive a grant under this part, a State must submit to the Secretary, as part of the State plan under 34 CFR part 361, a State plan supplement that meets the requirements of § 363.11.

(Authority: 29 U.S.C. 795n)

### § 363.11 What information and assurances must be included in the State plan supplement?

Each State plan supplement must include the following:

(a) *Designated State agency.* Designate the State unit or units for vocational rehabilitation services identified in the State plan submitted under 34 CFR part 361 as the State agency or agencies to administer this program.

(b) *Results of needs assessment.* Summarize the results of the needs assessment of individuals with severe disabilities conducted under title I of the Act with respect to the rehabilitation and career needs of individuals with severe disabilities and the need for supported employment services. The results of the needs assessment must address the coordination and use of information within the State relating to section 618(b)(1)(c) of the Individuals with Disabilities Education Act.

(c) *Quality, scope, and extent of services.* Describe the quality, scope, and extent of supported employment services to be provided to individuals with the most severe disabilities under this program. The description must address the timing of the transition to extended services referred to in § 363.50(b)(2).

(d) *Distribution of funds.* Describe the State's goals and plans with respect to the distribution of funds received under § 363.20.

(e) *Collaboration.* Demonstrate evidence of the efforts of the designated State unit to identify and make arrangements, including entering into cooperative agreements, with—

(1) Other State agencies and other appropriate entities to assist in the provision of supported employment services; and

(2) Other public or non-profit agencies or organizations within the State, employers, natural supports, and other entities with respect to the provision of extended services.

(f) *Minority outreach.* Describe the designated State unit's outreach procedures for identifying and serving individuals with the most severe disabilities who are minorities.

(g) *Assurances.* Provide assurances that—

(1) Funds made available under this part will only be used to provide supported employment services authorized under the Act to individuals who are eligible under this part to receive the services;

(2) The comprehensive assessments of individuals with severe disabilities conducted under section 102(b)(1)(A) and funded under title I of the Act will include consideration of supported

employment as an appropriate rehabilitation objective;

(3) An individualized written rehabilitation program, as required by section 102 of the Act, will be developed and updated, using funds under title I, that—

(i) Specifies the supported employment services to be provided to each individual served under this program, including a description of the expected extended services needed, which may include natural supports, and an identification of the State, Federal, or private programs or other resources that will provide the extended services, including a description of the basis for determining that extended services are available, or to the extent that it is not possible to identify the source of extended services at the time the individualized written rehabilitation program is developed, a statement describing the basis for concluding that there is a reasonable expectation that sources will become available;

(ii) Provides for periodic monitoring to ensure that each individual with severe disabilities is making satisfactory progress toward meeting the weekly work requirement established in the individualized written rehabilitation program by the time of transition to extended services;

(4) The State will use funds provided under this part only to supplement, and not supplant, the funds provided under title I of the Act, in providing supported employment services specified in the individualized written rehabilitation program;

(5) Services provided under an individualized written rehabilitation program will be coordinated with services provided under other individualized plans established under other Federal or State programs;

(6) To the extent job skills training is provided, the training will be provided on-site;

(7) Supported employment services will include placement in an integrated setting for the maximum number of hours possible based on the unique strengths, resources, interests, concerns, abilities, and capabilities of individuals with the most severe disabilities;

(8) The designated State agency or agencies will expend no more than 5 percent of the State's allotment under this part for administrative costs of carrying out this program; and

(9) The public participation requirements of section 101(a)(23) are met.

(h) *Other information.* Contain any other information and be submitted in the form and in accordance with the procedures that the Secretary may require.

(Approved by the Office of Management and Budget under control number 1820–0500)

(Authority: 29 U.S.C. 795n)

## Subpart C—How Does the Secretary Make a Grant?

### § 363.20 How does the Secretary allocate funds?

The Secretary allocates funds under this program in accordance with section 632(a) of the Act.

(Authority: 29 U.S.C. 795k)

### § 363.21 How does the Secretary reallocate funds?

The Secretary reallocates funds in accordance with section 632(b) of the Act.

(Authority: 29 U.S.C. 795k)

## Subparts D–E—[Reserved]

## Subpart F—What Post-Award Conditions Must Be Met by a State?

### § 363.50 What collaborative agreements must the State develop?

(a) A designated State unit must enter into one or more written cooperative agreements or memoranda of understanding with other appropriate State agencies, private nonprofit organizations, and other available funding sources to ensure collaboration in a plan to provide supported employment services and extended services to individuals with the most severe disabilities.

(b) A cooperative agreement or memorandum of understanding must, at a minimum, specify the following:

(1) The supported employment services to be provided by the designated State unit with funds received under this part.

(2) The extended services to be provided by relevant State agencies, private nonprofit organizations, or other sources following the cessation of supported employment services under this part.

(3) The estimated funds to be expended by the participating party or parties in implementing the agreement or memorandum.

(4) The projected number of individuals with the most severe disabilities who will receive supported employment services and extended services under the agreement or memorandum.

(Authority: 29 U.S.C. 795n)

### § 363.51 What are the allowable administrative costs?

(a) *Administrative costs—general.* Expenditures are allowable for the following administrative costs:

(1) Administration of the State plan supplement for this program.

(2) Planning program development, and personnel development to implement a system of supported employment services.

(3) Monitoring, supervision, and evaluation of this program.

(4) Technical assistance to other State agencies, private nonprofit organizations, and businesses and industries.

(b) *Limitation on administrative costs.* Not more than five percent of a State's allotment may be expended for administrative costs for carrying out this program.

(Authority: 29 U.S.C. 795n)

### § 363.52 What are the information collection and reporting requirements?

(a) A State shall collect and report information as required under section 13 of the Act for each individual with the most severe disabilities served under this program.

(b) The State shall collect and report separately information for

(1) Supported employment clients served under this program; and

(2) Supported employment clients served under 34 CFR part 361.

(Approved by the Office of Management and Budget under control number 1820–0551)

(Authority: 29 U.S.C. 712 and 795o)

### § 363.53 What special conditions apply to services and activities under this program?

Each grantee shall coordinate the services provided to an individual under this part and under 34 CFR part 361 to ensure that the services are complementary and not duplicative.

(Authority: 29 U.S.C. 711(c) and 795p)

### § 363.54 What requirements must a State meet before it provides for the transition of an individual to extended services?

A designated State unit must provide for the transition of an individual with the most severe disabilities to extended services no later than 18 months after placement in supported employment, unless a longer period is established in the individualized written rehabilitation program, and only if the individual has made substantial progress toward meeting the hours-per-week work goal provided for in the individualized written rehabilitation program, the individual is stabilized in the job, and extended services are available and can be provided without a hiatus in services.

(Authority: 29 U.S.C. 795n and 711(c))

**§ 363.55 What are the requirements for successfully rehabilitating an individual in supported employment?**

An individual with the most severe disabilities who is receiving supported employment services is considered to be successfully rehabilitated if the individual maintains a supported employment placement for 60 days after making the transition to extended services.

(Authority: 29 U.S.C. 711(c))

**§ 363.56 What notice requirements apply to this program?**

Each grantee must advise applicants for or recipients of services under this part, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: 29 U.S.C. 718a)

## PART 369—VOCATIONAL REHABILITATION SERVICE PROJECTS

2. The authority citation for part 369 continues to read as follows:

**Authority:** 29 U.S.C 711(c), 732, 750, 775, 777(a)(1), 777(a)(3), 777(b), 777f, and 795g, unless otherwise noted.

3. In 34 CFR part 369 the word "handicaps" is removed, and the word "disabilities" is added, in its place, in the following places:

(a) Section 369.1(a);

(b) Section 369.2(a) (twice), (c) (twice), (d) (twice), and (f) (twice);

(c) Section 369.31(a)(2)(v)(A) and (b)(2)(iv)(A);

(d) Section 369.43;

(e) Section 369.46; and

(f) Section 369.48.

**§ 369.1 [Amended]**

4. Section 369.1 is further amended by removing the word "Handicaps", and adding, in its place, the word "Disabilities" in paragraphs (b)(1), (b)(4), (b)(5), and (b)(7); removing the words "Severe Handicaps", and adding, in their place, the word "Disabilities" in paragraph (b)(3); removing the words "Handicapped Youth", and adding, in their place, the words "Youths with Disabilities" in paragraph (b)(6); and revising the authority citation following the section to read as follows:

(Authority: Secs. 112, 130, 305, 308, 311a, 311(a)(3), 311(a)(4), 312, 316, and 621 of the Act; 29 U.S.C. 732, 750, 775, 776, 777(a)(1), 777(a)(3), 777(a)(4), 777(b), 777f, and 795g)

5. Section 369.2 is further amended by removing the word "severe" in paragraph (c), removing the words "handicapped youth", and adding, in their place, the words "youths with disabilities" in paragraph (h), and revising paragraphs (e) and (g) to read as follows:

**§ 369.2 Who is eligible for assistance under these programs?**

* * * * *

(e) *Vocational rehabilitation service projects for migratory agricultural workers and seasonal farmworkers with disabilities.* State vocational rehabilitation agencies, local agencies administering vocational rehabilitation programs under written agreements with State agencies, and nonprofit agencies working in collaboration with State vocational rehabilitation agencies are eligible for assistance to support projects for providing vocational rehabilitation services to migratory agricultural workers or seasonal farmworkers with disabilities.

* * * * *

(g) *Projects with industry.* Any designated State unit, labor union, community rehabilitation program provider, Indian tribe or tribal organization employer, trade association, or other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities is eligible for assistance to support a project with industry.

* * * * *

6. Section 369.3 is amended by revising paragraph (a) to read as follows:

**§ 369.3 What regulations apply to these programs?**

* * * * *

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities); except the Part 79 does not apply to the Vocational Rehabilitation Service Program for American Indians with Disabilities.

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR part 82 (New Restrictions on Lobbying).

(8) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR part 86 (Drug-Free Schools and Campuses).

* * * * *

7. Section 369.4 is amended by revising paragraph (b) to read as follows:

**§ 369.4 What definitions apply to these programs?**

* * * * *

(b) The following definitions also apply to programs under Vocational Rehabilitation Service Projects:

*Act* means the Rehabilitation Act of 1973 (29 U.S.C. 701 *et seq.*), as amended.

*Community rehabilitation program* means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement—

(1) Medical, psychiatric, psychological, social, and vocational services that are provided under one management;

(2) Testing, fitting, or training in the use of prosthetic and orthotic devices;

(3) Recreational therapy;

(4) Physical and occupational therapy;

(5) Speech, language and hearing therapy;

(6) Psychiatric, psychological and social services, including positive behavior management;

(7) Assessment for determining eligibility and vocational rehabilitation needs;

(8) Rehabilitation technology;

(9) Job development, placement, and retention services;

(10) Evaluation or control of specific disabilities;

(11) Orientation and mobility services for individuals who are blind;

(12) Extended employment;

(13) Psychosocial rehabilitation services;

(14) Supported employment services and extended services;

(15) Services to family members when necessary to the vocational rehabilitation of the individual;

(16) Personal assistance services; or

(17) Services similar to the services described in paragraphs (1) through (16) of this definition.

(Authority: Sec. 7(25) of the Act; 29 U.S.C. 706(25))

*Employment outcome* means entering or retaining full-time or, if appropriate, part-time competitive employment in the integrated labor market, the practice of a profession, self-employment, homemaking, farm or family work (including work for which payment is in kind rather than cash), extended employment in a community rehabilitation program, supported employment, or other gainful work.

(Authority: Sec 7(5) of the Act; 29 U.S.C. 706(5))

*Individual who is blind* means a person who is blind within the meaning of the law relating to vocational rehabilitation in each State.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

*Individual with a disability* means any individual who—

(1) Has a physical or mental impairment that for that individual constitutes or results in a substantial impediment to employment; and

(2) Can benefit in terms of an employment outcome from vocational rehabilitation services provided under Titles I, III, VI, or VIII of the Act.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

*Individual with a severe disability* means an individual with a disability—

(1) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined to cause comparable substantial functional limitation.

(Authority: Sec. 7(15)(A) of the Act; 29 U.S.C. 706(15)(A))

*Physical and mental restoration services means*—

(1) Medical or corrective surgical treatment for the purpose of correcting or modifying substantially a physical or mental condition that is stable or slowly progressive and constitutes a substantial impediment to employment and that is likely, within a reasonable period of time, to be corrected or substantially modified as a result of the medical or surgical treatment;

(2) Diagnosis and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws;

(3) Dentistry;

(4) Nursing services;

(5) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services;

(6) Convalescent or nursing home care;

(7) Drugs and supplies;

(8) Prosthetic, orthotic, or other assistive devices, including hearing aids essential to obtaining or retaining employment;

(9) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids, prescribed by qualified persons under State licensure laws, that are selected by the individual;

(10) Podiatry;

(11) Physical therapy;

(12) Occupational therapy;

(13) Speech and hearing therapy;

(14) Psychological services;

(15) Therapeutic recreation services;

(16) Medical or medically related social work services;

(17) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services or that are inherent in the condition under treatment;

(18) Special services for the treatment of individuals with end-stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies; and

(19) Other medical or medically related rehabilitation services, including art therapy, dance therapy, music therapy, and psychodrama.

(Authority: Sec. 103(a)(4) of the Act; 29 U.S.C. 723(a)(4))

*Physical or mental impairment* means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's employment activities or vocational functioning.

(Authority: Sec. 7(8)(A) of the Act; 29 U.S.C. 706(8)(A))

*Reservation* means a Federal or State Indian reservation, public domain Indian allotment, former Indian reservation in Oklahoma, and land held by incorporated Native groups, regional corporations and village corporations under the provisions of the Alaska Native Claims Settlement Act.

(Authority: Sec. 130(c) of the Act; 29 U.S.C. 750(c))

*State agency* means the sole State agency designated to administer (or supervise local administration of) the State plan for vocational rehabilitation services. The term includes the State agency for the blind, if designated as the sole State agency with respect to that part of the plan relating to the vocational rehabilitation of individuals who are blind.

(Authority: Sec. 7(3)(A) and 101(a)(1)(A) of the Act; 29 U.S.C. 721(a)(1)(A))

*State plan* means the State plan for vocational rehabilitation services. (34 CFR Part 361)

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

*State unit, State vocational rehabilitation unit or designated State unit* means either—

(1) The State agency vocational rehabilitation bureau, division, or other organizational unit that is primarily concerned with vocational rehabilitation or vocational and other rehabilitation of individuals with disabilities and that is responsible for the administration of the vocational rehabilitation program of the State agency; or

(2) The independent State commission, board, or other agency that has vocational rehabilitation, or vocational and other rehabilitation as its primary function.

(Authority: Sec. 7(3) of the Act; 29 U.S.C. 706(3))

*Substantial impediment to employment* means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, and other related factors) significantly restricts an individual's occupational performance by preventing his preparing for, obtaining, or retaining employment consistent with his capacities and abilities.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

*Vocational rehabilitation services:* (1) When provided to an individual, means any goods or services necessary to render an individual with a disability

employable, including, but not limited to, the following—

(i) An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including, if appropriate, an assessment by personnel skilled in rehabilitation technology;

(ii) Counseling, guidance, and work-related placement services for individuals with disabilities, including job search assistance, placement assistance, job retention services, personal assistance services, and follow-up, follow-along, and specific diagnosis services necessary to assist such individuals to maintain, regain, or advance in employment;

(iii) Vocational and other training services for individuals with disabilities, including personal and vocational adjustment, books, or other training materials;

(iv) Services to the families of such individuals with disabilities, if necessary to the adjustment or rehabilitation of such individuals;

(v) Physical and mental restoration services;

(vi) Maintenance for additional costs incurred while participating in rehabilitation;

(vii) Interpreter services and note-taking services for individuals who are deaf, including tactile interpreting for individuals who are deaf-blind;

(viii) Reader services and note-taking services for those individuals who are determined to be blind after an examination by qualified personnel under State licensure laws;

(ix) Recruitment and training services to provide new employment opportunities in the fields of rehabilitation, health, welfare, public safety and law enforcement, and other appropriate service employment;

(x) Rehabilitation teaching services and orientation and mobility services for individuals who are blind;

(xi) Occupational licenses, tools, equipment, and initial stocks and supplies;

(xii) Transportation in connection with the rendering of any vocational rehabilitation service;

(xiii) Telecommunications, sensory, and other technological aids and devices;

(xiv) Rehabilitation technology services;

(xv) Referral and other services designed to assist individuals with disabilities in securing needed services from other agencies;

(xvi) Transition services that promote or facilitate the accomplishment of long-term rehabilitation goals and intermediate rehabilitation objectives;

(xvii) On-the-job or other related personal assistance services provided while an individual with a disability is receiving vocational rehabilitation services; and

(xviii) Supported employment services.

(Authority: Sec. 103(a) of the Act; 29 U.S.C. 723(a))

(2) When provided for the benefit of groups of individuals, *Vocational rehabilitation services* also means—

(i) In the case of any type of small business enterprise operated by individuals with the most severe disabilities under the supervision of the State unit, management services, and supervision and acquisition of vending facilities or other equipment, and initial stocks and supplies;

(ii) The establishment, development, or improvement of community rehabilitation programs, including, under special circumstances, the construction of a rehabilitation facility to provide services that promote integration and competitive employment;

(iii) The provision of services, including services provided at community rehabilitation programs, that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the individualized written rehabilitation program of any one individual with disabilities;

(iv) The use of existing telecommunications systems;

(v) The use of services providing recorded material for persons who are blind and captioned films or video cassettes for persons who are deaf; and

(vi) Technical assistance and support services to businesses that are not subject to Title I of the Americans with Disabilities Act of 1990 and that are seeking to employ individuals with disabilities.

(Authority: Sec. 103(b) of the Act; 29 U.S.C. 723(b))

8. A new § 369.21 is added to subpart C to read as follows:

**§ 369.21 What application requirement applies to these programs?**

Each applicant for a grant under a program under 34 CFR Parts 372, 373, 374, 375, 376, 378, or 379 must include in its application a description of the manner in which it will address the needs of individuals with disabilities from minority backgrounds.

(Approved by the Office of Management and Budget under control number 1820–0018)

(Authority: Sec. 21(b)(5) of the Act; 29 U.S.C. 718b)

9. Section 369.42 is amended by revising the heading, designating the existing text as paragraph (a), adding a new paragraph (b), and revising the authority citation following the section to read as follows:

**§ 369.42 What special requirements affect provision of services to individuals with disabilities?**

* * * * *

(b) Each grantee under 34 CFR parts 371, 372, 373, 374, 375, 376, 378, or 379 must advise applicants for or recipients of services under its project, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: Secs. 20 and 306(h) of the Act; 29 U.S.C. 718a and 776(h))

**§ 369.44 [Removed]**

10. Section 369.44 is removed.

**§ 369.45 [Redesignated as § 369.44 and amended]**

11. Section 369.45 is redesignated as § 369.44 and amended by removing the word "workshops" in the heading and text, and adding, in its place, the words "community rehabilitation programs".

**§ 369.46 [Redesignated as § 369.45]**

12. Section 369.46, as amended, is redesignated as § 369.45.

**§ 369.47 [Redesignated as § 369.46]**

13. Section 369.47 is redesignated as § 369.46.

**§ 369.48 [Redesignated as § 369.47]**

14. Section 369.48, as amended, is redesignated as § 369.47.

15. The title of part 371 is revised to read as follows:

## PART 371—VOCATIONAL REHABILITATION SERVICE PROJECTS FOR AMERICAN INDIANS WITH DISABILITIES

16. The authority citation for part 371 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 750, unless otherwise noted.

17. In 34 CFR part 371 the word "handicaps" is removed, and the word "disabilities" is added, in its place, in the following places:

(a) Section 371.1;

(b) Section 371.21(d) (twice), (e), (f), (g), (h), and (i);

(c) Section 371.30(f)(2) (i) and (ii);

(d) Section 371.41(a)(2) and (b);

(e) Section 371.42 (a) and (c); and

(f) Section 371.43 (a) and (b).

18. Section 371.1 is amended by revising the heading to read as follows:

**§ 371.1 What is the Vocational Rehabilitation Service Program for American Indians with Disabilities?**

* * * * *

**§ 371.4 [Amended]**

19. Section 371.4 is amended by revising the authority citation following the definition for "Reservation" in paragraph (b) to read as follows:

(Authority: Secs. 12(c) and 130(c) of the Act; 29 U.S.C. 711(c) and 750(c))

20. Section 371.10 is revised to read as follows:

**§ 371.10 What types of projects are authorized under this program?**

The Vocational Rehabilitation Service Program for American Indians with Disabilities provides financial assistance for the establishment and operation of tribal vocational rehabilitation service programs for American Indians with disabilities who reside on Federal or State reservations.

(Authority: Sec. 130(a) of the Act; 29 U.S.C. 750(a))

21. Section 371.21 is amended by revising paragraph (c), removing the word "facilities" in paragraph (j), and adding, in its place, the words "community rehabilitation programs", and revising the authority citation following paragraph (j) to read as follows:

**§ 371.21 What are the special application requirements related to the State plan program?**

* * * * *

(c) Priority in the delivery of vocational rehabilitation service will be given to those American Indians with disabilities who are the most severely disabled.

* * * * *

(j) * * *

(Authority: Secs. 12(c) and 101(a) (6) and (7) of the Act; 29 U.S.C. 711(c) and 721(a) (6) and (7))

* * * * *

**§ 371.40 [Amended]**

22. Section 371.40 is amended by revising the authority citation following the section to read as follows:

(Authority: Secs. 12(c) and 130(a) of the Act; 29 U.S.C. 711(c) and 750(a))

**§ 371.42 [Amended]**

23. Section 371.42 is amended by removing the words "rehabilitation facility" in paragraph (a), and adding, in their place, the words "community rehabilitation program".

**§ 371.43 [Amended]**

24. Section 371.43 is amended by revising the authority citation following the section to read as follows:

(Authority: Secs. 12(c) and 130(b)(2) of the Act; 29 U.S.C. 711(c) and 750(b)(2))

## PART 373—[AMENDED]

25. The title of part 373 is revised to read as follows:

## PART 373—SPECIAL PROJECTS AND DEMONSTRATIONS FOR PROVIDING VOCATIONAL REHABILITATION SERVICES TO INDIVIDUALS WITH DISABILITIES

26. The authority citation for part 373 continues to read as follows:

**Authority:** 29 U.S.C. 711(c), 777a(a)(1), and 777a(a)(4), unless otherwise noted.

27. Section 373.1 is revised to read as follows:

**§ 373.1 What is the Program of Special Projects and Demonstrations for Providing Vocational Rehabilitation Services to Individuals with Disabilities?**

This program is designed to provide financial assistance to projects for expanding or otherwise improving vocational rehabilitation services and other rehabilitation services for individuals with disabilities, especially individuals with the most severe disabilities.

(Authority: Sec. 311(a) of the Act; 29 U.S.C. 777(a))

28. Section 373.10 is revised to read as follows:

**§ 373.10 What types of projects are authorized under this program?**

(a) Authorized activities under this program include carrying out special projects concerned with establishing programs for expanding or otherwise improving vocational rehabilitation services and other rehabilitation services to individuals with disabilities, especially those individuals with the most severe disabilities.

(b) Projects also may be conducted to meet the special needs of isolated populations of individuals with disabilities, particularly among American Indians residing on or outside of reservations.

(c) Individuals with disabilities served under this program include individuals who are blind, individuals who are deaf, and other groups of individuals with disabilities who are members of populations that are unserved or underserved by programs under the Act, as identified by the Secretary in a notice published in the **Federal Register.**

(Authority: Sec. 311(a)(1) and 311(a)(4) of the Act; 29 U.S.C. 777(a)(1) and 777a(a)(4))

29. Section 373.11 is amended by revising the heading, the undesignated introductory text, and paragraphs (a) and (c) to read as follows:

**§ 373.11 What specific activities must be supported under this program to provide services to individuals who are blind?**

Projects in which services are provided to individuals who are blind must—

(a) Demonstrate innovative methods of providing intensive rehabilitation services needed to rehabilitate individuals who are blind; or

* * * * *

(c) Conduct coordinated rehabilitation service activities with other public or nonprofit agencies serving individuals who are blind in the same area.

30. Section 373.12 is revised to read as follows:

**§ 373.12 What specific activities must be supported under this program to provide services to individuals who are deaf?**

Projects in which services are provided to individuals who are deaf must—

(a) Demonstrate innovative methods of providing the specialized services needed to rehabilitate and make maximum use of the vocational potential of individuals who are deaf; or

(b) Conduct coordinated activities with other public and nonprofit agencies administering programs for people who are deaf in the same area in order to expand or improve rehabilitation services for individuals who are deaf.

(Authority: Sec. 311(a) of the Act; 29 U.S.C. 777a)

31. Section 373.30 is amended by revising paragraphs (f)(2)(i), (g)(2)(i), (g)(2)(iv), and (h)(2) to read as follows:

**§ 373.30 What selection criteria does the Secretary use under this program?**

* * * * *

(f) * * *

(2) * * *

(i) A broad range of vocational rehabilitation services and other rehabilitation services will be available to individuals with disabilities, especially individuals with the most severe disabilities, within the project;

* * * * *

(g) * * *

(2) * * *

(i) The project will be designed primarily for individuals with the most severe disabilities being provided vocational rehabilitation services by State vocational rehabilitation units;

* * * * *

(iv) All comparable benefits for which project clients might be eligible will be utilized.

(h) * * *

(2) The Secretary looks for information that shows that the approach to be used in providing vocational rehabilitation services and other rehabilitation services will be innovative and appropriate to the groups of individuals with severe disabilities being served.

* * * * *

32. Section 373.40 is revised to read as follows:

**§ 373.40 What are the matching requirements?**

Grants may be made for paying all or part of the cost of activities covered under this program. If part of the costs is to be paid by the grantee, the amount of grantee participation is specified in the application notice and will not be more than 10 percent of the total cost of the project.

(Authority: Secs. 12(c) and 311 of the Act; 29 U.S.C. 711(c) and 777(a))

**§§ 373.41 and 373.42 [Removed]**

33. Sections 373.41 and 373.42 are removed.

**PART 374—[AMENDED]**

34. The title of part 374 is revised to read as follows:

**PART 374—SPECIAL PROJECTS AND DEMONSTRATIONS FOR MAKING RECREATIONAL ACTIVITIES ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES**

35. The authority citation for part 374 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 777a(a)(3), unless otherwise noted.

36. Section 374.1 is revised to read as follows:

**§ 374.1 What is the Program of Special Projects and Demonstrations for Making Recreational Activities Accessible to Individuals with Disabilities?**

This program is designed to provide financial assistance to projects to demonstrate methods of making recreational activities fully accessible to individuals with disabilities.

(Authority: Sec. 311(a)(3) of the Act; 29 U.S.C. 777a(a)(3)).

**§ 374.3 [Amended]**

37. Section 374.3 is amended by removing "734" in paragraph (b), and adding, in its place, "374".

38. Section 374.10 is amended by revising paragraph (a) and by removing the word "handicaps" both times it appears in paragraph (c), and adding, in its place, the word "disabilities" to read as follows:

**§ 374.10 What types of projects are authorized under this program?**

(a) This program provides financial assistance for the support of special projects and demonstrations, and related research and evaluation, to demonstrate methods of making recreational activities fully accessible to individuals with disabilities.

* * * * *

**§ 374.30 [Amended]**

39. Section 374.30 is amended by removing the word "handicaps", and adding, in its place, the word "disabilities" in paragraphs (f)(1), (g)(1), (g)(2)(i), (g)(2)(ii), (g)(2)(iv), and (g)(2)(v).

40. Section 374.40 is revised to read as follows:

**§ 374.40 What are the matching requirements?**

Grants may be made for paying all or part of the costs of activities covered under this program. If part of the costs is to be paid by the grantee, the amount of grantee participation is specified in the application notice and will not be more than 10 percent of the total cost of the project.

(Authority: Secs. 12(c) and 311(a)(3) of the Act; 29 U.S.C. 711(c) and 777a(a)(3)).

**§ 374.41 [Removed]**

41. Section 374.41 is removed.

**§ 374.42 [Redesignated as § 374.41 and amended]**

42. Section 374.42 is redesignated as § 374.41 and amended by removing the word "handicaps", and adding, in its place the word "disabilities".

**§ 374.43 [Removed]**

43. Section 374.43 is removed.

**PART 375—[AMENDED]**

44. The heading for part 375 is revised to read as follows:

**PART 375—VOCATIONAL REHABILITATION SERVICE PROJECTS PROGRAM FOR MIGRATORY AGRICULTURAL WORKERS AND SEASONAL FARMWORKERS WITH DISABILITIES**

45. The authority citation for part 375 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 777b, unless otherwise noted.

46. The authority citations for §§ 375.30, 375.40, 375.41, and 375.42 are revised to read as follows:

(Authority: Secs. 12(c) and 312 of the Act; 29 U.S.C. 711(c) and 777b).

47. In 34 CFR part 375 the word "handicaps" is removed, and the word "disabilities" is added, in its place, in the following places:

(a) Section 375.1;

(b) Section 375.10 (twice); and

(c) Section 375.41 (a) and (b).

48. Section 375.1 is amended by revising the heading and the authority citation following the section to read as follows:

**§ 375.1 What is the Vocational Rehabilitation Service Projects Program for Migratory Agricultural Workers and Seasonal Farmworkers with Disabilities?**

* * * * *

(Authority: Sec. 312 of the Act; 29 U.S.C. 777b)

**§ 375.2 [Amended]**

49. Section 375.2 is amended by adding ", nonprofit agencies working in collaboration with State vocational rehabilitation agencies," before the word "or" in paragraph (a).

**§ 375.4 [Amended]**

50. Section 375.4 is amended by removing the word "handicaps" in paragraph (b)(1) both times it appears, and adding, in its place, the word "disabilities".

**§ 375.10 [Amended]**

51. Section 375.10 is amended by removing the word "handicapped" and adding, in its place, the word "disabled".

**§ 375.30 [Amended]**

52. Section 375.30 is amended by removing the words "State or local" in paragraph (g)(2), and adding, in their place, the word "applicant".

**§ 375.41 [Amended]**

53. Section 375.41 is amended by adding the words "or nonprofit" after the word "local" in paragraph (a).

**§ 375.42 [Amended]**

54. Section 375.42 is amended by removing "1964," and adding, in its place, "1965, section 311 of the Economic Opportunity Act of 1964,".

**PART 376—[AMENDED]**

55. The title of part 376 is revised to read as follows:

**PART 376—SPECIAL PROJECTS AND DEMONSTRATIONS FOR PROVIDING TRANSITIONAL REHABILITATION SERVICES TO YOUTH WITH DISABILITIES**

56. The authority citation for part 376 is revised to read as follows:

**Authority:** 29 U.S.C. 777a(b), unless otherwise noted.

57. In 34 CFR part 376 the words "handicapped youth" or "handicapped youths" are removed, and the words "youths with disabilities" are added, in their place, in the following places:

(a) Section 376.1;

(b) Section 376.10 (a)(1) and (a)(2);

(c) Section 376.30 (a), (b)(twice), (e)(twice), and (f); and

(d) Section 376.31 (f)(1), (f)(2)(ii), and (g)(2)(i).

58. Section 376.1 is further amended by revising the heading and the authority citation following the section to read as follows:

**§ 376.1 What is the program of Special Projects and Demonstrations for Providing Transitional Rehabilitation Services to Youths with Disabilities?**

* * * * *

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

**§ 376.2 [Amended]**

59. Section 376.2 is amended by revising the authority citation following the section to read as follows:

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

**§ 376.3 [Amended]**

60. Section 376.3 is amended by revising the authority citation following the section to read as follows:

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711(c) and 777a(b))

61 Section 376.4 is amended by revising the definition of "Extended services" in paragraph (d)(1), removing the definition of "Handicapped youth" in paragraph (d)(2), redesignating paragraph (d)(3) as (d)(2), adding a new definition of "Youths with disabilities" as paragraph (d)(3), and revising the authority citation following the section to read as follows:

**§ 376.4 What definitions apply to this program?**

* * * * *

(d) * * *

(1) *Extended services* means on-going support services and other appropriate services provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds under this part, part 361, part 363, or part 380, after an individual with the most severe disabilities has made the transition from project support.

* * * * *

(3) *Youths with disabilities* means individuals with disabilities between the ages of 12 and 26.

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711a(c) and 777(b))

**§ 376.10 [Amended]**

62. Section 376.10 is further amended by removing the word "facilities" in paragraph (a)(2), and adding, in its place, the words "community rehabilitation programs", removing the words "handicapped youths" in paragraph (c), and adding, in their place, the words "youths with disabilities", and revising the authority citation following the section to read as follows:

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711a(c) and 777(b))

**§ 376.30 [Amended]**

63. Section 376.30 is further amended by removing the words "handicapped youth with" in the heading of paragraph (c), and adding, in their place, the words "youths with disabilities who have", and revising the authority citation following the section to read as follows:

(Authority: Sec. 311(b); 29 U.S.C. 777 (a), (b))

**§ 376.31 [Amended]**

64. Section 376.31 is further amended by removing the words "handicapped youths" in paragraph (h)(2)(ii), and adding, in their place, the words "youths with disabilities", and revising the authority citation following the section to read as follows:

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

65. Section 376.40 is revised to read as follows:

**§ 376.40 What are the matching requirements?**

The Secretary may pay all or part of the costs of activities funded under this program. If part of the costs is to be paid by a grantee, the amount of grantee participation is specified in the application notice and will not be more than 10 percent of the total cost of the project.

(Authority: Secs. 12(c) and 311(b); 29 U.S.C. 711(c) and 777a(b))

66. Section 376.41 is amended by revising the authority citation following the section to read as follows:

(Authority: Sec. 311(b); 29 U.S.C. 777a(b))

## PART 377—DEMONSTRATION PROJECTS TO INCREASE CLIENT CHOICE PROGRAM

67. The authority citation for Part 377 continues to read as follows:

**Authority:** Sec. 802(g) of the Rehabilitation Act of 1973; 29 U.S.C. 797a(g), unless otherwise noted.

**§ 377.5 [Amended]**

68. Section 377.5 is amended by removing "II," in paragraph (2) of the definition of "Individual with a disability" in paragraph (a).

**§ 377.11 [Amended]**

69. Section 377.11 is amended by revising the authority citation following the section to read as follows:

(Authority: Secs. 21(b)(6), 802(g)(2), 802(g)(3), 802(g)(5), 802(g)(6), and 802(g)(7) of the Rehabilitation Act of 1973; 29 U.S.C. 718b and 29 U.S.C. 797a(g)(2), (3), (5), (6), and (7)).

## PART 378—PROJECTS FOR INITIATING RECREATIONAL PROGRAMS FOR INDIVIDUALS WITH DISABILITIES

70. The authority citation for part 378 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 777(f), unless otherwise noted.

**§ 378.3 [Amended]**

71. Section 378.3 as revised by the regulations published in the **Federal Register** on July 1, 1993 (58 FR 35764) (effective date pending) is amended by revising the authority citation following the section to read as follows:

(Authority: Secs. 21(b)(6) and 316(a)(4) of the Act; 29 U.S.C. 718b and 777(f))

## PART 379—PROJECTS WITH INDUSTRY

72. The authority citation for part 379 continues to read as follows:

**Authority:** Secs. 12(c) and 621 of the Act; 29 U.S.C. 711(c) and 795g, unless otherwise noted.

73. Section 379.1 is revised to read as follows:

**§ 379.1 What is the Projects with Industry program?**

This program is designed to—

(a) Create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process;

(b) Identify competitive job and career opportunities and the skills needed to perform these jobs;

(c) Create practical settings for job readiness and training programs; and

(d) Provide job placements and career advancement.

(Authority: Sec. 621(a) of the Act; 29 U.S.C. 795(a))

74. Section 379.2 is revised to read as follows:

**§ 379.2 Who is eligible for assistance under this program?**

Employers and profit-making and nonprofit organizations with which the Secretary may enter into an agreement include any—

(a) Designated State unit;

(b) Labor union;
(c) Employer;
(d) Community rehabilitation program provider;
(e) Trade association;
(f) Indian tribe or tribal organization; or
(g) Other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities.

(Authority: Sec. 621(a)(2) of the Act; 29 U.S.C. 795g(a)(2))

**§§ 379.3 and 379.4 [Redesignated as §§ 379.4 and 379.5]**

75. Sections 379.3 and 379.4 are redesignated as §§ 379.4 and 379.5, respectively.

76. A new § 379.3 is added to read as follows:

**§ 379.3 Who is eligible for services under this program?**

(a) An individual is eligible for services under this program if the appropriate State vocational rehabilitation unit determines the individual to be an individual with a disability or an individual with a severe disability.

(b) In making the determination under paragraph (a) of this section, the State vocational rehabilitation unit shall rely on the determination made by the recipient of the grant under which the services are provided.

(c) If a State vocational rehabilitation unit does not notify a recipient of a grant within 60 days that the determination of the recipient is inappropriate, the recipient of the grant may consider the individual to be eligible for services.

(Authority: Sec. 621(a)(3) of the Act; 29 U.S.C. 795g(a)(3))

77. Section 379.10 is amended by revising paragraphs (a), (b), (c), and (d) and adding paragraph (e) to read as follows:

**§ 379.10 What types of project activities are required under this program?**

* * * * *

(a) Providing individuals with disabilities with training and employment in a realistic work setting in order to prepare them for employment and career advancement in the competitive market;

(b) Providing individuals with disabilities with job placement and career advancement services;

(c) Providing individuals with disabilities with supportive services that are necessary to permit them to maintain the employment and career advancement for which they have received training under this program; and

(d) To the extent appropriate, providing for—

(1) The development and modification of jobs and careers to accommodate the special needs of the individuals with disabilities being trained and employed under this program;

(2) The purchase and distribution of rehabilitation technology to meet the needs of individuals with disabilities at job sites; and

(3) The modification of any facilities or equipment of the employer which are to be used by individuals with disabilities under this program; and

(e) Providing for the establishment of business advisory councils comprised of representatives of private industry, business concerns, organized labor, and individuals with disabilities and their representatives who will identify job and career availability within the community, the skills necessary to perform those jobs and careers, and prescribe appropriate training programs.

78. A new § 379.11 is added to Subpart B to read as follows:

**§ 379.11 What additional types of project activities may be authorized under this program?**

The Secretary may include, as part of agreements with grant recipients under this program, authority for such grant recipients to provide the following types of technical assistance:

(a) Assisting employers in hiring individuals with disabilities; or

(b) Improving or developing relationships between grant recipients or prospective grant recipients and employers or organized labor; or

(c) Assisting employers in understanding and meeting the requirements of the Americans with Disabilities Act of 1990 (42 U.S.C 12101 *et seq.*) as the Act relates to employment of individuals with disabilities.

(Authority: Sec. 621(a) of the Act; 29 U.S.C 795g)

**§ 379.30 [Amended]**

79. Section 379.30 is amended by removing the word "handicaps" in paragraphs (f)(1), (f)(2)(i), (f)(2)(ii), (f)(2)(iii), and (h)(1), and adding, in its place, the word "disabilities", and by removing the words "similar benefits" in paragraph (g)(2)(i), and adding, in their place, the words "comparable benefits and services".

80. Section 379.31 is amended by revising paragraph (a) and the authority citation following the section to read as follows:

**§ 379.31 What other factors does the Secretary consider in reviewing an application?**

* * * * *

(a) The equitable distribution of projects among the States and awards new grants to new projects that will serve individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations that are currently unserved or underserved by the Projects with Industry program; and

* * * * *

(Authority: Secs. 621(e)(2) and 621(f)(4) of the Act; 29 U.S.C. 795g(e)(2) and 795g(f)(4))

81. Section 379.41 is amended by revising paragraphs (f) and (g) to read as follows:

**§ 379.41 What are allowable costs?**

* * * * *

(f) The purchase or modification of rehabilitation technology to meet the needs of individuals with disabilities; and

(g) Alteration and renovation appropriate and necessary to ensure access to and utilization of buildings by persons with disabilities.

**§ 379.42 [Amended]**

82. Section 379.42 is amended by removing the word "handicaps" in the undesignated introductory text and in paragraph (a), and adding, in its place, the word "disabilities".

83. Section 379.43 is amended by removing the words "handicapped individual" in paragraph (d), and adding, in their place, the words "individual with a disability", by removing paragraphs (f) and (i), and redesignating paragraphs (g), (h), (j), (k), (l), (m), and (n) as paragraphs (f), (g), (h), (i), (j), (k), and (l), respectively, and by revising the redesignated paragraphs to read as follows:

**§ 379.43 What general provisions are required in agreements?**

* * * * *

(f) Provide reasonable assurance that individuals with disabilities successfully completing the training program will be employed by the employer or within a similar enterprise;

(g) Specify the duration of the project, not to exceed five years;

(h) Provide that any individual with disabilities placed with an employer under this program will be given terms and benefits of employment equal to those which are given to similarly situated co-workers of the individual;

(i) Provide that employees with disabilities will not be segregated from their co-workers;

(j) Contain an agreement to make reports and to keep any records and

accounts required by the Secretary and to make records and accounts available for audit purposes;

(k) Contain a description of an annual evaluation plan which contains, at a minimum, the following elements:

(1) The numbers and types of individuals with disabilities served.

(2) The types of services provided.

(3) The sources of funding.

(4) The percentage of resources committed to each type of service provided.

(5) The extent to which the employment status and earning power of individuals with disabilities changed following services.

(6) The extent of capacity building activities, including collaboration with business and industry and other organizations, agencies, and institutions.

(7) A comparison, if appropriate, of activities in prior years with activities in the most recent year.

(8) The number of project participants who were terminated from project placements and the duration of those placements; and

(l) Provide assurance that an evaluation report containing the data specified in paragraph (k) of this section will be submitted to the Secretary.

84. Section 379.44 is amended by adding a new paragraph (c) to read as follows:

**§ 379.44 What wage rates are required under agreements?**

* * * * *

(c) The agreement must also provide that individuals with disabilities who are placed in competitive employment must receive at least the applicable minimum wage.

## PART 380—[AMENDED]

85. The title of part 380 is revised to read as follows:

## PART 380—SPECIAL PROJECTS AND DEMONSTRATIONS FOR PROVIDING SUPPORTED EMPLOYMENT SERVICES TO INDIVIDUALS WITH THE MOST SEVERE DISABILITIES AND TECHNICAL ASSISTANCE PROJECTS

86. The authority citation for part 380 is revised to read as follows:

**Authority:** 29 U.S.C 711(c) and 777a(c), unless otherwise noted.

87. In 34 CFR part 380 the words "severe handicaps" are removed, and the words "the most severe disabilities" are added, in their place, in the following places:

(a) Section 380.3(a) and (b);

(b) Section 380.4(b)(1), (b)(2) introductory text, (b)(2)(i), and (b)(2)(ii);

(c) Section 380.6(b);

(d) Section 380.11(h)(2)(i);

(e) Section 380.12(f) and (g)(1);

(f) Section 380.13(h)(1)(twice), (h)(2)(i), and (h)(2)(ii); and

(g) Section 380.20.

88. Sections 380.2, 380.5, 380.10, 380.12, and 380.20 are amended by revising the authority citation following the section to read as follows:

(Authority: 29 U.S.C. 777a(c))

89. Sections 380.3, 380.4, 380.11 and 380.14 are amended by revising the authority citation following the section to read as follows:

(Authority: 29 U.S.C. 777a(a)(1) and 777a(c))

90. Section 380.1 is revised to read as follows:

**§ 380.1 What is the program of special projects and demonstrations for providing supported employment services to individuals with the most severe disabilities and technical assistance projects?**

This program is designed to provide grants for special projects and demonstrations to expand or otherwise improve the provision of supported employment services to individuals with the most severe disabilities, including projects that demonstrate the effectiveness of natural supports or other alternative approaches for supporting and maintaining individuals in supported employment, and grants for technical assistance projects.

(Authority: 29 U.S.C. 777a(a)(1) and 777a(c))

**§ 380.2 [Amended]**

91. Section 380.2 is amended by removing the words "rehabilitation facilities" in paragraphs (a) and (b), and adding, in their place, the words "community rehabilitation programs".

**§ 380.4 [Amended]**

92. Section 380.4 is further amended by removing the word "statewide" in the heading, and adding, in its place, the word "Statewide".

93. Section 380.5 is amended by revising paragraphs (a)(5) and (a)(6) to read as follows:

**§ 380.5 What activities may the Secretary fund under community-based supported employment projects?**

(a) * * *

(5) Application of rehabilitation technology in providing supported employment services.

(6) Provision of supported employment services for individuals placed in employment.

* * * * *

94. Sections 380.6, 380.7 and 380.13 are amended by revising the authority citations following the sections to read as follows:

(Authority: 29 U.S.C. 777a(c)(2))

95. Section 380.8 is amended by removing the words "Severe Handicaps" in the undesignated introductory text, and adding, in their place, the words "the Most Severe Disabilities", and by revising paragraphs (a) and (c) and the authority citation following the section to read as follows:

**§ 380.8 What regulations apply?**

* * * * *

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR Part 75 (Direct Grant Programs).

(3) 34 CFR Part 77 (Definitions that Apply to Department Regulations).

(4) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR Part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR Part 82 (New Restrictions on Lobbying).

(8) 34 CFR Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR Part 86 (Drug-Free Schools and Campuses).

* * * * *

(c) The regulations in 34 CFR 369.46

(Authority: 29 U.S.C. 711(c) and 777a(c))

96. Section 380.9 is amended by revising paragraphs (b) and (c) and the authority citation following the section to read as follows:

**§ 380.9 What definitions apply?**

* * * * *

(b) The following terms used in this part are defined in 34 CFR part 369:

Designated State unit
Community rehabilitation program
Individual with a severe disability

(c) *Other definitions.* The following definitions also apply to this part:

(1) As used in the definition of "supported employment"—

(i) *Competitive work* means work that at the time of transition is performed weekly on a full-time basis or on a part-time basis, as determined in each individual's program of services, and for which an individual is compensated consistent with the wage standards

provided for in the Fair Labor Standards Act;

(ii)(A) *Integrated work setting* means job sites where either—

(*1*)(*i*) Most employees are not disabled; and

(*ii*) An individual with the most severe disabilities interacts on a regular basis, in the performance of job duties, with employees who are not disabled; and

(*iii*) If an individual with the most severe disabilities is part of a distinct work group of only individuals with disabilities, the work group consists of no more than eight individuals; or

(*2*) If there are no other employees or the only other employees are individuals who are part of a work group as described in paragraph (c)(1)(ii)(A)(*1*)(*iii*) of this section an individual with the most severe disabilities interacts on a regular basis, in the performance of job duties, with individuals who are not disabled, including members of the general public.

(B) The interaction required by paragraphs (c)(1)(ii)(A)(*1*)(*ii*) and (c)(1)(ii)(A)(*2*) of this section may not be satisfied by contact between an individual with the most severe disabilities and individuals who provide on-going support services at the job site;

(iii) *Supported employment services* means on-going support services provided by the grantee with funds under this part—

(A) For a period not to exceed 18 months, unless under special circumstances a longer period to achieve job stabilization has been jointly agreed to by the individual and the rehabilitation counselor and established in the individual's program of services, before an individual with the most severe disabilities makes the transition to extended services; and

(B) As discrete post-employment services following transition in accordance with 34 CFR 363.4(c)(3);

(iv) *Extended services* means on-going support services and other appropriate services provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under this part, part 361, part 363, or part 376 after an individual with the most severe disabilities has made the transition from project support; and

(v) *Transitional employment* means a series of temporary job placements in competitive work in an integrated work setting with on-going support services for individuals with the most severe disabilities due to mental illness. In transitional employment, the provision of on-going support services must include continuing sequential job placements until job permanency is achieved.

(2) *On-going support services* means services that are—

(i) Needed to support and maintain an individual with the most severe disabilities in supported employment;

(ii) Based on a determination by the grantee of the individual's needs as specified in a program of services; and

(iii) Furnished by the grantee from the time of job placement until transition to extended services, except as provided in 34 CFR 363.4(c)(3) and, following transition, by one or more extended services providers throughout the individual's term of employment in a particular job placement or multiple placements if those placements are being provided under a program of transitional employment. On-going support services must include, at a minimum, twice-monthly monitoring at the work site of each individual in supported employment to assess employment stability, unless under special circumstances, especially at the request of the individual, the individual's program of services provides for off-site monitoring, and, based upon that assessment, the coordination or provision of specific services, at or away from the work site, that are needed to maintain employment stability. If off-site monitoring is determined to be appropriate, it must, at a minimum, consist of two meetings with the individual and one contact with the employer each month. On-going support services consist of—

(A) Any particularized assessment needed to supplement the comprehensive assessment of rehabilitation needs;

(B) The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site;

(C) Job development and placement;

(D) Social skills training;

(E) Regular observation or supervision of the individual;

(F) Follow-up services such as regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representative of the individuals, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement;

(G) Facilitation of natural supports at the worksite;

(H) Any other service identified in the scope of rehabilitation services described in 34 CFR part 361; and

(I) Any service similar to the foregoing services.

(Authority: 29 U.S.C. 777a(c))

**§ 380.11 [Amended]**

97. Section 380.11 is further amended by removing the word "statewide" in the heading, and adding, in its place, the word "Statewide" and by removing the word "handicapping" in paragraphs (a)(2) and (b)(1)(iv), and adding, in its place, the word "disabling".

98. A new 380.15 is added to subpart B to read as follows:

**§ 380.15 What application requirement applies to this program?**

Each applicant for a grant under this program must include in its application a description of the manner in which it will address the needs of individuals with the most severe disabilities from minority backgrounds.

(Approved by the Office of Management and Budget under control number 1820–0018.)

(Authority: 29 U.S.C. 718b)

99. A new § 380.21 is added to subpart C to read as follows:

**§ 380.21 What information requirement applies to this program?**

Each grantee must advise recipients of services under its project or, as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: 29 U.S.C. 718a)

## PART 381—PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS

100. The authority citation for part 381 continues to read as follows:

**Authority:** 29 U.S.C 794e, unless otherwise noted.

101. Section 381.2 is amended by removing the word "State" in paragraph (a); removing the word "receive" in paragraph (a) and adding, in its place, the words "apply for"; revising paragraph (b); and removing the words "may receive the amount" in paragraph (c), and adding, in their place, the words "may apply to receive the amount" to read as follows:

**§ 381.2 Who is eligible for an award?**

* * * * *

(b) In any fiscal year in which the amount appropriated to carry out this section is less than $5,500,000, a protection and advocacy system from any State or from Guam, American Samoa, the United States Virgin Islands,

the Commonwealth of the Northern Mariana Islands, or the Republic of Palau may apply for a grant under the Protection and Advocacy of Individual Rights (PAIR) program to plan for, develop outreach strategies for, and carry out a protection and advocacy program authorized under this part, except that the Republic of Palau may not apply for a grant under the PAIR program after the Compact of Free Association with Palau takes effect.

* * * * *

101. Section 381.3 is amended by revising paragraph (a)(4) to read as follows:

**§ 381.3 What activities may the Secretary fund?**

(a) * * *

(4) Coordinating the protection and advocacy program provided through an eligible system with the advocacy programs under—

(i) Section 112 of the Act (the Client Assistance Program (CAP));

(ii) The Older Americans Act of 1965 (the State long-term care ombudsman program);

(iii) Part C of the DDA; and

(iv) The Protection and Advocacy for Individuals with Mental Illness Act of 1986 (PAIMI), 42 U.S.C. 10801–10851.

102. In § 381.5 paragraph (b) is amended by removing the comma before the word "organizations" in the definition of "Advocacy", and adding, in its place, the word "or", and adding a comma after the word "organizations"; revising paragraph (3) of the definition of "Advocacy"; revising the definition of "Eligible individual with a disability"; revising the first sentence of the definition of "Mediation", and adding the word "independent" before "third party mutually"; and by removing "the allotments under sections 509(b)–(e)" in the definition of "State", and adding, in its place, "section 509 (c)(3)(B) and (c)(4)", to read as follows:

**§ 381.5 What definitions apply?**

* * * * *

(b) * * *

Advocacy * * *

(3) Oneself, in which case it is *self advocacy.*

*Eligible individual with a disability* means an individual who—

(1) Needs protection and advocacy services that are beyond the scope of services authorized to be provided by the CAP under section 112 of the Act; and

(2) Is ineligible for—

(i) Protection and advocacy programs under Part C of the DDA; and

(ii) Protection and advocacy programs under the PAIMI.

* * * * *

*Mediation* means the act or process of using an independent third party to act as a mediator, intermediary, or conciliator to settle differences or disputes between persons or parties.

* * * * *

103. Section 381.10 is amended by revising paragraph (a)(6)(ii) to read as follows:

**§ 381.10 What are the application requirements?**

(a) * * *

(6) * * *

(ii) The coordination of programs provided through eligible systems with the advocacy programs under—

(A) Section 112 of the Act (CAP);

(B) The Older Americans Act of 1965 (the State long-term care ombudsman program);

(C) Part C of the DDA; and

(D) The PAIMI;

104. Section 381.21 is amended by removing the words "agency designated to operate the PAIR program" in paragraph (h)(1), and adding, in their place, the words "eligible system".

105. Section 381.30 is amended by revising paragraph (c) introductory text and paragraph (c)(1) to read as follows:

**§ 381.30 How are services to be administered?**

* * * * *

(c) An eligible system may contract with another agency, entity, or individual to carry out the PAIR program in whole or in part, but only if the agency, entity, or individual with whom the eligible system has contracted—

(1) Does not provide services under the Act or does not provide treatment, services, or habilitation to persons with disabilities; and

* * * * *

**§ 381.31 [Amended]**

106. Section 381.31 is amended by removing the words "designated agency" in paragraph (b), and adding, in their place, the words "eligible system".

107. Section 381.33 is amended by revising paragraph (b) and removing the last sentence of paragraph (d), to read as follows:

**§ 381.33 What are the requirements related to the use of funds provided under this part?**

* * * * *

(b) In any State in which an eligible system is located within a State agency, that State or State agency may not use more than five percent of any allotment for the costs of administration of the eligible system supported under this part. For purposes of this paragraph, "costs of administration" include, but are not limited to, administrative salaries (including salaries for clerical and support staff), supplies, depreciation or use allowances, the cost of operating and maintaining facilities, equipment, and grounds (e.g., rental of office space or equipment, telephone, postage, maintenance agreements), and other similar types of costs that may be incurred by the State or State agency to administer the eligible system.

* * * * *

## PART 385—REHABILITATION TRAINING

108. The authority citation for part 385 is revised to read as follows:

**Authority:** 29 U.S.C. 711(c), 772, and 774, unless otherwise noted.

109. Section 385.1 is revised to read as follows:

**§ 385.1 What is the Rehabilitation Training program?**

(a) The Rehabilitation Training program is designed to—

(1) Ensure that skilled personnel are available to provide rehabilitation services to individuals with disabilities through vocational, medical, social, and psychological rehabilitation programs, through supported employment programs, through independent living services programs, and through client assistance programs;

(2) Maintain and upgrade basic skills and knowledge of personnel employed to provide state-of-the-art service delivery systems and rehabilitation technology services; and

(3) Provide training and information to individuals with disabilities, the parents, families, guardians, advocates, and authorized representatives of the individuals, and other appropriate parties to develop the skills necessary for individuals with disabilities to access the rehabilitation system and to become active decisionmakers in the rehabilitation process.

(b) The Secretary awards grants and contracts to pay part of the costs of projects for training, traineeships, and related activities, including the provision of technical assistance, to assist in increasing the numbers of qualified personnel trained in providing rehabilitation services and other services provided under the Act, to individuals with disabilities. Financial assistance is provided through six categories of training programs.

(1) Rehabilitation Long-Term Training (34 CFR Part 386).

(2) Experimental and Innovative Training (34 CFR Part 387).
(3) State Vocational Rehabilitation Unit In-Service Training (34 CFR Part 388).
(4) Rehabilitation Continuing Education Programs (34 CFR Part 389).
(5) Rehabilitation Short-Term Training (34 CFR Part 390).
(6) Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind (34 CFR Part 396).

(Authority: Secs. 301 and 302 of the Act; 29 U.S.C. 770 and 774)

110. Section 385.2 is revised to read as follows:

**§ 385.2 Who is eligible for assistance under these programs?**

States and public or nonprofit agencies and organizations, including Indian tribes and institutions of higher education, are eligible for assistance under the Rehabilitation Training program.

(Authority: Secs. 7(19) and 302 of the Act; 29 U.S.C. 706(19) and 774)

111. Section 385.3 is revised to read as follows:

**§ 385.3 What regulations apply to these programs?**

The following regulations apply to the Rehabilitation Training program:
(a) The Education Department General Administrative Regulations (EDGAR) as follows:
(1) 34 CFR Part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).
(2) 34 CFR Part 75 (Direct Grant Programs).
(3) 34 CFR Part 77 (Definitions That Apply to Department Regulations).
(4) 34 CFR Part 79 (Intergovernmental Review of Department of Education Programs and Activities).
(5) 34 CFR Part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).
(6) 34 CFR Part 81 (General Education Provisions Act—Enforcement).
(7) 34 CFR Part 82 (New Restrictions on Lobbying).
(8) 34 CFR Part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
(9) 34 CFR Part 86 (Drug-Free Schools and Campuses).
(b) The regulations in this Part 385.
(c) The regulations in 34 CFR Parts 386, 387, 388, 389, 390, and 396, as appropriate.

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

112. Section 385.4 is amended by revising paragraph (b) and the authority citation following the section to read as follows:

**§ 385.4 What definitions apply to these programs?**

* * * * *

(b) The following definitions also apply to programs under the Rehabilitation Training program:

*Act* means the Rehabilitation Act of 1973 (29 U.S.C. 701 *et seq.*), as amended.

*Assistive technology device* means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve functional capabilities of individuals with disabilities.

*Assistive technology service* means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device. The term includes—
(1) The evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in the individual's customary environment;
(2) Purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by individuals with disabilities;
(3) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing of assistive technology devices;
(4) Coordinating and using other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;
(5) Training or technical assistance for an individual with disabilities, or, if appropriate, the family of an individual with disabilities; and
(6) Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities.

*Community rehabilitation program* means a program that provides directly or facilitates the provision of vocational rehabilitation services to individuals with disabilities, and that provides, singly or in combination, for an individual with a disability to enable the individual to maximize opportunities for employment, including career advancement—
(1) Medical, psychiatric, psychological, social, and vocational services that are provided under one management;
(2) Testing, fitting, or training in the use of prosthetic and orthotic devices;
(3) Recreational therapy;
(4) Physical and occupational therapy;
(5) Speech, language, and hearing therapy;
(6) Psychiatric, psychological, and social services, including positive behavior management;
(7) Assessment for determining eligibility and vocational rehabilitation needs;
(8) Rehabilitation technology;
(9) Job development, placement, and retention services;
(10) Evaluation or control of specific disabilities;
(11) Orientation and mobility services for individuals who are blind;
(12) Extended employment;
(13) Psychosocial rehabilitation services;
(14) Supported employment services and extended services;
(15) Services to family members when necessary to the vocational rehabilitation of the individual;
(16) Personal assistance services; or
(17) Services similar to the services described in paragraphs (1) through (16) of this definition.

*Designated State agency* means an agency designated under section 101(a)(1)(A) of the Act.

*Designated State unit* means (1) Any State agency unit required under section 101(a)(2)(A) of the Act, or
(2) In cases in which no State agency unit is required, the State agency described in section 101(a)(2)(B)(i) of the Act.

*Independent living core services* means—
(1) Information and referral services;
(2) Independent living skills training;
(3) Peer counseling, including cross-disability peer counseling; and
(4) Individual and systems advocacy

*Independent living services* includes—
(1) Independent living core services; and
(2)(i) Counseling services, including psychological, psychotherapeutic, and related services;
(ii) Services related to securing housing or shelter, including services related to community group living, and supportive of the purposes of this Act and of the titles of this Act, and adaptive housing services (including appropriate accommodations to and modifications of any space used to

serve, or occupied by, individuals with disabilities);

(iii) Rehabilitation technology;

(iv) Mobility training;

(v) Services and training for individuals with cognitive and sensory disabilities, including life skills training, and interpreter and reader services;

(vi) Personal assistance services, including attendant care and the training of personnel providing these services;

(vii) Surveys, directories, and other activities to identify appropriate housing, recreation opportunities, and accessible transportation, and other support services;

(viii) Consumer information programs on rehabilitation and independent living services available under this Act, especially for minorities and other individuals with disabilities who have traditionally been unserved or underserved by programs under this Act;

(ix) Education and training necessary for living in the community and participating in community activities;

(x) Supported living;

(xi) Transportation, including referral and assistance for transportation;

(xii) Physical rehabilitation;

(xiii) Therapeutic treatment;

(xiv) Provision of needed prostheses and other appliances and devices;

(xv) Individual and group social and recreational services;

(xvi) Training to develop skills specifically designed for youths who are individuals with disabilities to promote self-awareness and esteem, develop advocacy and self-empowerment skills, and explore career options;

(xvii) Services for children;

(xviii) Services under other Federal, State, or local programs designed to provide resources, training, counseling, or other assistance of substantial benefit in enhancing the independence, productivity, and quality of life of individuals with disabilities;

(xvix) Appropriate preventive services to decrease the need of individuals assisted under this Act for similar services in the future;

(xx) Community awareness programs to enhance the understanding and integration of individuals with disabilities; and

(xxi) Such other services as may be necessary and not inconsistent with the provisions of this Act.

*Individual with a disability* means any individual who—

(1) Has a physical or mental impairment, which for that individual constitutes or results in a substantial impediment to employment; and

(2) Can benefit in terms of an employment outcome from vocational rehabilitation services provided pursuant to titles I, II, III, VI, or VIII of the Act.

*Individual with a severe disability* means an individual with a disability—

(1) Who has a severe physical or mental impairment that seriously limits one or more functional capacities (such as mobility, communication, self-care, self-direction, interpersonal skills, work tolerance, or work skills) in terms of an employment outcome;

(2) Whose vocational rehabilitation can be expected to require multiple vocational rehabilitation services over an extended period of time; and

(3) Who has one or more physical or mental disabilities resulting from amputation, arthritis, autism, blindness, burn injury, cancer, cerebral palsy, cystic fibrosis, deafness, head injury, heart disease, hemiplegia, hemophilia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, musculo-skeletal disorders, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, sickle-cell anemia, specific learning disabilities, end-stage renal disease, or another disability or combination of disabilities determined on the basis of an assessment for determining eligibility and vocational rehabilitation needs.

*Institution of higher education* has the meaning given the term in section 1201(a) of the Higher Education Act of 1965 (20 U.S.C. 1141(a)).

*Personal assistance services* means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform if the individual did not have a disability. The services shall be designed to increase the individual's control in life and ability to perform everyday activities on or off the job.

*Qualified personnel:* (1) For designated State agencies or designated State units, means personnel who have met standards that are consistent with existing national or State approved or recognized certification, licensing, registration, or other comparable requirements that apply to the area in which such personnel are providing vocational rehabilitation services.

(2) For other than designated State agencies or designated State units, means personnel who have met existing State certification or licensure requirements, or in the absence of State requirements, have met professionally accepted requirements established by national certification boards.

*Rehabilitation technology* means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of and address the barriers confronted by individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services.

*State* includes, in addition to each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands and the Republic of Palau (until the Compact of Free Association with Palau takes effect).

*Stipend* means financial assistance on behalf of individuals in support of their training, as opposed to salary payment for services provided within the project.

*Supported employment* means—

(1) Competitive work in integrated work settings for individuals with the most severe disabilities—

(i)(A) For whom competitive employment has not traditionally occurred; or

(B) For whom competitive employment has been interrupted or intermittent as a result of a severe disability; and

(ii) Who, because of the nature and severity of their disability, need intensive supported employment services from the designated State unit and extended services after transition in order to perform this work.

(2) Transitional employment for individuals with the most severe disabilities due to mental illness.

*Supported employment services* means ongoing support services and other appropriate services needed to support and maintain an individual with most severe disability in supported employment, that are—

(1) Provided singly or in combination and are organized and made available in such a way as to assist an eligible individual in entering or maintaining integrated, competitive employment;

(2) Based on a determination of the needs of an eligible individual, as specified in an individualized written rehabilitation program; and

(3) Provided by the designated State unit for a period of time not to extend beyond 18 months, unless under special circumstances the eligible individual and the rehabilitation counselor or

coordinator jointly agree to extend the time in order to achieve the rehabilitation objectives identified in the individualized written rehabilitation program.

*Vocational rehabilitation services* means the same as the term is defined in 34 CFR 369.4(b).

(Authority: Secs. 7, 12(c), and 101(a)(7) of the Act; 29 U.S.C. 706, 711(c), and 721(a)(7))

**§ 385.20 [Amended]**

113. Section 385.20 is amended by removing the words "State vocational rehabilitation unit", and adding, in their place, the words "designated State agency".

114. Section 385.32 is amended by revising paragraphs (a)(2)(V)(A) and (b)(2)(iv)(A), adding "(b)" before "(2)(i)" in paragraph (b)(2)(iii), and revising the authority citation following the section to read as follows:

**§ 385.32 What general selection criteria does the Secretary use in reviewing an application?**

* * * * *

(a) * * *

(b) * * *

(v) * * *

(A) Persons with disabilities;

* * * * *

(b) * * *

(2) * * *

(iv) * * *

(A) Persons with disabilities;

* * * * *

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

115. Section 385.40 is revised to read as follows:

**§ 385.40 What are the requirements pertaining to the membership of a project advisory committee?**

If a project funded under 34 CFR parts 386 through 390 or 396 establishes an advisory committee, its membership must include individuals with disabilities or parents, family members, guardians, advocates, or other authorized representatives of the individuals; members of minority groups; trainees; and providers of vocational rehabilitation and independent living rehabilitation services.

(Authority: Sec. 12(c) of the Act; 29 U.S.C. 711(c))

**§ 385.41 [Amended]**

116. Section 385.41 is amended by adding the word "designated" before the words "State agencies" in the heading and the text, and by removing the word "handicaps", and adding, in its place, the word "disabilities".

117. Section 385.43 is revised to read as follows:

**§ 385.43 What requirements apply to the training of rehabilitation counselors and other rehabilitation personnel?**

Any grantee who provides training of rehabilitation counselors or other rehabilitation personnel under any of the programs in 34 CFR parts 386 through 390 shall train those counselors and personnel on the services provided under this Act, and, in particular, services provided in accordance with amendments made by the Rehabilitation Act Amendments of 1992. The grantee shall also furnish training to these counselors and personnel regarding the applicability of section 504 of this Act, title I of the Americans with Disabilities Act of 1990, and the provisions of titles II and XVI of the Social Security Act that are related to work incentives for individuals with disabilities.

(Authority: Sec. 302(a)(3) of the Act; 29 U.S.C. 774(a)(3))

118. Section 385.44 is revised to read as follows:

**§ 385.44 What requirement applies to the training of individuals with disabilities?**

Any grantee or contractor who provides training under any of the programs in 34 CFR parts 386 through 390 and 396 shall give due regard to the training of individuals with disabilities as part of its effort to increase the number of qualified personnel available to provide rehabilitation services.

(Authority: Sec. 302(a)(1) of the Act; 29 U.S.C. 774(a)(1))

119. A new § 385.45 is added to subpart E to read as follows:

**§ 385.45 What additional application requirements apply to the training of individuals for rehabilitation careers?**

(a) All applicants for a grant or contract to provide training under any of the programs in 34 CFR parts 386 through 390 and 396 shall demonstrate how the training they plan to provide will prepare rehabilitation professionals to address the needs of individuals with disabilities from minority backgrounds.

(b) All applicants for a grant under any of the programs in 34 CFR parts 386 through 390 and 396 shall include a detailed description of strategies that will be utilized to recruit and train persons so as to reflect the diverse populations of the United States, as part of the effort to increase the number of individuals with disabilities, and individuals who are members of minority groups, who are available to provide rehabilitation services.

(Authority: Secs. 21(b)(5) and 302(a)(5) of the Act; 29 U.S.C. 718b(b)(6) and 774(a)(6))

120. A new § 385.46 is added to subpart E to read as follows:

**§ 385.46 What limitations apply to the rate of pay for experts or consultants appointed or serving under contract under the Rehabilitation Training program?**

An expert or consultant appointed or serving under contract pursuant to this section shall be compensated at a rate subject to approval of the Commissioner which shall not exceed the daily equivalent of the rate of pay for level 4 of the Senior Executive Service Schedule under section 5382 of title 5, United States Code. Such an expert or consultant may be allowed travel and transportation expenses in accordance with section 5703 of title 5, United States Code.

(Authority: Sec. 302(g)(2) of the Act; 29 U.S.C. 774(g)(2))

## PART 387—EXPERIMENTAL AND INNOVATIVE TRAINING

121. The authority citation for part 387 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 774, unless otherwise noted.

**§ 387.1 [Amended]**

122. Section 387.1 is amended by removing the words "persons with severe handicaps", and adding, in their place, the words "individuals with disabilities", and by revising the authority citation following the section to read as follows:

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

**§§ 387.2, 387.3, and 387.10 [Amended]**

123. The authority citations following §§ 387.2, 387.3, and 387.10 are revised to read as follows:

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

**§ 387.30 [Amended]**

124. Section 387.30 is amended by removing the word "handicaps" in paragraph (g)(2) and both times it appears in paragraph (h)(2)(iii), and adding, in its place, the word "disabilities", and by revising the authority citation following the section to read as follows:

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

125. Sections 387.40 and 387.41 are amended by revising the authority citations following the sections to read as follows:

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

## PART 389—REHABILITATION CONTINUING EDUCATION PROGRAMS

126. The authority citation for Part 389 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 774, unless otherwise noted.

**§§ 389.1, 389.2, and 389.3, and 389.10 [Amended]**

127. Sections 389.1, 389.2, 389.3, and 389.10 are amended by revising the authority citations following the sections to read as follows:

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

**§§ 389.30 [Amended]**

128. Section 389.30 is amended by removing the word "program" in paragraphs (g) introductory text and (g)(1), and adding, in its place, the word "programs", and removing the word "handicaps" in paragraph (g)(2), and adding, in its place, the word "disabilities".

**§§ 389.40 and 389.41 [Amended]**

129. Sections 389.40 and 389.41 are amended by revising the authority citations following the sections to read as follows:

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774).

## PART 390—REHABILITATION SHORT-TERM TRAINING

130. The authority citation for Part 390 continues to read as follows:

**Authority:** 29 U.S.C. 711(c) and 774, unless otherwise noted.

131. Section 390.1 is revised to read as follows:

**§ 390.1 What is the Rehabilitation Short-Term Training program?**

This program is designed for the support of special seminars, institutes, workshops, and other short-term courses in technical matters relating to the vocational, medical, social, and psychological rehabilitation programs, independent living services programs, and client assistance programs.

(Authority: Secs. 12(a)(2) and 302 of the Act; 29 U.S.C. 711(a)(2) and 774)

**§§ 390.2 and 390.3 [Amended]**

132. Sections 390.2 and 390.3 are amended by revising the authority citations following the sections to read as follows:

(Authority: Sec. 302 of the Act; 29 U.S.C. 774)

133. Section 390.10 is amended by revising paragraph (a) and the authority citation following the section to read as follows:

**§ 390.10 What types of projects are authorized under this program?**

(a) Projects under this program are designed to provide short-term training and technical instruction in areas of special significance to the vocational, medical, social, and psychological rehabilitation programs, supported employment programs, independent living services programs, and client assistance programs.

* * * * *

(Authority: Secs. 12(a)(2) and 302 of the Act; 29 U.S.C. 711(a)(2) and 774)

**§ 390.30 [Amended]**

134. Section 390.30 is amended by removing the word "program" in the heading of paragraph (g) and paragraphs (g)(1) and (g)(2), and adding, in its place, the word "programs".

**§§ 390.40 and 390.41 [Amended]**

135. Sections 390.40 and 390.41 are amended by revising the authority citations following the sections to read as follows:

(Authority: Secs. 12(c) and 302 of the Act; 29 U.S.C. 711(c) and 774)

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Part IV

# Department of Education

34 CFR Part 396

Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind; Proposed Rule

## DEPARTMENT OF EDUCATION

### 34 CFR Part 396

RIN 1820–AB25

### Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind

**AGENCY:** Department of Education.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The regulations are needed to implement changes made to the above-captioned program by the Rehabilitation Act Amendments of 1992. The purpose of this discretionary grant program is to assist in providing a sufficient number of skilled interpreters throughout the country for employment in public and private agencies, schools, and other service-providing institutions to meet the communication needs of individuals who are deaf and individuals who are deaf-blind by: (1) Training manual, tactile, oral, and cued speech interpreters; (2) ensuring the maintenance of the skills of interpreters engaged in programs serving individuals who are deaf and individuals who are deaf-blind; and (3) providing opportunities for interpreters to raise their level of competence.

**DATES:** Comments must be received on or before March 21, 1994.

**ADDRESSES:** All comments concerning these proposed regulations should be addressed to Mark Shoob, U.S. Department of Education, 400 Maryland Avenue, SW., room 3036, Switzer Building, Washington, DC 20202–2576.

A copy of any comments that concern information collection requirements should also be sent to the Office of Management and Budget at the address listed in the Paperwork Reduction Act section of this preamble.

**FOR FURTHER INFORMATION CONTACT:** Charlotte Coffield, U.S. Department of Education, 400 Maryland Avenue, SW., room 3221, Switzer Building, Washington, DC 20202–2736. Telephone: (202) 205–9001. Individuals who use a telecommunications device for the deaf (TDD) may call the TDD number at (202) 205–8298.

**SUPPLEMENTARY INFORMATION:** The Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program is authorized by section 302(f) of the Act. These proposed regulations would implement the changes to the Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program made by the Rehabilitation Act Amendments of 1992, Public Law 102–569, enacted October 29, 1992. The principal change is an expansion of the purpose and scope of the program to include a requirement that each funded project train interpreters for "individuals who are deaf-blind" as well as interpreters for "individuals who are deaf." Each project has the discretion, however, to propose to provide training for interpreters for these two disability populations in the specific communication modes appropriate to the needs of these populations in the geographical area to be served.

The Secretary proposes additional changes to the current regulations by adding definitions of the terms "individual who is deaf-blind," "individual who is deaf," "interpreter for individuals who are deaf-blind," and "qualified professional," as used in the definitions of "interpreter for individuals who are deaf" and "interpreter for individuals who are deaf-blind." The proposed regulations would also amend existing definitions of the terms "interpreter for individuals who are deaf" and "existing program that has demonstrated its capacity for providing interpreter training services."

The proposed definition of "individual who is deaf-blind" is drawn from the Helen Keller National Center Act. The proposed definition of "individual who is deaf" is derived from the Model State Plan for Rehabilitation of Individuals Who Are Deaf and Hard of Hearing (1990, University of Arkansas). The proposed definition of "interpreter for individuals who are deaf-blind" was developed by the Department in the absence of any existing statutory or other authoritative definition.

The regulations in 34 CFR part 385 referenced in this notice of proposed rulemaking are revised in the final regulations implementing technical amendments made by the Rehabilitation Act Amendments of 1992 and 1993 published elsewhere in this issue of the **Federal Register.**

This program supports National Education Goal 5: By the year 2000, every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

### Regulatory Flexibility Act Certification

The Secretary certifies that these proposed regulations would not have a significant economic impact on a substantial number of small entities.

The small entities that would be affected are small colleges and universities. However, the regulations would not have a significant economic impact on the small colleges and universities affected because the regulations would not impose excessive regulatory burdens or require unnecessary Federal supervision. The regulations would impose minimal requirements to ensure the proper expenditure of program funds.

### Paperwork Reduction Act of 1980

Sections 396.20 and 396.31 contain information collection requirements. As required by the Paperwork Reduction Act of 1980, the Department of Education will submit a copy of these sections to the Office of Management and Budget (OMB) for its review. (44 U.S.C. 3504(h))

State agencies and other public or nonprofit agencies and organizations, including institutions of higher education, that participate in the Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program would have to comply with the information collection requirements in these proposed regulations.

Annual public reporting and recordkeeping burden for this collection of information is estimated to average 8 hours per response for 20 respondents, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Organizations and individuals desiring to submit comments on the information collection requirements should direct them to the Office of Information and Regulatory Affairs, OMB, room 3002, New Executive Office Building, Washington, DC 20503; Attention: Daniel J. Chenok.

### Intergovernmental Review

This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. The objective of the Executive order is to foster an intergovernmental partnership and strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for this program.

*Invitation to Comment:* Interested persons are invited to submit comments and recommendations regarding these proposed regulations.

All comments submitted in response to these proposed regulations will be available for public inspection, during and after the comment period, in room

3221, Switzer Building, 330 C Street, SW., Washington, DC, between the hours of 8:30 a.m. and 4 p.m., Monday through Friday of each week except Federal holidays.

### Assessment of Educational Impact

The Secretary particularly requests comments on whether the proposed regulations in this document would require transmission of information that is being gathered by or is available from any other agency or authority of the United States.

### List of Subjects in 34 CFR Part 396

Education, Grant programs—education, Vocational rehabilitation, Training, Reporting and recordkeeping requirements.

(Catalog of Federal Domestic Assistance Number 84.160 Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind)

Dated: February 4, 1994.

**Richard W. Riley,**

*Secretary of Education.*

The Secretary proposes to amend title 34 of the Code of Federal Regulations by revising part 396 to read as follows:

## PART 396—TRAINING OF INTERPRETERS FOR INDIVIDUALS WHO ARE DEAF AND INDIVIDUALS WHO ARE DEAF-BLIND

### Subpart A—General

Sec.

396.1 What is the Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind Program?
396.2 Who is eligible for an award?
396.3 What regulations apply?
396.4 What definitions apply?
396.5 What activities may the Secretary fund?

Subpart B—[Reserved]

Subpart C—How Does One Apply for an Award?

396.20 What must be included in an application?

Subpart D—How Does the Secretary Make an Award?

396.30 How does the Secretary evaluate an application?
396.31 What selection criteria does the Secretary use?
396.32 What additional factors does the Secretary consider in making awards?
396.33 What priorities does the Secretary apply in making awards?

Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f) unless otherwise noted.

### Subpart A—General

#### § 396.1 What is the Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program?

The Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program is designed to establish interpreter training programs or to assist ongoing programs to train a sufficient number of skilled interpreters throughout the country in order to meet the communication needs of individuals who are deaf and individuals who are deaf-blind by—

(a) Training manual, tactile, oral, and cued speech interpreters;

(b) Ensuring the maintenance of the skills of interpreters; and

(c) Providing opportunities for interpreters to raise their level of competence.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

#### § 396.2 Who is eligible for an award?

Public and private nonprofit agencies and organizations, including institutions of higher education, are eligible for assistance under this program.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

#### § 396.3 What regulations apply?

The following regulations apply to the Training of Interpreters for Individuals Who Are Deaf and Individuals Who Are Deaf-Blind program:

(a) The Education Department General Administrative Regulations (EDGAR) as follows:

(1) 34 CFR part 74 (Administration of Grants to Institutions of Higher Education, Hospitals, and Nonprofit Organizations).

(2) 34 CFR part 75 (Direct Grant Programs).

(3) 34 CFR part 77 (Definitions That Apply to Department Regulations).

(4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).

(5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).

(6) 34 CFR part 81 (General Education Provisions Act—Enforcement).

(7) 34 CFR part 82 (New Restrictions on Lobbying).

(8) 34 CFR part 85 (Government Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).

(9) 34 CFR part 86 (Drug-Free Schools and Campuses).

(b) The regulations in this part 396.

(c) The following regulations in 34 CFR part 385:

(1) Section 385.32.

(2) Section 385.40.

(3) Section 385.44.

(4) Section 385.45.

(5) Section 385.46.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

#### § 396.4 What definitions apply?

(a) *Definitions in EDGAR.* The following terms defined in 34 CFR 77.1 apply to this part:

Applicant
Application
Award
Equipment
Grant
Nonprofit
Private
Project
Public
Secretary
Supplies

(b) *Definitions in the Rehabilitation Training regulations.* The following terms defined in 34 CFR 385.4(b) apply to this part:

Individual With a Disability
Institution of Higher Education

(c) *Other Definitions.* The following definitions also apply to this part:

*Existing program that has demonstrated its capacity for providing interpreter training services* means an established program with—

(1) A record of training interpreters who are serving the deaf and deaf-blind communities; and

(2) An established curriculum that is suitable for training interpreters.

*Individual who is deaf* means an individual who has a hearing impairment of such severity that the individual must depend primarily upon visual modes, such as sign language, lip reading, and gestures, or reading and writing to facilitate communication.

*Individual who is deaf-blind* means an individual—

(1)(i) Who has a central visual acuity of 20/200 or less in the better eye with corrective lenses, or a field defect such that the peripheral diameter of visual field subtends an angular distance no greater than 20 degrees, or a progressive visual loss having a prognosis leading to one or both of these conditions;

(ii) Who has a chronic hearing impairment so severe that most speech cannot be understood with optimum amplification, or a progressive hearing loss having a prognosis leading to this condition; and

(iii) For whom the combination of impairments described in paragraphs

(1)(i) and (ii) of this definition causes extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining a vocation;

(2) Who, despite the inability to be measured accurately for hearing and vision loss due to cognitive or behavioral constraints, or both, can be determined through functional and performance assessment to have severe hearing and visual disabilities that cause extreme difficulty in attaining independence in daily life activities, achieving psychosocial adjustment, or obtaining vocational objectives; or

(3) Who meets any other requirements that the Secretary may prescribe.

*Interpreter for individuals who are deaf* means a qualified professional who uses sign language skills, cued speech, or oral interpreting skills to facilitate communication between individuals who are deaf and other individuals.

*Interpreter for individuals who are deaf-blind* means a qualified professional who uses tactile or other manual language or fingerspelling modes to facilitate communication between individuals who are deaf-blind and other individuals.

*Qualified professional* means an individual who has either—

(1) Met existing national or state certification or evaluation requirements; or

(2) Successfully demonstrated equivalent interpreting skills through prior work experience.

(Authority: Secs. 12(c) and 302(f) of the Act; 29 U.S.C. 711(c) and 771a(f); Sec. 206(a) of the Helen Keller Center Act; 29 U.S.C. 1905)

### § 396.5 What activities may the Secretary fund?

The Secretary provides assistance for projects that provide training in interpreting skills for persons preparing to serve, or who are already serving, as interpreters for individuals who are deaf and as interpreters for individuals who are deaf-blind in public and private agencies, schools, and other service-providing institutions.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

## Subpart B—[Reserved]

## Subpart C—How Does One Apply for an Award?

### § 396.20 What must be included in an application?

Each applicant shall include in the application—

(a) A description of the manner in which the proposed interpreter training program will be developed and operated during the five-year period following the award of the grant;

(b) A description of the geographical area to be served by the project;

(c) A description of the applicant's capacity or potential for providing training for interpreters for individuals who are deaf and interpreters for individuals who are deaf-blind;

(d) Assurances that any interpreter trained or retrained under this program shall meet any minimum standards of competency that the Secretary may establish; and

(e) The descriptions required in 34 CFR 385.45 with regard to the training of individuals with disabilities, including those from minority groups, for rehabilitation careers.

(Authority: Secs. 21(b)(6), 302(a)(5), and 302(f) of the Act; 29 U.S.C. 718b(b)(6), 777a(a)(5), and 771a(f))

## Subpart D—How Does the Secretary Make an Award?

### § 396.30 How does the Secretary evaluate an application?

(a) The Secretary evaluates an application on the basis of the criteria in § 396.31.

(b) The Secretary awards up to 100 points for these criteria.

(c) The maximum possible score for each criterion is indicated in parentheses.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

### § 396.31 What selection criteria does the Secretary use?

The Secretary uses the following criteria to evaluate an application:

(a) *Extent of need for the project.* (10 points) The Secretary reviews each application to determine whether there is a shortage of interpreters in the geographical area to be served by the proposed project and the extent to which the project addresses the shortage.

(b) *Plan of operation.* (20 points) The Secretary evaluates each application on the basis of the criterion in § 385.32(a).

(c) *Quality of key personnel.* (20 points) The Secretary evaluates each application on the basis of the criterion in § 385.32(b).

(d) *Budget and cost effectiveness.* (10 points) The Secretary evaluates each application on the basis of the criterion in § 385.32(c).

(e) *Evaluation plan.* (5 points) The Secretary evaluates each application on the basis of the criterion in § 385.32(d).

(f) *Adequacy of resources.* (5 points) The Secretary evaluates each application on the basis of the criterion in § 385.32(e).

(g) *Technical and programmatic soundness.* (10 points) The Secretary reviews each application to determine if—

(1) The training activities described in the application reflect practices of professional soundness and efficacy or new and innovative activities that may reasonably be expected to result in the training of interpreters who will display a high level of skill;

(2) The training includes a practicum, or field experience, with potential employers of interpreters; and

(3) There appear to be no substantial obstacles to carrying out the activities described in the application.

(h) *Specialized capabilities of the applicant.* (10 points) The Secretary reviews each application to determine if the applicant has the capacity for providing training for interpreters for individuals who are deaf and interpreters for individuals who are deaf-blind. In determining whether an applicant has that capacity, the Secretary considers the adequacy of the experience of the applicant organization, in addition to the experience of the staff described under paragraph (c) of this section, in conducting activities that are similar, or have significant relevance, to those proposed in the application.

(i) *Demonstrated relationships with service providers and consumers.* (10 points) The Secretary reviews each application to determine if—

(1) The proposed interpreter training project was developed in consultation with service providers;

(2) The training is appropriate to the needs of both individuals who are deaf and individuals who are deaf-blind and to the needs of public and private agencies that provide services to either individuals who are deaf or individuals who are deaf-blind in the geographical area to be served by the training project;

(3) There is a working relationship between the interpreter training project and service providers; and

(4) There are opportunities for individuals who are deaf and individuals who are deaf-blind to be involved in the training project.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

### § 396.32 What additional factors does the Secretary consider in making awards?

In addition to the selection criteria listed in § 396.31, the Secretary, in making awards under this part, considers the geographical distribution of projects throughout the country, as appropriate, in order to best carry out the purposes of this program.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))

**§ 396.33 What priorities does the Secretary apply in making awards?**

The Secretary, in making awards under this part, gives priority to public or private nonprofit agencies or organizations with existing programs that have demonstrated their capacity for providing interpreter training services.

(Authority: Sec. 302(f) of the Act; 29 U.S.C. 771a(f))2

[FR Doc. 94–3019 Filed 2–17–94; 8:45 am]

BILLING CODE 4000–01–P

federal register

Friday
February 18, 1994

Part V

# Department of Labor

## Mine Safety and Health Administration

# Department of Health and Human Services

## Centers for Disease Control and Prevention

**Mine Shift Atmospheric Conditions; Coal Mine Respirable Dust Standard Determinations; Notices**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

### Coal Mine Respirable Dust Standard Noncompliance Determinations

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This notice announces the Mine Safety and Health Administration's (MSHA) intention to use single, full-shift respirable dust measurements in addition to the average of multiple, full-shift respirable dust sample results to determine noncompliance and issue citations for violations of the respirable dust standard under the MSHA coal mine respirable dust program. This notice should be read in conjunction with the joint notice published elsewhere in today's **Federal Register** by the Department of Labor and the Department of Health and Human Services.

**DATES:** Written comments must be submitted on or before April 19, 1994.

**ADDRESSES:** Send written comments to the Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, room 631, Ballston Tower No. 3, 4015 Wilson Boulevard, Arlington, Virginia 22203.

**FOR FURTHER INFORMATION CONTACT:** Ronald J. Schell, Chief, Division of Health, Coal Mine Safety and Health, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203, (703) 235–1358.

**SUPPLEMENTARY INFORMATION:** The Secretary of Labor and the Secretary of Health and Human Services are jointly publishing a notice today elsewhere in the **Federal Register** announcing that the Secretaries find that the average concentration of respirable dust to which each miner in the active workings of a coal mine is exposed can be accurately measured over a single shift in accordance with section 202(f)(2) of the Federal Mine Safety and Health Act of 1977 (Mine Act). Based on this finding, the Secretaries are proposing to rescind the finding issued on July 17, 1971, and affirmed on February 23, 1972. In order to implement this finding for MSHA's respirable dust program, the Agency proposes to issue citations based on either single, full-shift measurements or on the average of multiple-sample results that meet or exceed the minimum values listed in the Values Table published today.[1]

MSHA believes that the use of single, full-shift measurements will enhance mine operators' compliance with the Mine Act requirement pursuant to section 202(b)(2) to continuously maintain the average concentration of respirable dust in the mine atmosphere during each shift where miners work and travel, at or below the applicable standard.

In May, 1991, the Secretary of Labor directed MSHA to conduct a thorough review of its program to control respirable coal mine dust and develop recommendations for program improvements. In response, MSHA established the Coal Mine Respirable Dust Task Group which conducted a comprehensive examination of the Agency's respirable dust program. The Task Group questioned the reliability of the respirable dust samples, which are submitted to the Agency in accordance with the requirements of the Mine Act, to accurately measure dust exposures in the Nation's coal mines. As a result, in July, 1991, the respirable dust Spot Inspection Program was initiated. This inspection program allowed the Agency to gather significant information on dust levels to which miners were exposed. MSHA sampled 615 underground coal mines involving approximately 50 percent of the mechanized mining units (MMUs) in operation. During these spot inspections, five different occupations and the intake air were sampled on each MMU for one full shift.

Because samples were being collected on only one day during the Spot Inspection Program, citations were issued on individual measurements that demonstrated, after applying valid statistical techniques, that the applicable respirable dust standard was exceeded. Data from these spot inspections show that 203 out of 718 MMUs (28 percent) had single, full-shift measurements that, from a statistical standpoint, significantly exceeded the applicable standard for those MMUs. When the average of multiple samples for those MMUs was examined, however, only 88 out of 717 MMUs (12 percent) exceeded the applicable standard.

Based on these data, MSHA concluded in the June 1992 report of the Coal Mine Respirable Dust Task Group that the then-current Agency sampling strategy used by its inspection staff, which used only the averaging of multiple samples results as the basis for issuing citations, did not always respond to known overexposures to respirable coal mine dust. Specifically, if the average concentration determined from measurements obtained for five occupations working on the same shift is below the applicable dust standard, but one or more individual samples significantly exceed this standard, the then-current MSHA policy did not provide for enforcement action to be taken. For example, if the following five samples were obtained, 4.1, 1.0, 1.0, 2.5, and 1.4 mg/m$^3$, the average concentration would be 2.0 mg/m$^3$. Even though two of these measurements significantly exceed the applicable standard, MSHA would not issue a citation or require corrective action because the average of the concentration measurements is not above the standard. As seen in this example, the sole use of the average of multiple, full-shift sample results would not recognize cases where there is clear evidence that the standard has been exceeded.

Since the implementation of the one day respirable dust spot inspection program, MSHA has continued to use full-shift, single-measurements in making noncompliance decisions under the Agency's respirable coal dust program. Single-sample enforcement strategies are also being used currently by the Agency to determine noncompliance with permissible exposure standards in metal/nonmetal mining and mineral processing operations and by the Occupational Safety and Health Administration (OSHA) in non-mining industries. Therefore, consistent with the joint finding of the Secretary of Labor and the Secretary of Health and Human Services, as well as with recognized industrial hygiene and public health practice, MSHA believes that a single, full-shift measurement can be used reliably to detect violations of the dust standard on the shift during which the sample was taken. Accordingly, single, full-shift measurements should be used for this purpose.

#### Statistical Basis for and Application of the Single-Sample Enforcement Strategy

The statistical test for noncompliance determinations is based on the calculation of a one-sided, 95-percent confidence interval for different applicable respirable dust standards. The calculation includes variability associated with the sampling and

[1] MSHA recognizes that any change to the substantive procedures for operator sampling governed by 30 CFR part 70 would require rulemaking by the Agency. Therefore, the use of multiple-shift averaging of operator samples will continue under the regulations currently in effect to be the sole method of determining noncompliance. The Agency is studying the appropriateness of utilizing single, full-shift measurements in the operator's sampling program.

analytical methods. The sampling and analytical variability is expressed as the coefficient of variation, computed by combining random variability associated with the pre- and post-weighing of the filter capsule (.14 mg/m³), flowrate variability (5 percent), and variability associated with flowrate adjustment (5 percent). Using an overall coefficient of variation of 10 percent at 2.0 mg/m³, MSHA has determined using standard statistical methods that a single-shift measurement of 2.4 mg/m³, for example, would indicate noncompliance with a 2.0 mg/m³ dust standard with (at least) 97.5 confidence. Other minimum values at which MSHA would issue citations for violations of the applicable dust standard are listed in the Values Table below. Therefore, when a single, full-shift measurement is at or above the minimum value listed in column 1 of the Values Table, it can be concluded, with at least 95 percent confidence, that the applicable dust standard has been exceeded.

Additionally, to provide the level of health protection to miners required by the Mine Act, MSHA proposes to continue to cite violations of the dust standard based on the average of multiple, full-shift sample results. For example, if five sample results of 2.2, 2.3, 2.3, 2.3, and 2.2 mg/m³ were obtained from a mechanized mining unit on a 2.0 mg/m³ dust standard, the average measurement would be 2.26 mg/m³. If MSHA were to issue citations based solely on single, full-shift measurements by using the Values Table, no citations would be issued and no corrective action would be required because no individual sample result was at or above 2.4 mg/m³. However, the average measurement of 2.26 mg/m³ would indicate (at a confidence level greater than 99 percent) that the applicable dust standard was exceeded. In such cases, when noncompliance is indicated with a high degree of confidence, MSHA would take enforcement action, and require the mine operator to take corrective action to reduce the dust levels in the working environment.

For cases when four or fewer valid measurements are available, the Values Table contains the minimum values at which an average of the measurements would indicate noncompliance with the applicable standard at a confidence level of at least 95 percent. When, for example, the average of three measurements equals or exceeds the minimum value listed in column 3 of the Values Table, MSHA would issue a citation for a violation of the applicable dust standard.

In considering enforcement action, MSHA would first examine the average of multiple, full-shift sample results to determine if the applicable dust standard has been exceeded. If the average measurement is less than the minimum value listed in the Values Table, the Agency would then examine the samples on an individual basis and issue a citation when any measurement is greater than or equal to the column 1 minimum value. Thus, in assessing noncompliance, MSHA intends to use both the average of multiple, full-shift sample results and single, full-shift measurements, and will issue citations based on either criterion, not both, for any given set of samples.

MSHA specifically requests that interested persons submit comments concerning this notice to the address listed above. Written comments submitted on or before April 19, 1994 will be considered before MSHA finalizes this notice on the use of single, full-shift measurements and the average of multiple, full-shift sample results.

Dated: February 11, 1994

**J. Davitt McAteer,**

*Assistant Secretary for Mine Safety and Health.*

VALUES TABLE—MINIMUM VALUES FOR CITING VIOLATIONS BASED ON FOUR OR FEWER FULL-SHIFT MEASUREMENTS

| Applicable standard | No. of measurements | | | |
|---|---|---|---|---|
| | 1 | 2 | 3 | 4 |
| 2.0 | 2.33 | 2.23 | 2.19 | 2.17 |
| 1.9 | 2.22 | 2.13 | 2.08 | 2.06 |
| 1.8 | 2.11 | 2.02 | 1.98 | 1.96 |
| 1.7 | 2.00 | 1.91 | 1.87 | 1.85 |
| 1.6 | 1.90 | 1.81 | 1.77 | 1.75 |
| 1.5 | 1.79 | 1.71 | 1.67 | 1.65 |
| 1.4 | 1.68 | 1.60 | 1.56 | 1.54 |
| 1.3 | 1.58 | 1.50 | 1.46 | 1.44 |
| 1.2 | 1.47 | 1.39 | 1.36 | 1.34 |
| 1.1 | 1.36 | 1.28 | 1.25 | 1.23 |
| 1.0 | 1.26 | 1.18 | 1.15 | 1.13 |
| 0.9 | 1.15 | 1.08 | 1.04 | 1.03 |
| 0.8 | 1.05 | 0.98 | 0.94 | 0.93 |
| 0.7 | 0.94 | 0.87 | 0.84 | 0.82 |
| 0.6 | 0.84 | 0.77 | 0.74 | 0.72 |
| 0.5 | 0.74 | 0.67 | 0.64 | 0.62 |
| 0.4 | 0.64 | 0.57 | 0.54 | 0.52 |
| 0.3 | 0.53 | 0.46 | 0.43 | 0.42 |
| 0.2 | 0.43 | 0.36 | 0.33 | 0.32 |
| 0.1 | 0.33 | 0.26 | 0.23 | 0.22 |

[FR Doc. 94–3593 Filed 2–17–94; 8:45 am]

BILLING CODE 4510–43–P

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

### Mine Shift Atmospheric Conditions; Respirable Dust Sample

**AGENCIES:** Mine Safety and Health Administration, Labor, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, HHS.

**ACTION:** Notice.

**SUMMARY:** This notice announces that the Secretary of Labor and the Secretary of Health and Human Services[1] (the Secretaries) find that the average concentration of respirable dust to which each miner in the active workings of a coal mine is exposed can be measured over a single shift in accordance with section 202(f)(2) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 801 et seq. Based on this finding, the Secretaries propose to rescind the notice of finding which was published on July 17, 1971, and affirmed on February 23, 1972. This finding is governed by the provisions of section 101 of the Mine Act. This notice should be read in conjunction with the notice published separately by the Mine Safety and Health Administration (MSHA) today elsewhere in the **Federal Register**.

**DATES:** Written comments must be submitted on or before April 19, 1994.

**ADDRESSES:** Send written comments to the Mine Safety and Health Administration, Office of Standards, Regulations, and Variances, room 631, Ballston Tower No. 3, 4015 Wilson Boulevard, Arlington, Virginia 22203.

**FOR FURTHER INFORMATION CONTACT:** Ronald J. Schell, Chief, Division of Health, Coal Mine Safety and Health, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, Virginia 22203, (703) 235–1358.

**SUPPLEMENTARY INFORMATION:** In accordance with section 202(f)(2) and under section 101 of the Mine Act, this notice is published jointly by the Secretaries of the Departments of Labor and Health and Human Services.

[1] This notice is signed by the Assistant Secretary for Mine Safety and Health, and the Director, National Institute for Occupational Safety and Health under authority delegated to them by the Secretary of Labor and the Secretary of Health and Human Services.

**Statutory Framework**

Section 202(b) of the Mine Act requires that:

Each operator shall continuously maintain the average concentration of respirable dust in the mine atmosphere during each shift to which each miner in the active workings of such mine is exposed at or below 2.0 milligrams of respirable dust per cubic meter of air.

Section 202(f) of the Mine Act provides that:

* * * the term average concentration means a determination which accurately represents the atmospheric conditions with regard to respirable dust to which each miner in the active workings of a mine is exposed (1) as measured during an 18 month period following the date of enactment of this Act, over a number of continuous productions shifts to be determined by the Secretary and the Secretary of Health, Education and Welfare, and (2) as measured thereafter, over a single shift only, unless the Secretary of Labor and the Secretary of Health, Education and Welfare find, in accordance with the provisions of Section 101 of the Act, that such single-shift measurement will not, after applying valid statistical techniques to such measurement, accurately represent such atmospheric conditions during such shift.

The plain meaning of the statutory requirements show clear Congressional intent that the atmospheric conditions to which miners are exposed be maintained at or below the applicable standard during any single working shift. (The use of the term "applicable standard" recognizes that some mines have respirable dust in the mine atmosphere of the active workings that contains more than five percent quartz, and that, under the regulations of the Mine Safety and Health Administration at 30 CFR 70.101, 71.101 and 90.101, the applicable standard for respirable dust in those mines may be reduced because of the quartz content). This intent is also clearly reflected in the legislative history of the Coal Mine Health and Safety Act of 1969 (Coal Act). The Senate Committee in its Report noted that the dust level should "not exceed the specified standard during *any* shift" (emphasis added). Senate Report No. 91–411, 91st congress, 1st Sess., p. 20. The Report also specified that:

It is the Committee's intention that the average dust level at any job, for any miner, in any active working place during each and every shift, shall be no greater that the standard. Since some mine operations involve a varying pace of activity, the dust level could significantly differ from one shift to another. It is expressly noted, therefore, that the bill does not allow multiple shift averaging.

However, the final version of the bill was amended by a joint House and Senate conference committee which mandated an 18 month period for the determination of "average concentration" over a number of continuous production shifts, and thereafter as measured over a single shift unless a specific finding was made pursuant to section 202(f) of the Coal Act that such measurements were not reliable. Thus, the statutory language clearly indicates that the use of multiple-shift averaging was not the preferred method of determining the average concentration. The National Institute for Occupational Safety and Health (NIOSH) and MSHA have jointly developed the finding set forth below.

**Finding**

The Secretaries find that a single full-shift measurement, after applying valid statistical techniques to such measurement accounting for the precision of the analytical and sampling method, will accurately represent the atmospheric conditions with regard to the respirable dust concentration during the shift in which it was taken.

**Rescission of the 1971 Notice**

Based on the preceding joint finding, the Secretaries propose to rescind the July 17, 1971, notice of finding (36 FR 13286) by their predecessors under the authority which is now section 202(f)(2) of the Mine Act. The 1971 Finding concluded that "[a] single shift measurement of respirable dust would not, after applying valid statistical techniques to such measurement, accurately represent the atmospheric conditions to which the miner is continuously exposed." The finding did not address the average dust concentration during the shift the sample was taken. Comments were received and considered, and on February 23, 1972, the finding was affirmed by the then Secretaries of the Interior and of Health, Education, and Welfare (37 FR 3833). The Secretaries now propose to rescind the 1971 finding by superseding it with the new finding contained in this notice.

**Comments**

MSHA and NIOSH specifically request that interested persons submit comments concerning this notice to the address listed above. Written comments submitted on or before April 19, 1994 will be considered before issuing a final finding.

Dated: February 1, 1994.

**Edward C. Hugler,**

*Acting Assistant Secretary for Mine Safety and Health.*

Dated: February 1, 1994.

**Richard A. Lemen,**

*Acting Director, National Institute for Occupational Safety and Health.*

[FR Doc. 94–3592 Filed 2–17–94; 8:45 am]

BILLING CODE 4510–43–M

federal register

Friday
February 18, 1994

Part VI

# Department of Education

**Online and Dial-In Access to Statewide Multitype Library Database Demonstration Project; Notice**

## DEPARTMENT OF EDUCATION

**[CFDA No.: 84.039]**

### Library Research and Demonstration: Online and Dial-in Access to a Statewide Multitype Library Database Demonstration Project; Notice Inviting Applications for a New Award for Fiscal Year (FY) 1994

Purpose of Program: The Library Research and Demonstration Program provides grants to institutions of higher education and other public or private agencies, institutions, and organizations for research and demonstration programs related to the improvement of libraries, including the promotion of economical and efficient delivery of information, cooperative efforts, developmental projects, education in library and information science, and dissemination of information derived from such projects. The competition announced in this notice is for demonstration of online and dial-in access to a statewide, multitype library bibliographic database through a statewide fiber optic network.

Eligible Applicants: Institutions of higher education that meet the definition of eligibility under the terms of 20 U.S.C. 1141(a) and other public or private agencies, institutions, and organizations.

Deadline for Transmittal of Applications: April 28, 1994.

Deadline for Intergovernmental Review: June 28, 1994.

Applications Available: February 28, 1994.

Available Funds: $2.5 million.

Estimated Average Size of Award: $2.5 million.

Estimated Number of Awards: One.

Project Period: Up to 24 months.

Budget Period: October 1, 1994 to December 30, 1995.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 82, 85, 86; and (b) the regulations for this program in 34 CFR part 777.

Priority: Under 34 CFR 75.105(c)(3) and the FY 1994 appropriations act (Pub. L. 103–112), the Secretary gives an absolute preference to applications that meet the following priority. The Secretary funds under this competition only applications that meet this absolute priority:

Demonstration of on-line and dial-in access to a statewide, multitype library bibliographic data base through a statewide fiber optic network housing a point of presence in every county, connecting library services in every municipality.

**SUPPLEMENTARY INFORMATION:** Public Law 103–112, enacted October 21, 1993, provides FY 1994 appropriations for federally assisted library programs. That legislation specifies that, of the total funds appropriated for federally assisted library programs, $2.5 million shall be used to address the priority as stated above.

Any institution of higher education that wishes to apply for funds under one of the programs authorized by title II of the Higher Education Act (HEA) (20 U.S.C. 1021 *et seq.*) must be an eligible institution under the terms of 20 U.S.C. 1141(a). If you wish to apply to the Department of Education for a determination of institutional eligibility, you may contact: Ms. Lois Moore, U.S. Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW., room 3522, Washington, DC 20202–5323.

For Applications or Information Contact: Neal Kaske or Louise V. Sutherland, U.S. Department of Education, 555 New Jersey Avenue, NW., room 404, Washington, DC 20208–5571. Telephone (202) 219–1315. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Dual Party Relay Service (FIRS) at 1–800–877–8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

Information about the Department's funding opportunities, including copies of application notice for discretionary grant competitions, can be viewed on the Department's electronic bulletin board (ED Board, telephone (202) 260–9950; or on the Internet Gopher Server at GOPHER.ED.GOV (under Announcements, Bulletins and Press Release). However, the official application notice for a discretionary grant competition is the notice published in the **Federal Register**.

**Program Authority:** 20 U.S.C. 1033.

Dated: February 14, 1994.

**Sharon P. Robinson,**

*Assistant Secretary for Educational Research and Improvement.*

[FR Doc. 94–3711 Filed 2–17–94; 8:45 am]

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federal register

Friday
February 18, 1994

Part VII

# Environmental Protection Agency

40 CFR Part 261
Identification and Listing of Hazardous Waste, Treatability Studies Sample Exclusion; Rule

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 261**

**[FRL–4838–5]**

## Hazardous Waste Management System: Identification and Listing of Hazardous Waste; Treatability Studies Sample Exclusion

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule.

**SUMMARY:** On July 7, 1993, the Environmental Protection Agency (EPA) proposed revisions to the Treatability Studies Sample Exemption Rule. The rule conditionally exempts small scale treatability studies from Subtitle C regulation.

EPA is today issuing a final rule. The principal change to the existing rule is to increase the quantity of contaminated media which are conditionally exempt from Subtitle C regulation when used in conducting treatability studies.

**EFFECTIVE DATE:** This rule becomes effective on February 18, 1994.

**ADDRESSES:** The public docket for this rulemaking is located in the RCRA docket, located in room M2427 at the U.S. Environmental Protection Agency, 401 M St. SW., Washington, DC 20460. The telephone number for the docket is (202) 260–9327. The record is available for inspection by appointment only, between the hours of 9 a.m. and 4 p.m., Monday through Friday, excluding legal holidays. Viewers may copy up to 100 pages free of charge, after which copies cost $0.15 per page.

**FOR FURTHER INFORMATION CONTACT:** Questions relating to the technical content of this rule should be directed to Jim Cummings or John Kingscott, Technology Innovation Office (5102W), U.S. Environmental Protection Agency at (703) 308–8796 or (703) 308–8749. Other inquiries should be directed to the RCRA/Superfund Hotline at (800) 424–9346 or (703) 920–9810.

**SUPPLEMENTARY INFORMATION:**

**Outline**

I Background
II. Discussion
A. Summary of Existing Treatability Sample Exclusion Rule
B. Need and Rationale for This Rulemaking
C. Response to Major Comments
1. Quantity Limits
2. Scope of the Exemption
3. Time Limits for Sample Retention
4. Variances for Processing Additional Quantities and Extended Time Limits
5. Treatability Studies at Federal Facilities
6. Promulgation/State Adoption
III. State Authority
IV. Effective Date
V. Regulatory Analyses
A. Executive Order 12866
B. Regulatory Flexibility Act
C. Paperwork Reduction Act

### I. Background

On July 19, 1988 (52 FR 27290), EPA issued a rule that conditionally exempted from Subtitle C hazardous waste regulation waste samples collected for purposes of conducting small-scale treatability studies. 40 CFR 261.4 (e)–(f). This rule was promulgated in recognition of the inhibiting effect of the stringent Resource Conservation and Recovery Act (RCRA) Subtitle C requirements on the development of new treatment capacity, and the minimal public health and environmental risks involved in conducting small-scale treatability studies. The rule identified specific quantities of various types of wastes which could be transported, stored and used in treatability studies without the need for RCRA Subtitle C regulation.

On July 7, 1993 (58 FR 36367), EPA proposed amendments to the existing rule which would increase the quantity limits for major classes of contaminated media (specifically soil and debris) which could be employed in treatability studies without triggering RCRA Subtitle C requirements. The proposal was based in part on the recognition that larger quantities of soil and debris were often needed for treatability testing by technology developers. Larger-scale testing also greatly increases the confidence with which remedial action decision-makers make remedy selection decisions, thus improving CERCLA response activities and RCRA corrective actions, see 58 FR 36367, 36370.

EPA also requested comment on the desirability of an amendment to increase the quantity limits for other forms of remediation waste in addition to soil and debris. The proposal also included an amendment which would allow longer time frames for conducting treatability studies involving bioremediation, and solicited comment on appropriate time limits for other technologies. EPA did not request comment on, or reopen the comment period on, the propriety of the existing exemption.

Twenty-seven comments were received in response to the proposed rule. The comments were universally favorable regarding the need for and desirability of increasing the treatability study quantity limits. A substantial majority of the comments favored extending the scope beyond soil and debris to other forms of remediation and/or hazardous waste. General reasons offered by commenters mirror those stated in the proposed rule, e.g., assisting technology development and increasing confidence in remedy selection.

EPA is today issuing a final rule which increases the quantity and time limits for contaminated media to be used in treatability studies. The rule would increase the exempt amounts from 1000 kg up to 10,000 kg of media contaminated with non-acute hazardous waste and from 250 kg to 2500 kg of media contaminated with acute hazardous, when used in treatability studies.

The existing case-by-case variance provision (40 CFR 261.4(e)(3)) is increased from 500 kg to 5000 kg for media contaminated with non-acute hazardous waste and from 250 kg to 2500 kg for media contaminated with acute hazardous waste. The existing variance provision focuses on allowing limited additional quantities after the initial increment of material is processed. EPA is adding criteria to the variance provision to allow the additional quantity to be requested in advance.

EPA is also increasing the time limits for treatability studies involving bioremediation. Treatability studies involving bioremediation have an initial period of two years to complete testing, and under the case-by-case variance provisions discussed below, may request up to an additional two years.

The remainder of the preamble discusses the major comments received on the proposed rule and EPA's response to them. All other comments are discussed in a background document that is available in the RCRA docket.

### II. Discussion

#### *A. Summary of the Existing Treatability Sample Exclusion Rule*

The existing Treatability Sample Exclusion rule imposes limits on the quantity of material which may be shipped, stored or treated under the exemption. In order to qualify for the conditional exclusion, laboratory and test facilities must comply with the following quantity and time limitations as well as notification, reporting and record-keeping requirements:

*Shipment*—The mass of each sample shipment may not exceed 1000 kg of "as received" hazardous waste, 1 kg of acute hazardous waste, or 250 kg soils, water, or debris contaminated with acute hazardous waste. 40 CFR 261.4(e)(2)(ii). "As received" refers to the waste

shipped by the generator or sample collector as it arrives at the laboratory or testing facility. 40 CFR 261.4(f)(3).

*Storage*—The laboratory or testing facility may store up to 1000 kg of non-acute hazardous waste. This limitation can include 500 kg of soils, water, or debris contaminated with acute hazardous waste or 1 kg of acute hazardous waste. 40 CFR 261.4(f)(4).

*Treatment*—The laboratory or testing facility, on a per waste stream per treatment process basis, may conduct treatability tests on up to 1000 kg of non-acute hazardous waste, 250 kg of soils, water, or debris contaminated with acute hazardous waste, or 1 kg of acute hazardous waste. 40 CFR 261.4(e)(2)(i). The rule imposes a treatment initiation rate limit of 250 kg per day of "as received" waste for the entire laboratory or testing facility.

*Time Limits*—The existing exclusion requires that the laboratory or testing facility return the sample to the generator or sample collector, or send it to a designated facility within 90 days of completion of the treatability study, or no more than one year from the time the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. 40 CFR 261.4(f)(5).

EPA did not seek comment on the propriety of these exemption levels or criteria, but merely sought comment on amendments that would expand the scope of the existing rule.

### *B. Need and Rationale for Amendments to the Existing Rule*

The preamble to the proposed rule contained an extensive discussion of the reasons the Agency felt that amendments to the existing rule were desirable. 58 FR 36367 (July 7, 1993). Interested readers are referred to that document for further information.

### *C. Response to Major Comments*

#### 1. Quantity Limits

All commenters supported an amendment to increase the quantity limits in the exemption for soil and debris samples by at least the quantities proposed. Almost 50% of the comments suggested adopting higher exemption limits on either an across-the-board or a case-by-case basis.

Commenters noted the significant challenges posed in designing and verifying the operational performance of treatment processes. Commenters also noted the challenges encountered in designing and testing ancillary system components—e.g., material handling equipment (getting the waste material into the treatment unit in an appropriate physical state and condition), and emission control equipment. Smaller-scale tests conducted at the laboratory or bench scale often do not involve ancillary system components, or may not utilize sufficient throughput to adequately test these components.

Suggestions to further increase the quantity limits ranged as high as 25,000 kg. Other comments suggested that quantity limits higher than those proposed be set on a case-by-case basis. These comments identified site size, the nature of the waste and/or the remediation technology, the concentration of hazardous constituents in the waste matrix, and the intent of the study as possible factors to be considered in these case-by-case determinations.

EPA is aware that the larger the scale of the technology development or remedy selection treatability study, the more likely the results will represent the performance of full-scale remedial equipment. Furthermore, EPA's proposal identified the need to address materials handling problems as a major basis for the proposed revision.

The data adduced by EPA in the proposed rule support the conclusion that many of the technologies can be tested within the limits proposed. Nevertheless, EPA's own data also confirm that there are situations where additional quantities may be necessary in order to conduct treatability studies at an appropriate scale.

The existing rule has a provision for case-by-case approval of additional quantities. 40 CFR 261.4(e)(3). As discussed further below, EPA is modifying the variance provision to allow advance approval, on a case-by-case basis, of conducting studies on additional quantities of contaminated media. Due to the potential for delay in processing case-by-case applications, laboratory and testing facilities should carefully consider the tradeoffs in seeking advance approval of additional quantities.

#### 2. Scope of the Exemption

All comments supported the basic proposal to increase the quantity limits for soil and debris. In response to EPA's solicitation of comment on increasing the scope of the revision beyond soil and debris, a substantial majority of the comments recommended extending the quantity increases to various other forms of hazardous waste. Comments differed on the exact scope beyond soil and debris—e.g., all hazardous waste, 'remediation waste', wastewater and/or groundwater.

Reasons suggested for increasing the scope beyond soil and debris included the difficulty of determining the boundary between sludge and media in, for example, unlined lagoons; the low concentration of contaminants in groundwater; the need for longer-duration continuous flow tests; and the need to develop integrated, optimized remediation approaches in the case of 'remediation waste' in general. A number of commenters also suggested extending the increases to all forms of hazardous waste, which would include newly-generated industrial hazardous wastes.

In response to these comments, and in light of EPA's own experience regarding the variety of contaminated media encountered in cleanup efforts, EPA is at this time modifying the scope of the exemption to reach contaminated media, including groundwater, surface water, soils, sediment and debris that contain listed hazardous waste or that themselves exhibit a characteristic. However, the proposal did not focus on samples of newly-generated waste or waste sludges, and the Agency is not taking final action of those materials at this time. EPA is considering additional rulemaking to address larger scale treatability studies on other forms of hazardous waste.[1]

#### 3. Time Limits for Sample Retention

As discussed above, EPA proposed to allow up to two years for treatability studies involving bioremediation. EPA solicited comment on whether these time frames were sufficient, and whether testing involving other technologies also required longer time frames. No negative comments were received on this proposal. Comments included suggestions that the allowable time period be even longer and/or that additional technologies (e.g., phytoremediation and solidification/stabilization) be eligible for longer duration studies.

With regard to the time limits, EPA believes that two years should be adequate for most treatability testing involving bioremediation.[2] Nevertheless, as discussed below, EPA is modifying the case-by-case variance provisions to allow up to an additional

[1] As noted by several commenters, sludges will have often become commingled with underlying media, and present difficulty for those attempting to collect media samples for shipment. EPA agrees that it may be difficult to distinguish sludges from underlying media. Where uncontainerized sludges have come into contact with underlying media, EPA does not expect sample collectors to undertake extraordinary efforts to assure that samples consist only of contaminated media.

[2] As a point of clarification, for purposes of this rule, EPA considers phytoremediation to be a form of bioremediation.

two years for completion of such studies.

EPA expects that this provision will be used judiciously. Laboratory and testing facilities cannot exceed the limits in the rule on the amount of material which may be stored and treated. (e.g , 10,000 kg of media contaminated with non-acute hazardous waste plus 5000 kg if a full variance quantity request is granted). On-going studies reduce the quantity of materials which may be stored for use in new studies.

With regard to stabilization/solidification, EPA's experience in the Superfund Innovative Technology Evaluation (S.I.T.E.) program indicates that a one-year time frame is generally adequate. Modifications discussed below which allow retaining small samples of treated materials should address some of the concerns underlying suggestions for allowing longer duration studies for this technology (e.g., to ensure the long-term efficacy of the stabilization).

Several comments addressed the desirability of retaining samples of treated material for future analysis. EPA understands that such a provision may be useful for technologies such as solidification/stabilization where the attributes of treated material such as compressive strength and leachability of contaminants may change over time, or solvent extraction where there may be issues of the long-term biodegradability of residual solvent in treated soil.

In response to these comments, EPA is promulgating a provision allowing up to 500 kg of treated material from a particular wastestream from treatability studies to be stored by the laboratory or testing facility for up to 5 years. Material archived for future analysis must be included in the storage quantity limit for the facility—e.g., a facility which archives two 500 kg samples from separate waste streams may only store up to 9,000 kg (plus 5000 kg if a variance is granted) of additional material, and must be identified as such in facility records and reports.

4. Variances for Requesting Additional Quantities and Extended Time Limits

Several commenters suggested that the variance provisions in the existing rule (40 CFR 261.4(e)(3)) be increased by the same factor applied to the base quantity allowed. For example, under the existing rule laboratories or testing facilities could request approval for further testing on up to an additional 500 kg from a particular wastestream. Comments included raising the variance limit for contaminated media by the same amount as the basic proposal. The variance provisions allow additional quantities of materials to be used in treatability studies on a case-by-case basis if specified conditions are met—e.g., mechanical failure during the initial treatability study or need to verify the results of a previously conducted study. As with the comments relating to quantity limits in general, commenters suggested across-the-board and case-by-case approaches to variances.

EPA finds the suggestion to allow increased quantities of contaminated media to a set maximum on a case-by-case basis to be reasonable. EPA is modifying the variance quantity by the same factor by which it is increasing the basic quantity limit.

Thus, laboratory and testing facilities may request up to an additional 5000 kg of media contaminated with non-acute hazardous waste, or 2500 kg of media contaminated with acute hazardous waste. The Agency considers this to be a conforming change to the general concept of allowing larger quantity studies, and views it as a logical outgrowth of the proposed rule.

Furthermore, as discussed above, in response to comments that quantities beyond those proposed be allowed on a case-by-case basis, EPA is also adding a provision that will allow laboratory and testing facilities to apply for advance authorization for variances. Factors to be considered in reviewing advance requests for additional quantities include the nature of the technology, the type of process (e.g., batch versus continuous), size of the unit undergoing testing (particularly in relation to scale-up considerations), time/quantity of material required to reach steady-state operating conditions, and test design considerations such as mass balance calculations.

Finally, the case-by-case variance provision has been modified to allow laboratory and testing facilities conducting bioremediation treatability studies to request a variance of up to two additional years to complete their studies.

5. Treatability Studies at Federal Facilities

Several comments requested clarification of the status of federal facilities for purposes of eligibility for the treatability study sample exclusion. Federal facilities are often large in size, with numerous different contamination problems for which solutions must be developed and applied. EPA notes that the rule identifies "laboratory or test facilities" as the entities which may take advantage of the conditional exclusion. The Agency would not consider a large federal installation with numerous laboratories or testing sites to be a single "laboratory or test facility" for purposes of this rule. Distinguishing attributes include the requirement to obtain an EPA Identification number for each laboratory or test facility. 40 CFR 261.4(f)(2).

6. Promulgation/State Adoption

Comments on State Authorities are addressed below in the "State Authority" section.

## III. State Authority

A number of comments indicated that the efficacy of this rule depends to a considerable extent on the availability of the exclusion at the State level. Since the original treatability sample exclusion rule was promulgated under RCRA and not the Hazardous and Solid Waste Act Amendments of 1984 (HSWA), this revision is also promulgated pursuant to RCRA. As with the existing rule, the revisions promulgated today are not immediately effective in authorized States, since this rulemaking does not impose requirements or prohibitions contained in HSWA. Thus this regulation will be applicable only in those States that do not have final authorization for the non-HSWA base RCRA program.

In a State authorized to implement the base RCRA program, the proposed regulation would not be applicable until the State revises its program to adopt equivalent regulations under State law. However, as with the original rule these proposed changes are less stringent or reduce the scope of the Federal program. Therefore, although EPA strongly encourages timely adoption, authorized States are not required to modify their programs to adopt regulations consistent with and equivalent to this rulemaking. The Agency plans to work with States to encourage timely adoption of this rule because of its benefits to the development of treatment capacity.

## IV. Effective Date

This rule is effective immediately upon publication. HSWA amended section 3010 of RCRA to allow rules to become effective in less than 6 months when the regulated community does not need the 6-month period to come into compliance. This is the case here, because this rule reduces the existing requirements for laboratories and test facilities conducting treatability studies on contaminated media. An effective date 6 months after publication would impose unnecessary expense and regulatory burden upon those persons the rule is designed to benefit, and

might delay the achievement of the rule's objective of improving CERCLA response activities and RCRA corrective actions by facilitating treatability studies. These reasons also provide a basis for making this rule effective immediately upon final promulgation under the Administrative Procedures Act, 5 U.S.C. 553(d).

## V. Regulatory Analyses

### *A. Executive Order 12866*

OMB has determined that this rule is not a significant rule within the meaning of Executive Order 12866.

### *B. Regulatory Flexibility Act*

Pursuant to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, whenever an Agency is required to publish general notice of rulemaking for any proposed or final rule, it must prepare and make available for public comment a regulatory flexibility analysis that describes the impact of the rule on small entities (i.e., small businesses, small organizations, and small governmental jurisdictions).

The purpose of the original rule was to eliminate time-consuming and costly permitting requirements. This revision extends the scope of activities which may be conducted without requirements to obtain permits, and will thus have additional positive effects on small entities.

This amendment will have no adverse economic impact on small entities. In fact, it should reduce the burden imposed on small entities that conduct treatability studies and comply with the provisions of this rulemaking. Accordingly, I hereby certify that this rule will not have a significant economic impact on a substantial number of small entities. This regulation therefore does not require a regulatory flexibility analysis.

### *C. Paperwork Reduction Act*

This rule does not contain any new information collection requirements subject to OMB review under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

To the extent that this rule discusses information collection requirements imposed under existing regulations, these requirements have been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, and have been assigned OMB control number 2050–0053.

### List of Subjects in 40 CFR Part 261

Hazardous waste, Recycling.

Dated: February 9, 1994.

**Carol M. Browner,**

*Administrator.*

For the reasons set out in the preamble, title 40 of the Code of Federal Regulations is amended to read as follows:

## PART 261—IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

1. The authority citation for part 261 continues to read as follows:

**Authority:** 42 U.S.C. 6905, 6912(a), 6921, 6922, and 6938.

2. Section 261.4 is amended by revising paragraphs (e)(2)(i) and (e)(2)(ii), (e)(3), (f)(3), (f)(4), and (f)(5) to read as follows:

**§ 261.4 Exclusions.**

* * * * *

(e) * * *

(2) * * *

(i) The generator or sample collector uses (in "treatability studies") no more than 10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste for each process being evaluated for each generated waste stream; and

(ii) The mass of each sample shipment does not exceed 10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste; and

* * * * *

(3) The Regional Administrator may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Regional Administrator may grant requests on a case-by-case basis for quantity limits in excess of those specified in paragraphs (e)(2) (i) and (ii) and (f)(4) of this section, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste and 1 kg of acute hazardous waste:

(i) In response to requests for authorization to ship, store and conduct treatabilty studies on additional quantities in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), size of the unit undergoing testing (particularly in relation to scale-up considerations), the time/quantity of material required to reach steady state operating conditions, or test design considerations such as mass balance calculations.

(ii) In response to requests for authorization to ship, store and conduct treatability studies on additional quantities after initiation or completion of initial treatability studies, when: There has been an equipment or mechanical failure during the conduct of a treatability study; there is a need to verify the results of a previously conducted treatability study; there is a need to study and analyze alternative techniques within a previously evaluated treatment process; or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.

(iii) The additional quantities and timeframes allowed in paragraph (e)(3) (i) and (ii) of this section are subject to all the provisions in paragraphs (e) (1) and (e)(2) (iii) through (vi) of this section. The generator or sample collector must apply to the Regional Administrator in the Region where the sample is collected and provide in writing the following information:

(A) The reason why the generator or sample collector requires additional time or quantity of sample for treatability study evaluation and the additional time or quantity needed;

(B) Documentation accounting for all samples of hazardous waste from the waste stream which have been sent for or undergone treatability studies including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results on each treatability study;

(C) A description of the technical modifications or change in specifications which will be evaluated and the expected results;

(D) If such further study is being required due to equipment or mechanical failure, the applicant must include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and

(E) Such other information that the Regional Administrator considers necessary.

(f) * * *

(3) No more than a total of 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500

kg of media contaminated with acute hazardous waste or 250 kg of other "as received" hazardous waste is subject to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.

(4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and 1 kg of acute hazardous waste. This quantity limitation does not include treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.

(5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) have elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.

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[FR Doc. 94–3745 Filed 2–17–94; 8:45 am]
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federal register

Friday
February 18, 1994

Part VIII

# Securities and Exchange Commission

17 CFR Parts 240 and 249
Recordkeeping and Reporting Requirements for Trading Systems Operated by Brokers and Dealers, and Proprietary Trading Systems; Proposed Rules

**SECURITIES AND EXCHANGE COMMISSION**

**17 CFR Parts 240 and 249**

**[Release No. 34–33605; File No. S7–3–94]**

**RIN 3235–AG03**

## Recordkeeping and Reporting Requirements for Trading Systems Operated by Brokers and Dealers

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Proposed rulemaking.

**SUMMARY:** The Securities and Exchange Commission ("Commission") proposes Rule 17a-23 ("Rule") under the Securities Exchange Act of 1934 to establish recordkeeping and reporting requirements for brokers and dealers that operate automated trading systems. Registered broker-dealers sponsors of these systems would be required to maintain participant, volume and transaction records, and to report system activity periodically to the Commission. The Rule would provide the Commission with the information necessary to effectively monitor and evaluate these systems.

**DATES:** Comments must be received on or before April 19, 1994.

**ADDRESSES:** Comments should be submitted in triplicate and addressed to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Mail Stop 6–9, Washington, DC 20549. Comment letters should refer to File No. S7–3–94, and will be made available for public inspection and copying in the Commission's Public Reference Room, 450 Fifth Street NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Gordon K. Fuller, Special Counsel, Sheila C. Slevin, Branch Chief, or Kristen N. Geyer, Attorney Advisor, 202/272–2067, Office of Automation and International Markets, Division of Market Regulation, Securities and Exchange Commission, room 5040 (Mail stop 5–1), 450 Fifth Street NW., Washington, DC 20549.

**SUPPLEMENTARY INFORMATION:**

### I. Introduction

The Commission solicits comment on proposed Rule 17a–23 ("Rule")[1] under the Securities Exchange Act of 1934 ("Act").[2] Rule 17a–23 would require specific recordkeeping and reporting by broker-dealer sponsors of screen-based automated trading systems ("Broker-Dealer Trading System," or "BDTS").

Under the Act, sponsors of BDTSs must register as broker-dealers, and, accordingly, are subject to the general recordkeeping and reporting requirements of Section 17 of the Act and the rules thereunder. While these rules require broker-dealers to keep records relating to general brokerage activity and provide the Commission and self-regulatory organizations ("SROs") access to those records, they do not require BDTS sponsors to keep records that separately identify transactions effected through an automated trading system or provide readily accessible summaries of system volume, identification of securities trading on such system, or descriptions of system operation. This lack of system-specific information makes it difficult for the Commission to evaluate the operation of BDTSs with regard to national market system goals, to monitor the competitive effects of these systems, to ascertain whether broker-dealer regulation remains appropriate for the operation of such systems, and to identify areas where monitoring of such systems may be improved and where SRO surveillance may be more appropriately tailored to the detection of fraudulent, deceptive and manipulative practices in an automated environment.

The Rule would establish a uniform recordkeeping and reporting structure for all broker-dealer sponsors of BDTSs and would provide prospective sponsors of BDTSs with certainty as to their responsibilities under the Act.

### II. Existing Reporting and Recordkeeping by BDTSs

Broker-dealers operate a variety of automated systems, not all of which would be considered BDTSs under the Rule. The Rule as proposed would apply to two types of automated systems: (1) Systems that automatically execute orders to buy or sell securities based on quotations of the system sponsor or its affiliates; and (2) systems that both automate the dissemination or collection of quotations, orders, or indications of interest, and provide a mechanism for matching or crossing orders (or for otherwise facilitating agreement between participants to the basic terms of securities transactions through use of the system). This would include trading systems that have been referred to in previous Commission releases as proprietary trading systems ("PTSs"),[3] as well as some automated trading systems operated by third market makers.

Currently, BDTSs are subject to Commission oversight through broker-dealer registration, recordkeeping, and reporting requirements in the Act. In addition, sponsors of a number of systems have obtained no-action letters as discussed below that require supplemental recordkeeping and reporting.

#### *A. Broker-dealer Requirements*

Like any other entity effecting securities transactions, sponsors of BDTSs must comply with the broker-dealer registration requirements of the Act.[4] As registered broker-dealers, sponsors are subject to Section 17(a) of the Act and rules thereunder, which require them to keep current records regarding their brokerage activity and to file certain reports with the Commission.[5] These sponsors also are subject to oversight by an SRO,[6] including inspection by the SRO of a sponsor's internal transaction records. These regulations require broker-dealers to record, maintain and make available to the Commission and the SROs information about any trade executed by a registered broker-dealer, including trades executed through BDTSs, but do

[1] 17 CFR 240.17a–23.

[2] 15 U.S.C. 78a et seq.

[3] See Securities Exchange Act Release No. 26708 (April 11, 1989), 54 FR 15429.

[4] The activities inherent in the operation of BDTSs generally require the system sponsor to register with the Commission as a broker-dealer under Section 15 of the Act. Section 15(a) of the Act generally provides that a "broker" or "dealer" who uses the mails or any means of interstate commerce to effect transactions in, or to induce or attempt to induce the purchase or sale of, any security must register with the Commission, unless an exemption applies. Section 3(a)(4) of the Act defines a "broker" as "any person engaged in the business of effecting transactions in securities for the account of others, but does not include a bank." Section 3(a)(5) of the Act defines a "dealer" as "any person engaged in the business of buying and selling securities for his own account, through a broker or otherwise, but does not include a bank, or any person insofar as he buys or sells securities for his own account, either individually or in some fiduciary capacity, but not as part of a regular business." See sections 3(a)(4), 3(a)(5) and 15 of the Act, 15 U.S.C. 78c(a)(14), 78c(a)(15) and 78*o*. *Cf.* Letter regarding Security Pacific National Bank (July 19, 1985).

[5] See, *e.g.*, Rules 17a–3, 17a–4, 17a–5, and 17a–11 (17 CFR 240.17a–3, 17a–4, 17a–5, and 17a–11); and 17 CFR Parts 400–405, 449–450. Section 17(a) authorizes the Commission to require broker-dealers to make and keep such records and to make such reports as the Commission, by rule, prescribes as necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act, such as removing impediments to the national market system for securities and for the clearance, settlement, and safeguarding of securities and funds, and imposing requirements necessary to make such regulation and control reasonably complete and effective. 15 U.S.C. 78q(a).

[6] Registered broker-dealers that effect transactions in the over-the-counter ("OTC") market are required to become members of the National Association of Securities Dealers ("NASD"). 15 U.S.C. 78*o*(b)(8).

not require broker-dealers to keep records that present BDTS activity separately from other brokerage activity, summarize system volume, describe securities trading on the system, or describe system operation and execution methods or to report such information on a regular basis in a usable format to the Commission.

*B. No-action Letters*

The automation of a broker-dealer's order handling through BDTSs often involves the use of order execution algorithms and methodologies that differ from traditional broker-dealer operations. Sponsors of these BDTSs have requested and received assurances in the form of no-action letters from the Division that it will not recommend enforcement action if the system operates without registering as an exchange or other registered entity.[7]

In addition to the broker-dealer requirements applicable to BDTS sponsors generally, these systems are monitored through conditions incorporated into such no-action letters, which are substantially similar to the requirements of Rule 17a–23.[8]

The Commission previously has considered formalizing its oversight of automated trading systems. Most recently, the Commission proposed rule 15c2–10, which would have subjected sponsors to a number of procedural and substantive requirements.[9]

The Commission does not believe it is necessary at this time to adopt proposed rule 15c2–10.[10] At the same time, the Commission believes there is a need for enhanced recordkeeping and reporting by sponsors of BDTSs, as described below.

## III. Need For Oversight of Broker-Dealer Trading Systems

In adopting the Act, Congress recognized the need for oversight of the securities markets and participants, including requiring appropriate reports, to ensure the maintenance of fair and honest markets and to protect the public interest.[11] The Rule will further these goals by enabling the Commission to evaluate the operation of BDTSs with regard to national market system goals, to monitor the competitive effects of these systems, to ascertain whether broker-dealer regulation remains appropriate for the operation of such systems, and to identify areas where monitoring of such systems may be improved and where SRO surveillance may be more appropriately tailored to the detection of fraudulent, deceptive and manipulative practices in an automated environment.

Automation of securities trading provides significant benefits.[12] Computerization, however, has undeniably changed the operation of the securities industry, and the operation of BDTSs appears to be a significant and growing part of such change. The Commission's efforts to gauge the impact of automation are hindered if critical information regarding the activity of automated systems is not recorded by system sponsors and regularly reported to the Commission in a useful form.

Because existing recordkeeping and reporting rules do not require broker-dealers to record BDTS volume and

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[7] The Division has issued no-action letters in this context to sponsors of 22 trading systems, 9 of which are operating currently. See letters regarding: Cantor Fitzgerald G.P. (October 1, 1993); Lattice Network (September 9, 1993); Crosscom Trading Network (November 24, 1992); Instinet Corporation's "Market Match" Crossing Session (December 6, 1991); LIMITrader (November 25, 1991); Franklin Advantage Crossing Networks (November 22, 1991); POSIT's Refined Pricing Feature (October 28, 1991); Exchange Services, Inc. (September 11, 1991), (May 22, 1985), and (September 5, 1985); Portfolio Trading Services, Inc. (May 16, 1991); Wunsch Auction Systems, Inc. (February 28, 1991); NYSAC (June 15, 1990); CapitaLink Bond Auctions, Inc. (December 11, 1989); RMJ Securities/Delta Government Options (January 12, 1989); ECON Investment Software (October 11, 1988); POSIT (July 28, 1987); Instinet (August 8, 1986); Security Pacific National Bank (July 19, 1985), (August 8, 1986); Robert L. Adler & Co. (August 7, 1985); NAPEX (August 2, 1985), (July 14, 1986); Troster Singer Corporation (May 23, 1985), (September 3, 1985); Transaction Services, Inc. (May 15, 1985), (September 5, 1985); and B&K Securities, Inc. (March 18, 1985), (September 5, 1985).

The 9 active BDTSs which have been issued no-action letters are: (1) Instinet, which permits participants to enter indications of trading interest and permits other subscribers to execute against those indications of interest automatically through the System; (2) Instinet Crossing Network, a daily after-hours session to match trades for execution at the day's closing price on the primary market for exchange-listed stocks, and the mean of the closing inside bid and ask prices on NASDAQ for issues traded in the over-the-counter market. A subcomponent of the Crossing Network, Instinet Market Match, matches orders to buy securities in a session that occurs prior to the opening of trading on registered exchanges and NASDAQ, and subsequently executes the orders after the close of the day's regular trading at a volume-weighted average price; (3) POSIT, which provides order matching and execution of exchange-listed and OTC securities by institutional customers for single stocks or substantial securities portfolios. A subcomponent of POSIT, POSIT's Volume Weighted Average Pricing Session, matches participants' orders to trade equity securities prior to the opening of registered exchanges and the NASDAQ system and executes matched trades at volume-weighted average prices at the close of the day's regular trading on the exchanges and NASDAQ; (4) RMJ—Delta, which permits users of the system to effect trades on U.S. Treasury options through an intermediary or "blind broker," or on a fully disclosed basis through an automated communications network; (5) AZX, Inc., a single-price auction system that is an exchange operating pursuant to a so-called "limited volume" exemption; (6) CrossCom, which permits a network of subscribers linked by computers to enter bids and offers in high-yield and other fixed-income bonds to be matched and automatically executed by the System; (7) The Lattice Network, which facilitates trading in registered equity securities by combining order-routing and order matching features to execute transactions; (8) NAPEX, which gathers and disseminates indications of interest for registered limited partnerships; and (9) a system operated by Cantor Fitzgerald G.P., which facilitates trading in limited partnership interest by displaying offers to sell and bids to purchase publicly registered limited partnership interest.

[8] These conditions require system sponsors to submit periodic reports to the staff setting forth volume information, names of system participants and applicants denied participation, and affiliations between the sponsor and system participants. The letters also require sponsors to notify the staff prior to implementing material system changes.

[9] *See* Securities Exchange Act Release No. 26708 (April 13, 1989), 54 FR 15429. The Commission received comments from 32 commenters in response to the 1989 proposal of rule 15c2–10 and the Division's *Market 2000* concept release addressing regulation of PTSs. See Securities Exchange Act Release No. 30920 (July 14, 1992), 57 FR 32587 (*"Market 2000 concept release"*) at 32594–32595. Sponsors of PTSs generally opposed the rule, while SROs generally supported the rule (except to the extent they questioned the authority of the Commission to regulate PTSs as broker-dealers or otherwise believed PTSs should be subject to the same regulation as SROs). A summary of comments that were made on the 1989 proposal and the *Market 2000 Study* has been prepared by the Commission's staff and is available in public reference file S7–3–94. *See also Market 2000: An Examination of Current Equity Market Developments*, Division of Market Regulation, SEC (January 1994) (*"Market 2000 Study"*), Appendix VI (Summary of Comments), pp. 32–38.

[10] Some commenters to proposed rule 15c2–10 and the Division's *Market 2000 Study* have objected to the Commission's regulation of BDTSs as broker-dealers. They have argued that certain BDTSs compete for order flow with the exchanges and should be subject to exchange registration and regulation. *See Market 2000 Study*, Appendix VI (Summary of Comments), pp. 32–38. The Commission disagrees. There are many different competitors for order flow, *e.g.*, derivative products, upstairs dealers, third market makers, and BDTSs. These should not all be regulated identically simply because they compete for market share. The level of regulation should be tailored to the functions being performed by an entity and the corollary need for regulation. The functions performed by BDTSs are most closely aligned with the functions performed by broker-dealers; consequently, broker-dealer regulation of BDTS sponsors is appropriate.

[11] 15 U.S.C. 78b.

[12] Automation of securities trading reduces transaction costs, promotes competition, improves transparency of markets, increases opportunities for best execution and enlarges the opportunities for orders to be executed without the participation of a dealer. *See* Letter from Richard C. Breeden, Chairman, SEC, to Edward J. Markey, Chairman, Subcomm. on Telecommunications and Finance, Comm. on Energy and Commerce, U.S. House of Representatives, July 11, 1991, attaching memorandum to Chairman Breeden from the Division ("Breeden Letter"), at 11–15 (discussing how computerization of trading generally is consistent with national market system goals) reprinted in Market 2000 Concept Release, 57 FR 32587 (July 22, 1992). Technology is not infallible, however. Automated markets are vulnerable to myriad difficulties which could affect market operation and stability, including hardware failure, telecommunications interruptions, software failure and design flaws, and intrusion by unauthorized persons.

activity information separately from other brokerage activity or to report such information to the Commission on a regular basis, the Commission receives system-specific information only through conditions to no-action letters, as described above. The no-action letter process is an imperfect vehicle for these purposes: it provides the Commission with information on a limited number of BDTSs, and does not provide sufficient clarity and guidance to enable prospective sponsors of BDTSs to assess accurately their potential obligations under the Act. In order to review trading effected through an automated system that is not subject to a no-action letter,[13] or to analyze trading patterns in BDTSs as a whole, the Commission or SROs currently would have to cull system-specific information from each sponsor's extensive brokerage activity records or rely on system sponsors to do so voluntarily each time the Commission needed such information, an inefficient and time-consuming task.[14]

*A. Market Structure and Competitive Concerns*

In the Securities Acts Amendments of 1975 ("1975 Amendments"), Congress clearly intended that the Commission actively evaluate its own regulations, the regulations of SROs, and the functioning of the securities market in general to further national market system goals and ensure that the public interest is protected as the national market system develops.[15] Although the Act recognizes that computerized trading generally has positive implications for the National Market System,[16] the Commission must thoroughly examine the implications of automated trading systems in order to fulfill its responsibilities under the 1975 Amendments.[17]

As the number, variety, complexity, and trading volume of BDTSs continues to expand, these systems have the potential to significantly affect over-the-counter trading markets,[18] and trading patterns in listed securities.[19] Volume statistics and other information obtained from these systems would enable the Commission on an ongoing basis to assess the effects of these systems on the national market system structure.[20] Because market reporting mechanisms do not separately identify trades occurring through BDTSs,[21] absent a review of each system sponsor's records the Commission obtains incomplete information about industry-wide BDTS volume and trading activity, making it difficult to measure accurately the effect of these systems on market transparency, competition, and the distribution of trading activity among different markets.

Not only may a significant amount of trading in national market system securities occur through BDTSs, it is probable that sponsors will continue to create BDTSs to facilitate transactions in products not trading in organized markets, including various derivative products. Standardized reporting requirements would assist the Commission in monitoring the interaction between activity in these markets and activity in underlying markets. In addition, some of these "niche" systems may provide the only readily identifiable source of trading opportunity in a particular over-the-counter instrument.[22] A reporting mechanism such as Rule 17a–23 would help alleviate the difficulty of obtaining accurate information on a regular basis about cumulative trading in these instruments.

*B. Adequacy of Broker-dealer Regulation and the Detection of Fraudulent or Manipulative Activity*

The information required by the Rule is necessary to understand the implications of the ongoing integration of BDTSs into existing market structures and to evaluate the appropriateness of current regulations and oversight as applied to non-traditional market participants,[23] such as automated third market makers. In its Market 2000 Study, the Division recommended trading principles to which third market makers should adhere and the development by SROs of examination modules tailored to third market makers.[24] Recordkeeping and reporting that specifically identifies trading activity in BDTSs operated by third market makers is a crucial element in enhancing current oversight programs of these automated dealers. Comprehensive examination of these market makers would be enhanced by the ready availability of information about execution algorithms, transaction records, and activity summaries. Without such information, it is difficult for the SROs to evaluate and monitor the trading activity of automated third-market makers and other BDTSs

[13] In this release, the concept of transactions being "effected through" a trading system includes the matching, crossing or other negotiating of execution terms through the communication facilities of such a system. For these purposes, transactions can be considered "effected through" BDTSs even if a transaction that is matched, crossed, or negotiated through system facilities ultimately is executed, compared, confirmed, cleared and/or settled through means other than the system.

[14] These concerns are minimized to some extent with regard to broker-dealers which operate solely as a BDTS.

[15] See, e.g., S. Rep. No. 75, 94th Cong., 1st Sess. (1975) ("Senate Report") at 12–14.

[16] See Section 11A(a)(1)(B) of the Act ("new data processing and communications techniques create the opportunity for more efficient and effective market operations"); Breeden Letter, 57 FR 32587 at 32601.

[17] *Cf.* Senate Report, at 9; Breeden Letter, 57 FR 32587, at 32601.

[18] For example, trade volume on PTSs has steadily increased since 1989. The total share volume on PTSs was almost the same in the first half of 1993 (4.7 billion) as for the entire 1992 year (4.9 billion), which was itself an increase of more than 60% over the previous year's volume of 2.9 billion. Almost 87% of the PTS volume in the first half of 1993 was in NASDAQ stocks, 13% was in listed stocks. Although still relatively low, the rising trend in PTS volume is consistent with the increasing volume occurring in the equity markets as a whole. During the first half of 1993, PTSs captured 1.4% of the volume in NYSE stocks and 13% of the volume in NASDAQ/NMS stocks. Market 2000 Study, Study II (Structure of U.S. Equity Markets), p. 13.

[19] For example, third market makers handled 7.4% of reported NYSE volume in 1993 and 9.3% of the reported trades. Market 2000 Study, Study II (Structure of U.S. Equity Markets), p. 11. Under current reporting requirements, the Commission cannot readily identify how much of third market volume is attributable to transactions effected through BDTSs.

[20] In particular, Rule 17a–23 can provide the Commission with information not currently available about technological developments and market structure changes that could affect national market systems. For example, no current recordkeeping or reporting requirement provides a means for assessing the potential impact of redirecting order flow from trading systems operated by SROs, which are fully integrated into the national market system, to BDTSs.

[21] Trades occurring through BDTSs are subject to the same reporting requirements as other trades executed by registered broker-dealers, and therefore are generally reported to consolidated reporting systems during normal trading hours and to SROs for regulatory purposes after normal trading hours. These reported trades, however, are not identified as occurring through BDTSs, making it difficult to obtain accurate trading volume data for BDTSs which are not otherwise providing data to the Commission.

[22] The Division has issued no-action letters to four automated trading systems which provide a trading facility for securities otherwise trading in a dispersed manner: RMJ-Delta (Treasury options); CrossCom (high-yield debt); and NAPEX and Cantor Fitzgerald's system (limited partnership interests).

[23] The fact that BDTSs do not conform to traditional conceptions of broker-dealer activity does not, by itself, mean that such systems are securities "exchanges." The Commission has interpreted the definition of "exchange" primarily to encompass those entities that have been designed, whether through trading rules, operational procedures, or business incentives, to centralize trading and provide buy and sell quotations on a regular or continuous basis so that purchasers or sellers have a reasonable expectation that they can regularly execute their orders at those price quotations. For a discussion of factors relevant to applicability of exchange definition, see Securities Exchange Act Release No. 27611 (January 12, 1990), 55 FR 1890; *Board of Trade of the City of Chicago* v. *SEC*, 923 F.2d 1270 (7th Cir. 1991), rehearing en banc denied, No. 90–1246 (7th Cir. 1991); and In re Wunsch Auction Systems, Inc., Securities Exchange Act Release No. 28899 (February 20, 1991), 56 FR 8377.

[24] Market 2000 Study, Main Report, pp. 25–26.

accurately.[25] This difficulty inhibits the ability of the SROs and the Commission to ensure that broker-dealer regulation keeps pace with the changing attributes of technologically advanced broker-dealers.

The lack of routinely reported, system-specific information in a useful format also hampers the Commission's ability to identify areas where SRO surveillance may be more appropriately tailored to the detection of fraudulent, deceptive and manipulative practices in an automated environment. Although sponsors of BDTSs are regulated as broker-dealers, automation of their activities has enabled these entities to collect, disseminate, and process trading interest and activity in a manner that is not customary of (and often not possible with) traditional non-automated broker-dealer trading techniques. This has the potential to expose these non-traditional broker-dealer systems to manipulative practices typically associated with markets, not with traditional broker-dealers. The availability of system-specific trading information to appropriate SROs will provide better tools to detect potential trading abuses.[26]

The Rule also would enable the Commission to identify ways in which securities law violations can occur in an automated environment. For example, the availability of automated means for a broker-dealer to broadcast interest in securities, to groups whose composition is not determined by the broker-dealer, may make it more difficult for the broker-dealer to satisfy the conditions of Rule 144A under the Securities Act.[27] The Rule would provide the Commission with information necessary to its evaluation of the effectiveness and enforceability of the securities laws in an automated trading environment, which is currently not readily available.

## IV. Description of the Rule

The proposed Rule would require a registered broker-dealer who acts as the sponsor of a "broker-dealer trading system" to make and keep current specified records, and file reports with the Commission and the appropriate SRO on proposed Form 17A–23. The records that system sponsors would be required to keep under the Rule consist of: (1) daily summaries of trading in the system and time-sequenced records of trades; (2) information regarding system participants and applicants who have been refused participation in the system; and (3) notices sent by the sponsor to participants.[28] The reports that system sponsors would be required to file under the Rule consist of: (1) An initial description of the system, including its organization, operation, automated facilities, and date of commencement of operation; (2) quarterly summaries of activity in the system; and (3) notification, when appropriate, of material changes to the system and its cessation of operations.[29]

### *A. Scope*

#### 1. Application to Registered Broker-Dealers

Rule 17a–23 applies to any "registered broker or dealer" that acts as the sponsor of a trading system. "Registered broker or dealer" is defined in Section 3(a)(48) of the Act to include any broker or dealer registered or required to register pursuant to section 15(b) (the majority of broker-dealers) or 15B (municipal securities broker-dealers) of the Act.[30] As noted earlier, absent an exemption from or exception to the broker-dealer registration provisions of the Act, the types of activities conducted by BDTSs can be lawfully conducted only by a broker-dealer registered with the Commission pursuant to the Act.

#### 2. Sponsor

The Rule defines a sponsor as "any entity that organizes, operates, administers, or otherwise directly controls a broker-dealer trading system." In addition, the Rule includes within this term any registered broker-dealer that regularly executes or processes transactions on behalf of participants of a system operated by a non-registered entity. This provision is designed to prevent the operator of a BDTS from avoiding applicability of the Rule to its system by avoiding registration as a broker-dealer. Some entities that operate BDTSs may attempt to do this by "contracting out" responsibility for executing system transactions to another entity (which generally would not be considered to operate, administer or control the system).[31] In such circumstances Rule 17a–23 would apply to the registered broker-dealer executing transactions on behalf of the system sponsor. Although the Commission recognizes the need to allow for flexibility in a trading system's operational structure, improved oversight of BDTSs can be achieved only if automated trading systems provide uniform and consistent information to the Commission and the SROs on a regular basis, regardless of organizational structure.

#### 3. Broker-dealer Trading System

The term "broker-dealer trading system" is defined as "(i) any system that automatically executes orders to buy or sell securities against quotations of the system sponsor or its affiliates * * * or (ii) any system that *both* automates the dissemination or collection of quotations, orders to buy or sell securities, or indications by any person announcing a general interest in buying or selling a security, submitted by entities other than the system sponsor and its affiliates, *and* provides a mechanism for matching or crossing

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[25] For example, understanding the execution algorithms of a BDTS is necessary to evaluate whether the automated execution provided by the system complies with SRO fair practice rules. The Rule would require a BDTS sponsor to provide the Commission with information describing the system's operation and execution procedures, so that the Commission may evaluate the system's volume and activity information accurately.

[26] The Commission recognizes that there are significant economic incentives for BDTSs to provide reliable and fair facilities for experienced market participants to effect transactions. Economic incentives, however, will not always provide sufficient motivation to prevent fraudulent practices. See Oversight Hearings on the Future of the Stock Market Focusing on Proprietary Trading Systems Before the Subcomm. on Telecommunications and Finance of the House Comm. on Energy and Commerce, 103d Cong., 1st Sess. (May 26, 1993).

[27] In this context, sponsors should consider that requirements of the Securities Act may make it inappropriate for broker-dealers to trade certain restricted or unregistered securities on BDTSs unless the system is configured to accommodate Securities Act regulations governing trading of such securities.

[28] The Rule would not require sponsors of BDTSs to duplicate trading records maintained in the course of its normal recordkeeping operations; however, the Rule would require that sponsors develop and maintain the ability to sort and retrieve system records separately.

[29] The Rule does not dictate a format for submitting the required information. This will enable a BDTS sponsor to comply with this requirement without significant adjustment to its own internal volume monitoring systems.

[30] The Rule would not apply to government securities brokers or government securities dealers registered under Section 15C of the Act, which are required to comply with the recordkeeping and reporting requirements of regulations promulgated by the Department of the Treasury under the Government Securities Act of 1986, 17 CFR 400 et seq. In addition, the Rule would not apply to operators of systems that do not involve activities requiring broker-dealer registration, such as "bulletin board" systems displaying quotations and orders, and identifying telephone numbers or other information to allow participants to contact an entity displaying quotations or orders without further intercession and without receipt of transaction-based compensation by the system operator. See Letters regarding Farmland Industries, Inc. (Aug. 26, 1991); Troy Capital Services, Inc. (May 1, 1990); Real Estate Financing Partnership (May 1, 1990); Ivestex Investment Exchange, Inc. (April 9, 1990); and Petroleum Information Corporation (Nov. 28, 1989). *Cf.* Securities Exchange Act Release No. 27017 (July 11, 1989), 54 FR 30013, text accompanying n. 66.

[31] Such an arrangement may be permissible in certain circumstances, however the Division will evaluate such arrangements based on the facts and circumstances of each case.

orders in the system, or for otherwise facilitating agreement between participants to the basic terms of a purchase or sale of a security through use of the system." (Emphasis added.)

This definition is intentionally broad. Part (i) of the definition would include systems that provide automated access to, and execution against, proprietary two-sided quotations of market makers. This would make the Rule applicable to large, integrated dealers in NASDAQ and exchange-listed securities that offer automated execution of the market orders of other brokers and dealers at the best consolidated bid and ask price.[32]

Part (ii) of the definition would only apply to systems that *both* automate the collection or dissemination of orders, interest, or quotations, and provide a mechanism for matching, crossing, or otherwise facilitating execution of orders through the system. In order for a system to fall within this part of the definition, it must provide a mechanism for facilitating participant agreement to the terms of a transaction through use of the system.[33] Broker-dealer operated systems that automate the collection of orders, but do not provide a mechanism for matching, crossing, or facilitating participant agreement to terms of a transaction through use of the system would not be included in this definition.[34] The definition would include systems that automate the collection of orders and match those orders against other participant trading interest, regardless of whether or not those orders are disseminated to system participants prior to matching.[35]

4. Exclusions

A number of broker-dealer automated systems have been expressly excluded from the definition of "broker-dealer trading systems" to clarify application of the Rule. The Commission recognizes that many broker-dealers have automated their internal operations without significantly changing the nature of traditional broker-dealer operations. For this reason, the Rule would not apply to a system that merely automates the collection and routing of orders to the sponsor's trading desk, through automation of the sponsor's order entry, order collection or internal order-routing functions. Nor would it apply to a system that merely routes customer orders to the execution facilities of another dealer, a registered national securities exchange, or a trading system operated by a person other than the routing system operator.[36] These exclusions are premised on the Commission's view that these routing systems do not require the same degree of Commission oversight and SRO surveillance as systems that have automated mechanisms for facilitating securities transactions outside of traditional organized markets or traditional over-the-counter brokerage activities. Because routing systems direct orders to organized markets such as exchanges, these systems are integrally tied into existing market oversight structures and do not pose the same concerns regarding potential effects on the national market system.

The Commission solicits comment on whether the Rule should also exclude interdealer brokers that facilitate trading of municipal or government securities.[37]

*B. Requirements of the Rule*

1. Recordkeeping

Under the Rule, system sponsors would be required to keep and make available to the Commission and the appropriate SRO, upon request, records of: (1) daily summaries of trading in the system (including number of transactions, transaction volume, securities traded, and number of quotations and orders placed by participants); (2) the identities of system participants (including any affiliations between those participants and the sponsor) and applicants who have been refused participation in the system; and (3) time-sequenced records of each transaction effected through the system. The sponsor would be required to keep these records, as well as any notices provided by the sponsor to participants, for three years (the first two years in an easily accessible place).

Sponsors of BDTSs already may be maintaining some or all of the transaction information pursuant to the requirements of Rules 17a–3 or 17a–4 under the Act. The Rule does not require a sponsor to keep duplicate records in such circumstances, if the sponsor's recordkeeping system can sort and retrieve the information required under the Rule from its other records promptly upon request.

2. Reporting

Sponsors also would be required to file confidential reports with the Commission (with duplicate originals filed simultaneously with the appropriate SRO) in accordance with proposed Form 17A–23. This Form would contain three parts: (1) an initial report filed at least 20 calendar days prior to the operation of the system; (2) quarterly reports filed within 20 calendar days after the end of the calendar quarter; and (3) a final report filed within 10 calendar days after a sponsor ceases to operate the trading system. The pre-operational report would describe the system, its procedures for reviewing capacity, security and contingency planning, and protecting participant funds and securities (if an entity other than the sponsor will hold or safeguard participant funds or securities on a regular basis). It also would identify an appropriate system contact. The quarterly reports would contain volume information, notification of the intent to offer (or the current availability of) services to U.S. customers that would allow them to trade with entities outside the U.S. otherwise than through a registered broker or dealer,[38] and notification of material system changes. The report notifying the Commission of cessation of operations would contain,

[32] Some of these systems also offer the possibility of price improvement for orders in securities whose bid/ask spread exceeds defined parameters and limit order protection for priced orders that are "away" from the inside market.

[33] The term "use of the system" includes contacting the sponsor of a system to finalize a transaction based on trading interest displayed in the system, whether such contact is telephonic or automated. See note 34, *infra*.

[34] Several broker-dealers operate "bulletin board" systems on which participants display indications of interest or orders and provide telephone numbers or other identifying information. Other system users may then utilize this information to contact that participant directly and execute a transaction without intercession by the system or the system operator. Such an arrangement does not allow participants to agree to the terms of a transaction "through use of the system"; participants must contact each other outside of system facilities or the system sponsor to conclude a transaction. Therefore, the Rule would not apply to these systems. In contrast, the Rule would apply to broker-dealer operated systems that automate the collection of orders, and display those orders to participants, but require a participant to contact the system sponsor telephonically or otherwise (rather than another participant) in order to finalize a transaction through the system.

[35] If a match of trading interest occurs in listed securities subject to off-exchange trading restrictions, the system would generally send those matched orders to an exchange or other market center to be "printed" as an "agency cross."

[36] This exclusion would only apply to systems that route customer orders to other execution centers without any intervening matching or crossing by the system. Systems which match or cross orders internally and then route the matched orders to an exchange or other execution center for execution as an "agency cross" would not be excluded from application of the Rule under this exclusion. See note 35.

[37] As proposed, the Rule would apply to interdealer brokers facilitating trading in municipal or government securities registered under Sections 15 or 15B. The Rule would not apply to interdealer brokers registered under Section 15C. See note 30.

[38] See Securities Exchange Act Release No. 27017 (July 13, 1989), 54 FR 30013 (foreign broker-dealers whose quotes are distributed through third-party systems may not initiate contacts with U.S. persons without registering as broker-dealers under § 15 of the Act, except as allowed by Rule 15a–6).

in addition to the notification, a final transaction summary.

3. Record Maintenance

Records may be produced, reproduced, and maintained pursuant to the provisions of Rule 17a–4(f) under the Act.[39] Although record maintenance under the Rule is the sole responsibility of the sponsor, records required to be maintained and preserved under the Rule may be prepared or maintained by a service bureau, depository or other recordkeeping service on behalf of the sponsor, provided such entity complies with Rule 17a–4(i) under the Act.

4. Exemptions

The Commission could exempt any system sponsor from any or all of these requirements, if the Commission determines that such exemption is consistent with the public interest, the protection of investors, the maintenance of fair and orderly markets and the removal of impediments to, and perfection of the mechanisms of, a national market system for securities and a national system for the clearance and settlement of securities transactions.

*C. Effect of the Rule on Existing No-Action Letters*[40]

The Commission recognizes that BDTS sponsors subject to no-action letters already may comply with many of the reporting requirements of the Rule pursuant to conditions of such letters. The Commission anticipates that the Rule would become effective six months after adoption. Sponsors of BDTSs subject to reporting requirements pursuant to no-action letters or other Commission orders may contact the Division to discuss the continuing applicability of such conditions if the Rule is adopted.

## V. Request for Comments

The Commission requests comment on the issues raised in the release, including without limitation the consistency of the Rule's approach with the policies underlying the Act, and the scope of terms defined in the proposed Rule, including "broker-dealer trading system" and "sponsor." Commenters are encouraged to focus on the following matters:

(1) The number of entities that would be required to comply with the Rule as proposed;

(2) Whether the Rule should apply to systems excluded in the proposed Rule from the definition of broker-dealer trading systems and, if so, why;

(3) Whether the Rule should apply to bulletin board information systems, or whether the Commission should separately adopt a rule for bulletin board systems pursuant to its authority under section 11A(b)(1) of the Act[41] relating to securities information processors, and what the content of any such rule should include; and

(4) Whether government or municipal securities brokers, dealers, or interdealer brokers registered under section 15 or 15B of the Act should be excluded from application of the Rule and, if so, why;

(5) The interval at which sponsors should file reports required by the Rule (i.e., quarterly, semi-annually, etc.);

(6) whether the Rule should require a sponsor to provide the Commission with direct, on-line access to its system upon request; and

(7) the costs and benefits of the proposed Rule, especially whether the Rule's requirements are duplicative or burdensome.

With regard to this last issue, based upon the Commission's experience, the anticipated costs to sponsors of existing BDTSs and the developers of new BDTSs if the Commission adopts the Rule do not appear to be significant or to unduly impede the development or viability of new systems. The complete automation of trading which characterizes BDTSs is particularly well suited for maintaining comprehensive and accurate records. Many BDTS sponsors already maintain records and provide information to the Commission pursuant to no-action letters which are substantially similar to the requirements of the Rule. Some BDTS sponsors that are not subject to conditions of a no-action letter nonetheless currently maintain many of the records required by Rule 17a–23. Thus, compliance with the Rule would appear to require little adjustment to their current recordkeeping. Similarly, for BDTS sponsors that have automated all of their trading operations, the Rule would appear to entail few operational changes or additional costs.

## VI. Competition Findings

Section 23(a)(2) of the Act[42] requires the Commission, in adopting rules under the Act, to consider the anti-competitive effects, if any, of such rules and to balance any impact against the regulatory benefits gained in terms of furthering the purposes of the Act. The Commission has considered the proposed Rule in light of the standard cited in Section 23(a)(2) and preliminarily believes that adoption of the proposed Rule will not impose any burden on competition not necessary or appropriate in furtherance of the Act.

## VII. Summary of the Initial Regulatory Flexibility Analysis

The Commission has prepared an Initial Regulatory flexibility Analysis ("IRFA") in accordance with 5 U.S.C. sec. 603 regarding the proposed Rule. The following summarizes the conclusions of the IRFA.

The IRFA uses certain definitions of "small entities" adopted by the Commission for purposes of the Regulatory Flexibility Act. The IRFA states that the Commission currently has no uniform reporting mechanism regarding the number of broker-dealers that operate automated trading systems as defined by the proposed Rule, and the Commission is, therefore, unable to reasonably estimate the number of small entities that would be required to comply with the Rule. The Division's experience with PTSs has indicated that the implementation of automated trading systems requires large capital expenditures. Therefore, the Commission believes BDTSs that operate pursuant to the proposed Rule will be sponsored, with few exceptions, by larger, well-capitalized broker-dealer firms.

The IRFA states that the proposed Rule would allow the Commission to confirm that investors effecting trades through BDTSs are adequately protected, the systems do not impede the maintenance of fair and orderly markets, or otherwise operate in a manner that is inconsistent with the federal securities laws. The IRFA sets forth the concerns with the current regulatory approach, and discusses possible alternatives to the proposed Rule for the regulation of small entities. Finally, the IRFA solicits comments on any possible costs the proposed Rule might have on small entities, and on possible alternatives with regard to small entities.

A copy of the IRFA may be obtained from Sarrita J. Cypress, Office of

[39] Rule 17a–4(f) provides for the maintenance of records on microfilm. The Commission recognizes that BDTS sponsors generally will wish to maintain records in electronic formats. The Commission has proposed and published for comment an amendment to Rule 17a–4 which would provide for optical disk storage if certain protective safeguards are employed to preserve the data. See Securities Exchange Act Release No. 32609 (July 9, 1993), 58 FR 38092. See also Letter to Michael D. Udoff, Chairman, Ad Hoc Record Retention Committee, Securities Industry Association, Re: Optical Storage Technology (June 18, 1993).

[40] The Rule does not address the issue of whether a particular trading system may be required to register as a national securities exchange, clearing agency, or other SRO. Sponsors of BDTSs seeking relief from exchange, clearing agency, and other SRO registration requirements may continue to request no-action positions from the Division.

[41] 15 U.S.C. 78k–1(b)(1).

[42] 15 U.S.C. 78w(a)(2).

Automation and International Markets, Division of Market Regulation, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, 202/272–2827.

**VIII. Statutory Basis**

Pursuant to the Securities Exchange Act of 1934 and particularly Sections 2, 3, 11A, 15(c), 17, and 23(a) thereof, 15 U.S.C. 78b, 78c, 78k–1, 78*o*(c), 78q, and 78w(a), the Commission proposes to add § 240.17a–23 in chapter II of title 17 of the Code of Federal Regulations.

**List of Subjects in 17 CFR Parts 240 and 249**

Reporting and recordkeeping requirements, Securities.

**Text of Proposed Rule 17a–23**

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is proposed to be amended as follows:

## PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for Part 240 is amended by adding the following citation:

**Authority:** 15 U.S.C. 77c, 77d, 77g, 77j, 77s, 77eee, 77ggg, 77nnn, 77sss, 77ttt, 78c, 78d, 78i, 78j, 78*l*, 78m, 78n, 78*o*, 78p, 78s, 78w, 78x, 78*ll*(d), 79q, 79t, 80a–20, 80a–23, 80a–29, 80a–37, 80b–3, 80b–4 and 80b–11, unless otherwise noted.

* * * * *

Section 240.17a–23 also issued under 15 U.S.C. 78b, 78c, 78*o*, 78q, and 78w(a);

* * * * *

2. Section 240.17a–23 is added to read as follows:

**§ 240.17a–23 Recordkeeping and reporting requirements relating to broker-dealer trading systems.**

(a) *Scope of section.* This section shall apply to any registered broker or dealer that acts as the sponsor of a broker-dealer trading system.

(b) *Definitions.* For purposes of this section:

(1) The term *registered broker or dealer* shall have the meaning ascribed to it in Section 3(a)(48) of the Act.

(2) The term *broker-dealer trading system* means:

(i) Any system that automates the execution of orders to buy or sell securities based on quotations of the system sponsor or its affiliates (whether such quotations are disseminated through the system, a quotation consolidation system operated pursuant to a plan approved by the Commission under Section 11A of the Act, an electronic interdealer quotation system operated by a registered national securities association, or otherwise); or

(ii) Any system that both automates the dissemination or collection of quotations, orders to buy or sell securities, or indications by any person announcing a general interest in buying or selling a security, submitted by entities other than the system sponsor and its affiliates, and provides a mechanism for matching or crossing, or for otherwise facilitating agreement between participants to the basic terms of a purchase or sale of a security through use of the system. "Broker-dealer trading system" does not include:

(A) A system that automates the collection and routing of orders to a broker or dealer's trading desk or individual trading personnel, through automation of the broker or dealer's order entry, order collection or internal order-routing functions, where the system does not provide automated matching, crossing, or execution of orders in the system based on preset or programmed parameters without intervention by individual trading personnel; or

(B) An automated system that routes customer orders to the execution facilities of a dealer other than the operator of such routing system, of a registered national securities exchange, or of a broker-dealer trading system operated by a person other than the operator of such routing system, where the operator of the routing system does not provide a mechanism for matching, crossing, or executing orders in the system against other orders in the system, or for otherwise allowing agreement to the basic terms of a transaction in a security through use of the system, apart from the execution facilities of those other entities.

(3) The term *sponsor* means any entity that organizes, operates, administers, or otherwise directly controls a broker-dealer trading system; and any registered broker or dealer that, pursuant to contract, affiliation, or other agreement with the system operator, is involved materially on a regular basis with effecting or processing transactions executed in connection with use of the system, other than for its own account or as a participant in the system, if the sponsor of such broker-dealer trading system is not a broker or dealer registered pursuant to Section 15 of the Act.

(c) *Recordkeeping.* Every registered broker or dealer subject to this section pursuant to paragraph (a) of this section shall:

(1) Make and keep current the following records relating to the broker-dealer trading system:

(i) A record of participants in the system (identifying any affiliations between system participants and the system sponsor) and applicants who have been refused participation in the system;

(ii) Daily summaries of trading in the system, including:

(A) Securities trading in the system;

(B) Transaction volume (separately stated for trading occurring during hours when consolidated trade reporting facilities are not in operation), expressed in trades, shares and in dollar value with respect to stock, and for other securities, expressed in trades, number of units of securities, par value, dollar value, or any other commonly used measure of amounts of securities; and

(C) Number of quotations and orders placed in the system by persons other than the sponsor and its affiliates, if applicable (expressed separately for limit and market orders and for any other relevant order specification required or allowed by the system other than price and size);

(iii) Time-sequenced records of each transaction effected through the broker-dealer trading system, including date and time executed, price, size, security traded, counterparty identification information, and method of execution (if broker-dealer trading system allows alternative means or locations for execution, such as routing to another market, matching with limit orders, or executing against the system sponsor's quotations); and

(2) Preserve, for a period of not less than three years, the first two years in an easily accessible place, the following records relating to the broker-dealer trading system:

(i) All records required to be made pursuant to paragraph (a)(1) of this section; and

(ii) Any notices provided by the system sponsor to system participants, including, but not limited to, notices addressing hours of system operations, system malfunctions, changes to system procedures, maintenance of hardware and software, instructions pertaining to access to the system, and notices of denials or limitations of access to the system.

(d) *Reporting.* (1) Every registered broker or dealer subject to this section pursuant to paragraph (a) of this section shall:

(i) At least 20 calendar days prior to operating a broker-dealer trading system, file Part I of Form 17A–23 (§ 249.636 of this chapter);

(ii) During the operation of a broker-dealer trading system of which the broker or dealer is the sponsor, file the information described in Part II of Form 17A–23 (§ 249.636 of this chapter) within 20 calendar days after the end of the calendar quarter; and

(iii) Within 10 calendar days after a broker-dealer trading system of which the broker or dealer is the sponsor ceases to operate, file the notice described in Part III of Form 17A–23 (§ 249.636 of this chapter).

(2) The reports provided for in this paragraph (d) shall be considered filed upon receipt at the Commission's principal office in Washington, DC. Duplicate originals of such reports must be filed with the self-regulatory organization designated as the examining authority for the broker or dealer pursuant to § 240.17d–1 simultaneously with filing with the Commission. All reports filed pursuant to this paragraph (d) shall be deemed to be confidential.

(e) *Maintenance of records in alternative form.* The records required to be maintained and preserved pursuant to this section may be produced, reproduced and maintained pursuant to the provisions of § 240.17a–4(f).

(f) *Compliance with other recordkeeping and reporting rules.* Nothing in this section obviates the need for any broker or dealer to comply with any other applicable recordkeeping or reporting requirement under the Act and the rules and regulations thereunder. If the information in a record required to be made pursuant to this section is preserved in a record made pursuant to § 240.17a–3 or § 240.17a–4, paragraph (c) of this section shall not require the sponsor to maintain such information in a separate file, if the sponsor can promptly sort and retrieve the information as if it had been kept in a separate file as a record made pursuant to this section.

(g) *Maintenance of records by others.* The records required to be maintained and preserved pursuant to this section may be prepared or maintained by a service bureau, depository or other recordkeeping service on behalf of the sponsor of a broker-dealer trading system, provided such entity complies with the provisions of § 240.17a–4(i). Agreement with such an entity shall not relieve the sponsor of a broker-dealer trading system from the responsibility to prepare and maintain records as specified in this section.

(h) *Furnishing copies of records.* Every broker or dealer subject to this section pursuant to paragraph (a) of this section shall furnish to any representative of the Commission and of the self-regulatory organization designated as its examining authority pursuant to § 240.17d–1, promptly upon request, legible, true and complete copies of those records of the sponsor that are required to be preserved under this section.

(i) *Exemption from this section.* The Commission, by rule or order, may exempt any sponsor of a broker-dealer trading system from all or any of the provisions of this section, either unconditionally or on specified terms and conditions, if the Commission determines that such exemption is consistent with the public interest, the protection of investors, the maintenance of fair and orderly markets and the removal of impediments to, and perfection of the mechanisms of, a national market system for securities and a national system for the clearance and settlement of securities transactions.

(j) *Effective date.* The effective date of this section shall be [six months after date of adoption of final rule].

## PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

3. The authority citation for part 249 continues to read in part as follows:

**Authority:** 15 U.S.C. 78a, *et seq.*, unless otherwise noted;

* * * * *

4. Section 249.636 and Form 17A–23 are added to read as follows:

**Note:** The text of proposed form 17A–23 appears in Appendix A to this document and will not appear in the Code of Federal Regulations.

**§ 249.636 Form 17A–23, information required of certain brokers and dealer sponsors of trading systems pursuant to section 17 of the Securities Exchange Act of 1934 and § 240.17a–23 of this chapter.**

This form shall be used by every registered broker and dealer that is required to file reports under § 240.17a–23 of this chapter.

Dated: February 9, 1994.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

BILLING CODE 8010–01–P

| Official Use Only |
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APPENDIX A

| OMB Approval |
|---|
| OMB No.: |
| Expires: |

**U.S. SECURITIES AND EXCHANGE COMMISSION**
**WASHINGTON, D.C. 20549**

# FORM 17A-23

**Information Required of Registered Broker or Dealer Sponsor of Broker-Dealer Trading System Pursuant to Section 17 of the Securities Exchange Act of 1934 and Rule 17a-23 Thereunder**

**READ ALL INSTRUCTIONS PRIOR TO COMPLETING FORM**

| FORM 17A-23 Page 1 | Indicate if this Report is: Initial Report (Part I) _____ Quarterly Report (Part II) _____ Final Report (Part III) _____ |
|---|---|
| | If Quarterly or Final Report, state period covered by Report: _____ (mm/dd/yy) through _____ (mm/dd/yy) |

## SPONSOR INFORMATION

NAME OF BROKER-DEALER TRADING SYSTEM

NAME OF REGISTERED BROKER OR DEALER SPONSOR OF SYSTEM FIRM CRD NO _____

NAME OF SYSTEM OPERATOR
(If different from Registered Broker or Dealer Sponsor of System)

ADDRESS OF PRINCIPAL PLACE OF BUSINESS OF REGISTERED BROKER OR DEALER SPONSOR
(Do not use P O Box No.)

(No. and Street)

(City) (State) (Zip Code)

NAME AND TELEPHONE NUMBER OF PERSON TO CONTACT WITH REGARD TO THIS REPORT.

## EXECUTION

The registered broker or dealer sponsor submitting this form and the executing official hereby represent that all the information contained herein is true, correct and complete.

| Manual signature of Official responsible for form. | Title. |
|---|---|
| Name of Official responsible for form | Date executed (Month/Day/Year) |

| FORM 17A-23 Page 2 | READ ALL INSTRUCTIONS PRIOR TO COMPLETING FORM |
|---|---|

**PART I: INITIAL OPERATION REPORT**
**(To be filed at least 20 calender days prior to operation)**

Provide the following information

1. State the securities or types of securities eligible for trading on or through the facilities of the system.

2. State the name and address of any entity that will be involved in the operation of the system, or will execute, clear or settle transactions on behalf of the sponsor or system participants in connection with operation of the system (other than system sponsor) Briefly describe the nature of such involvement and the responsibilities of such entity with respect to operation of the system and/or execution, clearance, or settlement of transactions in connection with operation of the system.

3. Briefly describe the manner of operation of the system, including the procedures governing entry of quotations and orders into the system, access to the system; execution, reporting, clearance and settlement of transactions in connection with the system; and procedures for ensuring participant compliance with system usage guidelines. Attach copy of system user's manual, if available.

4. Briefly describe the sponsor's procedures for reviewing system capacity, and security and contingency planning procedures

5. If any entity other than the sponsor will hold or safeguard participant funds or securities on a regular basis, briefly describe the controls that will be implemented to ensure the safety of those funds and securities

6 State the date the sponsor (or system operator, if other than sponsor) will begin operating the System.

**PART II: QUARTERLY REPORT**
**(To be filed within 20 calendar days after end of calendar quarter)**

Provide the following information:

1 Total volume and average daily volume of transactions effected through the system during the period covered by this report and year-to-date aggregates of these numbers, expressed in (a) number of shares; (b) number of transactions; and (c) monetary value Provide separate share, transaction, and monetary volume and average daily volume information for the period covered by the report reflecting: (a) system activity in securities listed on a registered national securities exchange; (b) system activity in securities quoted on the National Association of Securities Dealers' Automated Quotation service; (c) system activity occuring during regular trading hours of the New York Stock Exchange; and (d) system activity occurring outside regular trading hours of the New York Stock Exchange

2 List of securities trading in the system during the period covered by this report.

3 Total number of quotations and orders placed in the system by persons other than the sponsor, system operator (if other than the sponsor), and their affiliates during the period covered by this report, if applicable, and year-to-date aggregates of this number Express separately for limit and market orders and for any other relevant order specification required or allowed by the System other than price and size.

4 State if sponsor (or system operator, if other than sponsor) intends to offer, or has offered, services that allow system participants located within the jurisdiction of the United States to enter into securities transactions with entities outside of the jurisdiction of the United States, other than through a registered broker or dealer.

5 Describe any material changes to the information previously filed by sponsor with the Commission pursuant to Part I of this Form.

**PART III: REPORT OF CEASING TO OPERATE OR SPONSOR SYSTEM**
**(To be filed within 10 calendar days after sponsor ceases to operate or sponsor System)**

Provide the following information

1 State the date the sponsor ceased to operate or sponsor the System State whether another entity will continue to operate or sponsor the System and provide the name, address, and telephone number of such entity, if available

2 Provide information requested in items 1-3 of Part II for the period beginning on the day after the period covered by the most recent Form 17A-23 Part II filing and ending on the date stated in item 1 of this Part (date sponsor ceased to operate or sponsor the System).

U.S. SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

## INSTRUCTIONS FOR COMPLETING FORM 17A–23

### I. Terms

Unless the context clearly indicates otherwise, terms used in this Form have the meaning ascribed to them in the Securities Exchange Act of 1934 and Rule 17a–23 thereunder.

### II. Who Must File; When to File

Rule 17a–23 requires that every registered broker or dealer that acts as the sponsor of a broker–dealer trading system file Part I of Form 17A–23 at least 20 calendar days prior to operating or sponsoring a broker–dealer trading system, file Part II of Form 17A–23 within 20 calendar days after the end of each calendar quarter during which the sponsor operates or sponsors a broker–dealer trading system, and file Part III of Form 17A–23 within 10 calendar days after the sponsor ceases to operate or sponsor a broker–dealer trading system.

### III. Number of Copies; How and Where to File

File the original and one copy of each Form 17A–23 filing with the SEC at Office of Automation and International Markets, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, and one duplicate copy with the self–regulatory organization designated as the examining authority for the sponsor pursuant to Rule 17d–1 simultaneously with the filing of the original with the SEC. The sponsor must keep an exact copy of the filing for its records. All copies must be legible. The filing date of any Form 17A–23 filing is the date of its actual receipt by the SEC, provided that the filing complies with applicable requirements.

### IV. Format of Filing

A sponsor may use the printed Form 17A–23 or a reproduction of it. In either case, complete page 1 of Form 17A–23 in the format provided. Number each page following page 1 consecutively, and give the name of the broker–dealer trading system and the date at the top of each page, and identify the Part to which the information on that page relates.

### V. Completing Form

If the sponsor of a broker–dealer trading system has not previously filed a Form 17A–23 with respect to the system, complete page 1 and Part I. If the sponsor has previously completed Part I in a Form 17A–23 filed with respect to the system, and continues to operate or sponsor the system, complete page 1 and Part II only. If the sponsor has ceased to operate or sponsor the system, complete page 1 and Part III only. Provide information required by each Part of the Form by typing or printing the text of each item followed by the response thereto. Numerical information required by Parts II and III (item 2) may be provided in chart form. For numerical responses clearly indicate the information each number represents and the item number in the Form which requests such information. State all non–numerical answers to items as briefly as completeness will permit. Print or type all items and responses. If the information requested by any item is available in printed form, the printed material may be attached as an exhibit and referenced in the response to the item.



[FR Doc. 94–3703 Filed 2–17–94; 8:45 am]
BILLING CODE 8010–01–C

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 240

[Release No. 34–33621]

### Proprietary Trading Systems

AGENCY: Securities and Exchange Commission.

ACTION: Proposed rule, proposed rule amendment; withdrawal.

SUMMARY: The Commission today is withdrawing proposed Rule 15c2–10 under the Securities Exchange Act of 1934 ("Act"), published in the Federal Register on April 18, 1989, which would have applied to the operation of securities trading systems that are not operated as facilities of national securities exchanges or associations. The Commission is also withdrawing a proposed amendment to Rule 3a12–7 under the Act, which would have conformed that rule to the provisions of proposed Rule 15c2–10. The Commission is withdrawing these proposals because: a substantial period of time has lapsed since their publication by the Commission; subsequent developments suggest that consideration of Rule 15c2–10 as proposed may not be appropriate at this time; and the Commission has proposed Rule 17a–23 under the Act, which would apply to certain automated systems that would also have been subject to proposed Rule 15c2–10.

FOR FURTHER INFORMATION CONTACT: Gordon K. Fuller, Esq., Special Counsel, Division of Market Regulation, Securities and Exchange Commission, room 5205 (Mail Stop 5–1), 450 Fifth Street, NW., Washington, DC 20549, 202/272–2414.

SUPPLEMENTARY INFORMATION: Rule 15c2–10, proposed in 1989,[1] would have applied to certain securities trading and information systems that are not operated as facilities of a registered national securities exchange or association ("proprietary trading systems"). Among other things, the proposed Rule would have required each operator of a proprietary trading system to submit to the Commission a plan covering the system. The Commission would publish and review the plan, and, if the Commission determined that it met the requirements of the Rule, it would declare the plan effective. Under the Commission's proposal, a broker or dealer or municipal securities dealer or government securities dealer would be prohibited from sponsoring or entering an indication of interest, quotation, or order to purchase or sell a security in the trading system unless the plan had been declared effective.

A companion proposal to amend Rule 3a12–7 under the Act also was published with Rule 15c2–10. That proposal would have conformed Rule 3a12–7 to the provisions of Rule 15c2–10. The effect of this amendment would have been to require that government securities options systems comply with the proposed rule if adopted, and to clarify that entities that meet the definition of "clearing agency" set forth in the Act and that clear transactions in options on government securities executed through proprietary trading systems may be subject to the clearing agency registration requirements of the Act.

In light of the Commission's experience since 1989, the Commission does not believe that it would be appropriate to adopt the structure contemplated by Rule 15c2–10 at this time.[2] The Commission has proposed Rule 17a–23 under the Act,[3] which would require enhanced recordkeeping and reporting by sponsors of proprietary trading systems and other automated trading systems, which are defined in proposed Rule 17a–23 as "broker-dealer trading systems."

For these reasons, and because five years have passed since the Commission proposed Rule 15c2–10, the Commission has determined to withdraw Proposed Rule 15c2–10, and the proposed amendment to Rule 3a12–7 at this time pursuant to its statutory authority under Section 23 of the Act.[4]

Dated: February 14, 1994.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 94–3702 Filed 2–17–94; 8:45 am]

BILLING CODE 8010–01–P

[1] Securities Exchange Act Release No. 26708 (April 11, 1989), 54 FR 15429. The Commission received substantial comment on this proposal. A summary of these comments is available in File S7–3–94 in the Commission's Public Reference Room.

[2] Cf. Market 2000: An Examination of Current Equity Market Developments, Division of Market Regulation, pp. 27 and III–12–III–13 (January 1994) (Division recommended that the Commission adopt enhanced recordkeeping and reporting requirements).

[3] Securities Exchange Act Release No. 33605 (February 9, 1994).

[4] 15 U.S.C. 78w.

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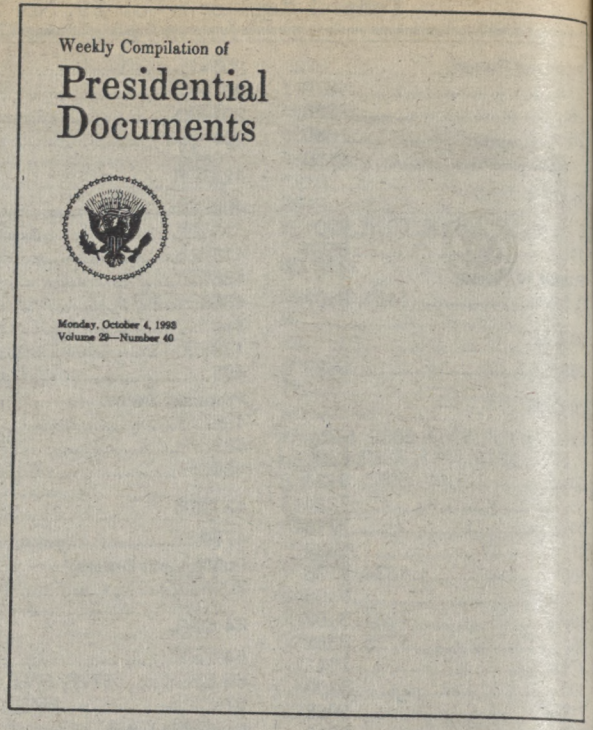

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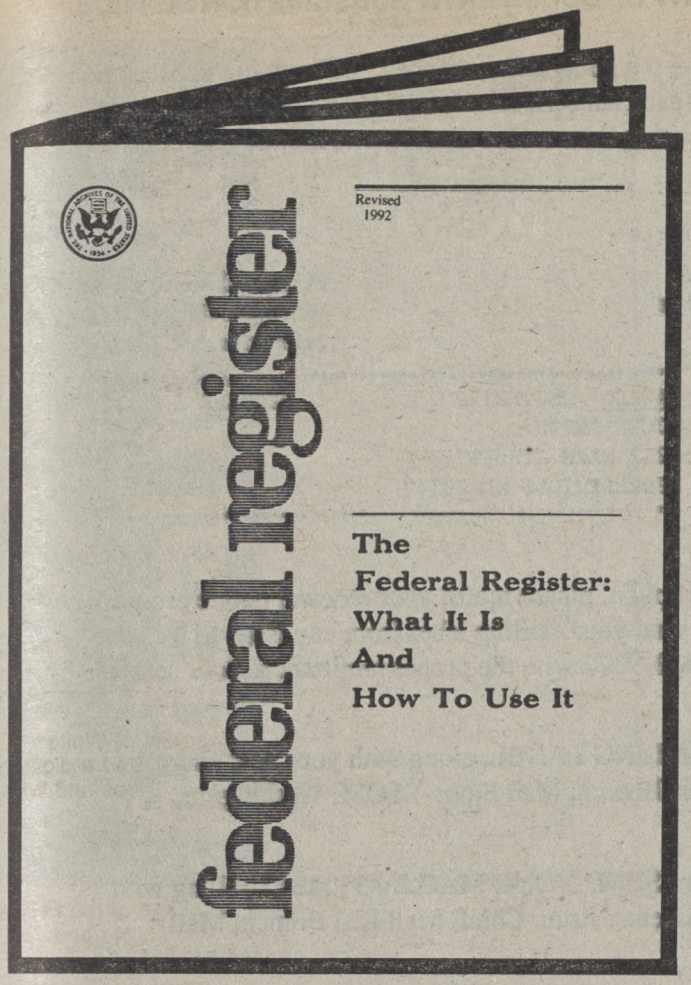
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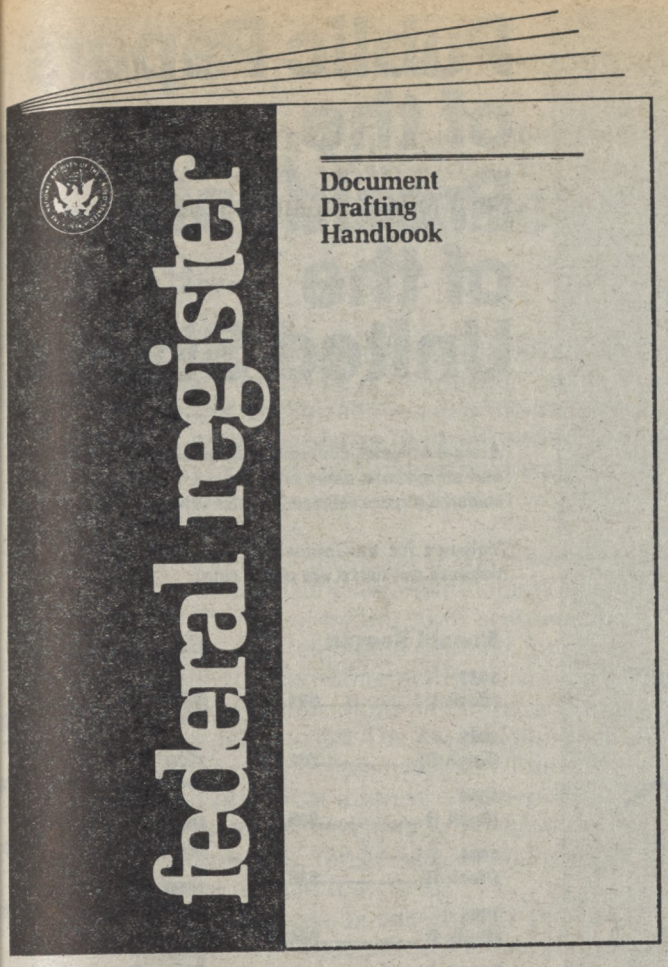
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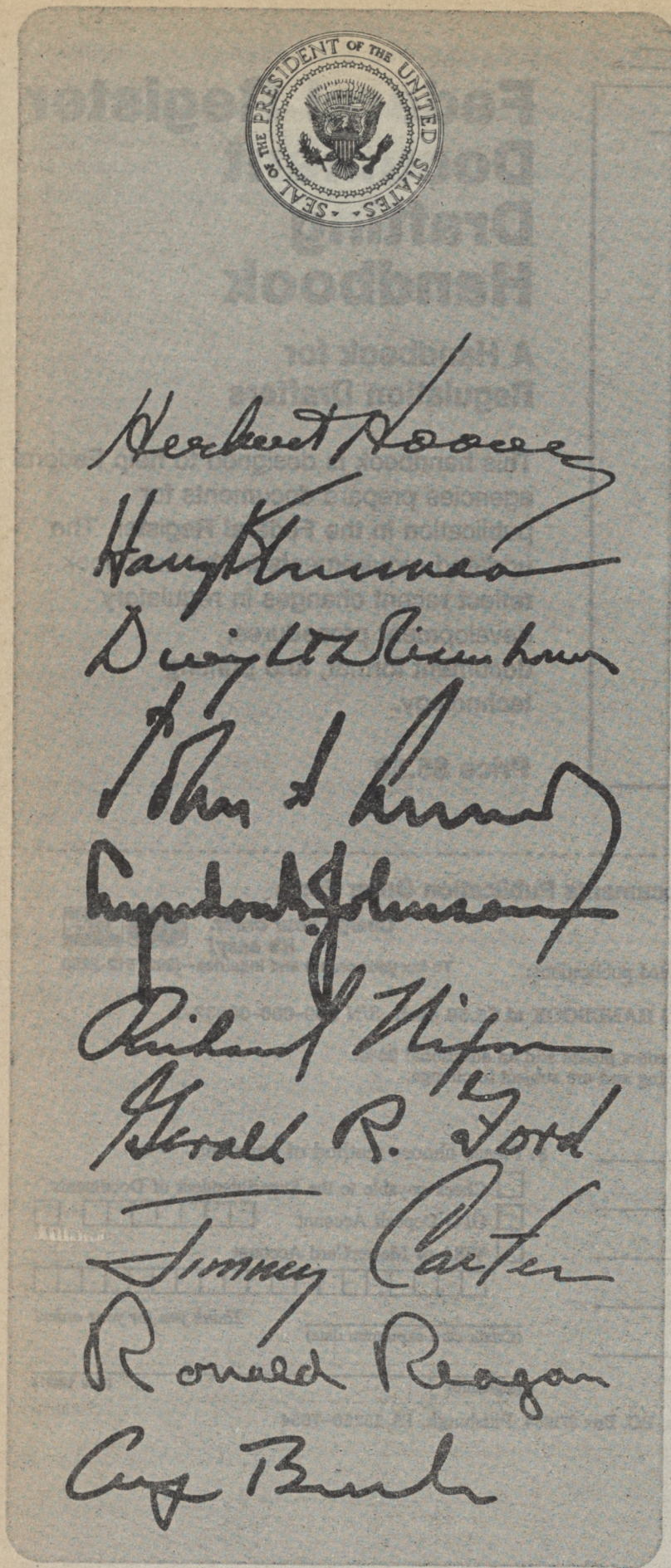
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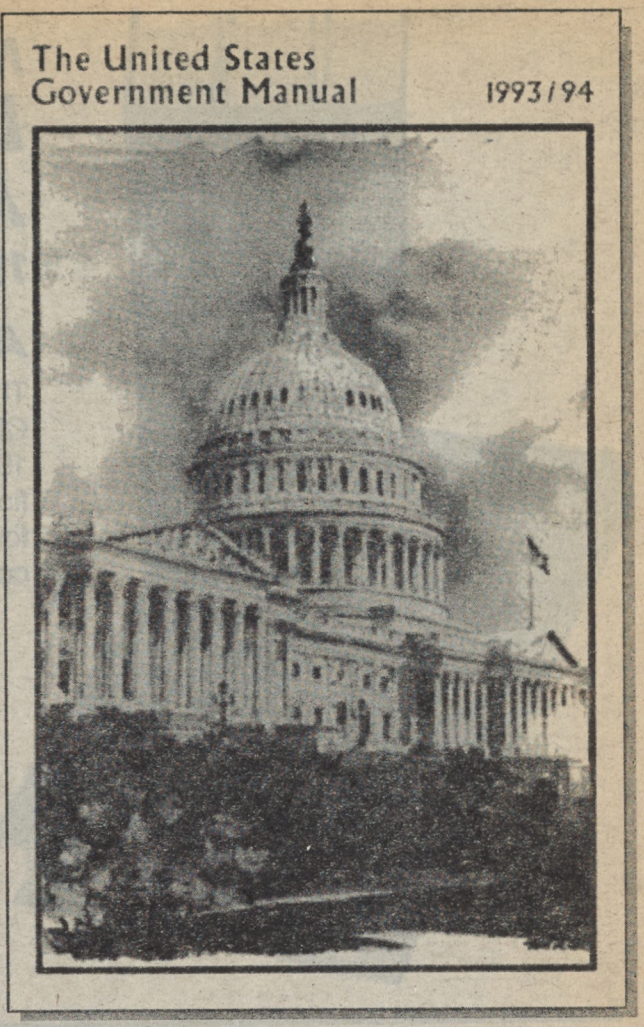
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