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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.

WASHINGTON, DC

WHEN: February 20, 2001, from 9:00 a.m. to Noon (E.S.T.)

WHERE: Office of the Federal Register
Conference Room
800 North Capitol Street, NW.
Washington, DC
(3 blocks north of Union Station Metro)

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Rules and Regulations

Federal Register

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

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

RIN 3150–AG57

List of Approved Spent Fuel Storage Casks: NAC–UMS Revision, Confirmation of Effective Date

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: The Nuclear Regulatory Commission (NRC) is confirming the effective date of February 20, 2001, for the direct final rule that appeared in the **Federal Register** of December 7, 2000 (65 FR 76896). This direct final rule amended the NRC's regulations to allow holders of power reactor operating licenses as general licensees to store PWR design basis fuel assemblies in accordance with revised technical specifications and Maine Yankee site-specific spent fuel in the NAC–UMS. The changes proposed for Amendment No. 1 to the NAC–UMS CoC include: changes to authorized contents to allow Maine Yankee site-specific spent fuels within the PWR basket, including damaged or consolidated fuel in a Maine Yankee fuel can and burnups up to 50,000 MWd/MTU; changes to allow longer times for PWR spent fuel cask loading operations based on reduced heat loads; authorization to store, without canning, intact PWR assemblies with missing grid spacers (up to an unsupported length of 60 inches); editorial clarifications to the technical specifications (TS); and deletion of a certificate reference to the NS–4–FR trade name of the solid neutron shielding material in the VCC shield plug. This document confirms the effective date.

DATES: The effective date of February 20, 2001 is confirmed for this direct final rule.

ADDRESSES: Documents related to this rulemaking, including comments received, may be examined at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. These same documents may also be viewed and downloaded electronically via the rulemaking website (*http://ruleforum.llnl.gov*). For information about the interactive rulemaking website, contact Ms. Carol Gallagher (301) 415–5905; e-mail CAG@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Keith K. McDaniel, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone (301) 415–5252 (E-mail: kkm@nrc.gov).

SUPPLEMENTARY INFORMATION: On December 7, 2000 (65 FR 76896), the NRC published in the **Federal Register** a direct final rule amending its regulations in 10 CFR part 72 to allow holders of power reactor operating licenses as general licensees to store PWR design basis fuel assemblies in accordance with revised technical specifications and Maine Yankee site-specific spent fuel in the NAC–UMS. The changes proposed for Amendment No. 1 to the NAC–UMS CoC include: changes to authorized contents to allow Maine Yankee site-specific spent fuels within the PWR basket, including damaged or consolidated fuel in a Maine Yankee fuel can and burnups up to 50,000 MWd/MTU; changes to allow longer times for PWR spent fuel cask loading operations based on reduced heat loads; authorization to store, without canning, intact PWR assemblies with missing grid spacers (up to an unsupported length of 60 inches); editorial clarifications to the technical specifications (TS); and deletion of a certificate reference to the NS–4–FR trade name of the solid neutron shielding material in the VCC shield plug. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on the date noted above. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 5th day of February, 2001.

For the Nuclear Regulatory Commission.

Michael T. Lesar,

Acting Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.

[FR Doc. 01–3954 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

10 CFR Part 72

RIN 3150–AG66

List of Approved Spent Fuel Storage Casks: TN–32 Revision, Confirmation of Effective Date

AGENCY: Nuclear Regulatory Commission.

ACTION: Direct final rule; confirmation of effective date.

SUMMARY: The Nuclear Regulatory Commission (NRC) is confirming the effective date of February 20, 2001, for the direct final rule that appeared in the **Federal Register** of December 5, 2000 (65 FR 75853). Amendment No. 1 to the Transnuclear, Inc., TN–32 Certificate of Compliance (CoC) includes the addition of the B&W/FCF 17 × 17 Mark BW assembly to the Technical Specification for ''Fuel to be stored in the Trans TN–32 Cask,'' with revised bounding characteristics, and (2) a revised TS for ''Site Specific Parameters and Analysis,'' to allow analysis of verification of allowable seismic loads. This direct final rule amended the NRC's regulations to allow holders of power reactor operating licenses to store spent fuel in the cask under the revised conditions. This document confirms the effective date.

DATES: The effective date of February 20, 2001 is confirmed for this direct final rule.

ADDRESSES: Documents related to this rulemaking, including comments received, may be examined at the NRC Public Document Room, 11555 Rockville Pike, Rockville, MD. These same documents may also be viewed and downloaded electronically via the rulemaking website (http://ruleforum.llnl.gov). For information about the interactive rulemaking website, contact Ms. Carol Gallagher (301) 415–5905; e-mail CAG@nrc.gov.

FOR FURTHER INFORMATION CONTACT: Roger W. Broseus, Office of Nuclear Materials Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001. Telephone (301) 415–7608 (E-mail: rwb@nrc.gov).

SUPPLEMENTARY INFORMATION: On December 5, 2000 (65 FR 75853), the NRC published in the **Federal Register** a direct final rule amending its regulations in 10 CFR part 72 to allow holders of power reactor operating licenses to store spent fuel in the cask Transnuclear, Inc., under revised conditions. Amendment No. 1 to the TN–32 Certificate of Compliance (CoC) includes the addition of the B&W/FCF 17×17 Mark BW assembly to the Technical Specification for ''Fuel to be stored in the TN–32 Cask,'' with revised bounding characteristics, and (2) a revised TS for ''Site Specific Parameters and Analysis,'' to allow analysis of verification of allowable seismic loads. In the direct final rule, NRC stated that if no significant adverse comments were received, the direct final rule would become final on the date noted above. The NRC did not receive any comments that warranted withdrawal of the direct final rule. Therefore, this rule will become effective as scheduled.

Dated at Rockville, Maryland, this 5th day of February, 2001.

For the Nuclear Regulatory Commission.

Michael T. Lesar,

Acting Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration.

[FR Doc. 01–3955 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–118–AD; Amendment 39–12111; AD 2001–03–07]

RIN 2120–AA64

Airworthiness Directives; Airbus Model A330 and A340 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Airbus Model A330 and A340 series airplanes, that requires identifying the part and serial numbers of the pressure reducing valve on each air pressurization unit, testing pressure reducing valves and air pressurization units having affected serial numbers, and replacing faulty valves or units with new parts. The actions specified by this AD are intended to prevent the simultaneous failure of two air pressurization units, which could result in loss of three hydraulic circuits and consequent reduced controllability of the airplane. This action is intended to address the identified unsafe condition.

DATES: Effective March 23, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 23, 2001.

ADDRESSES: The service information referenced in this AD may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Norman B. Martenson, Manager, International Branch, ANM–116, FAA, 1601 Lind Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2110; fax (425) 227–1149.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Airbus Model A330 and A340 series airplanes was published in the **Federal Register** on December 5, 2000 (65 FR 75877). That action proposed to require identifying the part and serial numbers of the pressure reducing valve on each air pressurization unit, testing pressure reducing valves and air pressurization units having affected serial numbers, and replacing faulty valves or units with new parts.

Comments

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

Conclusion

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

Cost Impact

The FAA estimates that 5 airplanes of U.S. registry will be affected by this AD.

It will take approximately 1 work hour per airplane to accomplish the required actions, at an average labor rate of $60 per work hour. Based on these figures, the cost impact of this AD on U.S. operators is estimated to be $60 per airplane. However, the FAA has been advised that all affected airplanes currently on the U.S. Register are in compliance with the actions of this AD.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation

Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2001–03–07 Airbus Industrie: Amendment 39–12111. Docket 2000–NM–118–AD.

Applicability: Model A330 and A340 series airplanes, certificated in any category; fitted with any air pressurization unit (''Pressurization Unit, Air'' or ''PUA'') having part number (P/N) 4020 Q8–3.

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

Compliance: Required as indicated, unless accomplished previously.

To prevent the simultaneous failure of two air pressurization units, which could result in loss of three hydraulic circuits and consequent reduced controllability of the airplane, accomplish the following:

Inspection

(a) Within 500 flight hours after the effective date of this AD, perform a one-time detailed visual inspection to determine the P/N and serial number (S/N) of the pressure reducing valve on each air pressurization unit, per Airbus Service Bulletin A330–29A3073 (for Model A330 series airplanes) or A340–29A4058 (for Model A340 series airplanes), both Revision 01, including Appendix 01, dated April 10, 2000; as applicable.

(1) If no P/N or S/N is identified as affected equipment per the applicable service bulletin, you have fulfilled the requirements of this AD.

(2) If any P/N or S/N is identified as affected equipment per the applicable service bulletin: Prior to further flight, perform applicable tests and repairs in accordance with the applicable service bulletin.

Note 2: For the purposes of this AD, a detailed visual inspection is defined as: ''An intensive visual examination of a specific structural area, system, installation, or assembly to detect damage, failure, or irregularity. Available lighting is normally supplemented with a direct source of good lighting at intensity deemed appropriate by the inspector. Inspection aids such as mirror, magnifying lenses, etc., may be used. Surface cleaning and elaborate access procedures may be required.''

Note 3: An inspection per Airbus Alert Service Bulletin A330–29A3073, dated January 18, 2000 (for Model A330 series airplanes), or A340–29A4058, dated January 20, 2000 (for Model A340 series airplanes), is acceptable for compliance with the requirements of paragraph (a) of this AD.

Note 4: The Airbus service bulletins refer to Le Bozec Filtration & Systems Service Bulletin 4020Q8–29–03, dated December 17, 1999, as an additional source of service information for accomplishment of the actions specified by this AD.

Spares

(b) As of the effective date of this AD, you may not install any air pressurization unit having P/N 4020 Q8–3 on any airplane, unless all actions have been accomplished for that part in accordance with the requirements of this AD.

Alternative Methods of Compliance

(c) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, International Branch, ANM–116, 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, International Branch, ANM–116.

Note 5: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the International Branch, ANM–116.

Special Flight Permits

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

Incorporation by Reference

(e) The actions shall be done in accordance with Airbus Service Bulletin A330–29A3073, Revision 01, including Appendix 01, dated April 10, 2000; or Airbus Service Bulletin A340–29A4058, Revision 01, including Appendix 01, dated April 10, 2000; as applicable. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Airbus Industrie, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Note 6: The subject of this AD is addressed in French airworthiness directives 2000–138–118(B) and 2000–139–143(B), both dated March 22, 2000.

Effective Date

(f) This amendment becomes effective on March 23, 2001.

Issued in Renton, Washington, on February 8, 2001.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01–3698 Filed 2–15–01; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 2000–NM–285–AD; Amendment 39–12113; AD 2001–03–09]

RIN 2120–AA64

Airworthiness Directives; Boeing Model 777 Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD), applicable to certain Boeing Model 777 series airplanes, that requires replacement of nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats. This amendment is necessary to prevent loose or missing nuts on the clevis assemblies, which could cause the inboard leading edge slats to be loose or in an incorrect position and result in partial or total failure or loss of the slats. This action is intended to address the identified unsafe condition.

DATES: Effective March 23, 2001.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of March 23, 2001.

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

FOR FURTHER INFORMATION CONTACT: Stan Wood, Aerospace Engineer, Airframe Branch, ANM–120S, FAA, Seattle Aircraft Certification Office, 1601 Lind

Avenue, SW., Renton, Washington 98055–4056; telephone (425) 227–2772; fax (425) 227–1181.

SUPPLEMENTARY INFORMATION: A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an airworthiness directive (AD) that is applicable to certain Boeing Model 777 series airplanes was published in the **Federal Register** on November 15, 2000 (65 FR 68955). That action proposed to require replacement of nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats.

Comments

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

One commenter supports the proposed rule. Another commenter states that it is not affected by the proposed rule.

Conclusion

After careful review of the available data, including the comments noted above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed.

Cost Impact

There are approximately 121 airplanes of the affected design in the worldwide fleet. The FAA estimates that 34 airplanes of U.S. registry will be affected by this AD, that it will take approximately 2 work hours per airplane to accomplish the required replacement, and that the average labor rate is $60 per work hour. Based on these figures, the cost impact of the AD on U.S. operators is estimated to be $4,080, or $120 per airplane.

The cost impact figure discussed above is based on assumptions that no operator has yet accomplished any of the requirements of this AD action, and that no operator would accomplish those actions in the future if this AD were not adopted. The cost impact figures discussed in AD rulemaking actions represent only the time necessary to perform the specific actions actually required by the AD. These figures typically do not include incidental costs, such as the time required to gain access and close up, planning time, or time necessitated by other administrative actions.

Regulatory Impact

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

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

List of Subjects in 14 CFR Part 39

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

Adoption of the Amendment

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

PART 39—AIRWORTHINESS DIRECTIVES

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

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

§ 39.13 [Amended]

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

2001–03–09 Boeing: Amendment 39–12113. Docket 2000–NM–285–AD.

Applicability: Model 777 series airplanes, line numbers 1 through 155 inclusive, certificated in any category.

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

Compliance: Required as indicated, unless accomplished previously.

To prevent loose or missing nuts on the clevis assemblies that support the auxiliary tracks of the inboard leading edge slats, which could cause the slats to be loose or in an incorrect position and result in partial or total failure or loss of the slats, accomplish the following:

Replacement

(a) Within 18 months after the effective date of this AD, replace nuts having part number NAS1805–5L on the clevis assemblies that support the auxiliary tracks (outboard, center, and inboard) of the inboard leading edge slats with new nuts purchased from the airplane manufacturer after October 31, 1999, in accordance with Boeing Special Attention Service Bulletin 777–57–0038, dated February 24, 2000.

Spares

(b) As of the effective date of this AD, no person shall install any nut having part number NAS1805–5L on any airplane unless it was purchased from the airplane manufacturer after October 31, 1999.

Alternative Methods of Compliance

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

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

Special Flight Permits

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

Incorporation by Reference

(e) The replacement shall be done in accordance with Boeing Special Attention Service Bulletin 777–57–0038, dated February 24, 2000. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from Boeing Commercial Airplane Group, P.O. Box 3707, Seattle, Washington 98124–2207. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

Effective Date

(f) This amendment becomes effective on March 23, 2001.

Issued in Renton, Washington, on February 8, 2001.

Vi L. Lipski,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 01–3694 Filed 2–15–01; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts 352, 357, and 385

[Docket No. RM99–10–001; Order No.620–A]

Revisions to and Electronic Filing of the FERC Form No. 6 and Related Uniform Systems of Accounts

Issued February 12, 2001.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule; order on rehearing.

SUMMARY: The Society for the Preservation of Oil Pipeline Shippers (SPOPS) filed a request for clarification and rehearing of the Commission's Final Rule in Order No. 620, *Revisions to and Electronic Filing of the FERC Form No. 6 and Related Uniform Systems of Accounts.* The Commission provides clarification and denies rehearing.

ADDRESSES: Office of the Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT:

Mary C. Lauermann (Technical Information), Office of the Executive Director, 888 First Street, NE., Washington, DC 20426, (202) 208–0087

Julia A. Lake (Legal Information), Office of the General Counsel, 888 First Street, NE., Washington, DC 20426, (202) 208–2019

David H. Ulevich (Page 700 Information), Office of Markets, Tariffs and Rates, 888 First Street, NE., Washington, DC 20426, (202) 208–0678.

SUPPLEMENTARY INFORMATION:

I. Introduction

In this order, the Commission addresses a request for rehearing and clarification of Order No. 620, the Final Rule on the revisions to and electronic filing of the FERC Form No. 6 and related uniform systems of accounts, issued on December 13, 2000.[1] In Order No. 620, the Commission amended Parts 352, 357, and 385 [2] of its regulations in order to better meet current and future regulatory requirements and industry needs; be more consistent with current Generally Accepted Accounting Principles; and to provide for the electronic filing of FERC Form No. 6. Order No. 620 is part of the Commission's ongoing program to update and eliminate burdensome and unnecessary accounting and reporting requirements. These changes will reduce, by about 25 percent, the burden on regulated companies for maintaining and reporting information under the Commission's regulations.

For the reasons stated below, the Commission provides clarification and denies rehearing.

II. Background

FERC Form No. 6, ''Annual Report of Oil Pipeline Companies,'' collects information on an annual basis to enable the Commission to carry out its responsibilities associated with the regulation of oil pipeline companies under the Interstate Commerce Act.

Order No. 620, among other things, revised FERC Form No. 6 page 700, ''Annual Cost of Service Based Analysis Schedule.'' Page 700 provides basic cost-of-service and throughput information that allows a shipper to compare proposed changes in a pipeline's rates against the change in level of the pipeline's cost of service and the change in the pipeline's average company-wide barrel-mile cost.

On January 12, 2001, the Society for the Preservation of Oil Pipeline Shippers (SPOPS) filed a timely request for rehearing and clarification of Order No. 620. SPOPS seeks rehearing of the Final Rule's requirement that pipelines report total jurisdictional revenues on Line 10 of page 700 rather than total company revenues. Also, SPOPS asks the Commission to clarify the Final Rule regarding what cost-of-service information must be reported on page 700.

Specifically, SPOPS argues that the Final Rule's requirement that oil pipelines report total jurisdictional revenues on Line No. 10 of page 700 results in a mismatch between the costs and revenues reported on this page. According to SPOPS, the Final Rule permits oil pipeline companies to exclude revenues earned from either non-carrier services or non-jurisdictional carrier services which could result in an understatement of company revenues. SPOPS also argues that pipelines will have an enhanced opportunity to engage in an allocation shell game if only jurisdictional costs and revenues are reported on page 700.

SPOPS requests that the Commission clarify what cost-of-service information is to be reported on page 700: cost-of-service data related to jurisdictional operations or total company operations including non-jurisdictional activities. SPOPS cites the instructions listed on page 700 that were effective prior to the issuance of Order No. 620 which required the total cost-of-service to be computed on a total company basis consistent with the Commission's Opinion No. 154–B, *et al.,* methodology. SPOPS argues total company cost-of-service should be reported on page 700 although it acknowledges that pipelines have been reporting cost-of-service data on a jurisdictional basis.

The Association of Oil Pipelines (AOPL) filed an answer on January 29, 2001. AOPL essentially responds that Order No. 620, and page 700, properly focus on jurisdictional revenues.

Rule 213(a)(2) of the Commission's Rules of Practice and Procedure, 18 CFR 385.213(a)(2) (2000), prohibits answers unless otherwise ordered by the decisional authority. We find that good cause exists to allow AOPL's answer.

III. Discussion

We disagree with SPOPS's assertion that revised page 700, ''Annual Cost of Service Based Analysis Schedule,'' of FERC Form No. 6 results in a mismatch between the costs and revenues reported on this schedule, or that pipelines will engage in an allocation shell game if only jurisdictional costs and revenues are reported on page 700.

In the Notice of Proposed Rulemaking (NOPR) issued in this proceeding, the Commission proposed to revise Instruction No. 3 of page 700 to require oil pipeline companies to report total company revenues so that it would be consistent with the total cost of service reported on this page.[3] SPOPS had asserted in its comments to the NOPR that the Commission should require pipelines to report total company costs and total company revenues on page 700.

In its comments on the NOPR, AOPL explained that our proposed revision to Instruction No. 3 would in fact result in an inconsistency. That is, the total cost of service computed using the Opinion No. 154–B methodology does not equate to total company costs; rather it represents the aggregate cost of the pipeline's jurisdictional services. While AOPL did not object to reporting total

[1] 65 FR 81335 (Dec. 26, 2000); III FERC Stats. & Regs. ¶ 31,115 (Dec. 13, 2000).

[2] 18 CFR Parts 352, 357, and 385.

[3] 65 FR 50376 (Aug. 17, 2000), IV FERC Stats. & Regs. ¶ 32,553 at 33,961 (July 27, 2000).

company revenues on page 700, it argued that only jurisdictional operating revenues should be reported on this page. In the Final Rule, the Commission stated that it agreed with AOPL's comment and revised Line No. 10 of page 700 to require pipelines to report ''Total Interstate Operating Revenues.''

On rehearing, SPOPS argues that by requiring pipelines to report only jurisdictional cost of service and revenues on page 700, it will give pipelines an enhanced opportunity to mis-allocate jurisdictional costs and revenues in favor of the pipelines.

The Commission never intended in the Final Rule to have a pipeline report its non-jurisdictional costs on page 700. Rather, page 700 was to be a preliminary screening tool that would permit a shipper to compare proposed changes in rates against the pipeline's jurisdictional cost of service.[4] Page 700, as revised by Order No. 620, results in the proper matching of FERC jurisdictional costs and revenues for shippers to use in assessing rate proposals. Accordingly, we take this opportunity to clarify Order No. 620 that the cost-of-service and revenue data reported on page 700 will be the cost of service and revenues related to FERC jurisdictional services.

In response to SPOPS's concern that the Final Rule will enable pipelines to improperly allocate costs and revenues in determining data to be reported on page 700, we have adopted measures to ensure consistency in how a pipeline computes the information it reports on page 700. If a pipeline makes major changes in its application of the Opinion No. 154–B methodology, it must disclose on page 700 that it has done so and recalculate the prior year's cost of service data to reflect the change so that valid comparisons of data can be made from one year to the next.[5]

Moreover, in Order No. 620, we required pipelines to maintain workpapers that fully support the data reported on page 700 including but not limited to the total cost-of-service calculations and all of its associated components. This includes allocations of costs and revenues between carrier and non-carrier, jurisdictional and non-jurisdictional facilities/services, and between interstate and intrastate services, assumptions made for the Opinion No. 154–B calculations and cross-references to underlying source documents. In addition, Order No. 620 provides that the Commission or its staff may request that a pipeline make its workpapers available.[6] Given these safeguards, SPOPS's claim of possible manipulation of data reported on page 700 is speculative at best.

The Commission Orders

SPOPS's request for rehearing of Order No. 620 is denied.

By the Commission.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3965 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–P

[4] Order No. 571, 59 FR 59137 (Nov. 16, 1994); FERC Stats. & Regs. [Regulation Preambles January 1991–June 1996] ¶ 31,006 at 31,168 (Oct. 28, 1994).

[5] *See* Instruction No. 6 of revised FERC Form No. 6 page 700.

[6] 65 FR 81335 (Dec. 26, 2000); III FERC Stats. & Regs. ¶ 31,115 at 31,960–31,961 (Dec. 13, 2000). Also, *see* Instruction No. 7 of FERC Form No. 6 page 700.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 179

[Docket No. 00F–0789]

Irradiation in the Production, Processing, and Handling of Food

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to expand the conditions of safe use of X-radiation and electron beam energy sources for the treatment of prepackaged foods by irradiation. This action is in response to a petition filed by the National Center for Food Safety and Technology, Illinois Institute of Technology.

DATES: This rule is effective February 16, 2001. Submit written objections and requests for a hearing by March 19, 2001.

ADDRESSES: Submit written objections to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Mark A. Hepp, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3098.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of March 2, 2000 (65 FR 11320), FDA announced that a food additive petition (FAP 0M4711) had been filed by the National Center for Food Safety and Technology, Illinois Institute of Technology, 6502 South Archer Rd., Summit-Argo, IL 60501–1933. The petition proposed to amend the food additive regulations in § 179.45 *Packaging materials for use during the irradiation of prepackaged foods* (21 CFR 179.45) to expand the conditions of safe use of X-radiation and electron beam energy sources for the treatment of prepackaged foods by irradiation.

FDA has evaluated the data in the petition and other relevant material. Based on this information, the agency concludes that: (1) The proposed use of the additives as sources of radiation for irradiating of prepackaged foods is safe, (2) the additives will achieve their intended technical effect, and therefore, (3) the regulations in § 179.45 should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition by appointment with the information contact person listed above. As provided in § 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has previously considered the environmental effects of this rule as announced in the notice of filing for FAP 0M4711. No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required.

This final rule contains no collection of information. Therefore, clearance by the Office of Management and Budget under the Paperwork Reduction Act of 1995 is not required.

Any person who will be adversely affected by this regulation may at any time file with the Dockets Management Branch (address above) written objections by March 19, 2001. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event

that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents are to be submitted and are to be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 179

Food additives, Food labeling, Food packaging, Radiation protection, Reporting and recordkeeping requirements, Signs and symbols.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 179 is amended as follows:

PART 179—IRRADIATION IN THE PRODUCTION, PROCESSING AND HANDLING OF FOOD

1. The authority citation for 21 CFR part 179 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 343, 348, 373, 374.

§ 179.45 [Amended]

2. Section 179.45 *Packaging materials for use during the irradiation of prepackaged foods* is amended in the introductory text of paragraph (b) by adding the phrase '', electron beam, or X-'' after the word ''gamma'' and in the introductory text of paragraph (d) by adding the phrase '', electron beam,'' after the word ''gamma''.

Dated: January 31, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–3885 Filed 2–15–01; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF STATE

22 CFR Part 126

[Public Notice 3575]

Bureau of Political-Military Affairs; Amendments to the International Traffic in Arms Regulation: Canadian Exemption

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This rule amends the Canadian Exemption of the International Traffic in Arms Regulations (ITAR) to change the authorized end-users to Canadian Federal or Provincial government authority acting in an official capacity or a Canadian-registered person. The amendment also adds a new defense service exemption. Further, it amends the list of defense articles requiring a license.

EFFECTIVE DATE: May 30, 2001.

FOR FURTHER INFORMATION CONTACT: William J. Lowell, Director, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State, ATTN: Regulatory Change Canadian Exemption (202) 663–2862 or (202) 261–8264.

SUPPLEMENTARY INFORMATION: The United States Government (USG) and the Government of Canada (GOC) have completed bilateral discussions on export controls that have resulted in each Government making changes to their respective regulations. The Government of Canada has made numerous changes to its export control system by law and regulation, including providing coverage for all items of the type controlled on the United States Munitions List (USML) on its control lists. Their changes also involve establishing a system that identifies and permits registration of persons who will be eligible on the basis of Canadian citizenship or permanent residence and of risk assessment to have access to USML articles exported from the United States or re-transferred within Canada without a U.S. license. Furthermore, the GOC promulgated regulations requiring USG approval prior to any re-export or retransfer of the International Traffic in Arms Regulations (''ITAR'')-controlled items either within Canada or to a third country. In response, the USG is amending Section 126.5 of ITAR to expand significantly the scope of the Canadian exemption, specifically by reflecting the Canadian registration system. The amendment makes corresponding changes to permit specified end users eligible to receive defense articles exported under this exemption. Those end users are Canadian Federal or Provincial government authorities acting in an official capacity and Canadian-registered persons. For purposes of this section only, a Canadian-registered person is any Canadian national (including Canadian business entities organized under the laws of Canada), dual national, and permanent resident registered in Canada in accordance with the Canadian Defence Production Act. Even where a Canadian business entity is so registered, this does not qualify any employee to receive items subject to this exemption unless the employee is also a national, dual national or permanent resident of Canada.

The Government of Canada published a regulatory change effective April 30, 2001, establishing a registration system that will permit Canadian firms to be registered as eligible to receive exports from the United States on May 30, 2001, the effective date of this regulatory change.

Section 126.5 is also amended to add a new defense service exemption that provides registered United States and Canadian-registered persons the ability to, without obtaining a license, work together to respond to U.S. and Canadian Government requests for a quote or a bid proposal. This amendment also permits exchanges necessary to respond to a registered U.S. company's request to produce, design, assemble, maintain or service a defense article. To utilize this amendment, U.S. exporters are advised to ensure that they can meet all the criteria prior to export and that adequate records of disclosure are maintained to verify that only the information exempt is exported.

Also, the list of items requiring a license prior to export is being amended to change the coverage. The changes include a requirement to obtain a license prior to export to Canada for all technical data and defense services for gas turbine engine hot sections covered by Categories VI(f) and VIII(b)—not to include hardware; developmental aircraft, engines and components identified in Category VIII(f); all category XII(c), except 1st- and 2nd-generation image intensification tubes and 1st- and 2nd-generation image intensification night sighting equipment and end items in Category XII(c) and related technical data limited to basic operations, maintenance and training information as authorized under exemption in Section 125.4(b)(5) when exported directly to a Canadian Government; chemical agents listed in Category XIV(a), biological agents in Category XIV(b), and equipment listed in Category XIV(c) for dissemination of the chemical agents and biological agents in (a) and (b); nuclear radiation-measuring devices manufactured to military specifications listed in XIV(d); all spacecraft in Category XV(a), except commercial communications satellites; XV(c), except end items when for use by the Federal Government of Canada; Category XV(d); certain systems, components and parts included within the coverage of XV(e); and, miscellaneous articles covered by Category XXI.

It remains the responsibility of the U.S. exporter of record to determine, in writing, the Canadian end-user, end-use,

that the Canadian recipient is registered with the Canadian Government, and that the defense articles are for end-use in Canada and not for reexport or retransfer to another foreign destination. Should this information not be available or the exporter has knowledge or reason to know that the export would result in a transfer or sale to a proscribed destination (see 126.1), this exemption is not available.

As a general matter, the regulation does not affect the continuing application of requirements of this subchapter to parties utilizing this exemption, in particular § 126.1(e) which requires any person who knows or has reason to know of a prohibited activity involving a proscribed destination to immediately inform the Office of Defense Trade Controls. Specifically, too, Canadian-registered persons will be eligible recipients of ITAR-controlled items under this exemption for purposes of this regulation, except where application of U.S. law may require prohibiting (e.g., by treating a transaction as non-exempt or a Canadian-registered person as ineligible on a case-by-case basis, or more broadly) an export, reexport or transfer of such an item to a person with citizenship or nationality of a country to which U.S. defense exports are prohibited by law.

This amendment involves a foreign affairs function of the United States and therefore, is not subject to the procedures required by 5 U.S.C. 553 and 554. It is exempt from review under Executive Order 12866 but has been reviewed internally by the Department to ensure consistency with the purposes thereof. This rule does not require analysis under the Regulatory Flexibility Act or the Unfunded Mandates Reform Act. It has been found not to be a major rule within the meaning of the Small Business Regulatory Enforcement Act of 1966. It will not have substantial direct effects on the States, 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 § 6 of Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant application of Executive Order Nos. 12372 and 13123. However, interested parties are invited to submit written comments to the Department of State, Office of Defense Trade Controls, ATTN: Regulatory Change, Canadian Exemption, 13th Floor, H1304, 2401 E Street, NW., Washington, DC 20037. Such persons must be so registered with the Department of State's Office of Defense Trade Controls (DTC) pursuant to the registration requirements of § 38 of the Arms Export Control Act. Comments are welcomed and could assist both governments in joint outreach program to be conducted following this publication.

List of Subjects in 22 CFR Part 126

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, Title 22, chapter I, subchapter M, part 126, is being amended as follows:

PART 126—GENERAL POLICIES AND PROVISIONS

1. The authority citation for part 126 continues to reads as follows:

Authority: Secs. 2, 38, 40, 42, and 71, Pub. L. 90–629, 90 Stat. 744 (22 U.S.C. 2752, 2778 (as amended by P.L. 106–280), 2780, 2791, and 2797); 22 U.S.C. 2778; E.O. 11958, 42 FR 4311; 3 CFR, 1977 Comp., p. 79; 22 U.S.C. 2658; 22 U.S.C. 287c; E.O. 12918, 59 FR 28205, 3 CFR 1994 Comp., p 899.

2. Section 126.5 is revised to read as follows:

§ 126.5 Canadian exemptions.

(a) *Temporary import of defense articles.* District Director of Customs and postmasters shall permit the temporary import and return to Canada without a license of any unclassified defense articles (see § 120.6 of this subchapter) that originate in Canada for temporary use in the United States and return to Canada. All other temporary imports shall be in accordance with §§ 123.3 and 123.4 of this subchapter.

(b) *Permanent and temporary export of defense articles.* Except for the defense articles and related technical data, and defense services identified in paragraph (b) (1) through (20) of this section for exports that transit third countries, and provided the requirements of this subchapter are met, (to include § 120.1 (c) and (d), parts 122 and 123 (except insofar as exemption from licensing requirements is herein authorized) and § 126.1, and the requirement to obtain non-transfer and use assurances for all significant military equipment), District Director of Customs and postmasters shall permit, when for end-use in Canada by Canadian Federal or Provincial governmental authorities acting in an official capacity or by a Canadian-registered person or return to the United States, the permanent and temporary export to Canada without a license of defense articles and related technical data identified in § 121.1 of this subchapter, except as described in paragraphs (b)(1) through (20) of this section and the defense services and technical data described in paragraph (c) of this section. For purposes of this section, ''Canadian-registered person'' is any Canadian national (including Canadian business entities organized under the laws of Canada), dual national, and permanent resident registered in Canada in accordance with the Canadian Defence Production Act, and such other Canadian Crown Corporations as may be identified by the Department of State. The defense articles, related technical data, and defense services identified in § 121.1 of this subchapter continuing to require a license are:

(1) All classified articles, technical data and defense services covered by § 121.1 of this subchapter.

(2) All Missile Technology Control Regime (MTCR) Annex Items.

(3) Defense services covered by part 124 of this subchapter, except for those in paragraph (c) of this section.

(4) Any transaction involving the export of defense articles and defense services for which congressional notification is required in accordance with § 123.15 and § 124.11 of this subchapter.

(5) All technical data and defense services for gas turbine engine hot sections covered by Categories VI(f) and VIII(b). (This does not include hardware).

(6) Firearms listed in Category I.

(7) Ammunition listed in Category III for the firearms in Category I.

(8) Nuclear weapons strategic delivery systems and all components, parts, accessories and attachments specifically designed for such systems and associated equipment.

(9) Naval nuclear propulsion equipment listed in Category VI(e).

(10) Aircraft listed in Category VIII(a) and developmental aircraft, engines and components identified in Category VIII(f).

(11) All Category XII(c), except any 1st- and 2nd-generation image intensification tube and 1st- and 2nd-generation image intensification night sighting equipment. End items (see § 121.8 of this subchapter) in Category XII(c) and related technical data limited to basic operations, maintenance and training information as authorized under the exemption in § 125.4(b)(5) of this subchapter may be exported directly to a Canadian Government entity (*i.e.* federal, provincial, territorial, or municipal) without a license.

(12) Chemical agents listed in Category XIV(a), biological agents in Category XIV(b), and equipment listed in Category XIV(c) for dissemination of

the chemical agents and biological agents listed in Category XIV(a) and (b).

(13) Nuclear radiation measuring devices manufactured to military specifications listed in Category XIV(d).

(14) All spacecraft in Category XV(a), except commercial communications satellites.

(15) Category XV(c), except end items (see § 121.8 of this subchapter) for end use by the Federal Government of Canada exported directly or indirectly through a Canadian-registered person.

(16) Category XV(d).

(17) The following systems, components and parts included within the coverage of Category XV(e):

(i) Anti-jam systems with the ability to respond to incoming interference by adaptively reducing antenna gain (nulling) in the direction of the interference.

(ii) Antennas:

(A) With aperture (overall dimension of the radiating portions of the antenna) greater than 30 feet; or

(B) With all sidelobes less than or equal to −35dB, relative to the peak of the main beam; or

(C) Designed, modified, or configured to provide coverage area on the surface of the earth less than 200 nautical miles in diameter, where ''coverage area'' is defined as that area on the surface of the earth that is illuminated by the main beam width of the antenna (which is the angular distance between half power points of the beam).

(iii) Optical intersatellite data links (cross links) and optical ground satellite terminals.

(iv) Spaceborne regenerative baseband processing (direct up and down conversion to and from baseband) equipment.

(v) Propulsion systems which permit acceleration of the satellite on-orbit (*i.e.,* after mission orbit injection) at rates greater than 0.1g.

(vi) Attitude control and determination systems designed to provide spacecraft pointing determination and control or payload pointing system control better than 0.02 degrees per axis.

(vii) All specifically designed or modified systems, components, parts, accessories, attachments, and associated equipment for all Category XV(a) items, except when specifically designed or modified for use in commercial communications satellites.

(18) Nuclear weapons design and test equipment listed in Category XVI.

(19) Submersible and oceanographic vessels and related articles listed in Category XX(a) through (d).

(20) Miscellaneous articles covered by Category XXI.

(c) *Defense service exemption.* A defense service is exempt from the licensing requirements of part 124 of this subchapter, when the following criteria can be met.

(1) The item, technical data, defense service and transaction is not identified in paragraphs (b)(1) through (20) of this section; and

(2) The transfer of technical data and provision of defense service is limited to the following activities:

(i) Canadian-registered person or a registered and eligible U.S. company (in accordance with part 122 of this subchapter) preparing a quote or bid proposal in response to a written request from a Department or Agency of the United States Federal Government or from a Canadian Federal, Provincial, or Territorial Government; or

(ii) Produce, design, assemble, maintain or service a defense article (*i.e.* hardware, technical data) for use by a registered U.S. company; or, a U.S. Federal Government Program; or for end use in a Canadian Federal, Provincial, or Territorial Government Program; and

(iii) The defense services and technical data are limited to that defined in paragraph (c)(6) of this section; and

(3) The Canadian contractor and subcontractor certify, in writing, to the U.S. exporter that the technical data and defense service being exported will be used only for an activity identified in paragraph (c)(2) of this section; and

(4) A written arrangement between the U.S. exporter and the Canadian recipient (such as a consummated Non-Disclosure or other multi-party agreement, Technology Transfer Control Plan, contract or purchase order) must:

(i) Limit delivery of the defense articles being produced directly to an identified manufacturer in the United States registered in accordance with part 122 of this subchapter; a Department or Agency of the United States Federal Government; a Canadian-registered person authorized in writing to manufacture defense articles by and for the Government of Canada; a Canadian Federal, Provincial, or Territorial Government; and

(ii) Prohibit the disclosure of the technical data to any other contractor or subcontractor who is not a Canadian-registered person; and

(iii) Provide that any subcontract contain all the limitations of this section; and

(iv) Require that the Canadian contractor, including subcontractors, destroy or return to the U.S. exporter in the United States all of the technical data exported pursuant to the contract or purchase order upon fulfillment of the contract, unless for use by a Canadian or United States Government entity that requires in writing the technical data be maintained. The U.S. exporter must be provided written certification that the technical data is being retained or destroyed; and

(v) Include a clause requiring that all documentation created from U.S. technical data contain the statement ''This document contains technical data, the use of which is restricted by the U.S. Arms Export Control Act. This data has been provided in accordance with, and subject to, the limitations specified in ¶126.5 of the International Traffic In Arms Regulations (ITAR). By accepting this data, the consignee agrees to honor the requirements of the ITAR''; and

(5) The U.S. exporter must provide the Office of Defense Trade Controls a semi-annual report of all their on-going activities authorized under this section. The report shall include the article(s) being produced; the end user(s) (*i.e.* name of U.S. or Canadian company); the end item into which the product is to be incorporated; the intended end use of the product (*e.g.,* United States or Canadian Defense contract number and identification of program); the name and address of all the Canadian contractors and subcontractors; and

(6) The defense services and technical data are limited to those in paragraphs (c)(6)(i), (ii), (iii) and (iv), and do not include paragraphs *(c)(6)(v), (vi) and (vii)* of this section:

(i) *Build-to-Print.* Build-to-Print means that a foreign consignee can produce a defense article from engineering drawings without any technical assistance from a U.S. exporter. This transaction is based strictly on a ''hand-off'' approach because the foreign consignee is understood to have the inherent capability to produce the defense article and only lacks the necessary drawings. Supporting documentation such as acceptance criteria, and specifications, may be released on an as-required basis (*i.e.* ''must have'') such that the foreign consignee would not be able to produce an acceptable defense article without this additional supporting documentation. Documentation which is not absolutely necessary to permit manufacture of an acceptable defense article (*i.e.* ''nice to have'') is not considered within the boundaries of a ''Build-to Print'' data package; and/or

(ii) *Build/Design-to-Specification.* ''Build/Design-to-Specification'' means that a foreign consignee can design and produce a defense article from requirement specifications without any technical assistance from the U.S. exporter. This transaction is based

strictly on a ''hands-off'' approach since the foreign consignee is understood to have the inherent capability to both design and produce the defense article and only lacks the necessary requirement information; and/or

(iii) *Basic Research.* ''Basic Research''—means a systemic study directed toward greater knowledge or understanding of the fundamental aspects of phenomena and observable facts without specific applications towards processes or products in mind. It does not include ''Applied Research'' (*i.e.* a systemic study to gain knowledge or understanding necessary to determine the means by which a recognized and specific need may be met. It is a systematic application of knowledge toward the production of useful materials, devices, and systems or methods, including design, development, and improvement of prototypes and new processes to meet specific requirements.); and

(iv) *Maintenance* (*i.e.,* inspection, testing, calibration or repair, including overhaul, reconditioning and one-to-one replacement of any defective items, parts or components, but excluding any modification, enhancement, upgrade or other form of alteration or improvement that changes the basic performance of the item); and does not include

(v) *Design Methodology*, such as: The underlying engineering methods and design philosophy utilized (*i.e.,* the ''why'' or information that explains the rationale for particular design decision, engineering feature, or performance requirement); engineering experience (*e.g.* lessons learned); and the rationale and associated databases (*e.g.* design allowables, factors of safety, component life predictions, failure analysis criteria) that establish the operational requirements (*e.g.*, performance, mechanical, electrical, electronic, reliability and maintainability) of a defense article. (Final analytical results and the initial conditions and parameters may be provided.)

(vi) *Engineering Analysis*, such as: Analytical methods and tools used to design or evaluate a defense article's performance against the operational requirements. Analytical methods and tools include the development and/or use of mockups, computer models and simulations, and test facilities. (Final analytical results and the initial conditions and parameters may be provided.)

(vii) *Manufacturing Know-how*, such as: Information that provides detailed manufacturing processes and techniques needed to translate a detailed design into a qualified, finished defense article. (Information may be provided in a build-to-print package identified in paragraph (c)(6)(i) of this section that is necessary in order to produce an acceptable defense article.).

(d) *Reexports/retransfer.* Rexport/retransfer in Canada to another end user or end use or from Canada to another destination, except the United States, must in all instances have the prior approval of the Office of Defense Trade Controls. Unless otherwise exempt in this subchapter, the original exporter is responsible, upon request from a Canadian-registered person for obtaining or providing reexport/retransfer approval. In any instance when the U.S. exporter is no longer available to the Canadian end user the request for reexport/retransfer may be made directly to Department of State, Office of Defense Trade Controls. All requests must include the information in § 123.9(c) of this subchapter. Reexport/retransfer approval is acquired by:

(1) If the reexport/retransfer being requested could be made pursuant to this section (*i.e.,* a retransfer within Canada to another eligible Canadian recipient under this section) if exported directly from the U.S., upon receipt by the U.S. company of a request by a Canadian end user, the original U.S. exporter is authorized to grant on behalf of the U.S. Government by confirming in writing to the Canadian requester that the reexport/retransfer is authorized subject to the conditions of this section; or

(2) If the reexport/retransfer is to an end use or end user that, if directly exported from the U.S. requires a license, retransfer must be handled in accordance with § 123.9 of this subchapter.

Notes to § 126.5:

1. In any instance when the exporter has knowledge that the defense article exempt from licensing is being exported for use other than by a qualified Canadian-registered person or for export to another foreign destination, other than the United States, in its original form or incorporated into another item, an export license must be obtained prior to the transfer to Canada.

2. Additional exemptions exist in other sections of this subchapter that are applicable to Canada, for example §§ 123.9, 125.4 and 124.2 which allows for the performance of defense services related to training in basic operations and maintenance, without a license, for defense articles lawfully exported, including those identified in paragraphs (b)(1) through (20) of this section.

Dated: January 24, 2001.

Colin L. Powell,

Secretary of State.

[FR Doc. 01–3877 Filed 2–15–01; 8:45 am]

BILLING CODE 4710–25–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 210

RIN 1510–AA81

Federal Government Participation in the Automated Clearing House

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Interim rule with request for comment.

SUMMARY: This rule amends our regulation governing the use of the Automated Clearing House (ACH) system by Federal agencies. The regulation adopts, with some exceptions, the ACH Rules developed by NACHA—The Electronic Payments Association (NACHA) as the rules governing the use of the ACH system by Federal agencies. We're issuing this interim rule to address changes that NACHA has made to the ACH Rules during the past year.

DATES: This interim rule is effective March 19, 2001. The incorporation by reference of the publication listed in the rule is approved by the Director of the Federal Register as of March 19, 2001.

ADDRESSES: You can download this interim rule at the following website: *http://www.fms.treas.gov/ach/.* You may also inspect and copy this rule at: Treasury Department Library, Freedom of Information Act (FOIA) Collection, Room 1428, Main Treasury Building, 1500 Pennsylvania Avenue, NW, Washington, DC 20220. Before visiting, you must call (202) 622–0990 for an appointment.

You can view Treasury's procedural guidelines for ACH payments in the Green Book at the following website: *http://www.fms.treas.gov/greenbook.* You may also register at this website for e-mail notification of updates to the Green Book.

You may send comments electronically to the following address: 210comments@fms.treas.gov. You may also mail comments to Cynthia L. Johnson, Director, Cash Management Policy and Planning Division, Financial Management Service, 401 14th Street, SW, Room 420, Washington, DC 20227.

FOR FURTHER INFORMATION CONTACT: Walt Henderson, Senior Financial Program

Specialist, at (202) 874–6705 or walt.henderson@fms.treas.gov; Natalie H. Diana, Senior Attorney, at (202) 874–6680 or natalie.diana@fms.treas.gov; Adam Martin, Financial Program Specialist, at (202) 874–6881 or adam.martin@fms.treas.gov; Michele Heine, Financial Program Specialist, at (202) 874–8645 or michele.heine@fms.treas.gov; or Cynthia L. Johnson, Director, Cash Management Policy and Planning Division, at (202) 874–6590 or cindy.johnson@fms.treas.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Part 210 incorporates, with certain exceptions, the ACH Rules. NACHA periodically updates the ACH Rules. Each year NACHA publishes a new rule book that reflects the changes to the ACH Rules that have been approved since the publication of the previous rule book. Part 210 currently provides that any amendment to the ACH Rules, as published in NACHA's 2000 rule book, that takes effect after September 15, 2000, will not apply to Federal government ACH entries unless we publish notice of acceptance of the amendment in the **Federal Register**. 31 CFR § 210.3(b)(2). NACHA recently published its 2001 rule book. We're publishing this interim rule in order to indicate which amendments to the ACH Rules we're accepting and which amendments we're rejecting.[1]

II. Summary of Rule Changes

A. Changes to ACH Rules

The ACH Rules published in NACHA's 2001 rule book reflect changes to the ACH Rules published in NACHA's 2000 rule book related to five topics [2]

1. Telephone Initiated ACH Debit

NACHA has adopted a rule enabling an Originator to initiate a single entry ACH debit to a consumer's account for transactions initiated over the telephone. The rule requires the Originator to receive oral authorization from the Receiver, and to retain that authorization for a period of two years from the termination or revocation of that authorization. The Originator must either tape record the authorization or provide the Receiver with written notice confirming the oral authorization prior to the settlement date of the entry. The rule permits the initiation of ACH debits by telephone in three sets of circumstances: When a consumer makes a telephone call to a company with which the consumer has an existing relationship, when a company makes a telephone call to a consumer with whom the company has an existing relationship, or when a consumer makes a telephone call to a company with which the consumer has no prior relationship. The rule change will become effective September 14, 2001.

2. Corrected Returns Time Frame

NACHA has adopted a rule that amends the ACH Rules to shorten the time frame for the transmission of corrected returns to two banking days from the settlement date of the dishonored return. This change will make the time frame consistent with that of the contested dishonored return process. This rule change will reduce the risk to the Originator and originating depository financial institution (ODFI) because corrected returns will be received more quickly than is currently required. The rule change will become effective March 16, 2001.

3. Internet-Initiated Entries

NACHA has adopted a rule that is intended to establish a foundation for promoting secure Internet-initiated ACH payments. The rule establishes a new Standard Entry Class (SEC) Code, WEB, that will specifically identify consumer ACH debit transactions initiated over the Internet. Among other things, the rule requires that Originators utilize commercially reasonable fraudulent transaction detection systems to screen entries; verify that routing numbers are valid; and establish secure Internet sessions prior to and during the key entry by consumers of banking information. The rule will become effective March 16, 2001.

4. Accounts Receivable Check Truncation

In 1999 NACHA adopted a short-term rule expanding the definition of the Prearranged Payment and Deposit Entry (PPD) format in the ACH Rules to allow Originators to utilize the PPD format to truncate checks received through the U.S. mail for payment of goods or services and convert them to ACH debit entries. The implementation period for the rule ended on December 15, 2000. However, in order to allow for the continuation of pilot programs testing lockbox check truncation, NACHA has issued a revised short-term rule with an implementation period from December 15, 2000 through March 14, 2002. Unlike the original short-term rule, the revised short-term rule permits truncation of items exceeding $2,500.

5. Cross-Border Payments

NACHA has amended the ACH Rules governing the transmission and receipt of cross-border entries to (1) include necessary legal protections for ACH network participants in light of modifications to the Cross-Border Payment Operating Rules that were adopted by the Cross-Border Council and (2) allow for the transmission and receipt of cross-border debit transactions. The amendment became effective September 15, 2000.

B. ACH Rule Changes That We Are Accepting

We are accepting the ACH Rules that address telephone-initiated ACH entries, corrected returns time frames, and cross-border payments. These rule changes are effective as of the effective date of this interim rule or NACHA's effective date for the rule change, whichever is later. In order to incorporate these rules in Part 210, the only change necessary to the current regulation is to replace references to the 2000 rule book with references to the 2001 rule book.

C. ACH Rule Changes That We Are Not Accepting

We are not accepting, at this time, the ACH Rules that address accounts receivable check truncation or Internet-initiated entries. We are currently evaluating Treasury initiatives in both of these areas and will publish a notice of proposed rulemaking in the near future in order to provide the public with an opportunity to comment before we adopt rules related to these transactions.

D. Section-by-Section Analysis

Section 210.2(d)

We are amending the definition of ''applicable ACH Rules'' at section 210.2(d) to reference the rules published in NACHA's 2001 rule book rather than the rules published in NACHA's 2000 rule book. We also are adding new subsection 210.2(d)(6) and (d)(7) to exclude the rules relating to accounts receivable check truncation and Internet-initiated entries from the definition of ''applicable ACH Rules.''

[1] The 2000 ACH Rule changes were published in an interim rule with request for comment. 65 FR 18866 (April 7, 2000).

[2] NACHA also adopted in the 2001 rule book a rule that modifies the process by which amendments to the ACH Rules are approved. Under the new rule, approval of an amendment requires two thirds of the voting power cast on the amendment by members entitled to vote. The rule change became effective as of January 1, 2001. Since neither the Financial Management Service nor other Federal agencies vote on the amendment of the ACH Rules, this rule change does not affect the Federal government's participation in the ACH system and we do not believe it is necessary or appropriate to address this rule modification in Part 210.

Section 210.3(b)

We are amending subsection 210.3(b), ''Incorporation by reference—applicable ACH Rules,'' by replacing the references to the ACH Rules as published in the 2000 rule book with references to the ACH Rules as published in the 2001 rule book.

III. Procedural Requirements

Request for Comment

We invite comment on all aspects of the interim rule.

Request for Comment on Plain Language

On June 1, 1998, the President issued a memorandum directing each agency in the Executive branch to write its rules in plain language. This directive is effective for all new proposed and final rulemaking documents issued on or after January 1, 1999. We invite comment on how to make this interim rule clearer. For example, you may wish to discuss: (1) Whether we have organized the material to suit your needs; (2) whether the requirements of this interim rule are clear; or (3) whether there is something else we could do to make this rule easier to understand.

Notice and Comment; Effective Date

We find that good cause exists for issuing this interim rule without prior notice and comment. Under the Administrative Procedure Act, an agency is permitted to issue a rule without prior notice and comment when the agency for good cause finds that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(B). We believe that it is important to address the publication of new ACH Rules as quickly as possible in order to mitigate the uncertainty and inconvenience to financial institutions and agencies that would result from a time lag in responding to NACHA's rule changes. When we proposed to address changes to the ACH Rules by reviewing and responding to rule changes on an annual basis, we received many comments expressing concern over the potential consequences of such a time lag.

Those consequences include uncertainty as to the rules governing government ACH transactions, as well as the inability of financial institutions to segregate the processing of those transactions. For these reasons, we find that we have good cause for issuing this interim rule without prior notice and comment.

Nevertheless, we are inviting comment and will consider the comments received.

Executive Order 12866, Regulatory Planning and Review

This interim rule does not meet the criteria for a ''significant regulatory action'' as defined in Executive Order 12866.

Regulatory Flexibility Act

Because notice and public comment are not required, the Regulatory Flexibility Act (5 U.S.C. 601) does not apply.

Paperwork Reduction Act

This interim rule contains no new collections of information. Therefore, the Paperwork Reduction Act does not apply.

List of Subjects in 31 CFR Part 210

Automated Clearing House, Electronic funds transfer, Financial institutions, Fraud, and Incorporation by reference.

Authority and Issuance

For the reasons set out in the preamble, 31 CFR part 210 is amended as follows:

PART 210—FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARING HOUSE

1. The authority citation for Part 210 continues to read as follows:

Authority: 5 U.S.C. 5525; 12 U.S.C. 391; 31 U.S.C. 321, 3301, 3302, 3321, 3332, 3335, and 3720.

2. Revise § 210.2(d) to read as follows:

§ 210.2 Definitions.

* * * * *

(d) *Applicable ACH Rules* means the ACH Rules with an effective date on or before September 14, 2001, as published in Parts II, III, and IV of the ''2001 ACH Rules: A Complete Guide to Rules & Regulations Governing the ACH Network,'' (see § 210.3(b)), except:

(1) ACH Rule 1.1 (limiting the applicability of the ACH Rules to members of an ACH association);

(2) ACH Rule 1.2.2 (governing claims for compensation);

(3) ACH Rule 1.2.4; 2.2.1.10; Appendix Eight and Appendix Eleven (governing the enforcement of the ACH Rules, including self-audit requirements);

(4) ACH Rules 2.2.1.8; 2.6; and 4.7 (governing the reclamation of benefit payments);

(5) ACH Rule 8.3 and Appendix Two (requiring that a credit entry be originated no more than two banking days before the settlement date of the entry—see definition of ''Effective Entry Date'' in Appendix Two);

(6) 2.1.4; 2.9; 3.6; 7.6.3; and 7.7.3 (governing PPD accounts receivable truncated check debit entries); and

(7) ACH Rule 2.10 and 3.8 (governing Internet-initiated entries) and Appendix Two (definition of WEB entry).

* * * * *

3. Revise § 210.3(b) to read as follows:

§ 210.3 Governing law.

* * * * *

(b) *Incorporation by reference—applicable ACH Rules.* (1) This part incorporates by reference the applicable ACH Rules, including rule changes with an effective date on or before September 14, 2001, as published in Parts II, III, and IV of the ''2001 ACH Rules: A Complete Guide to Rules & Regulations Governing the ACH Network.'' The Director of the Federal Register approves this incorporation by reference in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies of the ''2001 ACH Rules'' are available from NACHA—The Electronic Payments Association, 13665 Dulles Technology Drive, Suite 300, Herndon, Virginia 20171. Copies also are available for public inspection at the Office of the Federal Register, 800 North Capitol Street, NW., Suite 700, Washington, DC; and the Financial Management Service, 401 14th Street, SW., Room 420, Washington, DC 20227.

(2) Any amendment to the applicable ACH Rules that takes effect after September 14, 2001, shall not apply to Government entries unless the Service expressly accepts such amendment by publishing notice of acceptance of the amendment to this part in the **Federal Register**. An amendment to the ACH Rules that is accepted by the Service shall apply to Government entries on the effective date of the rulemaking specified by the Service in the **Federal Register** notice expressly accepting such amendment.

* * * * *

Dated: February 8, 2001.

Richard L. Gregg,

Commissioner.

[FR Doc. 01–3667 Filed 2–15–01; 8:45 am]

BILLING CODE 4810–35–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 100, 117 and 165

[USCG–2001–8767]

Safety Zones, Security Zone, Drawbridges and Special Local Regulations

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary rules issued.

SUMMARY: This document provides required notice of substantive rules adopted by the Coast Guard and temporarily effective between October 1, 2000 and December 31, 2000 which were not published in the **Federal Register.** This quarterly notice lists temporary local regulations, drawbridge regulations, security zones, and safety zones of limited duration and for which timely publication in the **Federal Register** was not possible.

DATES: This notice lists temporary Coast Guard regulations that became effective and were terminated between October 1, 2000 and December 31, 2000.

ADDRESSES: The Docket Management Facility maintains the public docket for this notice. Documents indicated in this notice will be available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, Room PL–401, 400 Seventh Street SW., Washington, DC 20593–0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may electronically access the public docket for this notice on the Internet at *http://dms.dot.gov*.

FOR FURTHER INFORMATION CONTACT: For questions on this notice, contact Lieutenant Bruce Walker, Office of Regulations and Administrative Law, telephone (202) 267–6233. For questions on viewing, or on submitting material to the docket, contact Dorothy Beard, Chief, Dockets, Department of Transportation (202) 866–9329.

SUPPLEMENTARY INFORMATION: District Commanders and Captains of the Port (COTP) must be immediately responsive to the safety needs of the waters within their jurisdiction; therefore, District Commanders and COTPs have been delegated the authority to issue certain local regulations. Safety zones may be established for safety or environmental purposes. A safety zone may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion. Security zones limit access to vessels, ports, or waterfront facilities to prevent injury or damage. Special local regulations are issued to enhance the safety of participants and spectators at regattas and other marine events. Timely publication of these regulations in the **Federal Register** is often precluded when a regulation responds to an emergency, or when an event occurs without sufficient advance notice. However, the affected public is informed of these regulations through Local Notices to Mariners, press releases, and other means. Moreover, actual notification is provided by Coast Guard patrol vessels enforcing the restrictions imposed by the regulation. Because mariners are notified by Coast Guard officials on-going scene prior to enforcement action, **Federal Register** notice is not required to place the special local regulation, security zone, or safety zone in effect. However, the Coast Guard, by law, must publish in the **Federal Register** notice of substantive rules adopted. To meet this obligation without imposing undue expense on the public, the Coast Guard periodically publishes a list of these temporary special local regulations, security zones, and safety zones. Permanent regulations are not included in this list because they are published in their entirety in the **Federal Register.** Temporary regulations may also be published in their entirety if sufficient time is available to do so before they are placed in effect or terminated. The safety zones, special local regulations, drawbridge regulations and security zones listed in this notice have been exempted from review under Executive Order 12866 because of their emergency nature, or limited scope and temporary effectiveness.

The following regulations were placed in effect temporarily during the period October 1, 2000 and December 31, 2000, unless otherwise indicated.

Dated: February 9, 2001.

S.G. Venckus,

Chief, Office of Regulations and Administrative Law.

COTP QUARTERLY REPORT

COTP docket	Location	Type	Effective date
CHARLESTON 00–125	CHARLESTON HARBOR, SC	SAFETY ZONE	12/09/2000
JACKSONVILLE 00–102	ST. JOHNS RIVER, MAYPORT, FL	SECURITY ZONE	10/14/2000
JACKSONVILLE 00–103	ST. JOHNS RIVER, JACKSONVILLE, FL	SAFETY ZONE	11/02/2000
JACKSONVILLE 00–118	FERNANDINA BEACH, FL	SAFETY ZONE	11/25/2000
KENTUCKY 00–001	OHIO RIVER, M. 461.8 TO 477.6	SAFETY ZONE	10/19/2000
LOUISVILLE 00–002	OHIO RIVER, M. 639.5 TO 641.5	SAFETY ZONE	11/01/2000
MSO MOBILE 00–002	BACK BAY OF BILOXI	SAFETY ZONE	11/04/2000
NEW ORLEANS 00–031	LWR MISSISSIPPI RIVER, M. 299 TO 232	SAFETY ZONE	10/13/2000
NEW ORLEANS 00–032	VIDALIA BRIDGE M. 363.3, LMR, AHOP	SAFETY ZONE	10/20/2000
NEW ORLEANS 00–033	LWR MISSISSIPPI RIVER, M. 94.4 TO M. 95.8	SECURITY ZONE	10/20/2000
NEW ORLEANS 00–034	LWR MISSISSIPPI RIVER, M. 94 TO 96	SAFETY ZONE	10/27/2000
NEW ORLEANS 00–035	LWR MISSISSIPPI RIVER, M. 94 TO 96	SAFETY ZONE	11/02/2000
NEW ORLEANS 00–037	LWR MISSISSIPPI RIVER, M. 231	SAFETY ZONE	12/09/2000
NEW ORLEANS 00–038	OUACHITA RIVER, M. 165 TO 168	SAFETY ZONE	12/02/2000
NEW ORLEANS 00–040	LWR MISSISSIPPI RIVER, M. 112 TO 114	SAFETY ZONE	12/08/2000
PADUCAH 00–016	TENNESSEE RIVER, M. 647.5 TO 647.7	SAFETY ZONE	11/17/2000
PADUCAH 00–017	TENNESSEE RIVER, M. 463.7 TO 464	SAFETY ZONE	11/25/2000
PADUCAH 00–018	UPPER MISSISSIPPI RIVER M. 16.2	SAFETY ZONE	10/24/2000
SAN DIEGO 00–009	OCEANSIDE, CA	SAFETY ZONE	10/15/2000
SAN DIEGO 00–010	LAKE HAVASU, COLORADO RIVER, AZ	SAFETY ZONE	10/08/2000
SAN DIEGO 00–011	SAN DIEGO, CA	SAFETY ZONE	10/10/2000
SAN DIEGO 00–012	SAN DIEGO BAY, SAN DIEGO, CA	SAFETY ZONE	10/20/2000
SAN DIEGO 00–013	LAKE MOOVALYA REGION, COLORADO RIVER	SAFETY ZONE	11/24/2000
SAN FRANCISCO BAY 00–007	SAN FRANCISCO BAY, SAN FRANCISCO, CA	SAFETY ZONE	10/11/2000
SAN FRANCISCO BAY 00–008	MONTERERY BAY, CA	SAFETY ZONE	10/14/2000

COTP QUARTERLY REPORT—Continued

COTP docket	Location	Type	Effective date
SAN FRANCISCO BAY 00–010	SAN FRANCISCO BAY, SAN FRANCISCO, CA	SAFETY ZONE	10/24/2000
SAN FRANCISCO BAY 00–011	SAN FRANCISCO, CA	SECURITY ZONE	11/16/2000
TAMPA 00–121	TAMPA BAY, FL	SAFETY ZONE	12/05/2000
TAMPA 00–136	TAMPA BAY, FL	SAFETY ZONE	12/31/2000

DISTRICT QUARTERLY REPORT

District docket	Location	Type	Effective date
01–00–222	DORCHESTER BAY, MA	DRAWBRIDGE OPERATION	10/03/2000
01–00–225	BOSTON, MA	SAFETY ZONE	10/08/2000
01–00–231	HUDSON RIVER, JERSEY CITY, NJ	SAFETY ZONE	10/14/2000
01–00–232	BOSTON, MA	SECURITY ZONE	10/03/2000
01–00–235	BOSTON, MA	SAFETY ZONE	10/12/2000
01–00–241	HUDSON RIVER, JERSEY CITY, NJ	SAFETY ZONE	10/28/2000
01–00–249	EAST RIVER, NEW YORK, NY	SAFETY ZONE	12/14/2000
01–00–252	PORT OF NEW YORK/NEW JERSEY	SAFETY ZONE	12/05/2000
01–00–255	FIRST NIGHT FIREWORKS, BOSTON, MA	SAFETY ZONE	12/31/2000
05–00–049	PATAPSCO RIVER, CHESAPEAKE BAY, MD	SAFETY ZONE	10/16/2000
05–00–050	LITTLE CREEK ENTRANCE, VIRGINIA BEACH, VA	SAFETY ZONE	11/07/2000
05–00–052	NORFOLK HARBOR REACH, VA	SECURITY ZONE	10/18/2000
05–00–056	FORT MCHENRY CHANNEL, BALTIMORE, MD	SAFETY ZONE	12/28/2000
07–00–107	CHARLESTON HARBOR, SC	SPECIAL LOCAL	12/09/2000
07–00–115	GREAT BAY, SAINT THOMAS, USVI	SPECIAL LOCAL	11/21/2000
07–00–117	TAMPA BAY, ST. PETERSBURG, FL	SPECIAL LOCAL	11/16/2000
07–00–122	HILLSBOROUGH RIVER	DRAWBRIDGE OPERATION	12/10/2000
09–00–106	CHICAGO CHASE, CHICAGO, IL	SAFETY ZONE	10/07/2000
09–00–113	CHICAGO,IL	SAFETY ZONE	10/06/2000
09–00–114	MUSKEGON LAKE	SECURITY ZONE	10/29/2000
09–00–115	NAVY PIER, LAKE MICHIGAN CHICAGO HARBOR, IL	SAFETY ZONE	11/04/2000
09–00–117	LAKE MICHIGAN, CHICAGO HARBOR, IL	SAFETY ZONE	11/11/2000
09–00–118	CHICAGO RIVER	SECURITY ZONE	11/10/2000
09–00–119	CHICAGO RIVER, CHICAGO, IL	SAFETY ZONE	11/18/2000
09–00–123	LAKE ERIE, MAUMEE RIVER, OHIO	SAFETY ZONE	12/31/2000
11–00–013	MARE ISLAND STRAIT, NAPA RIVER, CA	DRAWBRIDGE OPERATION	11/04/2000

[FR Doc. 01–3897 Filed 2–15–01; 8:45 am]
BILLING CODE 4910–15–M

DEPARTMENT OF AGRICULTURE

Forest Service

36 CFR Part 242

Subsistence Management Regulations for Public Lands in Alaska

CFR Correction

In Title 36 of the Code of Federal Regulations, parts 200 to 299, revised as of July 1, 2000, on page 213, § 242.24 is corrected by adding paragraph (a) introductory text, revising paragraph (a)(2) and adding paragraph (a)(3) to read as follows:

§ 242.24 Customary and traditional use determinations.

(a) The Federal Subsistence Board has determined that rural Alaska residents of the listed communities, areas, and individuals have customary and traditional use of the specified species on Federal public land in the specified areas. Persons granted individual customary and traditional use determinations will be notified in writing by the Board. The Fish and Wildlife Service and the local NPS Superintendent will maintain the list of individuals having customary and traditional use on National Parks and Monuments. A copy of the list is available upon request. When there is a determination for specific communities or areas of residence in a Unit, all other communities not listed for that species in that Unit have no Federal subsistence for that species in that Unit. If no determination has been made for a species in a Unit, all rural Alaska residents are eligible to harvest fish or wildlife under this part.

* * * * *

(2) Fish determinations.

Area	Species	Determination
KOTZEBUE AREA	All fish	Residents of the Kotzebue Area.
NORTON SOUND—PORT CLARENCE AREA	All fish	Residents of the Norton Sound-Port Clarence Area.
YUKON-NORTHERN AREA:		
Yukon River drainage	Salmon, other than Yukon River Fall Chum salmon.	Residents of the Yukon Area, including the community of Stebbins.
Yukon River drainage	Yukon River Fall chum salmon	Residents of the Yukon River drainage, including the communities of Stebbins, Scammon Bay, Hooper Bay, and Chevak.

Area	Species	Determination
Yukon River drainage	Freshwater fish species (other than salmon), including sheefish, whitefish, lamprey, burbot, sucker, grayling, pike, char, and blackfish.	Residents of the Yukon-Northern Area.
Remainder	All fish	Residents of the Northern Area, except for those domiciled in Unit 26–B.
KUSKOKWIM AREA	Salmon	Residents of the Kuskokwim Area, except those persons residing on the United States military installation located on Cape Newenham, Sparevohn USAFB, and Tatalina USAFB.
	Rainbow trout	Residents of the communities of Quinhagak, Goodnews Bay, Kwethluk, Eek, Akiachak, Akiak, and Platinum.
	Pacific cod	Residents of the communities of Chevak, Newtok, Tununak, Toksook Bay, Nightmute, Chefornak, Kipnuk, Mekoryuk, Kwigillingok, Kongiganak, Eek, and Tuntutuliak.
	All other fish other than herring	Residents of the Kuskokwim Area.
Waters around Nunivak Island	Herring and herring roe	Residents within 20 miles of the coast between the westernmost tip of the Naskonant Peninsula and the terminus of the Ishowik River and on Nunivak Island.
BRISTOL BAY AREA:		
Nushagak District, including drainages flowing into the district.	Salmon and other freshwater fish	Residents of the Nushagak District and freshwater drainages flowing into the district.
Naknek-Kvichak District—Naknek River drainage.	Salmon and other freshwater fish	Residents of the Naknek and Kvichak River drainages.
Naknek-Kvichak District—Iliamna-Lake Clark drainage.	Salmon and other freshwater fish	Residents of the Iliamna-Lake Clark drainage.
Togiak District, including drainages flowing into the district.	Salmon and other freshwater fish	Residents of the Togiak District, freshwater drainages flowing into the district, and the community of Manokotak.
Togiak District	Herring spawn on kelp	Residents of the Togiak District.
Remainder	All fish	Residents of the Bristol Bay Area.
ALEUTIAN ISLANDS AREA	All fish	Residents of the Aleutian Islands Area and the Pribilof Islands.
ALASKA PENINSULA AREA	Halibut	Residents of the Alaska Peninsula Area and the communities of Ivanof Bay and Perryville.
	All other fish in the Alaska Peninsula Area	Residents of the Alaska Peninsula Area.
CHIGNIK AREA	Halibut, salmon and fish other than steelhead and rainbow trout.	Residents of the Chignik Area.
KODIAK AREA—except the Mainland District, all waters along the south side of the Alaska Peninsula bounded by the latitude of Cape Douglas (58°52′ North latitude) mid-stream Shelikof Strait, and east of the longitude of the southern entrance of Imuya Bay near Kilokak Rocks (57°11′22″ North latitude, 156°20′30″ W longitude).	Salmon	Residents of the Kodiak Island Borough, except those residing on the Kodiak Coast Guard Base.
Kodiak Area	Fish other than steelhead and rainbow trout and salmon.	Residents of the Kodiak Area.
COOK INLET AREA	Fish other than salmon, Dolly Varden, trout, char, grayling, and burbot.	Residents of the Cook Inlet Area.
PRINCE WILLIAM SOUND AREA:		
South-Western District and Green Island	Salmon	Residents of the Southwestern District which is mainland waters from the outer point on the north shore of Granite Bay to Cape Fairfield, and Knight Island, Chenega Island, Bainbridge Island, Evans Island, Elrington Island, Latouche Island and adjacent islands.
North of a line from Porcupine Point to Granite Point, and south of a line from Point Lowe to Tongue Point.	Salmon	Residents of the villages of Tatitlek and Ellamar.
Glennallen Subdistrict of the Upper Copper River District and the waters of the Copper River.	Salmon	Residents of the Prince William Sound Area.
Copper River District—remainder	Salmon	Residents of the Prince William Sound Area.

Area	Species	Determination
YAKUTAT AREA:		
Freshwater upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to the Tsiu River.	Salmon	Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.
Freshwater upstream from the terminus of streams and rivers of the Yakutat Area from the Doame River to Point Manby.	Dolly Varden, steelhead trout, and smelt	Residents of the area east of Yakutat Bay, including the islands within Yakutat Bay, west of the Situk River drainage, and south of and including Knight Island.
SOUTHEASTERN ALASKA AREA:		
District 1—Section 1–E in waters of the Naha River and Roosevelt Lagoon.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Saxman.
District 1—Section 1–F in Boca de Quadra in waters of Sockeye Creek and Hugh Smith Lake within 500 yards of the terminus of Sockeye Creek.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Saxman.
District 2—North of the latitude of the northern-most tip of Chasina Point and west of a line from the northern-most tip of Chasina Point to the eastern-most tip of Grindall Island to the eastern-most tip of the Kasaan Peninsula.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Kasaan and in the drainage of the southeastern shore of the Kasaan Peninsula west of 132° 20′ W. long. and east of 132° 25′ W. long.
District 3—Section 3–A	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the townsite of Hydaburg.
District 3—Section A	Halibut and bottomfish	Residents of Southeast Area.
District 3—Section 3–B in waters east of a line from Point Ildefonso to Tranquil Point.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Klawock and on Prince of Wales Island within the boundaries of the Klawock Heenya Corporation land holdings as they exist in January 1989, and those residents of the City of Craig and on Prince of Wales Island within the boundaries of the Shan Seet Corporation land holdings as they exist in January 1989.
District 3—Section 3–C in waters of Sarkar Lakes.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Klawock and on Prince of Wales Island within the boundaries of the Klawock Heenya Corporation land holdings as they exist in January 1989, and those residents of the City of Craig and on Prince of Wales Island within the boundaries of the Shan Seet Corporation land holdings as they exist in January 1989.
District 5—North of a line from Point Barrie to Boulder Point.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.
District 9—Section 9–A	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.
District 9—Section 9–B north of the latitude of Swain Point.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.
District 10—West of a line from Pinta Point to False Point Pybus.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Kake and in Kupreanof Island drainages emptying into Keku Strait south of Point White and north of the Portage Bay boat harbor.
District 12—South of a line from Fishery Point to south Passage Point and north of the latitude of Point Caution.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30′ W. long., including Killisnoo Island.
District 13—Section 13–A south of the latitude of Cape Edward.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City and Borough of Sitka in drainages which empty into Section 13–B north of the latitude of Dorothy Narrows.
District 13—Section 13–B north of the latitude of Redfish Cape.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City and Borough of Sitka in drainages which empty into Section 13–B north of the latitude of Dorothy Narrows.
District 13—Section 13–C	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City and Borough of Sitka in drainages which empty into Section 13–B north of the latitude of Dorothy Narrows.

Area	Species	Determination
District 13—Section 13–C east of the longitude of Point Elizabeth.	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Angoon and along the western shore of Admiralty Island north of the latitude of Sand Island, south of the latitude of Thayer Creek, and west of 134°30′ W. long., including Killisnoo Island.
District 14—Section 14–B and 14–C	Salmon, Dolly Varden, trout, smelt and eulachon.	Residents of the City of Hoonah and in Chichagof Island drainages on the eastern shore of Port Frederick from Gartina Creek to Point Sophia.

(3) Shellfish determinations.

Area	Species	Determination
BERING SEA AREA	All shellfish	Residents of the Bering Sea Area.
ALASKA PENINSULA-ALEUTIAN ISLANDS AREA.	Shrimp, Dungeness, king, and Tanner crab	Residents of the Alaska Peninsula-Aleutian Islands Area.
KODIAK AREA	Shrimp, Dungeness, and Tanner crab	Residents of the Kodiak Area.
Kodiak Area, except for the Semidi Island, the North Mainland, and the South Mainland Sections.	King crab	Residents of the Kodiak Island Borough except those residents on the Kodiak Coast Guard base.
PRINCE WILLIAM SOUND AREA	Shrimp, clams, Dungeness, king, and Tanner crab.	Residents of the Prince William Sound Area.
SOUTHEASTERN ALASKA—YAKUTAT AREA:		
Section 1 E south of the latitude of Grant Island light.	Shellfish, except shrimp, king crab, and Tanner crab.	Residents of the Southeast Area.
Section 1 F north of the latitude of the northernmost tip of Mary Island, except waters of Boca de Quadra.	Shellfish, except shrimp, king crab, and Tanner crab.	Residents of the Southeast Area.
Section 3 A and 3 B	Shellfish, except shrimp, king crab, and Tanner crab.	Residents of the Southeast Area.
District 13	Dungeness crab, shrimp, abalone, sea cucumbers, gum boots, cockles, and clams, except geoducks.	Residents of the Southeast Area.

[FR Doc. 01–55501 Filed 2–15–01; 8:45 am]
BILLING CODE 1505–01–D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 372

[OPPTS–400140D; FRL–6722–10]

RIN 2025–AA05

Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting: Delay of Effective Date

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; delay of effective date.

SUMMARY: In accordance with the memorandum of January 20, 2001, from the Assistant to the President and Chief of Staff, entitled ''Regulatory Review Plan,'' published in the **Federal Register** on January 24, 2001 (66 FR 7701), this action temporarily delays for 60 days the effective date of the rule entitled Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting, published in the **Federal Register** on January 17, 2001 (66 FR 4500). That rule concerns the lowering of the reporting thresholds for lead and lead compounds which are subject to reporting under section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) and section 6607 of the Pollution Prevention Act of 1990 (PPA). The reporting thresholds are being lowered to 100 pounds. The lower reporting thresholds apply to lead and all lead compounds except for lead contained in stainless steel, brass, and bronze alloys. The first reports at the lower thresholds are due on or before July 1, 2002, for the 2001 calendar year.

DATES: The effective date of the Lead and Lead Compounds; Lowering of Reporting Thresholds; Community Right-to-Know Toxic Chemical Release Reporting, amending 40 CFR part 372 published in the **Federal Register** on January 17, 2001, at 66 FR 4500, is delayed for 60 days, from February 16, 2001 to a new effective date of April 17, 2001.

FOR FURTHER INFORMATION CONTACT: Daniel R. Bushman, Petitions Coordinator, (202) 260–3882, e-mail: bushman.daniel@epa.gov, for specific information on this document, or for more information on EPCRA section 313, the Emergency Planning and Community Right-to-Know Hotline, Environmental Protection Agency, Mail Code 5101, 1200 Pennsylvania Ave., NW., Washington, DC 20460, Toll free: 1–800–535–0202, in Virginia and Alaska: (703) 412–9877 or Toll free TDD: 1–800–553–7672. Information concerning this notice is also available on EPA's Web site at http://www.epa.gov/tri.

SUPPLEMENTARY INFORMATION: To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A). Alternatively, the Agency's implementation of this action without opportunity for public comment, effective immediately upon publication today in the **Federal Register**, is based on the good cause exceptions in 5 U.S.C. 553(b)(B) and 553(d)(3). Seeking public comment is impracticable, unnecessary and contrary to the public interest. The temporary 60-day delay in effective date is necessary to give Agency officials the

opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. Given the imminence of the effective date, seeking prior public comment on this temporary delay would have been impractical, as well as contrary to the public interest in the orderly promulgation and implementation of regulations. The imminence of the effective date is also good cause for making this rule immediately effective upon publication.

Dated; February 12, 2001.

Christine Todd Whitman,

Administrator.

[FR Doc. 01–3984 Filed 2–15–01; 8:45 am]

BILLING CODE 6560–50–U

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA–7755]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The effective date of each community's suspension is the third date (''Susp.'') listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Donna M. Dannels, Division Director, Policy and Assessment Division, Mitigation Directorate, 500 C Street, S.W., Room 411, Washington, DC 20472, (202) 646–3098.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*, unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59 *et seq.* Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Associate Director finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless they take remedial action.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region III				
Pennsylvania:				
Ayr, township of, Fulton County.	422428	March 9, 1977, Emerg., July 2, 1982, Reg. February 9, 2001.	02–09–01	02–09–01.
McConnellsburg, borough of, Fulton County.	422701	April 7, 1995, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Todd, township of, Fulton County.	421665	December 11, 1975, Emerg., September 1, 1986, Reg. February 9, 2001.	.....do	Do.
Region IV				
Georgia:				
Leslie, city of, Sumter County	130395	August 6, 1975, Emerg., September 29, 1986, Reg. February 9, 2001.	.....do	Do.
Region V				
Illinois:				
Bloomington, city of, McLean County.	170490	May 16, 1975, Emerg., April 3, 1984, Reg. February 9, 2001.	.....do	Do.
Carlock, village of, McLean County.	170491	December 23, 1982, Emerg., August 24, 1984, Reg. February 9, 2001.	.....do	Do.
Chenoa, city of, McLean County.	170492	March 27, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
Colfax, village of, McLean County.	170493	June 17, 1975, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Cooksville, village of, McLean County.	170494	July 1, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
Danvers, village of, McLean County.	170495	August 7, 1975, Emerg., August 19, 1986, Reg. February 9, 2001.	.....do	Do.
Downs, village of, McLean County.	171072	May 31, 2000, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
Heyworth, village of, McLean County.	170497	March 7, 1983, Emerg., December 1, 1983, Reg. February 9, 2001.	.....do	Do.
Hudson, village of, McLean County.	170498	May 12, 1975, Emerg., June 11, 1976, Reg. February 9, 2001.	.....do	Do.
LeRoy, city of, McLean County	170499	May 6, 1975, Emerg., May 2, 1980, Reg. February 9, 2001.	.....do	Do.
Lexington, city of, McLean County.	170500	August 10, 1998, Emerg., February 9, 2001, Reg. February 9, 2001.	.....do	Do.
McLean County, unincorporated areas.	170931	September 19, 1979, Emerg., December 18, 1985, Reg. February 9, 2001.	.....do	Do.
McLean, village of, McLean County.	170501	March 15, 1976, Emerg., September 30, 1976, Reg. February 9, 2001.	.....do	Do.
Normal, town of McLean County.	170502	June 19, 1975, Emerg., September 1, 1983, Reg. February 9, 2001.	.....do	Do.
Towanda, village of McLean County.	170504	May 12, 1975, Emerg., September 4, 1987, Reg. February 9, 2001.	.....do	Do.
Ohio:				
Harbor View, Village of, Lucas County.	390702	October 8, 1976, Emerg., May 25, 1978, Reg. February 9, 2001.	10–06–00	Do.
Region I				
Connecticut:				
South Windsor, town of, Hartford County.	090036	July 25, 1974, Emerg., May 1, 1980, Reg. February 23, 2001.	02–23–01	02–23–01.
Maine:				
Andrews Island, Knox County	230967	April 4, 1979, Emerg.; April 30, 1984, Reg.; February 23, 2001.	.....do	Do.
Region II				
New York:				
Lancaster, town of, Erie County.	360249	May 16, 1974 Emerg., December 1, 1981; Reg. February 23, 2001.	.....do	Do.
Mohawk, village of, Herkimer County.	360314	March 20, 1974, Emerg.; April 17, 1978; Reg. February 23, 2001.	.....do	Do.
Monroe, town of, Orange County.	360621	March 5, 1975, Emerg.; December 1, 1981, Reg. February 23, 2001.	.....do	Do.
Oneida, city of, Madison County.	360408	May 9, 1974, Emerg.; August 5, 1985; Reg. February 23, 2001.	.....do	Do.
Region VIII				
South Dakota:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
North Sioux City, city of, Union County.	46087	February 2, 1973, Emerg.; December 1, 1977, Reg. February 23, 2001.	.....do	Do.
Union County, unincorporated areas.	460242	April 23, 1975, Emerg.; February 1, 1987, Reg. February 23, 2001.	.....do	Do.
Region X				
Washington:				
Clallam County, unincorporated areas.	530021	November 27, 1973, Emerg., November 5, 1980, Reg. February 23, 2001.	.....do	Do.
Lower Elwha Klallam Tribe, Clallam County.	530316	February 22, 1977 Emerg.; September 16, 1981, Reg. February 23, 2001.	.....do	Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension.

Dated: February 2, 2001.

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

[FR Doc. 01–3925 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–05–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: Modified base (1% annual chance) flood elevations are finalized for the communities listed below. These modified elevations will be used to calculate flood insurance premium rates for new buildings and their contents.

EFFECTIVE DATES: The effective dates for these modified base flood elevations are indicated on the following table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect for each listed community prior to this date.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency makes the final determinations listed below of modified base flood elevations for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Associate Director has resolved any appeals resulting from this notification.

The modified base flood elevations are not listed for each community in this notice. However, this rule includes the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection.

The modifications are made pursuant to section 206 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

These modified elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for Part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama:					
Morgan (FEMA Docket No. 7313).	City of Decatur	January 25, 2000, February 1, 2000, *The Decatur Daily News*.	The Honorable Julian Price, Mayor of the City of Decatur, P.O. Box 488, Decatur, Alabama 35602.	May 1, 2000	010176 D
Colbert (FEMA Docket No. D–7501).	City of Tuscumbia	February 11, 2000, February 18, 2000, *Colbert County Reporter*.	The Honorable Jean McCormack, Mayor of the City of Tuscumbia, P.O. Box 29, Tuscumbia, Alabama 35674.	May 18, 2000	010049 D
Florida:					
Charlotte (FEMA Docket No. 7309).	Unincorporated Areas.	May 15, 2000, May 22, 2000, *Sun Herald*.	Mr. Jan Winters, Charlotte County Administrator, 18500 Murdock Circle, Room 536, Port Charlotte, Florida 33948–1094.	May 8, 2000	120061 E
Orange (FEMA Docket No. D–7501).	Unincorporated Areas.	May 17, 2000, May 24, 2000, *The Orlando Sentinel*.	Dr. M. Krishnamurthy, P.E., Orange County Stormwater Management Department, 4200 South John Young Parkway, Orlando, Florida 32839–9205.	May 10, 2000	120179 D
Georgia:					
Bartow (FEMA Docket No. 7309).	City of Cartersville	February 17, 2000, February 24, 2000, *The Daily Tribune News*.	The Honorable Sam C. Smith, Mayor of the City of Cartersville, 1 North Erwin Street, P.O. Box 1390, Cartersville, Georgia 30120.	May 24, 2000	130209 F
Chatham (FEMA Docket No. 7309).	Unincorporated Areas.	March 13, 2000, March 20, 2000, *Savannah Morning News*.	Dr. Billy Hair, Chairman of the Chatham County Board of Commissioners, 124 Bull Street, P.O. Box 8161, Savannah, Georgia 31412.	June 18, 2000	130030 C
Gwinnett (FEMA Docket No. 7313).	Unincorporated Areas.	January 12, 2000, January 19, 2000, *Gwinnett Daily Post*.	Mr. Wayne Hill, Chairman of the Gwinnett County Board of Commissioners, 75 Langley Drive, Lawrenceville, Georgia 30045.	Dec. 29, 1999	130322 C
Chatham (FEMA Docket No. 7309).	Town of Pooler	March 13, 2000, March 20, 2000, *Savannah Morning News*.	The Honorable Earl Carter, Mayor of the Town of Pooler, 100 Southwest Highway 80, Pooler, Georgia 31322.	June 18, 2000	130261 A
Cherokee (FEMA Docket No. D–7501).	City of Woodstock	May 17, 2000, May 24, 2000, *Cherokee Tribune*.	The Honorable W. David Rogers, Mayor of the City of Woodstock, 103 Arnold Mill Road, Woodstock, Georgia 30188.	Aug. 22, 2000	130264 B
Illinois:					
DuPage (FEMA Docket No. 7309).	Unincorporated Areas.	March 10, 2000, March 17, 2000, *Daily Herald*.	Mr. Robert J. Schillerstrom, Chairman, DuPage County Board, DuPage Center, 421 North County Farm Road, Wheaton, Illinois 60187.	Mar. 3, 2000	170197 B
Lake (FEMA Docket No. 7313).	Village of Green Oaks.	August 12, 2000, August 19, 2000, *The Daily Herald*.	Mr. Thomas Adams, President of the Village of Green Oaks, 14052 Petronella, Suite 102B, Green Oaks, Illinois 60048–1547.	July 18, 2000	170364 F
McHenry (FEMA Docket No. D–7503).	Village of Huntley	July 13, 2000, July 20, 2000, *The Huntley Farmside*.	Mr. Charles Becker, President of the Village of Huntley, Village Hall, 11704 Coral Street, Huntley, Illinois 60142.	June 29, 2000	170480 C
Cook (FEMA Docket No. 7309).	Village of Indian Head Park.	February 9, 2000, February 16, 2000, *Suburban Life Citizen*.	Mr. Richard S. Pellegrino, President of the Village of Indian Head Park, 201 Acacia Drive, Indian Head Park, Illinois 60525.	Feb. 3, 2000	170110 D
Lake (FEMA Docket No. 7313).	Unincorporated Areas.	April 12, 2000, April 19, 2000, *The News-Sun*.	Mr. Jim LaBelle, Chairman of the Lake County Board, 18 North County Street, 10th Floor, Waukepan, Illinois 60085.	July 18, 2000	170357 F
Cook (FEMA Docket No. 7309).	Village of Schaumburg.	February 9, 2000, February 16, 2000, *Daily Herald*.	Mr. Al Larson, Schaumburg Village President, 101 Schaumburg Court, Schaumburg, Illinois 60193–1899.	Feb. 1, 2000	170158 D

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Will and Cook (FEMA Docket No. 7309).	Village of Tinley Park.	March 8, 2000, March 15, 2000, *Daily Southtown*.	The Honorable Edward J. Zabrocki, Mayor of the Village of Tinley Park, 16250 South Oak Park Avenue, Tinley Park, Illinois 60477.	Mar. 31, 2000	170169 C
DuPage (FEMA Docket No. 7313).	Village of Winfield	March 30, 2000, April 6, 2000, *The Winfield Press*.	Mr. John Kirschbaum, President of the Village of Winfield, 27 W. 465 Jewel Road, Winfield, Illinois 60190.	July 5, 2000	170223 C
Indiana:					
Madison (FEMA Docket No. D–7503).	City of Anderson	June 28, 2000, July 5, 2000, *The Herald Bulletin*.	The Honorable J. Mark Lawler, Mayor of the City of Anderson, 120 East Eighth Street, Anderson, Indiana 46016.	Oct. 4, 2000	180150 B
Marion (FEMA Docket No. 7313).	City of Indianapolis.	April 5, 2000, April 12, 2000, *The Indianapolis Star*.	The Honorable Barton Peterson, Mayor of the City of Indianapolis, 200 East Washington Street, Suite 2501, Indianapolis, Indiana 46204.	Mar. 30, 2000	180159 D
Michigan: Macomb (FEMA Docket No. 7313).	Charter Township of Clinton.	March 31, 2000, April 7, 2000, *The Macomb Daily*.	Mr. James Sinnamon, Charter Township of Clinton Supervisor, 40700 Romeo Plank Road, Clinton, Michigan 48038.	July 6, 2000	260121 E
North Carolina: Currituck (FEMA Docket No. D–7501).	Unincorporated Areas.	June 30, 2000, July 7, 2000, *The Daily Advance*.	Mr. William S. Richardson, Currituck County Manager, P.O. Box 39, Currituck, North Carolina 27929–0070.	Oct. 5, 2000	370078 C
Ohio:					
Cuyahoga (FEMA Docket No. 7309).	City of Garfield Heights.	March 16, 2000, March 23, 2000, *Neighborhood News*.	The Honorable Thomas Longo, Mayor of the City of Garfield Heights, 5107 Turney Road, Garfield Heights, Ohio 44125.	June 21, 2000	390109 B
Pike (FEMA Docket No. 7313).	Unincorporated Areas.	April 19, 2000, April 26, 2000, *Pike County News Watchman*.	Mr. Charles Osborne, Chairman of the Pike County Commissioners, 100 East Second Street, Waverly, Ohio 45690.	July 25, 2000	390450 B
Shelby (FEMA Docket No. 7313).	Unincorporated Areas.	February 10, 2000, February 17, 2000, *The Sidney Daily News*.	Mr. Larry Klainhans, Chairman, Shelby County Board of Commissioners, 129 East Court Street, Suite 100, Sidney, Ohio 45365.	May 17, 2000	390503 C
Pike (FEMA Docket No. 7313).	City of Waverly	April 19, 2000, April 26, 2000, *Pike County News Watchman*.	The Honorable William Kelly, Mayor of the City of Waverly, 201 West North Street, Waverly, Ohio 45690.	July 25, 2000	390452 B
Virginia: Prince William (FEMA Docket No. D–7501).	Unincorporated Areas.	April 7, 2000, April 14, 2000, *Potomac News*.	Mr. H.B. Ewert, Prince William County Executive, 1 County Complex Court, Prince William, Virginia 22192.	July 13, 2000	510119 D

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Dated: January 30, 2001.

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

[FR Doc. 01–3921 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–04–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA–B–7411]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

DATES: These modified base flood elevations are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Associate Director for Mitigation reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the

community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director for Mitigation certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

Regulatory Classification. This interim rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for Part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Arizona:					
Cochise	Unincorporated Areas.	November 8, 2000, November 15, 2000, *Arizona Range News*.	The Honorable Mike Palmer, Chairman, Cochise County Board of Supervisors, 1415 West Melody Lane, Bisbee, Arizona 85603.	Feb. 15, 2001	040012
Maricopa	Town of Buckeye	August 10, 2000, August 17, 2000, *Arizona Republic*.	The Honorable Dusty Hull, Mayor, Town of Buckeye, 100 North Apache Road, Suite A, Buckeye, Arizona 85326.	July 19, 2000	040039
Maricopa	Unincorporated Areas.	August 10, 2000, August 17, 2000, *Arizona Republic*.	The Honorable Andrew Kunasek, Chairperson, Maricopa County Board of Supervisors, 301 West Jefferson, 10th Floor, Phoenix, Arizona 85003.	July 19, 2000	040037
Pima	City of Tucson	December 1, 2000, December 8, 2000, *Arizona Daily Star*.	The Honorable Robert E. Walkup, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726.	Nov. 8, 2000	040076
Pima	City of Tucson	December 22, 2000, December 29, 2001, *Arizona Daily Star*.	The Honorable Robert E. Walkup, Mayor, City of Tucson, P.O. Box 27210, Tucson, Arizona 85726.	Mar. 29, 2001	040076
California:					
Mendocino	City of Ukiah	December 1, 2000, December 8, 2000, *Ukiah Daily Journal*.	The Honorable Jim Mastin, Mayor, City of Ukiah, 300 Seminary Avenue, Ukiah, California 95482.	Nov. 14, 2000	060186
Santa Clara	City of Milpitas	December 13, 2000, December 20, 2000, *Milpitas Post*.	The Honorable Henry Manayan, Mayor, City of Milpitas, 455 East Calaveras Boulevard, Milpitas, California 95035.	Nov. 27, 2000	060344
Colorado: Arapahoe.	Unincorporated Areas.	November 29, 2000, December 6, 2000, *Denver Post*.	The Honorable John Brackney, Chairman, Arapahoe County Board of Commissioners, 5334 South Prince Street, Littleton, Colorado 80166.	Nov. 3, 2000	080011

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Oklahoma:					
Rogers	City of Owasso ...	Sept. 28, 2000, October 5, 2000, *Owasso Reporter*.	The Honorable Mark Wilken, Mayor, City of Owasso, P.O. Box 180, Owasso, Oklahoma 74055–0180.	Sept. 8, 2000	400210
Tulsa	City of Broken Arrow.	October 24, 2000, October 31, 2000, *Broken Arrow Daily Ledger*.	The Honorable James Reynolds, Mayor, City of Broken Arrow, P.O. Box 610, Broken Arrow, Oklahoma 74013.	Oct. 5, 2000	400236
Oregon:					
Clackamas	Unincorporated Areas.	November 24, 2000, December 1, 2000, *The Oregonian*.	The Honorable Bill Kennemer, Chairman, Clackamas County Board of Commissioners, 906 Main Street, Oregon City, Oregon 97045.	Mar. 1, 2001	415588
Lincoln	City of Newport ...	August 25, 2000, September 1, 2000, *Newport News-Times*.	The Honorable Mark Jones, Mayor, City of Newport, 1801 North Coast Highway, Newport, Oregon 97365.	Aug. 11, 2000	410131
Texas:					
Bexar	City of San Antonio.	December 7, 2000, December 14, 2000, *San Antonio Express-News*.	The Honorable Howard W. Peak, Mayor, City of San Antonio, P.O. Box 839966, San Antonio, Texas 78283–3966.	Nov. 15, 2000	480045
Dallas	City of Carrollton	September 29, 2000, October 6, 2000, *Metrocrest News*.	The Honorable Mark Stokes, Mayor, City of Carrollton, P.O. Box 110535, Carrollton, Texas 75011–0535.	Jan. 4, 2001	480167
Tarrant	City of North Richland Hills.	May 25, 2000, June 1, 2000, *Star Telegram*.	The Honorable Charles Scoma, Mayor, City of North Richland Hills, P.O. Box 820609, North Richland Hills, Texas 76182–0609.	May 3, 2000	480607
Tarrant	City of North Richland Hills.	June 20, 2000, June 27, 2000, *Star Telegram*.	The Honorable Charles Scoma, Mayor, City of North Richland Hills, P.O. Box 820609, North Richland Hills, Texas 76182–0609.	May 24, 2000	480607

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 65

[Docket No. FEMA–D–7507]

Changes in Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Interim rule.

SUMMARY: This interim rule lists communities where modification of the base (1% annual chance) flood elevations is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified base flood elevations for new buildings and their contents.

DATES: These modified base flood elevations are currently in effect on the dates listed in the table and revise the Flood Insurance Rate Map(s) (FIRMs) in effect prior to this determination for each listed community.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the Associate Director reconsider the changes. The modified elevations may be changed during the 90-day period.

ADDRESSES: The modified base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (email) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The modified base flood elevations are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified base flood elevation determinations are available for inspection is provided.

Any request for reconsideration must be based upon knowledge of changed conditions, or upon new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 et seq., and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified base flood elevations are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the

National Flood Insurance Program (NFIP).

These modified elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities.

The changes in base flood elevations are in accordance with 44 CFR 65.4.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

Regulatory Classification. This interim rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 65 is amended to read as follows:

PART 65—[AMENDED]

1. The authority citation for Part 65 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 65.4 [Amended]

2. The tables published under the authority of § 65.4 are amended as follows:

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Alabama: Morgan	City of Decatur	December 5, 2000; December 12, 2000, *The Decatur Daily*.	The Honorable Julian Price, Mayor of the City of Decatur, P.O. Box 488, Decatur, Alabama 35602.	Nov. 27, 2000	010176 D
Florida:					
Polk	Unincorporated Areas.	December 15, 2000, December 22, 2000, *The Ledger*.	Mr. Jim W. Keene, Polk County Manager, 330 West Church Street, P.O. Box 9005, Drawer BC01, Bartow, Florida 33831–9005.	Dec. 21, 2000	120261 F
Seminole	Unincorporated Areas.	November 1, 2000, November 8, 2000, *Seminole Herald*.	Mr. Kevin Grace, Seminole County Manager, 1101 East First Street, Sanford, Florida 32771.	Feb. 7, 2001	120289 E
Seminole	City of Winter Springs.	November 1, 2000, November 8, 2000, *Seminole Herald*.	Mr. Ronald McLemore, City of Winter Springs Manager, 1126 East State Road, Suite 434, Winter Springs, Florida 32708.	Feb. 7, 2001	120295 E
Georgia:					
Catoosa	Unincorporated Areas.	January 17, 2001, January 24, 2001, *The Catoosa County News*.	Mr. L. C. Cripps, Chairman of the Catoosa County Board of Commissioners, Catoosa County Courthouse, 7694 Nashville Street, Ringgold, Georgia 30736.	Jan. 5, 2001	130028 D
Catoosa	City of Fort Oglethorpe.	January 17, 2001, January 24, 2001, *The Catoosa County News*.	The Honorable Judson L. Burkhart, Mayor of the City of Fort Oglethorpe, 500 Greenleaf Circle, Fort Olgethorpe, Georgia 30792.	Jan. 5, 2001	130248 D
Chatham	Unincorporated Areas.	November 10, 2000, November 17, 2000, *Savanna Morning News*.	Dr. Billy Hair, Chairman of the Chatham County Board of Commissioners, P.O. Box 8161, Savannah, Georgia 31412.	Feb. 16, 2001	130030 C
Chatham	City of Pooler	November 10, 2000, November 17, 2000, *Savanna Morning News*.	The Honorable Earl Carter, Mayor of the City of Pooler, 100 Southwest Highway 80, Pooler, Georgia 31322.	Feb. 16, 2001	130261 C
Illinois: Kane, Dupage, Will, and Kendall Counties	City of Aurora	December 5, 2000, December 12, 2000, *The Beacon News*.	The Honorable David L. Stover, Mayor of the City of Auro, 44 East Downer Place, Aurora, Illinois 60507.	March 13, 2001	170320 E
Dupage and Will.	Village of Bolingbrook.	December 22, 2000, December 29, 2000, *The Bolingbrook Sun*.	The Honorable Roger C. Claar, Mayor of the Village of Bolingbrook, 375 Briarcliff Road, Bolingbrook, Illinois 60440–0951.	Mar. 30, 2001	170812 E

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Will	Village of Bolingbrook.	November 17, 2000, November 22, 2000, *The Bolingbrook Sun*.	The Honorable Roger C. Claar, Mayor of the Village of Bolingbrook 375 West Briarcliff Road, Bolingbrook, Illinois 60440–0951.	Oct. 26, 2000	170812 E
Kane	Village of South Elgin.	January 19, 2001, January 26, 2001, *Daily Herald*.	Mr. Rick Zirk, South Elgin Village President, 10 North Water Street, South Elgin, Illinois 60177.	Jan. 10, 2001	170332 B
Will	Unicorporated Areas.	December 20, 2000, December 27, 2000, *The Hearald-News*.	Mr. Joseph Mikan, Will County Executive, 302 North Chicago Street, Joliet, Illinois 60432.	Mar. 28, 2001	170695 E
DeKalb	City of Dekalb	November 28, 2000, December 5, 2000, *The Daily Chronicle*.	The Honorable Bessie Chronopoulos, Mayor of the City of Dekalb, 200 South 4th Street, Dekalb, Illinois 60115.	Mar. 6, 2001	170182 D
DuPage	Village of Glendale Heights.	December 7, 2000, December 14, 2000, *Glendale Heights Press*.	Mr. J. Ben Fajardo, President, Village of Glendale Heights, 300 East Civic Center Plaza, Glendale Heights, Illinois 60139.	Nov. 30, 2000	170206 C
Indiana:					
Lake	Town of Dyer	January 16, 2001, January 23, 2001, *The Times*.	Mr. Glen Eberly, President of the Town of Dyer Board of Trustees, One Town Square, Dyer, Indiana 46311.	Jan. 8, 2001	180129 D
Lake	Town of Schererville.	January 16, 2001, January 23, 2001, *The Times*.	Mr. Richard Krame, Schererville Town Manager, 833 West Lincoln Highway, Suite B20W, Schererville, Indiana 46375.	Jan. 8, 2001	180142 B
Vanderburgh	Unincorporated Areas.	November 24, 2000, December 1, 2000, *The Evansville Courier and Press*.	Ms. Bettie Lou Jerrel, President of the Vanderburgh County Board of Commissioners, Civic Center Complex, Room 305, One NW Martin Luther King, Jr., Boulevard, Evansville, Indiana 47708–1874.	Mar. 2, 2001	180256 C
Kentucky:					
Jefferson	Unincorporated Areas.	December 19, 2000, December 26, 2000, *The Courier-Journal*.	The Honorable Rebecca Jackson, Jefferson County Judge Executive, Jefferson County Courthouse, 527 West Jefferson Street, Suite 400, Louisville, Kentucky 40202.	Mar. 26, 2001	210120
Pike	Unincorporated Areas.	December 27, 2000, January 3, 2001, *Appalachian News-Express*.	The Honorable Karen Gibson, CPA, Pike County Judge Executive, 324 Main Street, Pikeville, Kentucky 41501.	Dec. 15, 2000	210298F
Pike	City of Pikeville	December 27, 2000, January 3, 2001, *Appalachian News-Express*.	The Honorable Frank Morris, Mayor of the City of Pikeville, 118 College Street, Pikeville, Kentucky 41501.	Dec. 15, 2000	210193F
Michigan:					
Shiawassee	City of Owosso	November 24, 2000, December 1, 2000, *The Argus-Press*.	The Honorable John C. M. Davis, Mayor of the City of Owosso, 301 West Main Street, Owosso, Michigan 48867.	Mar. 2, 2001	260596 A
Macomb	City of Sterling Heights.	June 14, 2000, June 21, 2000, *The Macomb Daily*.	The Honorable Richard J. Notte, Mayor of the City of Sterling Heights, 40555 Utica Road, P.O. Box 8009, Sterling Heights, Michigan 48311.	Sept. 5, 2000	260128 F
Mississippi:					
Hinds	City of Clinton	November 29, 2000, December 6, 2000, *The Clarion Ledger*.	The Honorable Rosemary Aultman, Mayor of the City of Clinton, P.O. Box 156, Clinton, Mississippi 39060.	Mar. 6, 2001	280071 C
Harrison	City of Gulfport	December 29, 2000, January 5, 2001, *The Sun Herald*.	The Honorable Bob Short, Mayor of the City of Gulfport, P.O. Box 1780, Gulfport, Mississippi 39502.	Feb. 13, 2001	285253
Harrison	City of Gulfport	January 10, 2001, January 17, 2001, *The Sun Herald*.	The Honorable Bob Short, Mayor of the City of Gulfport, P.O. Box 1730, Gulfport, Mississippi 39502.	April 18, 2001	285253 E

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
New Jersey: Cape May.	City of North Wildwood.	January 10, 2001, January 17, 2001, *The Leader*.	The Honorable Aldo A. Palombo, Mayor of the City of North Wildwood, Municipal Building, 901 Atlantic Avenue, North Wildwood, New Jersey 08260.	.....	345308 E
North Carolina:					
Wake	Town of Cary	January 24, 2001, January 31, 2001, *The Cary News*.	The Honorable Glenn D. Lang, Mayor of the Town of Cary, 318 North Academy Street, P.O. Box 8005, Cary, North Carolina 27512.	Oct. 24, 2000	370238 E
Orange	Town of Carrboro	December 29, 2000, January 5, 2001, *The Chapel Hill Herald*.	Mr. Robert W. Morgan, Town of Carrboro Manager, P.O. Box 829, Carrboro, North Carolina 27510.	Dec. 20, 2000	370275 B
Orange, Durham, and Chatham.	Town of Chapel Hill.	December 12, 2000, December 19, 2000, *The Herald-Sun*.	The Honorable Rosemary Waldorf, Mayor of the Town of Chapel Hill, 306 North Columbia Street, Chapel Hill, North Carolina 27516.	Mar. 19, 2001	370180 E
Ohio:					
Franklin	Village of Canal Winchester.	November 30, 2000, December 7, 2000, *The Columbus Dispatch*.	The Honorable Marcia Hall, Mayor of the Village of Canal Winchester, 36 South High Street, Canal Winchester, Ohio 43110.	Mar. 8, 2001	390169 H
Franklin	Unincorporated Areas.	November 30, 2000, December 7, 2000, *The Columbus Dispatch*.	Ms. Arlene Shoemaker, President, Franklin County Board of Commissioners, 373 South High Street, 26th Floor, Columbus, Ohio 43215–6304.	Mar. 8, 2001	390167 H
Lucas	Unincorporated Areas.	December 8, 2000, December 15, 2000, *The Blade*.	Ms. Sandy Isenberg, President of the Board of Commissioners, One Government Center, Suite 800, Toledo, Ohio 43604–2259.	Dec. 1, 2000	390359 D
Pennsylvania:					
Montgomery	Township of Abbington.	December 6, 2000, December 13, 2000, *Times Chronicle*.	Ms. Barbara Ferrara, President of Abington Township Board of Commissioners, 1176 Old York Road, Abington, Pennsylvania 19001.	Mar. 14, 2001	420695 E
Dauphin	Township of Lower Paxton.	December 6, 2000, December 13, 2000, *Patriot News*.	Mr. George S. Wolfe, Lower Paxton Township Manager, 75 South Houcks Road, Suite 207, Harrisburg, Pennsylvania 17109.	Nov. 28, 2000	420384 B
South Carolina: Lexington.	Unincorporated Areas.	December 22, 2000, December 29, 2000, *The State*.	Mr. Johnny Jeffcoat, Lexington County Chairman, 212 South Lake Drive, Lexington, South Carolina 29072.	Dec. 15, 2000	450129 G
Tennessee:					
Unicoi	City of Erwin	January 24, 2001, January 31, 2001, *The Erwin Record*.	The Honorable Russell Brackins, Mayor of the City of Erwin, Town Hall, P.O. Box 59, Erwin, Tennessee 37650.	May 2, 2001	470094 B
Shelby	Town of Collierville.	December 13, 2000, December 20, 2000, *The Commercial Appeal*.	The Honorable Linda Kerley, Mayor of the Town of Collierville, 101 Walnut Street, Collierville, Tennessee 38017–2671.	Mar. 20, 2001	470263 E
Metropolitan Government.	City of Nashville and Davidson County.	December 12, 2000, December 19, 2000, *The Tennessean*.	The Honorable William Purcell, Mayor of the Metropolitan Government of Nashville and Davidson County, 107 Metropolitan Courthouse, Nashville, Tennessee 37201.	Dec. 4, 2000	470040 C
Metropolitan Government.	Nashville & Davidson County.	December 7, 2000, December 14, 2000, *The Tennessean*.	The Honorable Bill Purcell, Mayor of the City of Nashville and Davidson County, 107 Metropolitan Courthouse, Nashville, Tennessee 37201.	Dec. 1, 2000	470040 C
Shelby	Unincorporated Areas.	December 13, 2000, December 20, 2000, *The Commercial Appeal*.	The Honorable Jim Rout, Mayor of Shelby County, 160 North Main Street, Suite 850, Memphis, Tennessee 38103.	Mar. 20, 2001	470214 E

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Virginia:					
Arlington	Unincorporated Areas.	November 10, 2000, November 17, 2000, *The Journal Newspaper*.	Mr. William Donahue, Arlington County Manager, 2100 Clarendon Boulevard, Room 302, Arlington, Virginia 22201.	May 3, 1982	515520
Independent City.	City of Falls Church.	November 10, 2000, November 17, 2000, *The Journal Newspaper*.	The Honorable Daniel Gardner, Mayor of the City of Falls Church, 300 Park Avenue, Falls Church, Virginia 22046.	Feb. 3, 1982	510054
Henrico	Unincorporated Areas.	December 1, 2000, December 8, 2000, *The Richmond Times*.	Mr. Frank Thornton, Chairman of the Henrico County, Board of Supervisors, P.O. Box 27032, Richmond Virginia 23273.	Feb. 20, 2001	510077 B

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Dated: January 30, 2001.

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

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BILLING CODE 6718–04–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

Final Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

EFFECTIVE DATES: The date of issuance of the Flood Insurance Rate Map (FIRM) showing base flood elevations and modified base flood elevations for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

ADDRESSES: The final base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (e-mail) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) makes final determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. *No regulatory flexibility analysis has been prepared.*

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism. This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.11 [Amended]

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
ILLINOIS	
Phoenix (Village), Cook County (FEMA Docket No. D–7502)	
Little Calumet River:	
At intersection of 9th Avenue and 153rd Street	*597
Approximately 200 feet southeast of intersection of 153rd Street and 7th Avenue	*597
Maps available for inspection at the Phoenix Village Hall, 15240 Vincenes Road, Phoenix, Illinois.	
Robbins (Village), Cook County (FEMA Docket No. D–7502)	
Midlothian Creek:	
Approximately 1,350 feet downstream of 137th Street	*596
Approximately 0.61 mile upstream of Kedzie Avenue	*604
Maps available for inspection at the Robbins Village Hall, 3327 West 137th Street, Robbins, Illinois.	
Winnebago County (Unincorporated Areas) (FEMA Docket No. 7307)	
Manning Creek:	
At confluence with Kishwaukee River	*729
Approximately 0.52 mile upstream of Lyford Road	*857
Unnamed Tributary to South Kent Creek:	
Just downstream of U.S. Route 20	*765
Approximately 1,600 feet upstream of Frontage Road	*782
Kishwaukee River:	
Just upstream of Interstate 90	*729
Approximately 1,400 feet upstream of Interstate 90	*729
Maps available for inspection at the Winnebago County Highway Department, 424 North Springfield Road, Rockford, Illinois.	
MASSACHUSETTS	
Holbrook (Town), Norfolk County (FEMA Docket No. 7299)	
Cochato River:	
Randolph/Holbrook corporate limits	*119
Approximately 50 feet downstream of North Shore Road	*127
Maps available for inspection at the Holbrook Town Hall, 50 North Franklin Street, Holbrook, Massachusetts.	
MINNESOTA	
Houston County (Unincorporated Areas) (FEMA Docket No. D–7500)	
Root River:	
Approximately 2.8 miles downstream of State Route 76	*676
Approximately 2.2 miles upstream of State Route 76	*690
Maps available for inspection at the Houston County Courthouse, Zoning Office, 304 South Marshall, Caledonia, Minnesota.	
NEW HAMPSHIRE	
Holderness (Town), Grafton County (FEMA Docket No. 7307)	
Pemigewasset River:	
At downstream corporate limits	*483
At upstream corporate limits	*489
Maps available for inspection at the Holderness Town Office, Route 3, Holderness, New Hampshire.	
New Boston (Town), Hillsborough County (FEMA Docket No. 7303)	
South Branch Piscataquog River:	
Approximately 10 feet upstream of Merrimack Farmers Exchange Dam	*418
Approximately 0.51 mile upstream of Butterfield Mill Road	*532
Maps available for inspection at the New Boston Town Hall, 7 Meetinghouse Hill Road, New Boston, New Hampshire.	
Plymouth (Town), Grafton County (FEMA Docket No. 7307)	
Pemigewasset River:	
Approximately 1.2 miles downstream of the confluence with Glove Hollow Brook	*481
Approximately 1.3 miles upstream of Interstate 93	*489
Maps available for inspection at the Plymouth Town Hall, 6 Post Office Square, Plymouth, New Hampshire.	
NEW JERSEY	
Alexandria (Township), Hunterdon County (FEMA Docket No. D–7500)	
Delaware River:	
At downstream corporate limits	*127
At a point approximately 1,000 feet downstream of the upstream corporate limits	*135
Harihokake Creek:	
At confluence with Delaware River	*131
At a point approximately 0.64 mile upstream of confluence with Delaware River	132
Maps available for inspection at the Alexandria Township Hall, 21 Hog Hollow Road, Pittstown, New Jersey.	
East Hanover (Township), Morris County (FEMA Docket No. 7303)	
Passaic River:	
Approximately 1,125 feet downstream of Eagle Rock Avenue	*174
Approximately 275 feet upstream of Mount Pleasant Avenue	*176
Maps available for inspection at the East Hanover Township Hall, Engineering Department, 411 Ridgedale Avenue, East Hanover, New Jersey.	
Ewing (Township), Mercer County (FEMA Docket No. D–7500)	
Delaware River:	
At downstream corporate limits	*40
Approximately 1,300 feet downstream of confluence of Jacobs Creek	*47
Maps available for inspection at the Clerk's Office, 2 Jake Garzio Drive, Ewing, New Jersey.	
Florham Park (Borough), Morris County (FEMA Docket No. 7303)	
Passaic River:	
At Columbia Turnpike	*176
Approximately 0.39 mile downstream of Passaic Avenue	*176
Fish's Brook:	
At the confluence with Passaic River	*176
Approximately 50 feet upstream of Brooklake Road	*176

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Maps available for inspection at the Borough of Florham Park Engineering Office, 111 Ridgedale Avenue, Florham Park, New Jersey.	
Hanover (Township), Morris County (FEMA Docket No. 7307)	
Whippany River:	
At Troy Road	*178
At confluence of Black Brook	*182
Black Brook:	
At confluence with Whippany River	*182
Approximately 0.85 mile upstream of the confluence of Pinch Brook	*182
Maps available for inspection at the Township of Hanover Engineering Department, 1000 Route 10, Whippany, New Jersey.	
Harmony (Township), Warren County (FEMA Docket No. D–7500)	
Delaware River:	
At downstream corporate limits	*201
A point approximately 260 feet upstream of the upstream corporate limits	*232
Buckhorn Creek:	
At confluence with Delaware River	*225
A point approximately 1,800 feet upstream of confluence with Delaware River	*225
Maps available for inspection at the Harmony Township Hall, 3003 Belvidere Road, Phillipsburg, New Jersey.	
Holland (Township), Hunterdon County (FEMA Docket No. D–7500)	
Delaware River:	
A point approximately 1,800 feet upstream of downstream corporate limit	*141
Approximately 1.2 miles downstream of upstream corporate limit	*155
Tributary No. 1 to Delaware River:	
At confluence with Delaware River	*147
Approximately 1,500 feet upstream of confluence with Delaware River	*147
Maps available for inspection at the Holland Township Municipal Building, 61 Church Road, Milford, New Jersey.	
Hopewell (Township), Mercer County (FEMA Docket No. D–7504)	
Delaware River:	
Approximately 2,560 feet downstream of Washington Crossing Pennington Road	*50
At upstream corporate limits	*65
Maps available for inspection at the Hopewell Township Hall, 201 Washington Crossing, Pennington Road, Titusville, New Jersey.	
Livingston (Township), Essex County (FEMA Docket No. 7303)	
Passaic River:	
Approximately 2.1 miles downstream of State Route 10	*175
Approximately 1.7 miles upstream of the confluence of Passaic River Tributary	*176
Passaic River Tributary:	
At the confluence with Passaic River Tributary	*176
Approximately 0.25 mile downstream of South Orange Avenue	*176
Maps available for inspection at the Livingston Town Hall, Engineering Department, 357 South Livingston Avenue, Livingston, New Jersey.	
Stafford (Township), Ocean County (FEMA Docket No. 7279)	
Manahawkin Mill Creek:	
Approximately 1.2 miles downstream of State Route 72	*9
Approximately 1,000 feet downstream of State Route 72	*19
Manahawkin Lake:	
Entire shoreline within community	*28
Holiday Lake:	
Entire shoreline within community	*57
Barnegat Bay:	
At corporate limits	*9
Approximately 1,200 feet northwest of confluence of Crooked Creek and Corrigans Straight Ditch	*10
Manahawkin Bay:	
At Turtle Cove, Big Cove, and North Pond	*12
At the intersection of East Bay Avenue and Hilliard Boulevard	*8
Maps available for inspection at the Township Hall, 260 East Bay Avenue, Manahawkin, New Jersey.	
Stockton (Borough), Hunterdon County (FEMA Docket No. D–7500)	
Brookville Creek:	
At the confluence with Delaware and Raritan Canal	*82
Approximately 305 feet upstream of State Route 29	*82
Delaware River:	
At downstream corporate limits	*82
Approximately 0.54 mile upstream of Bridge Street	*87
Wickecheoke Creek:	
At the confluence with Delaware and Raritan Canal	*87
Approximately 860 feet upstream of State Route 29	*87
Maps available for inspection at the Stockton Borough Hall, 2 Main Street, Stockton, New Jersey.	
NEW YORK	
Holland Patent (Village), Oneida County (FEMA Docket No. D–7500)	
Diversion Channel:	
Approximately 100 feet upstream of the confluence with Willow Creek	*653
Approximately 590 feet upstream of Steuben Street	*671
Ninemile Creek:	
Approximately 830 feet downstream of the confluence of Thompson's Creek	*573
Approximately 420 feet upstream of the confluence of Thompson's Creek	*580
Thompson's Creek:	
Approximately 350 feet upstream of the confluence with Ninemile Creek	*585
Approximately 980 feet upstream of East Main Street	*669
Maps available for inspection at the Holland Patent Village Hall, 9531 Center Street, Holland Patent, New York.	
Oswego (Town), Oswego County (FEMA Docket No. D–7500)	
Lake Ontario:	
Entire shoreline within community	*250
Maps available for inspection at the Oswego Town Hall, 2320 County Route 7, Oswego, New York.	
Putnam Valley (Town), Putnam County (FEMA Docket No. D–7504)	
Peekskill Hollow Creek:	
At approximately 0.5 mile downstream of the most upstream crossing of Peekskill Hollow Road	*248
At approximately 2.2 miles upstream of Taconic State Parkway	*457
Barger Brook:	
At approximately 1.04 mile downstream of Finnerty Road	*492
At approximately 0.54 mile upstream of Finnerty Road	*649
Oscawana Brook:	
At confluence with Peekskill Hollow Creek	*113

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
At approximately 1,400 feet upstream of Oscawana Lake Road	*511
Oscawana Brook (West Branch):	
At approximately 720 feet downstream of Oscawana Lake Road	*449
At approximately 840 feet upstream of Oscawana Lake Road	*511
Shallow Flooding Area:	
West side of Canopus Creek approximately 1,400 feet southwest of Sunken Mine and Clear Lake Roads intersection	#3
Canopus Creek:	
At approximately 60 feet upstream of dam	*320
At approximately 1.66 mile (8,750 feet) upstream of Bell Hollow Road	*508
Maps available for inspection at the Putnam Valley Town Hall, 265 Oscawana Lake Road, Putnam Valley, New York.	
Schuyler (Town), Herkimer County (FEMA Docket No. D–7504)	
Mohawk River:	
At the downstream corporate limits	*395
Approximately 1.34 miles upstream of Newport Road	*407
Maps available for inspection at the Schuyler Town Clerk's Office, 2090 State Route 5, Utica, New York.	
Scriba (Town), Oswego County (FEMA Docket No. D–7500)	
Lake Ontario:	
Entire shoreline within community	*250
Wine Creek:	
At downstream corporate limits	*329
Approximately 600 feet upstream of downstream corporate limits	*334
Maps available for inspection at the Scriba Town Clerk's Office, 42 Creamery Road, Oswego, New York.	
NORTH CAROLINA	
Warren County (Unincorporated Areas) (FEMA Docket No. D–7504)	
Lake Gaston:	
Along the entire shoreline of Lake Gaston downstream of State Route 1344	*204
Maps available for inspection at the Warren County Planning and Zoning Office, 720 West Ridgeway Street, Warrenton, North Carolina.	
OHIO	
Fort Recovery (Mercer County) (FEMA Docket No. D–7502)	
Buck Creek:	
Approximately 925 feet downstream of West Butler Street	*918
At upstream most crossing of Sharpsburg Road	*948
Maps available for inspection at the Fort Recovery Village Offices, 201 South Main Street, Fort Recovery, Ohio.	
Mercer County (Unincorporated Areas) (FEMA Docket No. D–7502)	
Buck Creek:	
Approximately 300 feet downstream of Sharpsburg Road	*937
Approximately 375 feet upstream of Sharpsburg Road	*952
Maps available for inspection at the Mercer County Engineer's Office, 321 Riley Street, Celina, Ohio.	
PENNSYLVANIA	
Buffalo (Township), Butler County (FEMA Docket No. D–7500)	
Buffalo Creek:	
Approximately 300 feet downstream of CONRAIL	*768
Approximately 720 feet upstream of CONRAIL	*768
Maps available for inspection at the Buffalo Township Hall, 109 Bear Creek Road, Sarver, Pennsylvania.	
East Rockhill (Township), Bucks County (FEMA Docket No. D–7500)	
East Branch Perkiomen Creek:	
A point approximately 50 feet upstream of East Callowhill Road	*315
Approximately 620 feet upstream of East Callowhill Road	*317
Maps available for inspection at the East Rockhill Township Office, 1622 Ridge Road, Perkasie, Pennsylvania.	
Heidelberg (Township), Berks County (FEMA Docket No. D–7500)	
Tulpehocken Creek:	
From a point approximately 60 feet downstream of Water Street	*336
At a point approximately 400 feet downstream of U.S. Route 422	*357
Maps available for inspection at the Heidelberg Municipal Building, 11 Tulpehocken Forge, Robesonia, Pennsylvania.	
Marion (Township), Berks County (FEMA Docket No. D–7500)	
Tulpehocken Creek:	
Approximately 60 feet downstream of Water Street	*336
A point approximately 125 feet downstream of Main Street	*374
Maps available for inspection at the Marion Township Building, 20 South Water Street, Stouchsburg, Pennsylvania.	
Muhlenberg (Township), Berks County (FEMA Docket No. D–7500)	
Bernhart Creek:	
At the intersection of Raymond Street and Park Avenue	*290
Approximately 260 feet west of the intersection of Jefferson Street and Park Avenue	*290
Maps available for inspection at the Muhlenberg Township Hall, 555 Raymond Street, Reading, Pennsylvania.	
Perkasie (Borough), Bucks County (FEMA Docket No. 7307)	
East Branch Perkiomen Creek:	
Approximately 3,550 feet upstream of North Main Street	*307
Approximately 620 feet upstream of East Callowhill Road	*317
Maps available for inspection at the Perkasie Borough Office, 311 South 9th Street, Perkasie, Pennsylvania.	
Sellersville (Borough), Bucks County (FEMA Docket No. 7307)	
East Branch Perkiomen Creek:	
Approximately 150 feet downstream of CONRAIL bridge	*303
Approximately 3,550 feet upstream of North Main Street	*307

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Maps available for inspection at the Sellersville Borough Hall, 140 East Church Street, Sellersville, Pennsylvania.	
West Rockhill (Township), Bucks County (FEMA Docket No. 7307)	
East Branch Perkiomen Creek:	
At the upstream side of County Line Road	*276
Approximately 550 feet downstream of CONRAIL bridge	*301
Maps available for inspection at the West Rockhill Township Hall, 1028 Ridge Road, Sellersville, Pennsylvania.	
Womelsdorf (Borough), Berks County (FEMA Docket No. D–7500)	
Tulpehocken Creek:	
Approximately 400 feet downstream of U.S. Route 422	*357
At a point approximately 1,550 feet upstream of U.S. Route 422	*360
Maps available for inspection at the Womelsdorf Borough Hall, 101 West High Street, Womelsdorf, Pennsylvania.	
RHODE ISLAND	
Coventry (Town), Kent County (FEMA Docket No. 7307)	
Tributary A1:	
Approximately 400 feet upstream of the confluence with South Branch Pawtuxet River	*239
Approximately 55 feet upstream of Flat River Road	*246
Tributary A2:	
A point approximately 37 feet upstream of Bike Path	*241
A point approximately 85 feet upstream of Bike Path	*241
Maps available for inspection at the Coventry Town Hall, 1670 Flat River Road, Coventry, Rhode Island.	
TENNESSEE	
Henry County (Unincorporated Areas) (FEMA Docket No. D–7500)	
Tennessee River (Kentucky Lake):	
Entire shoreline within Henry County	*370
Smallwood Branch:	
At the confluence with Bailey Fork Creek	*389
Approximately 0.38 mile upstream of India Road	*405
Bailey Fork Creek:	
Approximately 45 feet upstream of County Home Road	*389
Approximately 1,375 feet upstream of County Home Road	*390
Maps available for inspection at the Henry County Courthouse Annex Building, 213 West Washington Street, Paris, Tennessee.	
Paris (City), Henry County (FEMA Docket No. D–7500)	
Smallwood Branch:	
At the confluence with Bailey Fork Creek	*389
Approximately 1,250 feet upstream of U.S. Highway 79	*398
Bailey Fork Creek:	
Approximately 45 feet upstream of County Home Road	*389
Approximately 1,375 feet upstream of County Home Road	*390
Maps available for inspection at the Paris City Hall, 100 North Caldwell Avenue, Paris, Tennessee.	
VERMONT	
Montgomery (Town), Franklin County (FEMA Docket No. D–7504)	
Trout River:	
Approximately 0.57 mile downstream of the downstream corporate limits	*431
Approximately 1,280 feet downstream of Comstock Bridge Road	*464
Maps available for inspection at the Montgomery Town Clerk's Office, 98 Main Street, Montgomery Center, Vermont.	
VIRGINIA	
Hillsboro (Town), Loudoun County (FEMA Docket No. D–7502)	
North Fork Catoctin Creek:	
At the upstream side of State Route 718	*504
Approximately 300 feet upstream of State Route 719	*533
Maps available for inspection at the Hillsboro Town Hall, 36991 Charlestown Pike, Hillsboro, Virginia.	
Loudoun County (Unincorporated Areas) (FEMA Docket No. D–7502)	
Broad Run:	
At the confluence with the Potomac River	*210
Approximately 800 feet downstream of the confluence of South Fork Broad Run	*268
Beaverdam Run:	
At the confluence with Broad Run	*219
Approximately 0.5 mile upstream of State Route 625	*300
Cabin Branch No. 1:	
At confluence with Broad Run	*266
Approximately 1,260 feet upstream of confluence with Broad Run	*266
Cabin Branch No. 2:	
At confluence with Broad Run	*221
Approximately 1,550 feet upstream of Blossom Drive	*258
Horsepen Run:	
At the confluence with Broad Run	*234
Approximately 1,575 feet upstream of Dulles Toll Road	*280
Indian Creek:	
From confluence with Horsepen Run	*260
Approximately 2.2 miles upstream of the confluence with Horsepen Run	*282
Lenah Run:	
At confluence with North Fork Broad Run	*280
Approximately 75 feet upstream of U.S. Route 50	*323
North Fork Broad Run:	
At confluence with South Fork Broad Run	*268
Approximately 0.58 mile upstream of confluence of Tributary to North Fork Broad Run	*306
Russell Branch:	
At the confluence with Beaverdam Run	*219
Approximately 1.2 miles upstream of the confluence with Beaverdam Run	*225
South Fork Broad Run:	
Approximately 1,175 feet upstream from the confluence with Broad Run	*268
Approximately 0.88 mile upstream of State Route 616	*335
Stallion Branch:	
At the confluence with Horsepen Run	*260
Approximately 2.3 miles upstream of the confluence with Horsepen Run	*270
Tributary B to Beaverdam Run:	
At the confluence with Tributary D to Beaverdam Run	*251
Approximately 0.71 mile upstream of Claiborne Parkway	*316
Tributary D to Beaverdam Run:	
At the confluence with Beaverdam Run	*251
Approximately 1,900 feet upstream of State Route 642 (Hay Road)	*262
Tributary No. 1 to Broad Run:	
At confluence with Broad Run	*244
Approximately 400 feet upstream of the confluence with Broad Run	*244
Tributary No. 2 to Broad Run:	
At the confluence with Broad Run	*251
Approximately 0.57 mile upstream of the confluence with Broad Run	*265
Tributary No. 3 to Broad Run:	
At the confluence with Broad Run	*264

Source of flooding and location	#Depth in feet above ground. *Elevation in feet (NGVD)
Approximately 0.57 mile upstream of the confluence with Broad Run	*266
Tributary No. 1 to Beaverdam Run:	
At the confluence with Beaverdam Run	*228
Approximately 0.47 mile upstream of confluence of Beaverdam Run	*234
Tributary to Horsepen Run:	
At confluence with Horsepen Run	*273
Approximately 0.71 mile upstream of the confluence with Horsepen Run	*321
Tributary to North Fork Broad Run:	
At confluence with North Fork Broad Run	*297
Approximately 1,770 feet upstream of confluence with North Fork Broad Run	*304
Tributary to Stallion Branch:	
At the confluence with Stallion Branch	*260
Approximately 0.44 mile upstream of the confluence with Stallion Branch	*260
Maps available for inspection at the Loudoun County Building, Building & Development Department, 1 Harrison Street, S.E., Leesburg, Virginia.	

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance.'')

Dated: January 30, 2001.

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

[FR Doc. 01–3922 Filed 2–15–01; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 2 and 25

[ET Docket No. 98–206; FCC 00–418]

Fixed Satellite Service and Terrestrial System in the Ku-Band

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document permits non-geostationary satellite orbit (''NGSO'') fixed-satellite service (''FSS'') providers to operate in certain segments of the Ku-band, and adopts rules and policies to govern such operations. NGSO FSS can provide a variety of new services to the public, such as high speed Internet access, plus other types of high speed data, video and telephony services. NGSO FSS can bring advanced services to rural areas. This document also concludes that a new terrestrial fixed Multichannel Video Distribution and Data Service can share the 12.2–12.7 GHz band with satellite operations without causing harmful interference.

DATES: Effective March 19, 2001.

FOR FURTHER INFORMATION CONTACT: Tom Derenge, Office of Engineering and Technology, (202) 418–2451 and Jennifer Gilsenan, International Bureau, (202) 418–0757.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Order, ET Docket 98–206, FCC 00–418, adopted November 29, 2000, and released December 8, 2000. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center, Room CY–A257, 445 12th Street, S.W., Washington, DC, and also may be purchased from the Commission's duplication contractor, International Transcription Service, (202) 857–3800, 1231 20th Street, N.W. Washington, DC 20036.

Summary of the Report and Order

1. The First Report and Order (''First R&O''), permits non-geostationary satellite orbit (''NGSO'') fixed-satellite service (''FSS'') providers to operate in certain segments of the Ku-band, and adopt rules and policies to govern such operations. It also adopts technical criteria so that NGSO FSS operations can share spectrum with incumbent services without causing unacceptable interference to them and without unduly constraining future growth of incumbent services or NGSO FSS system flexibility. Finally, the Commission concludes that a new terrestrial fixed Multichannel Video Distribution and Data Service (''MVDDS'') can operate in the 12.2–12.7 GHz band on a non-harmful interference basis with incumbent Broadcast Satellite Services (''BSS''), and on a co-primary basis with the NGSO FSS. By these actions, we provide for the introduction of new advanced services to the public, consistent with our obligations under Section 706 of the 1996 Telecommunications Act, and promote increased competition among satellite and terrestrial services.

NGSO FSS Gateway Bands

2. We find that we can permit deployment of NGSO FSS gateway earth stations and also protect the continued use and growth by terrestrial operations in the proposed bands. To accomplish this, we are limiting gateway use of the 12.75–13.25 GHz band to the 12.75–13.15 GHz and 13.2125–13.25 GHz band segments. Further, we are permitting gateway use of the 13.75–13.8 GHz band. Finally, we will permit service link, as well as gateway, use of the 14.4–14.5 GHz band. We recognize, however, that deployment of service links in the 10.7–11.7 GHz, 12.75–13.15 GHz, 13.2125–13.25 GHz, and 13.75–14.0 GHz bands could hinder future terrestrial service deployment in those bands. Therefore, to avoid the ubiquitous deployment of earth stations, we find it appropriate to allow only gateway earth station operations for NGSO FSS in those four bands. Further, because gateway earth stations will be located at sites readily identified to other users of the bands, this action increases the potential for co-frequency operation. We define NGSO FSS gateway earth stations as those earth stations that do not originate or terminate traffic, but interconnect multiple non-collocated user earth stations operating in frequency bands other than designated gateway bands, through a satellite with other primary networks, such as the public switched telephone network and Internet networks. That is, gateway earth stations will be required to operate in a manner that supports the switching and routing functions of the NGSO FSS system as a whole, as do feeder links for mobile-satellite systems or hub operations for very small aperture terminal (''VSAT'') networks.

3. Thus, we are adopting a functional definition for earth station use of this band, which should provide for various NGSO FSS system designs, regardless of what terminology is used by an applicant to describe the facility. Moreover, each NGSO gateway antenna will be required to meet an antenna performance standard of 29–25 log theta (θ) dBi in all directions, where theta (θ) is the earth station antenna off-axis angle relative to the main lobe of the antenna. We find that adopting this antenna performance standard will ensure that NGSO gateway antennas focus their signals in the desired direction without the need for minimum antenna size requirements, which could hinder innovation and flexibility. Additionally, to facilitate coordination with terrestrial facilities, we adopt our proposal requiring a single gateway complex to be located within an area of one second latitude by one second longitude. This requirement, which also applies to GSO FSS earth station sitings, facilitates earth station and terrestrial coordination in shared bands by specifying very limited areas for gateway antennas. Gateway antennas

outside of these areas will be considered as separate gateway complexes for the purposes of coordination with terrestrial services and for licensing purposes. Nevertheless, these interconnected gateway antennas could be under multiple licenses, or considered as a single gateway complex.

4. We do not find it is necessary at this time to limit the number of NGSO FSS earth stations that should be allowed to use the 10.7–11.7 GHz, 12.75–13.15 GHz, 13.2125–13.25 GHz, and 13.75–14.0 GHz bands. The applications that have been filed for Ku-band NGSO FSS systems do not reflect a need for a significant number of gateway stations. Therefore, the gateway earth station definition adopted here should be sufficient to prevent ubiquitous deployment of NGSO FSS earth stations in those bands. Nevertheless, as the NGSO FSS service grows to meet increasing capacity demands, any NGSO FSS network architecture changes resulting in a significant increase in the number of gateway stations can be addressed at that time. Finally, we clarify that this gateway definition applies only to NGSO FSS earth stations and not to GSO FSS operations in these bands. Although GSO FSS systems may operate gateway or hub earth stations that have some of the same characteristics as NGSO FSS gateway earth stations, GSO FSS earth stations operating in these bands are subject to separate requirements.

NGSO FSS Gateway Downlink Band: 10.7–11.7 GHz

5. We note that the International Telecommunications Union '' Radiocommunication Sector (''ITU–R'') studied the necessary criteria and power flux density (''PFD'') limits to allow NGSO FSS satellite downlinks to share spectrum with terrestrial fixed service (''FS'') operations. In particular, Working Party 4–9S reached agreement on a set of PFD limits in April 1999 that are adequate for the protection of the FS in the 10.7–12.75 GHz band from the aggregate of interference from GSO FSS systems and multiple NGSO FSS systems. The ITU–R studies considered various sharing issues between FS operations and NGSO FSS operations, including typical FS operation margins with automatic transmit power control (ATPC), the aggregate effect of multiple NGSO satellites, and other factors leading to interference concerns. The PFD limits agreed upon within the ITU–R for the 10.7–11.7 GHz band have been affirmed by 2000 World Radio Conference (''WRC–2000'').

6. These PFD limits were derived based on the operating characteristics of a majority of the FS links in the 10.7–12.75 GHz band. Based on the findings of the ITU–R, the decision taken at WRC–2000, and the record in this proceeding, we find that these PFD limits are adequate to protect the vast majority of terrestrial FS operations in the 10.7–11.7 GHz band from NGSO FSS satellite transmissions. Therefore, we adopt the ITU–R recommended PFD limits for NGSO FSS systems operating in the 10.7–11.7 GHz band. (See paragraph 38 of First R&O.) Additionally, we note that these PFD values are the same as those governing GSO operations in this band, except the NGSO PFD limits must be met in a 1 megahertz rather than a 4 kilohertz reference bandwidth. We are also modifying the GSO PFD limits to protect terrestrial services in § 25.208(b) of the Commission's Rules to a 1 megahertz reference bandwidth.

7. We conclude that the PFD limits adopted here do not need to be tightened to address mainbeam-to-mainbeam interference situations. Tighter PFD limits might overly constrain the NGSO FSS operations. Instead, any protection needed for the small number of FS links that might suffer from mainbeam interference can be accomplished on a case-by-case basis. For example, depending on the specific circumstances, several techniques may be used to mitigate mainbeam interference situations: (1) the FS link could be modified so that the operating margins or antennas can overcome any satellite interference; (2) NGSO FSS satellites could avoid transmitting mainbeam signals in the direction of the incumbent FS links pointed at their orbital path; (3) FS operations may be moved slightly to avoid mainbeam interference alignment; and (4) the FS link could be adjusted so that the ATPC level allows sufficient margin to overcome satellite interference.

8. In frequency bands with co-primary services, new entrants in a band must coordinate their operations with incumbent operations in order to minimize the possibility of harmful interference between the sharing services. Therefore, new NGSO FSS applicants that operate in bands used by the FS must ensure that their operations will not result in harmful interference to incumbent operations. In most cases, the PFD limits we are adopting should ensure this result. Because NGSO FSS systems will have different operational characteristics (*e.g.*, different minimum angles of operation), each NGSO FSS licensee will have to determine whether incumbent FS operations with elevation angles more than 5 degrees above the horizon will be affected and will be responsible for avoiding interference to incumbents, including possible mainbeam to mainbeam alignments. Likewise, if FS links are to be licensed after commencement of NGSO FSS operations, the FS applicant will be responsible for designing the link to be compatible with satellite operations, including possible mainbeam to mainbeam alignments. We are particularly concerned with incumbent FS operations that are used for public and other types of safety services. For these types of services, even rare interference occurrences could create an unacceptable public or safety hazard; thus, these operations should be protected from harmful interference.

Coordination of NGSO FSS with FS Stations

9. We conclude that coordination is important for sharing between NGSO gateway stations and terrestrial operations, and that both NGSO FSS and terrestrial interests will rely equally on coordination to protect their operations. The coordination procedures for FSS and terrestrial FS operations are specified in Parts 25 and 101 of our rules, respectively. These procedures outline the steps that an applicant must take in the coordination process, and are explained in more detail below. After reviewing the record and current coordination rules, we conclude that the current procedures, with some modification, shall be used to coordinate NGSO FSS and FS operations.

10. The coordination procedures for terrestrial FS operations with satellite operations are set forth in §§ 101.21(f) and 101.103 of the Commission's Rules. Generally, § 101.103 requires entities to complete coordination prior to filing an application for authorization. The applicant must, through appropriate analysis, select operating characteristics to avoid interference in excess of permissible levels to other spectrum users. Section 101.103 also outlines the notification and response elements of the coordination process, where applicants provide relevant information on their proposed operation to other potentially affected entities. Section 101.21(f) further outlines the coordination process for FS links sharing spectrum with satellite services. The FS applicant must first determine if its proposed link would lie within the coordination contour of existing satellite service earth stations. The applicant must also ensure that its proposed operations would not exceed the

permissible level of interference allowed by our rules. We find that the information specified and the process outlined in Part 101 of our rules are adequate for coordination between FS operations and satellite operations and do not need modification.

11. We are revising some of the Part 25 coordination rules for satellite operations to accommodate new NGSO FSS systems. The Commission found that because the international coordination procedures contained in Appendix S7 of the ITU Radio Regulations (''RR'') changed frequently, it would simply reference Appendix S7 in our rules. Therefore, we amend § 25.203 to reflect that information regarding calculation of coordination information can be found in Appendix S7 of the ITU RR and to reflect the relevant NGSO gateway station coordination information that must be provided to terrestrial users.

12. Appendix S7 has been modified at WRC–2000 to account for coordination between NGSO FSS operations and FS operations. The ITU has developed modified procedures Recommendation ITU–R IS.849 (''IS.849'') to the ITU method of calculating coordination contours to account for the characteristics of NGSO versus GSO systems. If FS entities believe that changes to Appendix S7 are not sufficient to address the coordination situation in the United States, they can request that we revisit the coordination procedures for this band. Therefore, other than amending Part 25 to consider NGSO FSS sharing with FS systems, we will make no other changes in our coordination process for operations in the 10.7–11.7 GHz portion at this time.

13. Regarding the use of radio frequency (''RF'') shielding, we find that RF and terrain shielding will be useful tools in the coordination and deployment of NGSO FSS gateway stations. However, we find that mandatory shielding requirements would be unnecessarily burdensome on NGSO FSS operations. Further, although ''virtual shielding'' may encourage NGSO FSS entities to site their gateways to take advantage of natural terrain shielding, it would place the burden solely on the NGSO entity to provide for shielding in order to share with FS operations. Our coordination and service rules already require Commission applicants and licensees to deploy their operations in such a manner as to avoid harmful interference to other spectrum users, to cooperate fully and make reasonable efforts to resolve technical problems that may inhibit the most efficient use of the spectrum, and to avoid blocking the growth of systems as prior coordinated. Therefore, we encourage entities that wish to use the 10.7–11.7 GHz band to use various types of shielding to meet these requirements. In particular, because NGSO FSS gateway operations do not focus their signals in a single direction like FS operations, we encourage them to accept shielding by subsequent FS entrants if the FS entity agrees to pay for it, as suggested by SkyBridge.

Gateway Siting Restrictions

14. We conclude that the record supports the adoption of some restrictions on NGSO FSS deployment in the 11 GHz and 13 GHz gateway bands in specified geographic areas in order to protect incumbent services use of the bands. Because any restrictions on gateway stations using downlink bands would apply as a practical matter to their corresponding uplink bands, any regulatory scheme to promote spectrum sharing between NGSO FSS gateway operations and incumbent operations needs to address the needs of incumbent operations in both the uplink and downlink bands. The record indicates that geographic protection zones will not only benefit FS operations in the 11 GHz band, including both incumbent operations and those that will relocate from other bands, but also Broadcast Auxiliary Service (''BAS'') and Cable Television Relay Service (''CARS'') operations in the 12.75–13.25 GHz band. TV stations in major metropolitan areas, for example, may need some form of protection in specified geographic areas to ensure that TV stations will be able to deploy new BAS operations to accommodate the transition to digital TV.

15. We agree with the majority of commenters that the growth zone concept, which focuses on coordination procedures to protect incumbent services within specified geographic areas, would provide a more efficient and flexible approach to band sharing than exclusion zones in most cases. We also concur with commenters that the implementation of the growth zone concept would appropriately be included in existing coordination procedures, which would not require direct Commission involvement. Nonetheless, we conclude that, based on the record here, the growth zone concept needs further analysis in order to address better the needs of all affected parties. We also must analyze whether, in order to provide equitable band sharing with mobile and temporary fixed BAS and CARS operations in the 13 GHz band, the growth zone concept has to include some exclusion areas for siting NGSO FSS gateway stations or whether other coordination methods may promote band sharing between these services. Thus, in a future separately docketed proceeding, we will evaluate methods for defining growth zones that serve all interested parties in the NGSO FSS gateway bands (10.7–11.7 GHz, 12.75–13.25 GHz, and 13.8–14.0 GHz bands).

Restrictions on GSO FSS Operations

16. We are adopting our proposals to remove the international requirement for NGSO FSS systems in the 10.7–11.7 GHz band and to permit such systems to use the entire band. These proposals were broadly supported, and the record demonstrates that the band can be shared by the NGSO FSS and FS. We also find persuasive the arguments of the FS community that expanded GSO FSS use of this band should not be permitted. We believe that FS growth could be significantly inhibited if we were to authorize domestic and international GSO FSS use of the entire band because of the large number of GSO earth stations that would likely be deployed. Further, we find that other bands that are available for FSS downlink use are adequate to ensure GSO FSS growth. Accordingly, we adopt our proposals and limit domestic and international FSS use of the entire 10.7–11.7 GHz band to NGSO FSS gateways. GSO FSS earth stations will continue to operate internationally in accordance with NG104.

NGSO/GSO FSS Downlink Sharing

17. After evaluating the extensive record in this proceeding, including the work of the ITU–R study groups and the results of the WRC–2000, we find that the compromise solutions reached in the international meetings provide the basis to allow NGSO FSS operations to share successfully with GSO FSS networks without causing unacceptable interference. The specific technical conclusions from these meetings, which are included in the record in this proceeding and have been incorporated into the Provisional Final Acts of WRC–2000, represent the most comprehensive and current studies on NGSO FSS and GSO FSS co-frequency operations to date. We conclude that these power limits, which include single-entry equivalent power flux density (''EPFD'')$_{down}$ limits and aggregate EPFD$_{down}$ limits for NGSO FSS operations, adequately protect GSO FSS operations and we will require NGSO FSS systems to comply with each type of limit, as appropriate. In addition, we find that the single-entry and aggregate

EPFD limits we are adopting also define the level of acceptable interference from a NGSO FSS system into a GSO FSS system under our rules.

18. Further, we note that WRC–2000 modified footnotes S5.441 and S5.484A to indicate that NGSO FSS applications are subject to standard ITU coordination under S9.12 with other NGSO FSS systems. These footnotes also state that NGSO FSS systems shall not claim protection from GSO systems operating in accordance with the ITU Radio Regulations and that NGSO FSS systems shall operate in such a way that any unacceptable interference that may occur during their operations shall be rapidly eliminated. We find that the modifications to footnotes S5.441 and S5.484A are consistent with our decisions in this document and, accordingly, adopt the WRC–2000 version of these footnotes in our Table of Frequency Allocations.

Single-Entry $EPFD_{down}$ Limits

19. Single-entry limits define the $EPFD_{down}$ limits that must be met by each NGSO FSS system resulting from emissions from all satellites in the system. There are 3 elements comprising the single-entry limits that must be met by each NGSO FSS system: (1) ''validation'' $EPFD_{down}$ limits, as well as more stringent ''validation'' $EPFD_{down}$ limits for specific size antennas located at high latitudes; (2) ''operational'' $EPFD_{down}$ limits, which protect against synchronization loss (''sync loss'') in GSO FSS earth stations between 3 and 18 meters in diameter; and (3) ''additional operational'' $EPFD_{down}$ limits, or ''operational masks'' for 3 meter and 10 meter GSO FSS earth stations. It is the combination of these single entry limits with the aggregate limits discussed below that provides adequate protection of GSO FSS networks from NGSO FSS interference.

20. The limits adopted by WRC–2000 were developed using the agreed upon criteria developed by the ITU–R. The JTG 4–9–11 (1) studied the characteristics of the GSO FSS systems to be protected, (2) defined protection criteria for GSO FSS systems, and (3) based on these parameters, determined the level of interference that could be accepted from NGSO FSS systems. We find, based upon the technical work adopted by the WRC–2000 and the record developed in this proceeding, that the international consensus single-entry $EPFD_{down}$ limits for 0.6, 1.2, 3, and 10 meter GSO FSS receive earth station antennas are appropriate for adoption domestically. Specifically, we believe that NGSO FSS adherence to the three elements of the single entry limits (i.e., validation limits, operational limits, and additional operational limits), as well as the aggregate limits discussed below, will adequately protect GSO FSS networks. We adopt these limits as new rule §§ 25.208(g), 25.208(i), and 25.208(j) of the Commission's Rules.

GSO FSS Reference Earth Station Antenna Pattern

21. The GSO FSS earth station antenna pattern is an important component in the assessment of interference from NGSO satellites into GSO FSS earth station receivers. The new GSO FSS reference pattern differs from the requirement currently specified in § 25.209 of the Commission's Rules. The Section 25.209 requirement was developed to facilitate GSO to GSO sharing where a constant level of interference is present. The new reference pattern, on the other hand, takes into account the transient nature of NGSO FSS interference by averaging the peaks and nulls of a GSO FSS earth station antenna, rather than conservatively specifying an envelope of the sidelobe peaks. Accordingly, we will incorporate the new GSO FSS reference antenna pattern in the rules for $EPFD_{down}$. This new pattern will be assumed whenever interference assessments between GSO FSS and NGSO FSS systems are performed. We do not see the need, however, to modify the antenna performance standards contained in § 25.209 of the Commission's Rules. This requirement remains applicable to sharing scenarios involving a constant level of interference (e.g., GSO to GSO sharing) and will continue to be the standard used for FSS earth station licensing.

Domestic Implementation of Single-Entry Limits

22. We are adopting implementation procedures for single-entry validation limits and a separate set of procedures for operational and additional operational limits. We believe that the specific implementation measures discussed will ensure that NGSO FSS systems will indeed adhere to the applicable EPFD limits. In addition to ensuring protection of GSO FSS networks, the implementation framework will assist the Commission in its need to confirm to the ITU that the appropriate limits are being met. Further, it will enable the quick identification of any NGSO FSS operations in excess of the single-entry limits.

Domestic Implementation of Single-Entry Validation $EPFD_{down}$ Limits

23. As the notifying Administration to the ITU for U.S.-licensed NGSO FSS systems, we need to be confident that the NGSO FSS system information we send to the Radiocommunications Bureau of the ITU (''ITU–BR'') is accurate and that the validation test used domestically is the same as that used by the ITU–BR and other Administrations. These assurances will provide consistency in the output of the validation test and enable these results to be reproduced by all affected Administrations. Therefore, we will require each NGSO FSS applicant to demonstrate prior to licensing that it meets the $EPFD_{down}$ validation limits. Further, we agree with commenters that the software used for the validation test should be developed in accordance with the ITU software specification contained in ITU–R Recommendation BO.1503.

24. Specifically, each NGSO FSS applicant shall provide the following information, detailed in § 25.146(a)(1) of the Commission's Rules, to the Commission: (1) output of the validation test consisting of cumulative density function curves of $EPFD_{down}$ as a function of percentage of time not to be exceeded; (2) comparison of output/results to ''validation'' $EPFD_{down}$ limits; (3) PFD mask used as input parameter in simulation; (4) identification and description of assumptions and conditions used in generating the PFD mask; (5) other NGSO FSS system input parameters required for the execution of the software, and (6) actual software used by the NGSO FSS operator in implementing the ITU–R Recommendation BO.1503 software specification, including the source code and the compiled executable program. The Commission will verify this information. Once we are satisfied that the NGSO FSS applicant has demonstrated its ability to comply with the validation $EPFD_{down}$ limits, we will submit the required information to the ITU–BR. As noted above, the ITU–BR will then use this information to make its own determination of compliance with the validation limits.

Domestic Implementation of Operational and Additional Operational $EPFD_{down}$ Limits

25. We will require each NGSO FSS licensee to demonstrate that it meets the operational and additional operational limits prior to the NGSO FSS system being placed into service. Indeed, much of the critical protection to GSO FSS networks comes from the operational and additional operational limits that

will not be subject to ITU verification. We find this demonstration is necessary prior to the NGSO FSS becoming operational because it: (1) provides the FCC assurance that the NGSO FSS system will be built in accordance with FCC rules; (2) provides incumbent operators assurance that they will not receive unacceptable interference; (3) in the case of the additional operational limits, enables the Commission to make the required commitment to the ITU–BR; and (4) reduces the likelihood that the Commission would need to apply remedial measures to bring an operational system into compliance. Moreover, we believe a comprehensive demonstration of compliance with both the operational and additional operational limits is warranted due to the infancy of NGSO FSS systems. Once the Commission and industry gain experience through actual operation of these new systems, the Commission may choose to revisit the requirement for such a detailed demonstration prior to an NGSO FSS system becoming operational. Authority to operate the space station segment will be conditioned on the NGSO FSS licensee submitting to the Commission 90 days prior to the initiation of service, a demonstration that its system is expected to meet the operational and additional operational limits, see § 25.146(b) of the Commission's rules.

26. We find that there is no need for the Commission to develop additional procedures or remedies in cases where NGSO FSS systems exceed the operational and additional operational $EPFD_{down}$ limits that we are adopting. NGSO FSS operations that exceed these limits will be in violation of §§ 25.208(i) and 25.208(j) of the Commission's Rules, as well as in violation of its Commission authorization. Therefore, the NGSO FSS licensee will already be subject to appropriate sanctions by the Commission.

27. We do believe, however, that in the event that a NGSO FSS satellite exceeds the operational or additional operational $EPFD_{down}$ limits, it is important that GSO FSS operators have the information necessary to locate satellites in each NGSO FSS constellation at any given time. Such information will allow the GSO FSS operator to correlate any alleged interference with a specific satellite in an NGSO FSS system. This information, or ephemeris data, is already used by NGSO FSS customers to establish the communications link between the user terminal and the NGSO satellite as it moves across the horizon, and so it should not be an additional burden on NGSO FSS system operators. Therefore, we will require that NGSO FSS licensees publish their satellites' orbital elements in the North American Aerospace Defense Command (NORAD) 2-line element format on an Internet web site maintained by the NGSO FSS licensee. The 2-line element format for many existing satellites is already being generated by NORAD and distributed by NASA via the NASA Prediction Bulletin. Moreover, the 2-line element set can be used together with NORAD's Simplified General Perturbation-4 (SGP4) orbital model, or similar programs, to determine the position and velocity of the associated satellite. We recognize that the NGSO FSS constellation is constantly moving, and so we will require that the NORAD 2-line element data be updated every three days so that the most accurate information is published. These procedures are outlined in new § 25.271(e) of the Commission's Rules.

Aggregate $EPFD_{down}$ Limits

28. We find that the cumulative level of interference from all co-frequency NGSO FSS systems, (i.e. the aggregate level), is what must be limited. Therefore, we adopt aggregate validation $EPFD_{down}$ limits in addition to the single-entry $EPFD_{down}$ limits. These limits are contained in § 25.208(h). In fact, the single-entry $EPFD_{down}$ validation limits contained in § 25.208(h) were derived from these aggregate validation $EPFD_{down}$ limits using the methodology contained in ITU–R Recommendations and assuming a conversion factor of 3.5. We find use of the 3.5 conversion factor is appropriate because it takes into account the way in which interference from multiple systems aggregates into a GSO FSS earth station antenna, recognizing that the interference is not strictly additive in a linear or power sense. The ITU–R agreed that ''[a] value of 3.5 for $N_{effective}$ was to be used to determine the final values of single-entry $EPFD_{down}$ versus percentage of time to be applied in bands currently covered under Resolution 130 (WRC–97). This value is to be used solely for the purpose of deriving single-entry $EPFD_{down}$ masks from aggregate $EPFD_{down}$ masks and is not a representation of the actual number of non-GSO FSS systems that can share a given frequency band.''

29. Although we agree on the importance of requiring NGSO FSS systems to meet aggregate limits, we see many practical difficulties in actually verifying compliance with aggregate limits of any kind. We will not require a demonstration of NGSO FSS compliance with the aggregate limits at this time. Rather, we will require each NGSO FSS licensee to certify to us that it will meet the limits set out in § 25.208(h). We note that this issue is the subject of further study within the ITU–R. In the future, as these studies progress, we may require each NGSO FSS applicant to demonstrate its ability to meet the aggregate $EPFD_{down}$ limits contained in § 25.208(h) of the Commission's Rules. We, therefore, place NGSO FSS applicants on notice that the requirement for such a demonstration will be addressed, as necessary in the NGSO FSS to NGSO FSS rule making or in the NGSO FSS authorization itself.

Protection of Very Large Earth Station Antennas

30. We recognize that the ITU–R studies in this area are the most extensive to date and find the agreements to be appropriate for adoption domestically as well. Accordingly, coordination will be required between specific GSO FSS earth stations and NGSO FSS systems meeting the conditions specified in § 25.146(f).

31. While we are not adopting coordination procedures for antennas between 10 and 18 meters, as originally proposed in the NPRM, we did adopt operational $EPFD_{down}$ limits which would provide protection to these GSO FSS earth stations. Information from the Commission's earth station database reveals that the number of earth station antennas greater than 10 meters in diameter is very small—approximately 20 corresponding to 0.5% of the earth stations licensed by the Commission in the 11.7–12.2 GHz band. Further, almost all of the GSO FSS earth station antennas larger than 10 meters in diameter have been in operation for many years, utilize older technology, and are likely to be phased out over time. This is because advances in satellite earth station technology have given way to today's use of smaller, less costly earth station antennas. We believe it would be detrimental to the nascent NGSO FSS service to adopt $EPFD_{down}$ masks or require coordination to protect the limited number of earth stations that are between 10 and 18 meters in diameter. As recognized by the GSO FSS entities, in the unlikely event of NGSO FSS interference into this limited number of earth stations, GSO FSS operators would have the opportunity to mitigate against any interference.

Protection of Inclined Orbit Operations

32. The ITU–R concluded that no additional protection is needed for earth

stations operating with GSO FSS satellites inclined up to 2.5 degrees. Operations with GSO FSS satellites inclined greater than 2.5 degrees and less than or equal to 4.5 degrees would, however, receive additional protection through the operational limits. We believe this is the appropriate approach for adoption domestically and have incorporated these operational $EPFD_{down}$ limits into our Rules. Protection of operations for GSO FSS satellites inclined greater than 4.5 degrees is more difficult because inclined operations basically extend the north-south extension of the geostationary satellite orbit. However, the number of U.S. licensed satellites that continue to provide service while at inclinations greater than 4.5 degrees is extremely limited, and § 25.280 of the Commission's Rules does not provide additional protection to GSO FSS satellites beyond that provided to GSO FSS satellites that are operating without inclination. Thus, we do not adopt specific protection requirements for GSO operations inclined beyond 4.5 degrees. However, we urge both NGSO and GSO operators to make good faith efforts to coordinate their respective operations.

Protection of GSO FSS Telemetry, Tracking and Command

33. Because of the critical nature of transfer orbit operations, we adopt the proposal in the *Notice of Proposed Rule Making* (NPRM), 64 FR 1786 January 12, 1999, to require consultation between GSO FSS and NGSO FSS licensees to minimize the impact of interference. The impact of NGSO FSS operation on GSO FSS transfer orbit operations will be infrequent and of a short time period, therefore, these events can be coordinated ahead of time in order to avoid unacceptable interference. With respect to emergency TT&C operations, there was agreement within the ITU–R that, during emergency operations in general, any GSO or NGSO FSS operator should be allowed to use any means necessary to regain communications with the satellite. We agree with this position because the measures required to reacquire communications and regain control of the GSO satellite cannot be predetermined. Although we do not adopt any specific measures for NGSO FSS systems to protect GSO FSS systems during emergency telemetry, tracking and command (''TT&C'') operations, we urge both GSO FSS and NGSO FSS operators to coordinate with each other if such a situation were to occur. The ITU–R, however, was not conclusive with respect to the protection of the operational phase TT&C. There has not been any demonstration that leads us to believe that the telemetry downlinks will not be protected by the $EPFD_{down}$ limits we adopt today. We will not, therefore, adopt specific measures for NGSO FSS protection of GSO FSS telemetry downlink operations at this time. We will closely follow, however, the ongoing work within the ITU–R and consider its conclusions in the development of conditions, if necessary, to be placed on NGSO FSS licensees.

NGSO FSS Gateway Uplink Bands: 12.75–13.25 GHz

34. We will permit NGSO FSS gateway uplink stations to operate in the 12.75–13.25 GHz band on a co-primary basis with incumbent users, except that we will not allow NGSO FSS to operate at 13.15–13.2125 GHz. We also conclude that although we will permit NGSO FSS operations in this band, we will not remove the requirement that GSO FSS operations be limited to international systems. As we discussed regarding the 10.7–11.7 GHz band, we believe that the growth of incumbent services would be significantly inhibited if we were to authorize domestic and international GSO FSS use of the 12.75–13.25 GHz band, due to the large number of GSO FSS earth stations that would likely be deployed, and we note that other bands are available for GSO FSS growth.

NGSO FSS Gateways Sharing With BAS Operations

35. Because BAS operations have primary allocation status in the 12.75–13.25 GHz band, such incumbent operations are entitled to interference protection from NGSO FSS gateway uplinks. Further, we find that it is important to allow BAS operations to maintain flexibility in establishing temporary links and operating mobile ENG operations. As discussed, some form of geographic protection area will be developed for locating NGSO FSS gateway earth stations that should prevent NGSO FSS gateways from hindering mobile and temporary fixed BAS use of this band. We conclude that fixed BAS and CARS operations can coordinate with NGSO FSS gateway stations, and new coordination procedures for use by these services must be developed.

36. Regarding protection of mobile BAS operations, we note that § 74.602 of our rules provides for the exclusive use of channels A19, A20, B19 and B20 in the 13.15–13.2125 GHz band by TV BAS and CARS pickup operations within 50 km of the top 100 television markets. In order to permit BAS and CARS entities to continue remote pickup operations throughout the U.S., we are extending exclusive use of the 13.15–13.2125 GHz band for BAS and CARS pickup operations to all 211 TV markets, thereby precluding NGSO FSS operations from this band segment. We find that this will not have a significant impact on NGSO FSS satellite operations because of the remaining amount of gateway uplink spectrum being made available. We take this action with the expectation that BAS mobile operations, especially those in TV markets where BAS is not extensively deployed, will concentrate their mobile use on the four channels in the 13.15–13.2125 GHz band, thereby leaving the remaining portion of the 12.75–13.25 GHz band spectrum available for NGSO FSS use.

NGSO FSS Gateway Coordination With Terrestrial Operations

37. We conclude that NGSO FSS gateway uplink stations can operate in the 12.75–13.15 GHz and 13.2125–13.25 GHz bands on a co-primary basis with FS operations, using coordination procedures. As an initial matter, we find that Part 74 and Part 78 terrestrial fixed operations should be able to coordinate with NGSO FSS gateway stations under the coordination procedures set forth in Part 101 and Part 25. As we discussed, NGSO FSS and fixed operations in the 10.7–11.7 GHz band will be able to coordinate their operations under the procedures in Part 101 for fixed operations and Part 25 for satellite operations. The NGSO FSS and fixed operations in the 12.75–13.25 GHz band are technically similar to operations in the 11 GHz band; thus, coordination with fixed links at 13 GHz under existing procedures also is possible. Part 74 BAS operations and Part 78 CARS operations have their own coordination procedures, but these procedures do not provide for sharing with NGSO FSS operations, and existing coordination procedures for FSS operations do not address coordination between satellite and mobile or BAS and CARS operations. For example, BAS is often licensed for the entire 12.7–13.25 GHz range, providing flexibility to coordinate temporary operations locally with other licensees in the band. While these procedures have worked with regard to fixed operations because unused individual channels can be identified and made available on an informally coordinated basis to the mobile BAS operation, we believe that this type of coordination flexibility for BAS could be difficult to achieve with NGSO FSS gateway uplink stations, which may use all available frequencies in an area.

Therefore, we conclude that new coordination procedures need to be developed for sharing between NGSO FSS and BAS and CARS operations in the 12.75–13.25 GHz band. Accordingly, we are deferring to a later proceeding a decision on specific coordination procedures that will be used for BAS/CARS and NGSO FSS operations in this band. Further, we will not license any NGSO FSS earth station in the 12.75–13.15 GHz and 13.2125–13.25 GHz bands until appropriate coordination rules are adopted.

NGSO FSS Gateways Sharing With GSO FSS Uplinks

38. NGSO FSS systems will have to meet the same $EPFD_{up}$ limit at the geostationary satellite orbit, regardless of whether the NGSO FSS system transmission emanates from a gateway or user earth station facility. In order to protect uplinks to GSO FSS satellites, we adopt the single-entry validation $EPFD_{up}$ limits as adopted by WRC–2000, as new rule § 25.146(h). The definition of $EPFD_{up}$ includes information regarding the GSO satellite receive antenna directivity for the same reason that the GSO FSS receive earth station antenna pattern is included in the $EPFD_{down}$ definition. Specifically, accounting for GSO FSS satellite antenna directivity limits the number of NGSO FSS earth stations contributing interference in the direction of the GSO satellite and provides a more realistic calculation of the interference level received. Further, the reference GSO FSS space station antenna patterns contained in ITU–R Recommendation S.672 were adopted for the calculation of $EPFD_{up}$. As noted by Boeing, the JTG 4–9–11 reached a consensus agreement that the provisional $EPFD_{up}$ limit is appropriate, even in light of the change in definition. We also find that the $EPFD_{up}$ limits we are adopting will also protect GSO FSS satellites operating in inclined orbits. We also find that the same implementation procedures adopted for the validation $EPFD_{down}$ limits described above in the section titled ''Domestic Implementation of Single-Entry Validation $EPFD_{down}$ Limits'' are also appropriate for adoption for the $EPFD_{up}$ limits.

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39. We find that NGSO FSS gateway stations should be able to share the 12.75–13.15 GHz and 13.2125–13.25 GHz bands with CARS eligibles, provided those operations use technical and operational techniques such as one-way, point-to-point, narrow beam antenna transmissions, as required under existing rules, that facilitate coordination. Some issues that might affect operations in the 12.75–13.15 GHz and 13.2125–13.25 GHz bands will be deferred to a future proceeding, such as possible geographic protection areas, some coordination issues, and other NGSO FSS gateway parameters. We also note that the Commission has not yet decided whether to expand CARS eligibility to include private cable operator (''PCO'') operations in the 12.75–13.25 GHz band; this decision will be made in CS Docket No. 99–250. Nonetheless, the sharing potential between NGSO FSS and CARS depends primarily on the technical and operation characteristics of the services, not licensee eligibility. Consequently, we see no need to defer our decision regarding NGSO FSS use of this band.

NGSO FSS Gateway Uplink Bands: 13.75–14.0 GHz

40. We adopt our proposal to allow NGSO FSS Gateway uplink operations in the 13.8–14.0 GHz band and find that the agreements at WRC–2000 justify permitting NGSO FSS Gateway uplink operations in the 13.75–13.80 GHz portion as well. Although the Department of Defense (''DoD'') and the National Telecommunications and Information Administration, Department of Commerce (''NTIA'') express some reservations, they are primarily concerned about interference that may be caused to FSS operations from the radiolocation service. Further, NTIA is concerned with WRC–2000 changes to footnote S5.502 would constrain radiolocation operations by limiting the effective isotropic radiated power (''e.i.r.p''). of a radiolocation station to 59 dBW in all directions, rather than just in the direction of the geostationary orbital arch, as previously required. While these concerns continue to be an issue that will be addressed at the 2003 World Radio Conference (''WRC–2003''), we see no reason to withhold this band from NGSO FSS use. FSS entities were aware of existing high powered radiolocation operations when they requested access to this spectrum. Therefore, we believe FSS systems can design their satellites to compensate for incumbent operations and find usable spectral capacity in this spectrum. At the same time, FSS entities will not be permitted to claim protection from radiolocation operations.

41. At this time, we are not implementing the specific WRC–2000 changes to footnote S5.502 in our Table of Frequency Allocations due to concerns of NTIA. However, some aspects of the new footnote are worth adopting, such as removing the minimum power requirement on FSS operations in the 13.75–14.0 GHz band. As stated, FSS licensees are aware of the interference environment in this band due to incumbent radiolocation operations and should be permitted to operate at lower powers if they can achieve communications. Therefore, we are adopting a new footnote US356 that is the same as the old footnote S5.502 regarding limits on radiolocation operations, but it removes the minimum power requirement for FSS operations. Further, to prevent confusion, we will delete S5.502 from our Table of Frequency Allocations.

42. Regarding specific concerns with tracking data and relay satellite system (''TDRSS'') operations in the 13.75–13.80 GHz portion and the WRC–2000 changes to footnote S5.503, we note that the 51 dBW/6 megahertz e.i.r.p. density limit was developed considering TDRSS operations and should be adequate. However, NTIA indicates that the National Aeronautic and Space Administration (''NASA'') has requirements for TDRSS protection across a 10 megahertz segment at 13.77–13.78 GHz to accommodate communications with the International Space Station. We find it is important to protect TDRSS operations in this band because they support missions that include manned flight. Therefore, we will extend the e.i.r.p. density limit across the 10 megahertz segment as requested by NTIA by adopting new footnote US357 for all FSS earth stations, which accomplishes the goals of S5.503 (WRC–2000), but protects TDRSS across the 13.77–13.78 GHz band. Accordingly, we remove footnote S5.503 from our Table of Frequency Allocations. We also modify § 25.204(f) of our Rules to reflect these new power requirements for FSS operations in the 13.75–14.0 GHz band. We believe this limit will protect NASA TDRSS operations from different types of NGSO FSS systems and not only the SkyBridge specific design. Nevertheless, we maintain the requirements of US337 that earth stations in the FSS coordinate on a case-by-case basis with NTIA's Frequency Advisory Subcommittee (''FAS'') in order to minimize interference to TDRSS operations. Any further interference concerns regarding NGSO FSS and TDRSS operations can be addressed further in the coordination process.

43. We find that the technical requirements adopted are adequate to permit spectrum sharing throughout the 13.75–14.0 GHz band. Further, any additional frequency sharing concerns can be addressed in the coordination process of FSS earth stations in the 13.75–14.0 GHz band with Federal

Government operations through NTIA's FAS. FAS coordination will ensure that FSS earth stations do not interfere with receiving radiolocation stations, the TDRSS forward link-to-low earth orbit satellite (''LEO''), and the TDRSS receiving earth stations located at White Sands Complex, NM and Guam. We note that FSS earth stations that share spectrum with Federal Government operations are required to coordinate with the FAS to avoid interference problems to Federal Government receiving stations. Additionally, FSS entities will not be permitted to claim protection from radiolocation operations.

44. Finally, we adopt the same $EPFD_{up}$ limits for the 13.75–14.0 GHz band that we adopt for the 12.75–13.25 and 14–14.5 GHz bands, as contained in § 25.208(k) of the Commission's Rules. We find these limits are equally applicable to both bands because the sharing environments between NGSO FSS and GSO FSS systems are similar.

GSO FSS Gateway Uplink Bands: 14.4–14.5 GHz

45. We find the $EPFD_{up}$ limits that we are adopting for the 12.75–13.15 GHz and 13.2125–13.25 GHz bands to permit sharing between GSO FSS uplinks and NGSO FSS gateway uplinks to be equally appropriate to permit such sharing in the 14.4–14.5 GHz band. We also find that permitting NGSO FSS gateway uplink use of the 14.4–14.5 GHz band will not adversely impact secondary uses of the band. Finally, we find persuasive SkyBridge's and Loral's contentions that also permitting NGSO FSS user terminal use of the band is desirable and will not create an unacceptable interference risk to incumbent users. Accordingly, we will permit NGSO FSS uplink use of the band by both gateways and user terminals.

NGSO FSS Gateway Uplink Bands: 17.3–17.8 GHz

46. In the Report and Order in IB Docket No. 98–172, we allocated the 17.3–17.7 GHz band to the Broadcast Satellite Service (''BSS'' also referred to as Direct Broadcast Satellite, or ''DBS'') on a primary basis, effective April 1, 2007. BSS, by definition, is in the downlink direction only. The corresponding feeder link frequencies for BSS are in FSS uplink allocations. The terms BSS and DBS have the same meaning, and can be used interchangeably. While the Region 2 BSS allocation covers the entire 17.3–17.8 GHz band, we did not allocate the 17.7–17.8 GHz sub-band to BSS operations because of spectrum incompatibilities with existing terrestrial fixed operations in that band. We agree with EchoStar and DIRECTV that sharing of the 17.3–17.7 GHz band by ubiquitous BSS downlinks and NGSO FSS uplinks would be difficult. The resulting limitation on the location of BSS receive earth stations would be overly restrictive on ubiquitous BSS receivers. We also find that sharing of the 17.3–17.7 GHz band between the radiolocation and NGSO FSS operations would be problematic. Further, NTIA requests that the Commission not authorize any NGSO FSS operations in the 17.3–17.7 GHz band. As we noted in the NPRM, the radiolocation service and GSO BSS feeder links are able to share this band only because radiolocation systems operate at powers of less than 51 dBW in the direction of the GSO arc. Satellites in other orbits could receive higher levels of interference, as radiolocation systems will be radiating indiscriminately in directions outside of the plane of the GSO arc in a manner that is not able to be predetermined or constrained in order to fulfill the functions of the radiolocation operation. Accordingly, we decline to allocate the 17.3–17.8 GHz band to the NGSO FSS.

NGSO FSS Service Downlink Bands: 11.7–12.2 GHz

47. As we noted in the NPRM, the sharing scenario in the 11.7–12.2 GHz band raises issues similar to those regarding NGSO FSS gateway downlinks in the 10.7–11.7 GHz band. For the reasons discussed above, we adopt the same $EPFD_{down}$ limits for NGSO FSS service downlinks in the 11.7–12.2 GHz band that we are adopting for NGSO FSS gateway downlinks in the 10.7–11.7 GHz band. While NGSO FSS service downlink stations will be ubiquitously deployed and will have different antenna characteristics than the gateway downlink stations, the $EPFD_{down}$ limits were developed to address both types of operations. We also conclude that since NGSO FSS gateway stations will be operating using the same $EPFD_{down}$ limits as NGSO FSS user earth station, NGSO FSS gateway earth station may operate in this 11.7–12.2 GHz band. In addition, we adopt the same coordination procedures to protect GSO FSS networks using sensitive receiving earth stations with very large antennas.

NGSO FSS Service Downlink Bands: 12.2–12.7 GHz

48. We note that an extensive record has been filed concerning spectrum sharing in the 12.2–12.7 GHz band by NGSO FSS, BSS and MVDDS operations, and interested parties subsequently reached a compromise solution to NGSO FSS and BSS sharing issues at a November 1999 WRC–2000 Conference Preparatory Meeting (''CPM'') which was ultimately adopted at WRC–2000. We thus find that we have an adequate record to make decisions on future NGSO FSS, MVDDS and BSS operations in the 12.2–12.7 GHz band.

49. We are allocating the 12.2–12.7 GHz band to the fixed satellite service for use by non-geostationary orbit satellite downlink operations on a co-primary basis. This action will be implemented domestically through the adoption of footnote S5.487A into our Table of Frequency Allocations. This footnote allocation for NGSO FSS operations in the 12.2–12.7 GHz band was established at the 1997 World Radio Conference (''WRC–1997'') and modified at WRC–2000, and we find that it should facilitate the delivery of advanced services to the United States, as well as to other countries.

50. We also conclude that MVDDS can operate in the 12.2–12.7 GHz band under the existing FS allocation. Under this allocation, MVDDS operations would not be permitted to cause harmful interference to the BSS and would operate on a co-primary basis to NGSO FSS. We find that the public interest would be served by allowing MVDDS operations in this band. MVDDS could be used to deliver a wide array of video programming, including local television, and data services on either a competitive or sole source basis in both urban and rural areas. While MVDDS will only be permitted to use the 12.2–12.7 GHz band for transmissions to its subscribers, we find that full two-way services can be achieved using spectrum in other bands or existing wireline networks for the return link. Terrestrial MVDDS systems would intensively reuse available spectrum, allowing for efficient use of the band. Furthermore, it is feasible to avoid or correct harmful interference situations between MVDDS and direct broadcast satellite (''DBS'') or between MVDDS and NGSO FSS. As discussed, spectrum sharing will necessitate some restrictions on MVDDS antenna locations and transmitter power levels in order to avoid interference to DBS, and could require coordination with some NGSO FSS systems.

NGSO FSS Sharing With BSS

51. We find that the single-entry and aggregate $EPFD_{down}$ limits we are adopting will not unduly hinder the growth of BSS, as proposed in the NPRM. As discussed in more detail below, the ITU–R considered future BSS

systems and examples of advanced technology BSS links (e.g., 8PSK digital modulation and improved receiver temperature of 80 degrees Kelvin) to develop $EPFD_{down}$ limits for NGSO FSS. In addition, future BSS systems will be able to take into account the NGSO FSS interference environment.

Single-Entry $EPFD_{down}$ Limits

52. We find, based upon the technical work within the ITU, and the record developed in this proceeding, that the international consensus single-entry $EPFD_{down}$ limits for 30 cm, 45 cm, 60 cm, 90 cm, 120 cm, 180 cm, 240 cm and 300 cm diameter BSS earth station antennas are appropriate for protection of GSO BSS systems in the United States. Specifically, the combination of the two elements comprising these limits (i.e., validation including latitude-dependent, and operational) adequately protect the U.S. BSS systems. We adopt these limits as a new rule § 25.208(i) of the Commission's Rules.

53. A 15-year transition period will be included in our rules and the operational limits will no longer apply to NGSO FSS operators fifteen years from the effective date of the rules in this First R&O.

Domestic Implementation of Single-Entry $EPFD_{down}$ Limits

54. We are adopting implementation procedures for single-entry validation and latitude-dependent validation limits, and a separate set of procedures for operational limits. In addition to ensuring protection of BSS, this will assist the Commission in its need to confirm to the ITU that the appropriate limits are being met. Many of the implementation procedures we discuss are similar to the procedures we adopt to protect GSO FSS networks from NGSO FSS.

Domestic Implementation of Single-Entry Validation and Latitude-Dependent Validation Limits

55. As with the validation limits adopted to protect GSO FSS operations, in order to receive a favorable finding internationally, each NGSO FSS system must not exceed the specified validation $EPFD_{down}$ limits when analyzed using the ITU–BR software. We believe that it is imperative that NGSO FSS compliance with the single entry validation $EPFD_{down}$ limits be verified during the domestic licensing process. We will also require an NGSO FSS applicant to demonstrate prior to licensing that it meets the validation $EPFD_{down}$ limits to protect GSO BSS operations, and we will require the NGSO FSS applicants to use the software developed in accordance with the ITU software specification contained in the ITU–R Recommendation BO.1503. This software has been thoroughly evaluated by the ITU–R, including by U.S. participants in the ITU–R groups. The specific information we will require from the NGSO FSS applicants is described in detail in the GSO FSS section and new rule § 25.146(a)(1).

Domestic Implementation of $EPFD_{down}$ Operational Limits

56. We will also require an NGSO FSS applicant to demonstrate prior to becoming operational that it meets the operational $EPFD_{down}$ limits to protect GSO BSS operations. In addition, unlike the requirements for the operational limits with the ITU, we will require NGSO FSS applicants to demonstrate that they will meet the operational limits to protect BSS receive earth stations everywhere in Alaska, or Hawaii as appropriate, all of the time. Therefore, any NGSO FSS applicant that is found qualified to hold a space station authorization will be issued a conditional authorization. Specifically, as discussed in the GSO FSS section, each NGSO FSS licensee issued a conditional authorization must submit, 90 days prior to operation, technical information demonstrating compliance with the operational limits in the United States NGSO FSS applicants are fully aware of our requirements well in advance of their actual construction and operation. If the demonstration shows that the limits are not met, we will require NGSO FSS systems to apply all mitigation techniques necessary, including any changes necessary to their system design, to comply with the operational limits. In addition, if an NGSO FSS system exceeds the operational limits, it will be in violation of its obligations under the ITU Radio Regulation No. S22.2, as well as Commission rules. The information that we will require NGSO FSS system licensees to submit is described in detail in the GSO FSS section and in new rule § 25.146(b)(2).

Aggregate $EPFD_{down}$ Limits

57. We concluded in the GSO FSS section on aggregate EPFD down limits, it is necessary to ensure that the maximum aggregate interference level necessary to protect GSO BSS is not exceeded. Therefore, we will include in our rules the international consensus aggregate $EPFD_{down}$limits referred to in No. S22.5K and contained in Table [RES COM 5/6]–1D. For the same reasons discussed in the GSO FSS section on aggregate $EPFD_{down}$limits, however, we will defer a decision on whether NGSO FSS applicants should demonstrate that that they can meet the aggregate $EPFD_{down}$limits we adopt today, to the forthcoming rule making addressing NGSO to NGSO sharing, or to the licensing proceeding itself.

Protection of GSO BSS Telemetry, Tracking and Command

58. As noted in the NPRM, the issues that are specific to the protection of GSO FSS TT&C operations are also relevant for the protection of GSO BSS TT&C operations. Therefore, we adopt the same decisions that are discussed in the section above on GSO FSS TT&C operations for the GSO BSS TT&C operations.

Other DBS Applications

59. As noted in the NPRM, DIRECTV is providing DBS to antennas mounted on aircraft. We stated our belief that this type of mobile operation is consistent with the allocation because the DBS definition in the Commission's Rules does not limit transmissions to fixed receive earth stations. Nevertheless, we requested comment on whether this type of BSS operation is consistent with the Commission's Rules and whether it is appropriate to protect this type of reception. If so, we also requested comment on what EPFD limits would be appropriate to protect aircraft mobile antennas.

60. No party internationally, or in the domestic proceeding, proposed any additional specific measures or rules to protect this type of DBS receive earth station application. Based on the text of the CPM Report, and the latest round of comments, it appears that this issue has been resolved by the $EPFD_{down}$limits that we are adopting today. Therefore, we do not find it necessary to adopt any additional measures to protect DBS service to aircraft.

MVDDS Sharing With DBS

61. We conclude that MVDDS can operate in the 12.2–12.7 GHz band under the existing primary allocation, which requires that a Fixed Service not cause harmful interference to the co-primary BSS. Section 2.1 of our rules defines ''harmful interference'' as ''interference which endangers the functioning of a radionavigation service or of other safety services or seriously degrades, obstructs, or repeatedly interrupts a radiocommunication service. * * *'' In some instances, spectrum sharing may result in services causing interference or degradation to or occasional outages of other services. Spectrum management decisions often

address this issue by specifying operating requirements to minimize to the greatest extent possible the level to which such impacts occur. In this proceeding, we find that we can develop operating requirements for MVDDS that will ensure that DBS operations are not seriously degraded or subject to repeated interruptions due to MVDDS operations, thus avoiding any harmful interference to DBS.

62. We will permit a terrestrial point-to-multipoint video and data distribution service, which we will refer to as the MVDDS, to operate under Part 101 of our Rules in the 12.2–12.7 GHz band. We find, however, that determining an appropriate increased unavailability criterion for MVDDS must take into account the inherent differences between MVDDS and NGSO FSS operations. Because an NGSO FSS system operator cannot readily tailor its operations to BSS/DBS systems in different geographic areas, WRC–2000 developed EPFD values that reflect NGSO FSS impact on BSS/DBS systems over the whole NGSO FSS service area (in this country, the entire continental United States). By contrast, an MVDDS system operator can tailor its operations to avoid causing harmful interference to BSS systems in different areas, as well as to individual DBS subscribers in the same area. We will also require each MVDDS operator to mitigate interference to DBS subscribers within an area around each MVDDS transmitter where unavailability to such subscribers would otherwise exceed acceptable levels because of MVDDS transmissions. We recognize that using a worst case unavailability criterion to any DBS subscriber may pose significant constraints on MVDDS deployment, but we conclude that we should minimize any potential decrease in availability to DBS customers located in close proximity to MVDDS transmitters. We find that such an approach is feasible because an MVDDS operator can customize its transmitter deployment.

63. Finally, we find that, similar to the protection criteria developed by WRC–2000 to permit NGSO FSS/BSS sharing, any DBS protection criteria that MVDDS systems must meet should be based on a standard model using available historical and operational data.

MVDDS Sharing With NGSO FSS Downlinks

64. After reviewing the extensive filings in this proceeding, we conclude that NGSO FSS and MVDDS systems can be accommodated in the 12.2–12.7 GHz band if NGSO FSS systems limit their PFD toward MVDDS receivers and the two services avoid mainbeam to mainbeam interference. We acknowledge that this sharing arrangement will require careful planning and engineering, but the public will benefit from these efforts to introduce both of these new services. Further, we note that we are making available to NGSO FSS systems an additional 500 megahertz of service downlink spectrum at 11.7–12.2 GHz that will not be encumbered by MVDDS operations. We believe that current trends in spectrum usage require us to consider more complicated and creative sharing arrangements.

65. With respect to interference that may be caused by MVDDS transmitters to NGSO FSS earth stations, such interference could occur when an earth station that is in the vicinity of an MVDDS transmitter tracks the NGSO FSS satellite into view of the transmitter, or when energy from the MVDDS transmitter enters the side and back lobes of the earth station at a sufficient signal strength to cause harmful interference. Nevertheless, we are confident that MVDDS transmitters will not threaten the viability of NGSO FSS downlink operations. MVDDS operators will be deploying their transmitters so as to avoid harmful interference.

66. Accordingly, we conclude that MVDDS and NGSO FSS can share the 12.2–12.7 GHz band on a co-primary basis. This more intensive use of the band will allow a wide variety of new services to be delivered to the public. NGSO FSS operations will enable the delivery of broadband services to anywhere in the United States, including unserved and underserved areas. MVDDS operations will deliver competition to other video distribution and data services and offer localized service that may not be possible through other services. A future NGSO FSS licensing proceeding will explore the optimal way to assign spectrum in the 12.2–12.7 GHz band to facilitate spectrum sharing between NGSO FSS systems and MVDDS systems.

NGSO FSS Service Uplink Bands: 14.0–14.4 GHz

67. The 14.0–14.4 GHz band is allocated on a primary basis for FSS uplinks and is heavily used by very small aperture terminal (''VSAT'') operations. Additionally, we note that the 14.2–14.4 GHz band segment is allocated on a secondary basis to the mobile service, for such operations as television pickup links for part 101 licensees. Finally, we noted that the entire 14.0–14.4 GHz band is available for secondary land mobile satellite uplink operations.

68. The NGSO FSS uplink user terminal sharing scenario in the 14.0–14.4 GHz band raises issues that are similar to those regarding NGSO FSS gateway uplinks in the 12.75–13.25 and 14.4–14.5 GHz bands. For the same reasons stated in the NGSO FSS gateway uplink section, we adopt the $EPFD_{up}$ limits contained in § 25.208(k) of our rules to protect GSO FSS satellites from NGSO FSS user terminal uplink operations in the 14.0–14.4 GHz band. We also conclude that NGSO FSS gateway earth stations may also operate in the 14.0–14.4 GHz band, since NGSO FSS gateway uplinks are also subject to the same $EPFD_{up}$ limits as NGSO FSS user terminal uplinks.

GSO FSS Arc Avoidance

69. Consistent with our proposal in the NPRM, we will not adopt a specific rule that requires NGSO FSS systems to employ GSO arc avoidance. NGSO FSS operators may use various techniques, including GSO arc avoidance, to meet the $EPFD_{up}$ and $EPFD_{down}$ limits we adopt today. Considering that the amount of arc avoidance needed to meet the $EPFD_{up}$ and $EPFD_{down}$ limits is entirely dependent on the NGSO system design, we find that imposing an additional GSO arc avoidance requirement would be an unnecessary constraint on the design of NGSO FSS systems.

GSO FSS Earth Station Power Limits

70. We believe that limiting the signal energy radiated by GSO FSS earth stations could be beneficial to NGSO FSS systems by placing an upper bound on the level of uplink interference that must be tolerated. However, adopting the off-axis e.i.r.p. limits proposed in the NPRM for within ± 3 degrees of the GSO would, in effect, allow GSO FSS earth stations to transmit at a higher level into adjacent GSO FSS satellites than is currently permitted under our rules and would be disruptive to the vast number of GSO FSS satellites and earth stations in operation. The same holds true for the off-axis e.i.r.p. density limits that were adopted by WRC–2000. We conclude that the Commission's existing part 25 rules are more restrictive on GSO FSS earth stations than both the limits proposed in the NPRM and the limits adopted at WRC–2000. Further, the Commission's Rules limit the signal energy radiated in all off-axis pointing directions, not just within ±3° of the GSO orbit, thus alleviating SkyBridge's and Boeing's concerns. We will continue to require compliance with existing Part 25 rules

for off-axis e.i.r.p. limits and not adopt the proposed rule change. In regard to SkyBridge's and GE's suggestion that limits also be placed on NGSO FSS earth station off-axis e.i.r.p. density, we believe it is more appropriate to address this issue in a forthcoming Further Notice of Proposed Rule Making, which also addresses sharing among multiple NGSO FSS systems.

NGSO FSS User Terminal Earth Station Antenna Reference Pattern

71. As we stated in the NPRM, we believe that the use of higher performance earth station antennas will maximize sharing between NGSO FSS and GSO FSS systems and use of the spectrum. However, we recognize that there are physical limitations on the amount of sidelobe suppression achievable in small earth station antennas, both GSO and NGSO. We are confident that the $EPFD_{up}$ limits we adopt today ensure protection of GSO FSS satellites from NGSO FSS earth station transmissions. Further, we are confident that the Further Notice of Proposed Rule Making (Further NPRM), 66 FR 7607, January 24, 2001, will result in an adequate sharing scenario between NGSO FSS user terminals and MVDDS operations. Therefore, while specifying an NGSO FSS user terminal antenna pattern is not needed for sharing with GSO FSS or with the MVDDS, it may be a factor to consider in sharing with other NGSO FSS systems. We do not see the need at this time to specify an NGSO FSS customer premise earth station reference antenna pattern and defer the issue for consideration, as necessary, in a separate Notice of Proposed Rule Making addressing sharing issues among NGSO FSS systems.

NGSO FSS Gateway Earth Station Antenna Reference Pattern

72. We believe that the use of higher performance earth station antennas will maximize inter-system sharing and efficient use of the spectrum. In addition, a higher performance antenna reference pattern will facilitate sharing with other services. For example, tighter patterns will reduce separation distances between gateway earth stations and terrestrial stations for certain azimuths around the gateway station. Earth station technology for this size antenna is advanced to the stage where it can meet this requirement. Accordingly, we will require NGSO FSS gateway earth station antennas to meet the reference pattern of $29 - 25 \log(\theta)$ for all directions. We have, however, reconsidered our proposal to not allow 10% of the NGSO FSS earth station sidelobe peaks to exceed the envelope. The design considerations for both GSO and NGSO FSS earth stations are similar and we will allow the same percentage of peak sidelobe exceedance.

RF Safety

73. We emphasize that all FCC-regulated transmitters, including the subscriber terminals used in FSS systems, are required to meet the applicable Commission guidelines regarding radiofrequency exposure limits. It is therefore incumbent upon NGSO FSS licensees to exercise reasonable care to protect users and the public from radiofrequency exposure in excess of the Commission's limits.

74. As part of the NGSO FSS licensee's obligation to exercise such reasonable care, we conclude that it must ensure that subscriber antennas are labeled to give notice of the potential radiofrequency safety hazards from these antennas. We have previously adopted labeling requirements for LMDS, MDS, ITFS, and 24 GHz service antennas, which, like NGSO FSS's antennas, can be placed at a subscriber's premises. We see no reason to make a different determination with respect to labeling for NGSO FSS's subscriber antennas than we made for these other subscriber antennas. In addition, we have recently made labeling a condition for invoking protection from restrictions that impair the installation, maintenance, or use of customer-end antennas that are used to transmit fixed wireless service, where the antenna user has a direct or indirect ownership or leasehold interest in the property. Accordingly, we are amending Table 1 in § 1.1307(b) of the Commission's rules to provide for labeling requirements for NGSO subscriber equipment.

75. Labeling information should include minimum separation distances required between users and radiating antennas to meet the Commission's radiofrequency exposure guidelines. Labels should also include reference to the Commission's applicable radiofrequency exposure guidelines. In addition, the instruction manuals and other information accompanying subscriber transceivers should include a full explanation of the labels, as well as a reference to the applicable Commission radiofrequency exposure guidelines. While we will require licensees to attach labels and provide users with notice of potentially harmful exposure to radiofrequency electromagnetic fields, we will not mandate the specific language to be used. However, we will require use of the ANSI-specified warning symbol for radiofrequency exposure.

Emission Limits

76. In the NPRM, we proposed that the aggregate power flux density from all NGSO satellites in a constellation would have to be below -255 dBW/m^2/Hz to protect Radio Astronomy Service (''RAS'') receivers in the 10.6–10.7 GHz band from harmful interference.

77. Article S29 of the ITU Radio Regulations outlines general provisions for the protection of the RAS. Specifically, Article S29 acknowledges the sensitivity of RAS operations and encourages administrations to cooperate in protecting RAS operations from interference. Article S29 also identifies various techniques that administrations may use to protect RAS, such as geographic separation, frequency separation, time sharing and power limitations. Article S29 refers to ITU–R RA.769–1, which establishes protection criteria for various radio astronomy frequency bands. ITU–R RA.769–1 also recognizes that interference to radio astronomy operations from geostationary satellites is a special interference case because the signal energy could easily be observed by the RAS receiving antenna. We find that non-geostationary satellite downlink operations also pose a significant interference risk to radio astronomy operations unless parties make an active effort to avoid interference. The interference limits set forth in ITU–R RA.769–1 provide reasonable protection against interference to RAS operations from various operations. We note that the ITU is studying a Draft New Recommendation that would specify, for interference evaluation, a separate criterion for data loss to the RAS due to interference from any one NGSO FSS network, in any frequency band which is allocated to the Radio Astronomy Service on a primary basis. Because the Draft New Recommendation regarding NGSO FSS/RAS sharing is still under consideration, we decline to adopt specific protection limits in our rules. Rather, we will require NGSO FSS applicants to coordinate and reach a mutually acceptable agreement with the RAS facilities that use the 10.6–10.7 GHz band to ensure that these facilities are adequately protected from interference. We find that requiring coordination between NGSO FSS and RAS operations presents both parties with the most flexibility to reach agreement on the protection of RAS.

Final Regulatory Flexibility Analysis

78. As required by the Regulatory Flexibility Act (RFA)[1] an Initial Regulatory Flexibility Analysis (''IRFA'') was incorporated in the Notice of Proposed Rule Making (''NPRM'') in ET Docket No. 98–206.[2] The Commission sought written public comment on the proposals in the NPRM, including comment on the IRFA. This Final Regulatory Flexibility Analysis (''FRFA'') conforms to the RFA.[3] In addition to the issues discussed below, the IRFA addressed Northpoint Technology Ltd.'s proposal to allow terrestrial operations to use the 12.2–12.7 GHz band for the provision of MVPD services and data services.

A. Need for, and Objectives of, the Report and Order

79. In this First Report and Order, we permit NGSO FSS operations in certain segments of the 10.7–14.5 GHz frequency band range, and adopt rules and policies to govern such operations. More specifically, we amend Parts 2 and 25 of our rules to permit NGSO FSS space-to-earth links (''downlinks'') to operate in the 10.7–12.7 GHz band and for NGSO earth-to-space links (''uplinks'') to operate in the 12.75–13.15 GHz, 13.2125–13.25 GHz and 13.8–14.5 GHz bands. These downlink bands are generally used by geostationary-satellite orbit (''GSO'') FSS and fixed services. The uplink bands are used by GSO FSS operations, fixed services, mobile services, and Government operations. We also permit a new terrestrial Multichannel Video Distribution and Data Service (MVDDS) to operate in the 12.2–12.7 GHz band, but defer services and technical rules for the MVDDS to our companion Further Notice of Proposed Rule Making.

80. These new satellite and terrestrial operations can increase competition and provide new advanced services to the public. Specifically, NGSO FSS systems can provide new high-speed data services and offer additional competition to other satellite services, and terrestrial wireless and wireline services. The MVDDS can provide local television and data services and provide additional competition to both cable and Direct Broadcast Satellite (DBS) systems. There is, however, extensive use of the requested frequency bands in the United States and these incumbent operations provide important and valuable services to the public that we must protect. By this action, we provide for the introduction of new advanced services to the public, while permitting incumbent services to operate without harmful interference.

B. Summary of Significant Issues Raised by Public Comments In Response to the IRFA

81. No comments were submitted in response to the IRFA.

C. Description and Estimate of the Number of Small Entities To Which Rules Will Apply

82. The RFA generally defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.''[4] In addition, the term ''small business'' has the same meaning as the term ''small business concern'' under the Small Business Act.[5] A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (''SBA'').[6] A small organization is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field.''[7]

83. Regarding incumbent cable television operations in the 12.75–13.25 GHz band, the SBA has developed a definition of small entities for cable and other pay television services, which includes all such companies generating $11 million or less in revenue annually. This definition includes cable systems operators, closed circuit television services, DBS services, multipoint distribution systems, satellite master antenna systems and subscription television services. According to the Census Bureau, there were 1,788 total cable and other pay television services and 1,423 had less than $11 million in revenue.

84. The Communications Act also contains a definition of a small cable system operator, which is ''a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1 percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000.'' The Commission has determined that there are 61,700,000 subscribers in the United States. Therefore, we found that an operator serving fewer than 617,000 subscribers shall be deemed a small operator, if its annual revenues, when combined with the total annual revenues of all of its affiliates, do not exceed $250 million in the aggregate. Based on available data, we find that the number of cable operators serving 617,000 subscribers or less totals 1,450. We did not request nor did we collect information concerning whether cable system operators are affiliated with entities whose gross annual revenues exceed $250,000,000, and thus are unable at this time to estimate with greater precision the number of cable system operators that would qualify as small cable operators under the definition in the Communications Act.

85. Regarding incumbent GSO FSS satellite use and the proposed NGSO FSS use in these requested bands, the Commission has not developed a definition of small entities applicable to geostationary or non-geostationary orbit fixed-satellite service applicants or licensees. Therefore, the applicable definition of small entity is the definition under the Small Business Administration (SBA) rules applicable to Communications Services, Not Elsewhere Classified. This definition provides that a small entity is one with $11.0 million or less in annual receipts.[8] According to Census Bureau data, there are 848 firms that fall under the category of Communications Services, Not Elsewhere Classified, which could potentially fall into the geostationary or non-geostationary orbit fixed-satellite service category. Of those, approximately 775 reported annual receipts of $11 million or less and qualify as small entities.[9] Generally, these NGSO and GSO FSS systems cost several millions of dollars to construct and operate. Therefore the NGSO and GSO FSS companies, or their parent

[1] See 5 U.S.C. 603. The RFA, see 5 U.S.C. 601 et. seq., has been amended by the Contract With America Advancement Act of 1996, Public Law 104–121, 110 Stat. 847 (1996) (CWAAA). Title II of the CWAAA is the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA).

[2] See Notice of Proposed Rule Making, ET Docket No. 98–206, 14 FCC Rcd. 1131, 1194 (1998).

[3] See 5 U.S.C. 604.

[4] Id. Section 601(6).

[5] See 5 U.S.C. 601(3) (incorporating by reference the definition of ''small business concern'' in 15 U.S.C. 632). Pursuant to the RFA, the statutory definition of a small business applies ''unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the **Federal Register**.'' 5 U.S.C. 601(3).

[6] See Small Business Act, 15 U.S.C. 632 (1996).

[7] See 5 U.S.C. 601(4).

[8] See 13 CFR 121.201, Standard Industrial Classification (SIC) Code 4899.

[9] U.S. Bureau of Census, U.S. Department of Commerce, 1992 Census of Transportation, Communications, Utilities, UC92-S–1, Subject Series, Establishment and Firm Size, Table 2D, Employment Size of Firms: 1992, SIC Code 4899 (issued May 1995).

companies, rarely qualify under this definition as a small entity.

86. Regarding Auxiliary, Special Broadcast and other program distribution services in the Ku-band. This service involves a variety of transmitters, generally used to relay broadcast programming to the public (through translator and booster stations) or within the program distribution chain (from a remote news-gathering unit back to the station). The Commission has not developed a definition of small entities applicable to Broadcast Auxiliary Station (BAS) licensees. Therefore, the applicable definition of small entity is the definition under the Small Business Administration (SBA) rules applicable to radio broadcasting stations (SIC 4832) and television broadcasting stations (SIC 4833). These definitions provide, respectively, that a small entity is one with either $5.0 million or less in annual receipts or $10.5 million in annual receipts. 13 CFR 121.201, SIC Codes 4832 and 4833. There are currently 3,237 FM translators and boosters, and 2,964 TV translators. The FCC does not collect financial information on any broadcast facility and the Department of Commerce does not collect financial information on these auxiliary broadcast facilities. We believe, however, that most, if not all, of these auxiliary facilities could be classified as small businesses by themselves. We also recognize that most translators and boosters are owned by a parent station which, in some cases, would be covered by the revenue definition of small business entity discussed above. These stations would likely have annual revenues that exceed the SBA maximum to be designated as a small business (as noted, either $5 million for a radio station or $10.5 million for a TV station). Furthermore, they do not meet the Small Business Act's definition of a ''small business concern'' because they are not independently owned and operated.

87. Incumbent microwave services in the 10.7–11.7 GHz and 12.75–13.25 GHz bands include common carrier, private operational fixed, and BAS services. At present, there are 22,015 common carrier licensees, approximately 61,670 private operational fixed licensees and broadcast auxiliary radio licensees in the microwave services. Inasmuch as the Commission has not yet defined a small business with respect to microwave services, we will utilize the SBA's definition applicable to radiotelephone companies; i.e., an entity with no more than 1,500 persons. 13 CFR 121.201, SIC Code 4812. We estimate, for this purpose, that all of the Fixed Microwave licensees (excluding broadcast auxiliary licensees) would qualify as small entities under the SBA definition for radiotelephone companies.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

88. We will apply the Part 25 rules governing reporting requirements for NGSO FSS systems. Specifically, licensees are required to file an annual report with the Commission describing: the status of satellite construction and anticipated launch dates, including any major delays or problems encountered; a listing of any unscheduled satellite outages for more than 30 minutes including the cause(s) of any such outages; and a detailed description of the utilization made of each satellite on each of the in-orbit satellites.

E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

89. The Commission adopts technical rules to facilitate spectrum sharing between new NGSO FSS systems in the Ku band and existing services in this spectrum. These technical rules are intended to allow new entrants into the spectrum without causing unacceptable interference to existing and future operations of incumbent services. We acknowledge that as the radio spectrum is increasingly used, it becomes more difficult to accommodate all requests for access to the radio spectrum, however, this action applies existing frequency coordination procedures to NGSO FSS systems sharing spectrum with fixed services. Frequency coordination should ensure that new operations of either service will protect existing operations and have access to spectrum if it is technically possible.

90. The Commission also considered a proposal from the Fixed Service (FS) community to set aside some portion of the spectrum in the 10.7–11.7 GHz band for future FS deployment. The Commission declined this set aside because NGSO FSS and fixed systems should be able to coordinate operations and such an action would not lead to the most effective use of the spectrum. Additionally, in its comments and in a Petition for Rule Making, the fixed community requested that we change some aspects of the coordination and licensing procedures of FSS operations that share spectrum with fixed services. Because the issues raised by the fixed community address several spectrum bands which are not under consideration in this proceeding, we deferred on these issues to another proceeding that will address all these issues before NGSO FSS systems are licensed for this band.

91. Regarding sharing between NGSO FSS systems and broadcast auxiliary (''BAS'') operations, the Report and Order states that it will adopt some form of geographic protection areas for terrestrial operations in those bands used by NGSO FSS gateway stations. These protection areas will be defined in a future proceeding, but are intended to facilitate the growth of terrestrial operations, while not unnecessarily hindering the deployment of NGSO FSS systems. Further, to ensure BAS operations in all areas can continue to operate unencumbered by new NGSO FSS systems, the Report and Order set aside 4 BAS channels for exclusive use in all areas to ensure continued operations.

92. *Report to Congress:* The Commission will send a copy of the Report and Order, including this FRFA, in a report to be sent to Congress pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996, see 5 U.S.C. 801(a)(1)(A). In addition, the Commission will send a copy of the Report and Order including FRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects

47 CFR Part 1

Administrative practice and procedure, Satellites.

47 CFR Part 2

Communications equipment, Radio.

47 CFR Part 25

Communications common carriers, Communications equipment, Radio, Satellites.

Federal Communications Commission

William F. Caton,

Deputy Secretary.

Rules Changes

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 2, and 25 as follows:

PART 1—PRACTICE AND PROCEDURE

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

Authority: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

2. Section 1.1307 (b)(1), Table 1 is amended by revising the entry for Satellite Communications (part 25) to read as follows:

§ 1.1307 Actions that may have a significant environmental effect, for which Environmental Assessments (EAs) must be prepared.

* * * * *

(b) * * *

(1) * * *

TABLE 1.—TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

Service (title 47 rule part)	Evaluation required if
* * *	* * * *
Satellite Communications (part 25)	All included. In addition, for NGSO subscriber equipment, licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, e.g., information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.
* * *	* * * *

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PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

3. The authority citation for part 2 continues to read as follows:

Authority: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

4. Section 2.106, the Table of Frequency Allocations, is amended as follows:

a. Pages 63, 64, and 65 are revised.

b. In the list of International Footnotes, under I. New ''S'' Numbering Scheme, footnotes S5.441, S5.484A, S5.487A, S5.488, S5.492, S5.502, and S5.503 are revised.

c. In the list of United States (US) Footnotes, footnotes US355, US356, and US357 are added.

d. In the list of Non-Federal Government (NG) Footnotes, footnotes NG104, NG118, and NG143 are revised.

The revisions read as follows:

§ 2.106 Table of Frequency Allocations.

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International Table			United States Table		FCC Rule Part(s)
Region 1	Region 2	Region 3	Federal Government	Non-Federal Government	
10-10.45 FIXED MOBILE RADIOLOCATION Amateur S5.479	10-10.45 RADIOLOCATION Amateur S5.479 S5.480	10-10.45 FIXED MOBILE RADIOLOCATION Amateur S5.479	10-10.45 RADIOLOCATION S5.479 US58 US108 G32	10-10.45 Radiolocation Amateur S5.479 US58 US108 NG42	Private Land Mobile (90) Amateur (97)
10.45-10.5 RADIOLOCATION Amateur Amateur-satellite S5.481			10.45-10.5 RADIOLOCATION US58 US108 G32	10.45-10.5 Radiolocation Amateur Amateur-satellite US58 US108 NG42 NG134	
10.5-10.55 FIXED MOBILE Radiolocation	10.5-10.55 FIXED MOBILE RADIOLOCATION		10.5-10.55 RADIOLOCATION US59		Private Land Mobile (90)
10.55-10.6 FIXED MOBILE except aeronautical mobile Radiolocation			10.55-10.6	10.55-10.6 FIXED	Fixed Microwave (101)
10.6-10.68 EARTH EXPLORATION-SATELLITE (passive) FIXED MOBILE except aeronautical mobile RADIO ASTRONOMY SPACE RESEARCH (passive) Radiolocation S5.149 S5.482			10.6-10.68 EARTH EXPLORATION-SATELLITE (passive) SPACE RESEARCH (passive) US265 US277	10.6-10.68 EARTH EXPLORATION-SATELLITE (passive) FIXED SPACE RESEARCH (passive) US265 US277	
10.68-10.7 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY SPACE RESEARCH (passive) S5.340 S5.483			10.68-10.7 EARTH EXPLORATION-SATELLITE (passive) RADIO ASTRONOMY US74 SPACE RESEARCH (passive) US246 US355		

10.7-11.7 FIXED FIXED-SATELLITE (space-to-Earth) S5.441 S5.484A (Earth-to-space) S5.484 MOBILE except aeronautical mobile	10.7-11.7 FIXED FIXED-SATELLITE (space-to-Earth) S5.441 S5.484A MOBILE except aeronautical mobile		10.7-11.7 US211	10.7-11.7 FIXED NG41 FIXED-SATELLITE (space-to-Earth) S5.441 US211 NG104 US355	International Fixed (23) Satellite Communications (25) Fixed Microwave (101)
11.7-12.5 FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE	11.7-12.1 FIXED S5.486 FIXED-SATELLITE (space-to-Earth) S5.484A Mobile except aeronautical mobile S5.485 S5.488	11.7-12.2 FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE	11.7-12.1 S5.486	11.7-12.2 FIXED-SATELLITE (space-to-Earth) NG143 NG145 Mobile except aeronautical mobile	Satellite Communications (25) Fixed Microwave (101)
	12.1-12.2 FIXED-SATELLITE (space-to-Earth) S5.484A S5.485 S5.488 S5.489	S5.487 S5.487A S5.492	12.1-12.2	S5.486 S5.488	
S5.487 S5.487A S5.492	12.2-12.7 FIXED MOBILE except aeronautical mobile BROADCASTING BROADCASTING-SATELLITE	12.2-12.5 FIXED MOBILE except aeronautical mobile BROADCASTING S5.484A S5.487 S5.491	12.2-12.7	12.2-12.7 FIXED BROADCASTING-SATELLITE	International Fixed (23) Satellite Communications (25) Direct Broadcast Satellite (100) Fixed Microwave (101)
12.5-12.75 FIXED-SATELLITE (space-to-Earth) S5.484A (Earth-to-space)		12.5-12.75 FIXED FIXED-SATELLITE (space-to-Earth) S5.484A MOBILE except aeronautical mobile BROADCASTING-SATELLITE S5.493			
	S5.487A S5.488 S5.490 S5.492		S5.490	S5.487A S5.488 S5.490	
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Region 1	Region 2	Region 3	Federal Government	Non-Federal Government	
See previous page for 12.5-12.75 GHz	12.7-12.75 FIXED FIXED-SATELLITE (Earth-to-space) MOBILE except aeronautical mobile	See previous page for 12.5-12.75 GHz	12.7-12.75	12.7-12.75 FIXED NG118 FIXED-SATELLITE (Earth-to-space) MOBILE NG53	Satellite Communications (25) Auxiliary Broadcasting (74) Cable TV Relay (78) Fixed Microwave (101)
12.75-13.25 FIXED FIXED-SATELLITE (Earth-to-space) S5.441 MOBILE Space research (deep space) (space-to-Earth)			12.75-13.25 US251	12.75-13.25 FIXED NG118 FIXED-SATELLITE (Earth-to-space) S5.441 NG104 MOBILE US251 NG53	
13.25-13.4 EARTH EXPLORATION-SATELLITE (active) AERONAUTICAL RADIONAVIGATION S5.497 SPACE RESEARCH (active) S5.498A S5.499			13.25-13.4 AERONAUTICAL RADIONAVIGATION S5.497 Space research (Earth-to-space)		Aviation (87)
13.4-13.75 EARTH EXPLORATION-SATELLITE (active) RADIOLOCATION SPACE RESEARCH S5.501A Standard frequency and time signal-satellite (Earth-to-space) S5.499 S5.500 S5.501 S5.501B			13.4-13.75 RADIOLOCATION S5.333 US110 G59 Space research Standard frequency and time signal-satellite (Earth-to-space)	13.4-13.75 Radiolocation S5.333 US110 Space research Standard frequency and time signal-satellite (Earth-to-space)	Private Land Mobile (90)
13.75-14 FIXED-SATELLITE (Earth-to-space) S5.484A RADIOLOCATION Standard frequency and time signal-satellite (Earth-to-space) Space research S5.499 S5.500 S5.501 S5.502 S5.503 S5.503A			13.75-14 RADIOLOCATION US110 G59 Standard frequency and time signal-satellite (Earth-to-space) Space research US337 S5.503A US356 US357	13.75-14 FIXED-SATELLITE (Earth-to-space) US337 Radiolocation US110 Standard frequency and time signal-satellite (Earth-to-space) Space research S5.503A US356 US357	Satellite Communications (25) Private Land Mobile (90)

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International Footnotes

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I. New ''S'' Numbering Scheme

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S5.441 The use of the bands 4 500–4 800 MHz (space-to-Earth), 6 725–7 025 MHz (Earth-to-space) by the fixed-satellite service shall be in accordance with the provisions of Appendix S30B. The use of the bands 10.7–10.95 GHz (space-to-Earth), 11.2–11.45 GHz (space-to-Earth) and 12.75–13.25 GHz (Earth-to-space) by geostationary-satellite systems in the fixed-satellite service shall be in accordance with the provisions of Appendix S30B. The use of the bands 10.7–10.95 GHz (space-to Earth), 11.2–11.45 GHz (space-to-Earth) and 12.75–13.25 GHz (Earth-to-space) by a non-geostationary-satellite system in the fixed-satellite service is subject to application of the provisions of No. S9.12 for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite system in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the fixed-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. S5.43A does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated.

S5.484A The use of the bands 10.95–11.2 GHz (space-to-Earth), 11.45–11.7 GHz (space-to-Earth), 11.7–12.2 GHz (space-to-Earth) in Region 2, 12.2–12.75 GHz (space-to-Earth) in Region 3, 12.5–12.75 GHz (space-to-Earth) in Region 1, 13.75–14.5 GHz (Earth-to-space), 17.8–18.6 GHz (space-to-Earth), 19.7–20.2 GHz (space-to-Earth), 27.5–28.6 GHz (Earth-to-space), 29.5–30 GHz (Earth-to-space) by a non-geostationary-satellite system in the fixed-satellite service is subject to application of the provisions of No. S9.12 for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the fixed-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. S5.43A does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated.

* * * * *

S5.487A *Additional allocation:* in Region 1, the band 11.7–12.5 GHz, in Region 2, the band 12.2–12.7 GHz and, in Region 3, the band 11.7–12.2 GHz, are also allocated to the fixed-satellite service (space-to-Earth) on a primary basis, limited to non-geostationary systems and subject to application of the provisions of No. S9.12 for coordination with other non-geostationary-satellite systems in the fixed-satellite service. Non-geostationary-satellite systems in the fixed-satellite service shall not claim protection from geostationary-satellite networks in the broadcasting-satellite service operating in accordance with the Radio Regulations, irrespective of the dates of receipt by the Bureau of the complete coordination or notification information, as appropriate, for the non-geostationary-satellite systems in the fixed-satellite service and of the complete coordination or notification information, as appropriate, for the geostationary-satellite networks, and No. S5.43A does not apply. Non-geostationary-satellite systems in the fixed-satellite service in the above bands shall be operated in such a way that any unacceptable interference that may occur during their operation shall be rapidly eliminated.

S5.488 The use of the band 11.7–12.2 GHz by geostationary-satellite networks in the fixed-satellite service in Region 2 is subject to the provisions of Resolution 77 (WRC–2000). For the use of the band 12.2–12.7 GHz by the broadcasting-satellite service in Region 2, see Appendix S30.

* * * * *

S5.492 Assignments to stations of the broadcasting-satellite service which are in conformity with the appropriate regional Plan or included in the Regions 1 and 3 List in Appendix S30 may also be used for transmissions in the fixed-satellite service (space-to-Earth), provided that such transmissions do not cause more interference, or require more protection from interference, than the broadcasting-satellite service transmissions operating in conformity with the Plan or the List, as appropriate.

* * * * *

S5.502 In the band 13.75–14 GHz, an earth station in the fixed-satellite service shall have a minimum antenna diameter of 4.5 m and the e.i.r.p. of any emission should be at least 68 dBW and should not exceed 85 dBW. In addition the e.i.r.p., averaged over one second, radiated by a station in the radiolocation or radionavigation services shall not exceed 59 dBW. The protection of assignments to receiving space stations in the fixed-satellite service operating with earth stations that, individually, have an e.i.r.p. of less than 68 dBW shall not impose constraints on the operation of the radiolocation and radionavigation stations operating in accordance with the Radio Regulations. No. S5.43A does not apply. See Resolution 733 (WRC–2000).

S5.503 In the band 13.75–14 GHz, geostationary space stations in the space research service for which information for advance publication has been received by the Bureau prior to 31 January 1992 shall operate on an equal basis with stations in the fixed-satellite service; after that date, new geostationary space stations in the space research service will operate on a secondary basis. Until those geostationary space stations in the space research service for which information for advance publication has been received by the Bureau prior to 31 January 1992 cease to operate in this band:

a. The e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in geostationary-satellite orbit shall not exceed 71 dBW in the 6 MHz band from 13.772 to 13.778 GHz.

b. The e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in non-geostationary-satellite orbit shall not exceed 51 dBW in the 6 MHz band from 13.772 to 13.778 GHz.

Automatic power control may be used to increase the e.i.r.p. density in the 6 MHz band in this frequency range to compensate for rain attenuation, to the extent that the power-flux density at the fixed-satellite service space station does not exceed the value resulting from use by an earth station of an e.i.r.p. of 71 dBW or 51 dBW, as appropriate, in the 6 MHz band in clear-sky conditions.

United States (US) Footnotes

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US355 In the band 10.7–11.7 GHz, non-geostationary satellite orbit

licensees in the fixed-satellite service (space-to-Earth), prior to commencing operations, shall coordinate with the following radio astronomy observatories to achieve a mutually acceptable agreement regarding the protection of the radio telescope facilities operating in the band 10.6–10.7 GHz:

Observatory	West longitude	North latitude	Elevation
Arecibo Obs	66E 45N 11O	18E 20N 46O	496 m
Green Bank Telescope (GBT)	79E 50N 24O	38E 25N 5OO	825 m
Very Large Array (VLA)	107E 37N 04O	34E 04N 44O	2126 m
Very Long Baseline Array (VLBA) Stations:			
Pie Town, NM	108E 07N 07O	34E 18N 04O	2371 m
Kitt Peak, AZ	111E 36N 42O	31E 57N 22O	1916 m
Los Alamos, NM	106E 14N 42O	35E 46N 30O	1967 m
Ft. Davis, TX	103E 56N 39O	30E 38N 06O	1615 m
N. Liberty, IA	91E 34N 26O	41E 46N 17O	241 m
Brewster, WA	119E 40N 55O	48E 07N 53O	255 m
Owens Valley, CA	118E 16N 34O	37E 13N 54O	1207 m
St. Croix, VI	64E 35N 03O	17E 45N 31O	16 m
Hancock, NH	71E 59N 12O	42E 56N O1O	309 m
Mauna Kea, HI	155E 27N 29O	19E 48N 16O	3720M

US356 In the band 13.75–14 GHz, an earth station in the fixed-satellite service shall have a minimum antenna diameter of 4.5 m and the e.i.r.p. of any emission should be at least 68 dBW and should not exceed 85 dBW. In addition the e.i.r.p., averaged over one second, radiated by a station in the radiolocation service towards the geostationary-satellite orbit shall not exceed 59 dBW. Receiving space stations in the fixed-satellite service shall not claim protection from radiolocation transmitting stations operating in accordance with the United States Table of Frequency Allocations. ITU Radio Regulation No. S5.43A does not apply.

US357 In the band 13.75–14 GHz, geostationary space stations in the space research service for which information for advance publication has been received by the ITU Radiocommunication Bureau (Bureau) prior to 31 January 1992 shall operate on an equal basis with stations in the fixed-satellite service; after that date, new geostationary space stations in the space research service will operate on a secondary basis. Until those geostationary space stations in the space research service for which information for advance publication has been received by the Bureau prior to 31 January 1992 cease to operate in this band:

a. The e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in geostationary-satellite orbit shall not exceed 71 dBW in any 6 MHz band from 13.77 to 13.78 GHz;

b. The e.i.r.p. density of emissions from any earth station in the fixed-satellite service operating with a space station in non-geostationary-satellite orbit shall not exceed 51 dBW in any 6 MHz band from 13.77 to 13.78 GHz.

Automatic power control may be used to increase the e.i.r.p. density in any 6 MHz band in these frequency ranges to compensate for rain attenuation, to the extent that the power flux-density at the fixed-satellite service space station does not exceed the value resulting from use by an earth station of an e.i.r.p. of 71 dBW or 51 dBW, as appropriate, in any 6 MHz band in clear-sky conditions.

Non-Federal Government (NG) Footnotes

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NG104 The use of the bands 10.7–11.7 GHz (space-to-Earth) and 12.75–13.25 GHz (Earth-to-space) by the fixed-satellite service in the geostationary-satellite orbit shall be limited to international systems, *i.e.,* other than domestic systems.

* * * * *

NG118 In the bands 2025–2110 MHz, 6875–7125 MHz, and 12.7–13.25 GHz, television translator relay stations may be authorized to use frequencies on a secondary basis to other stations in the Television Broadcast Auxiliary Service that are operating in accordance with the Table of Frequency Allocations.

* * * * *

NG143 In the band 11.7–12.2 GHz, protection from harmful interference shall be afforded to transmissions from space stations not in conformance with ITU Radio Regulation S5.488 only if the operations of such space stations impose no unacceptable constraints on operations or orbit locations of space stations in conformance with S5.488.

PART 25—SATELLITE COMMUNICATIONS

5. The authority citation for part 25 continues to read as follows:

Authority: 47 U.S.C. 701–744. Interprets or applies Sections 4, 301, 302, 303; 307, 309 and 332 of the Communications Act, as amended, 47 U.S.C. Sections 154, 301, 302, 303, 307, 309 and 332, unless otherwise noted.

6. Section 25.146 is added to Subpart B under the undesignated centerheading ''Space Stations'' to read as follows:

§ 25.146 Licensing and operating authorization provisions for the non-geostationary satellite orbit fixed-satellite service (NGSO FSS) in the bands 10.7 GHz to 14.5 GHz.

(a) A comprehensive technical showing shall be submitted for the proposed non-geostationary satellite orbit fixed-satellite service (NGSO FSS) system in the bands 10.7 GHz to 14.5 GHz. The technical information shall demonstrate that the proposed NGSO FSS system would not exceed the validation equivalent power flux-density (EPFD) limits as specified in § 25.208 (g), (k), and (l) for $EPFD_{down}$, and $EPFD_{up}$. If the technical demonstration exceeds the validation EPFD limits at any test points within the U.S. for domestic service and at any points outside of the U.S. for international service or at any points in the geostationary satellite orbit, as appropriate, the application would be unacceptable for filing and will be returned to the applicant with a brief statement identifying the non-compliance technical demonstration. The technical showing consists of the following:

(1) *Single-entry validation equivalent power flux-density, in the space-to-Earth direction, ($EPFD_{down}$) limits.* (i) Provide a set of power flux-density (pfd) masks, on the surface of the Earth, for each space station in the NGSO FSS system. The pfd masks shall be generated in accordance with the specification stipulated in the ITU–R Recommendation BO.1503, ''Functional

Description to be used in Developing Software Tools for Determining Conformity of Non-GSO FSS Networks with Limits Contained in Article S22 of the Radio Regulations.'' In particular, the pfd mask must encompass the power flux-density radiated by the space station regardless of the satellite transmitter power resource allocation and traffic/beam switching strategy that are used at different periods of a NGSO FSS system life. The pfd masks shall also be in an electronic form that can be accessed by the computer program contained in paragraph (a)(1)(iii) of this section.

(ii) Identify and describe in detail the assumptions and conditions used in generating the power flux-density masks.

(iii) Provide a computer program for the single-entry $EPFD_{down}$ validation computation, including both the source code and the executable file. This computer program shall be developed in accordance with the specification stipulated in the ITU–R Recommendation BO.1503.

(iv) Identify and describe in detail the necessary input parameters for the execution of the computer program identified in paragraph (a)(1)(iii) of this section.

(v) Provide the result, the cumulative probability distribution function of EPFD, of the execution of the computer program described in paragraph (a)(1)(iii) of this section by using only the input parameters contained in paragraphs (a)(1)(i) and (a)(1)(iv) of this section. The result must contain the worst three (3) test points in the U.S. for domestic service and the worst three (3) test points on each continent, except Antarctica, outside of the U.S. for international services, and as many points as the number of service areas; *i.e.,* foot-prints. The center of each beam service area should be the test point coordinate.

(2) *Single-entry validation equivalent power flux-density, in the Earth-to-space direction, $EPFD_{up}$ limits.* (i) Provide a set of NGSO FSS earth station maximum equivalent isotropically radiated power (e.i.r.p.) mask as a function of the off-axis angle generated by a NGSO FSS earth station. The maximum e.i.r.p. mask shall be generated in accordance with the specification stipulated in the ITU–R Recommendation BO.1503. In particular, the results of calculations encompass what would be radiated regardless of the earth station transmitter power resource allocation and traffic/beam switching strategy are used at different periods of a NGSO FSS system life. The e.i.r.p. masks shall also be in an electronic form that can be accessed by the computer program contained in paragraph (a)(2)(iii) of this section.

(ii) Identify and describe in detail the assumptions and conditions used in generating the maximum earth station e.i.r.p. mask.

(iii) Provide a computer program for the single-entry $EPFD_{up}$ validation computation, including both the source code and the executable file. This computer program shall be developed in accordance with the specification stipulated in ITU–R Recommendation BO.1503.

(iv) Identify and describe in detail the necessary input parameters for the execution of the computer program identified in paragraph (a)(2)(iii) of this section.

(v) Provide the result of the execution of the computer program described in paragraph (a)(2)(iii) of this section by using only the input parameters contained in paragraphs (a)(2)(i) and (a)(2)(iv) of this section. The result must contain an $EPFD_{up}$ for every longitudinal location on the geostationary satellite orbit at every two-degree spacing that is visible to the U.S. for domestic service and every three-degree longitudinal location in the geostationary satellite orbit for service outside of the U.S.

(b) Ninety days prior to the initiation of service to the public, the NGSO FSS system licensee shall submit a comprehensive technical showing for the non-geostationary satellite orbit fixed-satellite service (NGSO FSS) system in the bands 10.7 GHz to 14.5 GHz. The technical information shall demonstrate that the NGSO FSS system is expected not to operate in excess of the additional operational $EPFD_{down}$ limits and the operational $EPFD_{down}$ limits as specified in § 25.208 (i), (j) and notes 2 and 3 to the table in paragraph (l). If the technical demonstration exceeds the additional operational $EPFD_{down}$ limits or the operational $EPFD_{down}$ limits at any test points with the U.S. for domestic service and at any test points out side of the U.S. for international service, the NGSO FSS system licensee shall not initiate service to the public until the deficiency has been rectified by reducing satellite transmission power or other adjustments. This must be substantiated by subsequent technical showings. The technical showings consist of the following:

(1) *Single-entry additional operational equivalent power flux-density, in the space-to-Earth direction, (additional operational $EPFD_{down}$) limits.* (i) Provide a set of anticipated operational power flux-density (pfd) masks, on the surface of the Earth, for each space station in the NGSO FSS system. The anticipated operational power flux-density masks could be generated by using the method specified in ITU–R Recommendation BO.1503. In particular, the anticipated operational pfd mask shall take into account the expected maximum traffic loading distributions and geographic specific scheduling of the actual measured space station antenna patterns (see § 25.210(k)). The anticipated operational power flux-density masks shall also be in an electronic form that can be accessed by the computer program contained in paragraph (b)(1)(iii) of this section.

(ii) Identify and describe in detail the assumptions and conditions used in generating the anticipated operational power flux-density masks.

(iii) Provide a computer program for the single-entry additional operational $EPFD_{down}$ verification computation, including both the source code and the executable file. This computer program could be developed by using the method specified in ITU–R Recommendation BO.1503.

(iv) Identify and describe in detail the necessary input parameters for the execution of the additional operational $EPFD_{down}$ verification computer program identified in paragraph (b)(1)(iii) of this section.

(v) Provide the result, the cumulative probability distribution function of EPFD, of the execution of the verification computer program described in paragraph (b)(1)(iii) of this section by using only the input parameters contained in paragraphs (b)(1)(i) and (b)(1)(iv) of this section. The result must contains the worst three (3) test points in the U.S. for domestic service and the worst three (3) test points in each continent, excluding Antarctica, out side of the U.S. for international service plus as many points as the number of service areas; *i.e.,* foot-prints. The center of each beam service area should be the test point coordinate.

(2) *Operational equivalent power flux-density, space-to-Earth direction, (operational $EPFD_{down}$) limits.* Using the information contained in (b)(1) of this section plus the measured space station antenna patterns, provide the result of the execution of the computer simulation for the anticipated in-line operational $EPFD_{down}$ levels for the 3.0, 4.5, 6.2 and 10 m GSO FSS receiving earth station antennas having an efficiency of 65%. The result must contain the worst three (3) test points in the U.S. for domestic service and the worst three (3) test points per continent,

exclude Antarctica, out side of the U.S. for international service plus as many points as the number of service areas; i.e., foot-prints. The center of each beam service area should be the test point coordinate. In addition, also using the information contained in (b)(1) of this section plus the measured space station antenna patterns, provide the result of the execution of the computer simulation for the anticipated in-line operational $EPFD_{down}$ levels for the 180 cm GSO BSS receiving earth station antennas in Hawaii, and for 240 cm GSO BSS receiving earth station antennas in Alaska, assuming an efficiency of 65%. The result must contain the worst test point in Alaska and Hawaii, plus as many points as the number of service areas; *i.e.,* foot-prints in these areas, using the center of each beam service area should be the test point coordinate.

(c) The NGSO FSS system licensee shall, on June 30 of each year, file a report with the International Bureau and the Commission's Columbia Operations Center in Columbia, Maryland, certifying the status of the additional operational $EPFD_{down}$ levels into the 3 m and 10 m GSO FSS receiving earth station antennas, the operational $EPFD_{down}$ levels into the 3 m, 4.5 m, 6.2 m and 10 m GSO FSS receiving earth station antennas and the operational $EPFD_{down}$ levels into the 180 cm GSO BSS receiving earth station antennas in Hawaii and 240 GSO BSS receiving earth station antennas Alaska.

(d) The Commission may request at any time additional information from the NGSO FSS system applicant or licensee concerning the EPFD levels and the related technical showings.

(e) A NGSO FSS system licensee operating a system in compliance with the limits specified in § 25.208 (g), (i), (j), (k), (l) and (m) shall be considered as having fulfilled its obligations under ITU Radio Regulations provision S22.2 with respect to any GSO network. However, such NGSO FSS system shall not claim protection from GSO FSS and BSS networks operating in accordance with this part 25 or part 100 of this chapter, respectively, and the ITU Radio Regulations.

(f) Coordination will be required between NGSO FSS systems and GSO FSS earth stations in the frequency band 10.7–12.75 GHz when all of the following threshold conditions are met:

(1) Bandwidth overlap; and

(2) The satellite network using the GSO has specific receive earth stations which meet all of the following conditions: earth station antenna maximum isotropic gain greater than or equal to 64 dBi; G/T of 44 dB/K or higher; and emission bandwidth of 250 MHz; and the $EPFD_{down}$ radiated by the satellite system using the NGSO into the GSO specific receive earth station, either within the U.S. for domestic service or any points outside the U.S. for international service, exceeds -174.5 dB(W/(m^2/40 kHz)) for any percentage of time for NGSO systems with all satellites only operating at or below 2500 km altitude, or -202 dB(W/(m^2/40 kHz)) for any percentage of the time for NGSO systems with any satellites operating above 2500 km altitude.

7. Section 25.201 is amended by adding the following definitions in alphabetical order to read as follows:

§ 25.201 Definitions.

* * * * *

Equivalent power flux-density. The equivalent power flux-density (EPFD) is the sum of the power flux-densities produced at a geostationary satellite orbit (GSO) receive earth or space station on the Earth's surface or in the geostationary satellite orbit, as appropriate, by all the transmit stations within a non-geostationary satellite orbit fixed-satellite service (NGSO FSS) system, taking into account the off-axis discrimination of a reference receiving antenna assumed to be pointing in its nominal direction. The equivalent power flux-density, in dB(W/m^2) in the reference bandwidth, is calculated using the following formula:

$$EPFD = 10 \cdot \log_{10}\left[\sum_{i=1}^{N_a} 10^{\frac{P_i}{10}} \cdot \frac{G_t(\theta_i)}{4.\pi d_i^2} \cdot \frac{G_r(\phi_i)}{G_{r,max}}\right]$$

Where:

N_a is the number of transmit stations in the non-geostationary satellite orbit system that are visible from the GSO receive station considered on the Earth's surface or in the geostationary satellite orbit, as appropriate;

i is the index of the transmit station considered in the non-geostationary satellite orbit system;

P_i is the RF power at the input of the antenna of the transmit station, considered in the non-geostationary satellite orbit system in dBW in the reference bandwidth;

2_i is the off-axis angle between the boresight of the transmit station considered in the non-geostationary satellite orbit system and the direction of the GSO receive station;

$G_t(2_i)$ is the transmit antenna gain (as a ratio) of the station considered in the non-geostationary satellite orbit system in the direction of the GSO receive station;

d_i is the distance in meters between the transmit station considered in the non-geostationary satellite orbit system and the GSO receive station;

N_i is the off-axis angle between the boresight of the antenna of the GSO receive station and the direction of the ith transmit station considered in the non-geostationary satellite orbit system;

$G_r(N_i)$ is the receive antenna gain (as a ratio) of the GSO receive station in the direction of the ith transmit station considered in the non-geostationary satellite orbit system;

$G_{r,max}$ is the maximum gain (as a ratio) of the antenna of the GSO receive station;

* * * * *

NGSO FSS gateway earth station. A gateway earth station is an earth station complex consisting of multiple interconnecting earth station antennas supporting the communication routing and switching functions of a non-geostationary satellite orbit fixed-satellite service (NGSO FSS) system as a whole. A gateway earth station in the NGSO FSS:

(1) Does not originate or terminate radiocommunication traffic, but interconnects multiple non-collocated user earth stations operating in frequency bands other than designated gateway bands, through a satellite with other primary terrestrial networks, such as the public switched telephone network (PSTN) and/or Internet networks.

(2) Is prohibited from connecting directly with a private communication network.

(3) May also be used for telemetry, tracking, and command transmissions for the same NGSO FSS system.

(4) May include multiple antennas, each required to meet the antenna performance standard in § 25.209(h), located within an area of one second latitude by one second longitude.

(5) Is considered as a separate gateway earth station complex if it is out side of the area of one second latitude by one second longitude of paragraph (4) of this definition, for the purposes of coordination with terrestrial services.

* * * * *

8. Section 25.202 is amended by revising paragraph (a)(1) to read as follows:

§ 25.202 Frequencies, frequency tolerance and emission limitations.

(a)(1) *Frequency band.* The following frequencies are available for use by the fixed-satellite service. Precise frequencies and bandwidths of emission shall be assigned on a case-by-case basis. The Table follows:

Space-to-Earth (GHz)	Earth-to-Space (GHz)
3.7–4.2 [1]	5.925–6.425 [1]
10.7–10.95 [1 12]	12.75–13.15 [1 12]
10.95–11.2 [1 2 12]	13.2125–13.25 [1 12]
11.2–11.45 [1 12]	13.75–14 [4 12]
11.45–11.7 [1 2 12]	14–14.2 [5]
11.7–12.2 [3]	14.2–14.5
12.2–12.7 [13]	13 17.3–17.8 [9]
18.3–18.58 [1 10]	27.5–29.5 [1]
18.58–18.8 [6 10 11]	29.5–30
18.8–19.3 [7 10]	48.2–50.2
19.3–19.7 [8 10]	
19.7–20.2 [10]	
37.6–38.6	
40–41	

[1] This band is shared coequally with terrestrial radiocommunication services.

[2] Use of this band by geostationary satellite orbit satellite systems in the fixed-satellite service is limited to international systems; *i.e.*, other than domestic systems.

[3] Fixed-satellite transponders may be used additionally for transmissions in the broadcasting-satellite service.

[4] This band is shared on an equal basis with the Government radiolocation service and grandfathered space stations in the Tracking and Data Relay Satellite System.

[5] In this band, stations in the radionavigation service shall operate on a secondary basis to the fixed-satellite service.

[6] The band 18.58–18.8 GHz is shared co-equally with existing terrestrial radiocommunication systems until June 8, 2010.

[7] The band 18.8–19.3 GHz is shared co-equally with terrestrial radiocommunication services, until June 8, 2010. After this date, the sub-band 19.26–19.3 GHz is shared co-equally with existing terrestrial radiocommunication systems.

[8] The use of the band 19.3–19.7 GHz by the fixed-satellite service (space-to-Earth) is limited to feeder links for the mobile-satellite service.

[9] The use of the band 17.3–17.8 GHz by the fixed-satellite service (Earth-to-space) is limited to feeder links for broadcasting-satellite service, and the sub-band 17.7–17.8 GHz is shared co-equally with terrestrial fixed services.

[10] This band is shared co-equally with the Federal Government fixed-satellite service.

[11] The band 18.6–18.8 GHz is shared co-equally with the non-Federal Government and Federal Government Earth exploration-satellite (passive) and space research (passive) services.

[12] Use of this band by non-geostationary satellite orbit systems in the fixed-satellite service is limited to gateway earth station operations.

[13] Use of this band by the fixed-satellite service is limited to non-geostationary satellite orbit systems.

* * * * *

9. Section 25.203 is amended by revising paragraphs (b), (c), and (d) to read as follows:

§ 25.203 Choice of sites and frequencies.

* * * * *

(b) An applicant for an earth station authorization in a frequency band shared with equal rights with terrestrial microwave services shall compute the great circle coordination distance contour(s) for the proposed station in accordance with the procedures set forth in § 25.251. The applicant shall submit with the application a map or maps drawn to appropriate scale and in a form suitable for reproduction indicating the location of the proposed station and these contours. These maps, together with the pertinent data on which the computation of these contours is based, including all relevant transmitting and/or receiving parameters of the proposed station that is necessary in assessing the likelihood of interference, an appropriately scaled plot of the elevation of the local horizon as a function of azimuth, and the electrical characteristics of the earth station antenna(s), shall be submitted by the applicant in a single exhibit to the application. The coordination distance contour plot(s), horizon elevation plot, and antenna horizon gain plot(s) required by this section may also be submitted in tabular numerical format at 5° azimuthal increments instead of graphical format. At a minimum, this exhibit shall include the information listed in paragraph (c)(2) of this section. An earth station applicant shall also include in the application relevant technical details (both theoretical calculations and/or actual measurements) of any special techniques, such as the use of artificial site shielding, or operating procedures or restrictions at the proposed earth station which are to be employed to reduce the likelihood of interference, or of any particular characteristics of the earth station site which could have an effect on the calculation of the coordination distance.

(c) Prior to the filing of its application, an earth station applicant shall coordinate the proposed frequency usage with existing terrestrial users and with applicants for terrestrial station authorizations with previously filed applications in accordance with the following procedure:

(1) An applicant for an earth station authorization shall perform an interference analysis in accordance with the procedures set forth in § 25.251 for each terrestrial station, for which a license or construction permit has been granted or for which an application has been accepted for filing, which is or is to be operated in a shared frequency band to be used by the proposed earth station and which is located within the great circle coordination distance contour(s) of the proposed earth station.

(2) The earth station applicant shall provide each such terrestrial station licensee, permittee, and prior filed applicant with the technical details of the proposed earth station and the relevant interference analyses that were made. At a minimum, the earth station applicant shall provide the terrestrial user with the following technical information:

(i) The geographical coordinates of the proposed earth station antenna(s),

(ii) Proposed operating frequency band(s) and emission(s),

(iii) Antenna center height above ground and ground elevation above mean sea level,

(iv) Antenna gain pattern(s) in the plane of the main beam,

(v) Longitude range of geostationary satellite orbit (GSO) satellites at which antenna may be pointed, for proposed earth station antenna(s) accessing GSO satellites,

(vi) Horizon elevation plot,

(vii) Antenna horizon gain plot(s) determined in accordance with § 25.251 for satellite longitude range specified in paragraph (c)(2)(v) of this section, taking into account the provisions of § 25.251 for earth stations operating with non-geostationary satellites,

(viii) Minimum elevation angle,

(ix) Maximum equivalent isotropically radiated power (e.i.r.p.) density in the main beam in any 4 kHz band, (dBW/4 kHz) for frequency bands below 15 GHz or in any 1 MHz band (dBW/MHz) for frequency band above 15 GHz,

(x) Maximum available RF transmit power density in any 1 MHz band and in any 4 kHz band at the input terminals of the antenna(s),

(xi) Maximum permissible RF interference power level as determined in accordance with § 25.251 for all applicable percentages of time, and

(xii) A plot of great circle coordination distance contour(s) and

rain scatter coordination distance contour(s) as determined by § 25.251.

(3) The coordination procedures specified in § 101.103 of this chapter and § 25.251 shall be applicable except that the information to be provided shall be that set forth in paragraph (c)(2) of this section, and that the 30-day period allowed for response to a request for coordination may be increased to a maximum of 45 days by mutual consent of the parties.

(4) Where technical problems are resolved by an agreement or operating arrangement between the parties that would require special procedures be taken to reduce the likelihood of harmful interference (such as the use of artificial site shielding) or would result in lessened quality or capacity of either system, the details thereof shall be contained in the application.

(5) The Commission may, in the course of examining any application, require the submission of additional showings, complete with pertinent data and calculations in accordance with § 25.251, showing that harmful interference is not likely to result from the proposed operation.

(d) An applicant for an earth station authorization shall also ascertain whether the great circle coordination distance contours and rain scatter coordination distance contours, computed for those values of parameters indicated in § 25.251 (Appendix S7 of the ITU RR) for international coordination, cross the boundaries of another Administration. In this case, the applicant shall furnish the Commission copies of these contours on maps drawn to appropriate scale for use by the Commission in effecting coordination of the proposed earth station with the Administration(s) affected.

* * * * *

10. Section 25.204 is amended by revising paragraph (f) to read as follows:

§ 25.204 Power limits.

* * * * *

(f) In the band 13.75–14 GHz, an earth station in the fixed-satellite service shall have a minimum antenna diameter of 4.5 m and the e.i.r.p. of any emission should be at least 68 dBW and should not exceed 85 dBW. The e.i.r.p. density of emissions from any earth station in the FSS operating with a space station in geostationary-satellite orbit shall not exceed 71 dBW in any 6 MHz band from 13.77 to 13.78 GHz. The e.i.r.p. density of emissions from any earth station in the FSS operating with a space station in non-geostationary-satellite orbit shall not exceed 51 dBW in any 6 MHz band from 13.77 to 13.78 GHz. Automatic power control may be used to increase the e.i.r.p. density in the 6 MHz band in this frequency range to compensate for rain attenuation, to the extent that the power flux-density at the FSS space station does not exceed the value resulting from use by an earth station of an e.i.r.p. of 71 dBW or 51 dBW, as appropriate, in the 6 MHz band in clear-sky conditions.

* * * * *

11. Section 25.208 is amended by revising paragraph (b) and adding new paragraphs (g), (h), (i), (j), (k), (l), and (m) to read as follows:

§ 25.208 Power flux density limits.

* * * * *

(b) In the bands 10.95–11.2 and 11.45–11.7 GHz for GSO FSS space stations and 10.7–11.7 GHz for NGSO FSS space stations, the power flux-density at the Earth's surface produced by emissions from a space station for all conditions and for all methods of modulation shall not exceed the lower of the following values:

(1) -150 dB(W/m^2) in any 4 kHz band for angles of arrival between 0 and 5 degrees above the horizontal plane; $-150 + (\delta - 5)/2$ dB(W/m^2) in any 4 kHz band for angles of arrival (δ) (in degrees) between 5 and 25 degrees above the horizontal plane; and -140 dB(W/m^2) in any 4 kHz band for angles of arrival between 25 and 90 degrees above the horizontal plane; or

(2) -126 dB(W/m^2) in any 1 MHz band for angles of arrival between 0 and 5 degrees above the horizontal plane; $-126 + (\delta - 5)/2$ dB(W/m^2) in any 1 MHz band for angles of arrival (δ) (in degrees) between 5 and 25 degrees above the horizontal plane; and -116 dB(W/m^2) in any 1 MHz band for angles of arrival between 25 and 90 degrees above the horizontal plane.

Note to paragraph (b): These limits relate to the power flux density, which would be obtained under assumed free-space propagation conditions.

* * * * *

(g) In the frequency bands 10.7–11.7 GHz and 11.7–12.2 GHz, the single-entry equivalent power-flux density in the space-to-Earth direction ($EPFD_{down}$), at any point on the Earth's surface, produced by emissions from all co-frequency space stations of a single non-geostationary-satellite orbit (NGSO) system operating in the fixed-satellite service (FSS) shall not exceed the following limits for the given percentages of time. Tables 1G and 2G follow:

TABLE 1G.—SINGLE-ENTRY $EPFD_{down}$ LIMITS FOR PROTECTION OF 0.6, 1.2, 3 AND 10 METER GSO FSS EARTH STATION ANTENNAS [1] [2]

Frequency band (GHz) for International Allocations	Single-entry $EPFD_{down}$ dB(W/m^2)	Percentage of time during which $EPFD_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter and reference radiation pattern [3]
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	-175.4 -174 -170.8 -165.3 -160.4 -160 -160	0 90 99 99.73 99.991 99.997 100	40	60 cm, Recommendation ITU–R S.1428.

TABLE 1G.—SINGLE-ENTRY $EPFD_{down}$ LIMITS FOR PROTECTION OF 0.6, 1.2, 3 AND 10 METER GSO FSS EARTH STATION ANTENNAS [1] [2]—Continued

Frequency band (GHz) for International Allocations	Single-entry $EPFD_{down}$ dB(W/m^2)	Percentage of time during which $EPFD_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter and reference radiation pattern [3]
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−181.9	0	40	1.2 m, Recommendation ITU–R S.1428.
	−178.4	99.5		
	−173.4	99.74		
	−173	99.857		
	−164	99.954		
	−161.6	99.984		
	−161.4	99.991		
	−160.8	99.997		
	−160.5	99.997		
	−160	99.9993		
	−160	100		
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−190.45	0	40	3 m, Recommendation ITU–R S.1428.
	−189.45	90		
	−187.45	99.5		
	−182.4	99.7		
	−182	99.855		
	−168	99.971		
	−164	99.988		
	−162	99.995		
	−160	99.999		
	−160	100		
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−195.45	0	40	10 m, Recommendation ITU–R S.1428.
	−195.45	99		
	−190	99.65		
	−190	99.71		
	−172.5	99.99		
	−160	99.998		
	−160	100		

[1] In addition to the limits shown in Table 1G, the limits shown in Table 2G shall apply to all antenna sizes greater than 60 cm in the frequency bands listed in Table 1G.

[2] For each reference antenna diameter, the limit consists of the complete curve on a plot which is linear in decibels for the EPFD levels and logarithmic for the time percentages, with straight lines joining the data points.

[3] The earth station antenna reference radiation patterns are to be used only for the calculation of interference from NGSO FSS systems into GSO FSS systems.

TABLE 2G.—SINGLE-ENTRY $EPFD_{down}$ LIMITS RADIATED BY NON-GSO FSS SYSTEMS AT CERTAIN LATITUDES

100% of the time $EPFD_{down}$ dB($W/(m^2/40$ kHz))	Latitude (North or South in degrees)
–160	0 < | Latitude | ≤ 57.5.
–160 + 3.4 (57.5 − | Latitude |)/4	57.5 < | Latitude | ≤ 63.75
–165.3	63.75 ≤ | Latitude |

Note to paragraph (g): These limits relate to the equivalent power flux density, which would be obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

(h) In the frequency bands 10.7–11.7 GHz and 11.7–12.2 GHz, the aggregate equivalent power-flux density in the space-to-Earth direction ($EPFD_{down}$), at any point on the Earth's surface, produced by emissions from all co-frequency space stations of all non-geostationary-satellite orbit systems operating in the fixed-satellite service (FSS) shall not exceed the following limits for the given percentages of time. Tables 1H and 2H follow:

TABLE 1H.—AGGREGATE $EPFD_{down}$ LIMITS FOR PROTECTION OF 0.6, 1.2, 3 AND 10 METER GSO FSS EARTH STATION ANTENNAS [1]

Frequency band (GHz) for International Allocations	Aggregate $EPFD_{down}$ dB(W/m²)	Percentage of time during which $EPFD_{down}$ may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter and reference radiation pattern [2]
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−170	0	40	60 cm, Recommendation ITU–R S.1428.
	−168.6	90		
	−165.3	99		
	−160.4	99.97		
	−160	99.99		
	−160	100		
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−176.5	0	40	1.2 m, Recommendation ITU–R S.1428.
	−173	99.5		
	−164	99.84		
	−161.6	99.945		
	−164.4	99.97		
	−160.8	99.99		
	−160.5	99.99		
	−160	99.9975		
	−160	100		
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−185	0	40	3 m, Recommendation ITU–R S.1428.
	−184	90		
	−182	99.5		
	−168	99.9		
	−164	99.96		
	−162	99.982		
	−160	99.997		
	−160	100		
10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3.	−190	0	40	10 m, Recommendation ITU–R S.1428.
	−190	99		
	−166	99.99		
	−160	99.998		
	−160	100		

[1] In addition to the limits shown in Table 1H, the aggregate $EPFD_{down}$ limits shown in Table 2H shall apply to all antenna sizes greater than 60 cm in the frequency bands listed in Table 1H.

[2] The earth station antenna reference patterns are to be used only for the calculation of interference from NGSO FSS systems into GSO FSS systems.

TABLE 2H.—SINGLE-ENTRY $EPFD_{down}$ LIMITS RADIATED BY NON-GSO FSS SYSTEMS AT CERTAIN LATITUDES

100% of the time $EPFD_{down}$ dB(W/(m²/40 kHz))	Latitude (North or South in degrees)
–160	0 < | Latitude | ≤ 57.5
–160 + 3.4 (57.5 − | Latitude |)/4	57.5 < | Latitude | ≤ 63.75
–165.3	63.75 ≤ | Latitude |

Note to paragraph (h): These limits relate to the equivalent power flux density, which would be obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

(i) In the frequency bands 10.7–11.7 GHz and 11.7–12.2 GHz, the additional operational equivalent power-flux density, in the space-to-Earth direction, (additional operational $EPFD_{down}$) at any point on the Earth's surface, produced by actual operational emissions from all co-frequency space stations of a non-geostationary-satellite orbit (NGSO) system operating in the fixed-satellite service (FSS) shall not exceed the following operational limits for the given percentages of time:

ADDITIONAL OPERATIONAL LIMITS ON THE $EPFD_{down}$ RADIATED BY NON-GSO FSS SYSTEMS INTO 3 M AND 10 M GSO FSS EARTH STATION ANTENNAS

$EPFD_{down}$ dB(W/(m²/40 kHz))	Percentage of time during which $EPFD_{down}$ may not be exceeded	Receive GSO earth station antenna diameter (m)
−182	99.9.	
−179	99.94.	
−176	99.97.	
−171	99.98.	

ADDITIONAL OPERATIONAL LIMITS ON THE $EPFD_{down}$ RADIATED BY NON-GSO FSS SYSTEMS INTO 3 M AND 10 M GSO FSS EARTH STATION ANTENNAS—Continued

$EPFD_{down}$ dB(W/(m^2/40 kHz))	Percentage of time during which $EPFD_{down}$ may not be exceeded	Receive GSO earth station antenna diameter (m)
−168	99.984	3.
−165	99.993.	
−163	99.999.	
−161.25	99.99975.	
−161.25	100.	
−185	99.97.	
−183	99.98.	
−179	99.99.	
−175	99.996.	
−171	99.998	10.
−168	99.999.	
−166	99.9998.	
−166	100.	

Note to paragraph (i): These limits relate to the equivalent power flux density, which is obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

(j) In the frequency bands 10.7–11.7 GHz and 11.7–12.2 GHz, the operational equivalent power-flux density, in the space-to-Earth direction, (operational $EPFD_{down}$) at any point on the Earth's surface, produced by actual operational emissions from the in-line co-frequency space station of a non-geostationary-satellite orbit (NGSO) system operating in the fixed-satellite service (FSS) shall not exceed the following operational limits for 100% of the time:

OPERATIONAL LIMITS TO THE $EPFD_{down}$ RADIATED BY NON-GSO FSS SYSTEMS IN CERTAIN FREQUENCY BANDS[1]

Frequency band (GHz) for International allocations	$EPFD_{down}$ dB(W/m^2)	Percentage of time during which $EPFD_{down}$ may not be exceeded	Reference bandwidth (kHz)	Receive GSO earth station antenna diameter[2] (m)	Orbital inclination of GSO satelite (degrees)
Prior to 31 December 2005: 10.7–11.7 in all Regions; 11.7–12.2 in Regions 2; 12.2–12.5 in Region 3; and 12.5;–12.75 in Regions 1 and 3	−163			3	
	−166	100	40	6	≤2.5
	−167.5			9	
	−169.5			≥18	
Prior to 31 December 2005: 10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3	−160			3	
	−163	100	40	6	>2.5 and ≤4.5
	−164.5			9	
	−166.5			≥18	
From 31 December 2005: 10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3	−161.25			3	
	−164	100	40	6	≤2.5
	−165.5			9	
	−167.5			≥18	
From 31 December 2005: 10.7–11.7 in all Regions; 11.7–12.2 in Region 2; 12.2–12.5 in Region 3; and 12.5–12.75 in Regions 1 and 3	−158.25			3	
	−161	100	40	6	>2.5 and ≤4.5
	−162.5			9	
	−164.5			≥18	

[1] The operational limits on the $EPFD_{down}$ radiated by non-GSO FSS systems shall be the values given in Table 2G or this table, whichever are the more stringent.

[2] For antenna diameters between the values given in this table, the limits are given by linear interpolation using a linear scale for $EPFD_{down}$ in decibels and a logarithmic scale for antenna diameter in meters.

Note to paragraph (j): These limits relate to the operational equivalent power flux-density which would be obtained under free-space propagation conditions, for all conditions, for all methods of modulation

and for the specified inclined GSO FSS operations.

(k) In the frequency bands 12.75–13.15 GHz, 13.2125–13.25 GHz and 13.75–14.5 GHz, the equivalent power flux-density, in the Earth-to-space direction, ($EPFD_{up}$) produced at any point on the geostationary satellite orbit (GSO) by the emissions from all co-frequency earth stations in a non-geostationary satellite orbit fixed-satellite service (NGSO FSS) system, for all conditions and for all methods of modulation, shall not exceed the following limits for the specified percentages of time limits:

LIMITS TO THE $EPFD_{up}$ RADIATED BY NGSO FSS SYSTEMS IN CERTAIN FREQUENCY BANDS

Frequency band (GHz) for International Allocations	$EPFD_{up}$ dB(W/m^2)	Percentage of time during which $EPFD_{up}$ may not be exceeded	Reference bandwidth (kHz)	Reference antenna beamwidth and reference radiation pattern [1]
12.5–12.75; 12.75–13.25; 13.75–14.5	−160	100	40	4° ITU–R S.672–4, Ls= − 20

[1] For the case of $L_s = -10$, the values a = 1.83 and b = 6.32 should be used in the equations in the Annex of Recommendation ITU–R S.672–4 for single-feed circular beams. In all cases of L_s, the parabolic main beam equation should start at zero.

Note to paragraph (k): These limits relate to the uplink equivalent power flux density, which would be obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

(l) In the frequency bands 11.7–12.2 GHz and 12.5–12.75 GHz in Region 3, 11.7–12.5 GHz in Region 1 and 12.2–12.7 GHz in Region 2, the single-entry equivalent power-flux density, in the space-to-Earth direction, (EPFD**DOWN**), at any point on the Earth's surface, produced by emissions from all co-frequency space stations of a single non-geostationary-satellite orbit (NGSO) system operating in the fixed-satellite service (FSS) shall not exceed the following limits in Tables 1L and 2L for the given percentages of time:

TABLE 1L.—SINGLE-ENTRY EPFD DOWN LIMITS FOR PROTECTION OF 30, 45, 60, 90, 120, 180, 240 AND 300 CM GSO BSS EARTH STATION ANTENNAS [1 2 3]

Frequency band (GHz) for international allocations	$EPDF_{down}$ dB(W/m^2)	Percentage of time during which $EPFD_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter and reference radiation pattern [4]
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−165.841	0	40	30 cm Recommendation ITU–R BO.1443 Annex 1
	−165.541	25		
	−164.041	96		
	−158.6	98.857		
	−158.6	99.429		
	−158.33	99.429		
	−158.33	99.429		
		100		
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−175.441	0	40	45 cm Recommendation ITU–R BO.1443 Annex 1
	−172.441	66		
	−169.441	97.75		
	−164	99.357		
	−160.75	99.809		
	−160	99.986		
	−160	100		
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−176.441	0	40	60 cm Recommendation ITU–R BO. 1443 Annex 1
	−173.191	97.8		
	−167.75	99.371		
	−162	99.886		
	−161	99.943		
	−160.2	99.971		
	−160	99.997		
	−160	100		

TABLE 1L.—SINGLE-ENTRY EPFD DOWN LIMITS FOR PROTECTION OF 30, 45, 60, 90, 120, 180, 240 AND 300 CM GSO BSS EARTH STATION ANTENNAS [1 2 3]—Continued

Frequency band (GHz) for international allocations	EPDF $_{down}$ dB(W/m^2)	Percentage of time during which EPFD$_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter and reference radiation pattern [4]
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−178.94 −178.44 −176.44 −171 −165.5 −163 −161 −160 −160	0 33 98 99.429 99.714 99.857 99.943 99.991 100	40	90 cm Recommendation ITU–R BO.1443 Annex 1
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−182.44 −180.69 −179.19 −178.44 −174.94 −173.75 −173 −169.5 −167.8 −164 −161.9 −161 −160.4 −160	0 90 98.9 98.9 99.5 99.68 99.68 99.85 99.915 99.94 99.97 99.99 99.998 100	40	120 cm Recommendation ITU–R BO.1443 Annex 1
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−184.941 −184.101 −181.691 −176.25 −163.25 −161.5 −160.35 −160 −160	0 33 98.5 99.571 99.946 99.974 99.993 99.999 100	40	180 cm [3] Recommendation ITU–R BO.1443 Annex 1
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−187.441 −186.341 −183.441 −178 −161.4 −161.9 −160.5 −160 −160	0 33 99.25 99.786 99.957 99.983 99.994 99.999 100	40	240 cm [2] Recommendation ITU–R BO.1443 Annex 1
11.7–12.5 in Region 1; 1.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−191.941 −189.441 −185.941 −180.5 −173 −167 −162 −160 −160	0 33 99.5 99.857 99.914 99.951 99.983 99.991 100	40	300 cm Recommendation ITU–R BO.1443 Annex 1

[1] For BSS antenna diameters 180 cm, 240 cm and 300 cm, in addition to the single-entry limits shown in Table 1L, the limits in Table 2L shall also apply in the frequency band listed in Table 1L.

[2] For 240 cm GSO BSS earth station antennas located in Alaska, communicating with GSO BSS satellites at the 91° W.L., 101° W.L., 110° W.L., 119° W.L. and 148° W.L. nominal orbital locations with elevation angles greater than 5°, −167 dB(W/(m^2/40 kHz)) single-entry 100% of the time operational EPFD$_{down}$ limit also applies to receive antennas.

[3] For 180 cm GSO BSS earth station antennas located in Hawaii communicating with GSO BSS satellites that are operational as of December 30, 1999 at the 110° W.L., 119° W.L. and 148° W.L. nominal orbital positions, −162.5 dB(W/(m^2/40 kHz)) single-entry 100% of the time operational EPFD$_{down}$ limit also applies.

[4] Under the section reference pattern of Annex 1 to Recommendation ITU-R BO.1443 shall be used only for the calculation of interference from non-GSO FSS systems into BSS systems.

TABLE 2L.—SINGLE-ENTRY $EPFD_{down}$ LIMITS RADIATED BY NON-GSO FSS SYSTEMS AT CERTAIN LATITUDES

100% of the time $EPFD_{down}$ dB(W/(m²/40 kHz))	Latitude (North or South in degrees)
−160.0	0 ≤ | Latitude | ≤ 57.5
−160.0 + 3.4 (57.5 − | Latitude |)/4	57.5 ≤ | Latitude | ≤ 63.75
−165.3	63.75 ≤ | Latitude |

Note to paragraph (l): These limits relate to the equivalent power flux density, which would be obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

(m) In the frequency bands 11.7–12.2 GHz and 12.5–12.75 GHz in Region 3, 11.7–12.5 GHz in Region 1 and 12.2–12.7 GHz in Region 2, the aggregate equivalent power-flux density, in the space-to-Earth direction, ($EPFD_{down}$) at any point on the Earth's surface, produced by emissions from all co-frequency space stations of all non-geostationary-satellite orbit systems operating in the fixed-satellite service (FSS) shall not exceed the following limits in Tables 1M and 2M for the given percentages of time:

TABLE 1M.—AGGREGATE $EPFD_{down}$ LIMITS FOR PROTECTION OF 30, 45, 60, 90, 120, 180, 240 AND 300 CM GSO BSS EARTH STATION ANTENNAS [1, 2, 3]

Frequency band (GHz) for international allocations	$EPFD_{down}$ dB (W/m²)	Percentage of time during which $EPFD_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter, and reference radiation pattern [4]
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−160.4 −160.1 −158.6 −158.6 −158.33 −158.33	0 25 96 98 98 100	40	30 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−170 −167 −164 −160.75 −160 −160	0 66 97.75 99.33 99.95 100	40	45 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−171 −168.75 −167.75 −162 −161 −160.2 −160 −160	0 90 97.8 99.6 99.8 99.9 99.99 100	40	60 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−173.75 −173 −171 −165.5 −163 −161 −160 −160	0 33 98 99.1 99.5 99.8 99.97 100	40	90 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−177 −175.25 −173.75 −173 −169.5 −167.8 −164 −161.9 −161 −160.4 −160	0 90 98.9 98.9 99.5 99.7 99.82 99.9 99.965 99.993 100	40	120 cm Recommendation ITU–R BO.1443 Annex 1.

TABLE 1M.—AGGREGATE $EPFD_{down}$ LIMITS FOR PROTECTION OF 30, 45, 60, 90, 120, 180, 240 AND 300 CM GSO BSS EARTH STATION ANTENNAS [1, 2, 3]—Continued

Frequency band (GHz) for international allocations	$EPFD_{down}$ dB (W/m^2)	Percentage of time during which $EPFD_{down}$ level may not be exceeded	Reference bandwidth (kHz)	Reference antenna diameter, and reference radiation pattern [4]
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−179.5 −178.66 −176.25 −163.25 −161.5 −160.35 −160 −160	0 33 98.5 99.81 99.91 99.975 99.995 100	40	180 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−182 −180.9 −178 −164.4 −161.9 −160.5 −160 −160	0 33 99.25 99.85 99.94 99.98 99.995 100	40	240 cm Recommendation ITU–R BO.1443 Annex 1.
11.7–12.5 in Region 1; 11.7–12.2 and 12.5–12.75 in Region 3; 12.2–12.7 in Region 2.	−186.5 −184 −180.5 −173 −167 −162 −160 −160	0 33 99.5 99.7 99.83 99.94 99.97 100	40	300 cm Recommendation ITU–R BO.1443 Annex 1.

[1] For BSS antenna diameters 180 cm, 240 cm and 300 cm, in addition to the aggregate limit shown in Table 1M, the limits in Table 2M shall also apply.

[2] For 240 cm GSO BSS earth station antennas located in Alaska, communicating with GSO BSS satellites at the 91° W.L., 101° W.L., 110° W.L., 119° W.L. and 148° W.L. nominal orbital locations with elevation angles greater than 5°, −167 dB($W/(m^2/40$ kHz)) aggregate 100% of the time operational $EPFD_{down}$ limit also applies to receive antennas.

[3] For 180 cm GSO BSS earth station antennas located in Hawaii communicating with GSO BSS satellites that are operational as of December 30, 1999 at the 110° W.L., 119° W.L. and 148° W.L. nominal orbital positions, −162.5 dB($W/(m^2/40$ kHz)) aggregate 100% of the time operational $EPFD_{down}$ limit also applies.

[4] Under the section reference pattern of Annex 1 to Recommendation ITU–R BO.1443 shall be used only for the calculation of interference from non-GSO FSS systems into GSO BSS systems.

TABLE 2M.—AGGREGATE $EPFD_{down}$ LIMITS RADIATED BY NON-GSO FSS SYSTEMS AT CERTAIN LATITUDES

00% of the time $EPFD_{down}$ dB($W/(m^2/40$ kHz))	Latitude (North or South in degrees)
160.0	0 ≤ | Latitude | ≤ 57.5.
160.0 + 3.4 (57.5 − | Latitude |)/4	57.5 ≤ | Latitude | ≤ 63.75.
165.3	63.75 ≤ | Latitude |.

Note to paragraph (m): These limits relate to the equivalent power flux density, which would be obtained under free-space propagation conditions, for all conditions and for all methods of modulation.

12. Section 25.209 is amended by revising paragraph (a) introductory text and adding new paragraph (h) to read as follows:

§ 25.209 Antenna performance standards.

(a) The gain of any antenna to be employed in transmission from an earth station in the geostationary satellite orbit fixed-satellite service (GSO FSS) shall lie below the envelope defined as follows:

* * * * *

(h)(1) The gain of any antennas to be employed in transmission from a gateway earth station antenna operating in the frequency bands 10.7–11.7 GHz, 12.75–13.15 GHz, 13.2125–13.25 GHz, 13.8–14.0 GHz, and 14.4–14.5 GHz and communicating with NGSO FSS satellites shall lie below the envelope defined as follows:

$29 - 25\log_{10}(\theta)$ dBi − 10 dBi

$1^B \leq \theta \leq 36^B$

$36^B \leq \theta \leq 180^B$

Where: θ is the angle in degrees from the axis of the main lobe, and dBi refers to dB relative to an isotropic radiator.

(2) For the purposes of this section, the peak gain of an individual sidelobe may not exceed the envelope defined in paragraph (h)(1) of this section.

13. Section 25.212, is amended by revising the section heading to read as follows:

§ 25.212 Narrowband transmissions in the 12/14 GHz GSO Fixed-Satellite Service.

* * * * *

14. Section 25.251 is revised to read as follows:

§ 25.251 Special requirements for coordination.

(a) The administrative aspects of the coordination process are set forth in § 101.103 of this chapter in the case of coordination of terrestrial stations with earth stations, and in § 25.203 in the case of coordination of earth stations with terrestrial stations.

(b) The technical aspects of coordination are based on Appendix S7 of the International Telecommunication Union Radio Regulations and certain recommendations of the ITU Radiocommunication Sector (available at the FCC's Reference Information Center, Room CY–A257, 445 12th Street, SW., Washington, DC 20554).

15. Section 25.271 is amended by adding new paragraph (e) to read as follows:

§ 25.271 Control of transmitting stations.

* * * * *

(e) The licensee of an NGSO FSS system operating in the 10.7–14.5 GHz bands shall maintain an electronic web site bulletin board to list the satellite ephemeris data, for each satellite in the constellation, using the North American Aerospace Defense Command (NORAD) two-line orbital element format. The orbital elements shall be updated at least once every three days.

[FR Doc. 01–3710 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–273; MM Docket No. 00–222, RM–10002; MM Docket No. 00–223, RM–10003; MM Docket No. 00–224, RM–10004; MM Docket No. 00–225, RM–10005]

Radio Broadcasting Services; North English, IA; Pendleton, SC; Hamilton TX; Munday, TX

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document grants four proposals that allot new channels to North English, Iowa; Pendleton, South Carolina; Hamilton, Texas; and Munday, Texas. Filing windows for Channel 246A at North English, Iowa; Channel 240A at Pendleton, South Carolina; Channel 299A at Hamilton, Texas; and Channel 270C1 at Munday, Texas, will not be opened at this time. Instead, the issue of opening a filing window for these channels will be addressed by the Commission in a subsequent order.

DATES: Effective March 19, 2001.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order in MM Docket No. 00–222; MM Docket No. 00–223; MM Docket No. 00–224; and MM Docket No. 00–225; adopted January 24, 2001, and released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY–A257), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

The Commission, at the request of Iowa-Keokuk Radio (Russell Johnson, sole proprietor) allots Channel 246A at North English, Iowa, as the community's first local aural transmission service. See 65 FR 69724 (November 20, 2000). Channel 246A can be allotted at North English in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.7 kilometers (4.8 miles) southwest in order to protect the signal of Station WMT–FM, Cedar Rapids, Iowa, on Channel 243C1. The coordinates for Channel 246A at North English are 41–27–15 North Latitude and 92–07–21 West Longitude.

The Commission, at the request of H. David Hedrick, allots Channel 240A at Pendleton, South Carolina, as the community's first local aural transmission service. See 65 FR 69724 (November 20, 2000). Channel 240A can be allotted to Pendleton in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channel 240A at Pendleton are 34–38–49 North Latitude and 82–46–37 West Longitude.

The Commission, at the request of Stargazer Broadcasting, Inc., allots Channel 299A at Hamilton, Texas, as the community's second local aural transmission service and first local FM broadcast service. See 65 FR 69724 (November 20, 2000). Channel 299A can be allotted at Hamilton in compliance with the Commission's minimum distance separation requirements with a site restriction of 11.4 kilometers (7.1 miles) northwest, in order to protect the signal of Station KAHK(FM), Georgetown, Texas, on Channel 299C3. The coordinates for Channel 299A at Hamilton are 31–46–54 North Latitude and 98–12–08 West Longitude.

The Commission, at the request of MAREE Communications, allots Channel 270C1 at Munday, Texas, as the community's first local aural transmission service. See 65 FR 69724 (November 20, 2000). Channel 270C1 can be allotted at Munday in compliance with the Commission's minimum distance separation requirements with a site restriction of 25 kilometers (15.5 miles) northwest, in order to protect the signals of Station KWFR(FM), San Angel, Texas, on Channel 270C1 and Station KZMP–FM, Axle, Texas, on Channel 269C. The coordinates for Channel 270C1 at Munday are 33–37–48 North Latitude and 99–46–57 West Longitude.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Iowa, is amended by adding North English, Channel 246A.

3. Section 73.202(b), the Table of FM Allotments under South Carolina, is amended by adding Pendleton, Channel 240A.

4. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 299A at Hamilton and Channel 270C1 at Munday.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3959 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–272]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, on its own motion, editorially amends the Table of FM Allotments to specify the actual classes of channels allotted to various

communities. The changes in channel classifications have been authorized in response to applications filed by licensees and permittees operating on these channels. This action is taken pursuant to *Revision of section 73.3573(a)(1) of the Commission's Rules Concerning the Lower Classification of an FM Allotment*, 4 FCC Rcd 2413 (1989), and the *Amendment of the Commission's Rules to permit FM Channel and Class Modifications [Upgrades] by Applications*, 8 FCC Rcd 4735 (1993).

DATES: Effective February 16, 2001.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, adopted January 24, 2001, and released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857–3800, facsimile (202) 857–3805.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under North Carolina, is amended by removing Long Beach and Channel 252C3 and adding Oak Island and Channel 252C3.[1]

3. Section 73.202(b), the Table of FM Allotments under Oklahoma, is amended by removing Channel 279C1 and adding Channel 278C1 at Anadarko.

[1] The FM Table of Allotments is being corrected to show the allotment of Channel 252C3 at Oak Island, North Carolina, in lieu of Long Beach, North Carolina. The Town of Oak Island was formed in 1999 when the towns of Long Beach and Yaupon Beach consolidated.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3960 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[WT Docket No. 96–86; FCC 01–10]

Public Safety Communications

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Commission amends its rules to establish operational, technical, and spectrum requirements for the use of the interoperability portion of the 700 MHz public safety band. On February 25, 2000, the Public Safety National Coordination Committee (NCC) released a report with recommendations on these matters. Following the NCC's report, the Commission issued a Fourth Notice of Proposed Rule Making in August 2000. These final rules are based on the NCC recommendations, and the comments the Commission received in response to those recommendations.

DATES: These rules become effective March 19, 2001.

FOR FURTHER INFORMATION CONTACT: Michael Connelly, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418–0132.

SUPPLEMENTARY INFORMATION

1. The Commission's Fourth Report and Order, WT Docket No. 96–86, FCC 01–10, was adopted January 11, 2001, and released on January 17, 2001. The full text of this Commission's 4th R&O is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037. The full text may also be downloaded at: http://www.fcc.gov/wtb/releases/fcc0110.doc. Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418–0260 or TTY (202) 418–2555.

Summary of the 4th R&O

2. These actions promote and facilitate the achievement of nationwide and regional interoperability in the 700 MHz public safety band. These actions will enable and accommodate the expeditious development and deployment of public safety equipment in this band without compromising our goal of effective and efficient utilization of the spectrum. A summary of the major decisions follows.

3. The Commission concludes that the states should administer the interoperability channels, with regional planning committees (RPCs) assuming this responsibility if the states decline to do so. States have until December 31, 2001 to inform the Commission whether the states or an RPC will administer the interoperability spectrum. If states decide to administer the interoperability spectrum, they will determine the RPC's role in reviewing applications for interoperability spectrum. The Commission will not require the use of memoranda of understanding.

4. The Commission will not require states and RPCs to use a pre-coordination database at this time. The Public Safety National Coordination Committee (NCC) is directed to revisit this matter once the database is developed and operational.

5. The Commission determines that its rules allow sufficient flexibility to allow state and local governments to grant federal users access to the 700 MHz interoperability spectrum.

6. The Commission adopts blanket licensing of mobile and portable units for all public safety entities if such entities are eligible to hold a 700 MHz band license or such entities otherwise are licensed under Part 90 of our Rules.

7. The Commission rejects a mandatory trunking requirement, but permits trunking on eight interoperability channels on a secondary, non-interference basis. Under this plan, the remaining channel sets are limited to conventional interoperability operations. Licensees that use those channels for trunking must maintain continuous monitoring so that the channels can be released immediately when needed for interoperability communications.

8. The Commission affirms the band plan it adopted in the *Third Memorandum Opinion and Order* in this proceeding.

9. The Commission will not adopt a table of channel assignments for the interoperability channels, believing that such a table would be cumbersome and cause undue administrative burden.

10. The Commission will not codify a new priority scheme for resolving conflicts when demand for interoperability channels exceeds supply of such channels, believing that

the states can determine priority use and resolve disputes.

11. The Commission does not adopt a rule requiring that all mobile units be capable of displaying an interoperability channel label, but it directs the NCC to consider the development of an industry standardized scheme for display labeling.

12. The Commission amends it rules to designate two of the 700 MHz interoperability channels as nationwide calling channels. Public safety entities, particularly those from ''outside'' a given public safety ''system,'' can use the calling channels to access the public safety communications infrastructure in the area where they are located.

13. The Commission amends its rules to adopt the Project 25 Phase I standard as the digital voice standard for interoperability channels. The Commission retains its present 4.8 kilobytes per second (kbps) per 6.25 kHz standard rather than require one voice channel per 6.25 kHz bandwidth. The Commission will revisit this issue no earlier than 2005. The Commission also determines that any migration path it adopts will allow stations planned or built prior to our final decision on this issue to operate for at least ten years from the commencement of the system's operations. In addition, we will require that such migration path include a standard that is backward compatible with the Project Phase I standard so that the achievement of interoperability will not be compromised while these systems remain in operation.

14. With respect to the General Use channels, the Commission determines that any migration path it establishes to a voice efficiency standard of one voice channel per 6.25 kHz bandwidth will allow 12.5 kHz-based systems constructed and placed in operation prior to December 31, 2005 to continue to purchase and deploy 12.5 kHz equipment for system expansion or maintenance. The Commission also determines that such 12.5 kHz systems will not be required to cease operations and convert to 6.25kHz technology prior to December 31, 2015, at the earliest. In addition, the Commission concludes that in any specific migration plan for the General Use channels, the earliest date the Commission would require new systems to have 6.25 kHz technology would be December 31, 2005.

15. The Commission amends its rules to reserve two interoperability channels for data transmission and set a standard for data transmission. The Commission concludes that the Project 25 suite of standards is the correct data interoperability standard. Finally, end user equipment can be single purpose: units designed for data-only applications are not required to be voice-capable, and voice-only applications need not have data transmission capability.

16. The Commission allows encryption on the interoperability channels, except the two nationwide calling channels. The Commission adopts TIA/EIA IS 102 AAAAA Project 25 DES encryption protocol as the encryption standard.

Final Regulatory Flexibility Analysis:

17. As required by the Regulatory Flexibility Act (RFA), an Initial Regulatory Flexibility Analysis (IRFA) was incorporated into the Fourth Notice of Proposed Rule Making (Fourth Notice) of this proceeding. The Commission sought written public comment on the IRFA. The present Final Regulatory Flexibility Analysis (FRFA) conforms to the RFA.

A. Need for, and Objectives of, the Fourth Report and Order

18. Our objective is to promote the early and efficient use of public safety spectrum in the frequencies at 764–776 MHz and 794–806 MHz (the 700 MHz band). Specifically, this action will: promote spectrum efficiency through allowing secondary trunking on the Interoperability channels; assist in delineating the roles of Regional Planning Committees (RPCs) and establishment of State Interoperability Executive Committees (SIECs); promote efficient administration of the Interoperability channels by state or local entities; designate calling channels; permit encryption on the Interoperability channels; and establish digital voice standards and efficiency standards for the Interoperability channels, and digital data standards and channel reservation for the Interoperability channels.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

19. No comments were submitted in response to the IRFA. Some comments, however, raised issues that may be of particular concern to small entities, including Interoperability standards, migration, and administration. Other issues include equipment display characteristics. The Commission carefully considered all comments in reaching the decision set forth herein, and each decision consider any impact on small entities.

C. Description and Estimate of the Number of Small Entities to Which Rules Will Apply

20. The RFA directs agencies to provide a description of and, where feasible, an estimate of, the number of small entities that may be affected by the proposed rules, if adopted. The RFA generally defines ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small governmental jurisdiction.'' In addition, the term ''small business'' has the same meaning as ''small business concern'' under the Small Business Act. A small business concern is one which: (1) Is independently owned and operated; (2) is not dominant in its field of operations; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). A small organization is generally ''any not-for-profit enterprise which is independently owned and operated and is not dominant in its field. Nationwide, as of 1992, there were approximately 275,801 small organizations. ''Small governmental jurisdiction'' generally means ''governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than 50,000.'' As of 1992, there were approximately 85,006 such jurisdictions in the United States. This number includes 38,978 counties, cities, and towns; of these, 37,566, or ninety-six percent, have populations of fewer than 50,000. The Census Bureau estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, we estimate that 81,600 (ninety-one percent) are small entities.

21. *Public Safety Radio Pool Licensees.* As a general matter, Public Safety Radio Pool licensees include police, fire, local government, forestry conservation, highway maintenance, and emergency medical services. Spectrum in the 700 MHz band for public safety services is governed by 47 U.S.C. 337. Non-Federal governmental entities as well as private businesses are licensees for these services. All governmental entities with populations of less than 50,000 fall within the definition of a small entity.

22. *Radio and Television Equipment Manufacturers.* We anticipate that at least six radio equipment manufacturers will be affected by our decisions in this proceeding. According to the SBA's regulations, a radio and television broadcasting and communications equipment manufacturer must have 750 or fewer employees in order to qualify

as a small business concern. Census Bureau data indicate that there are 858 U.S. firms that manufacture radio and television broadcasting and communications equipment, and that 778 of these firms have fewer than 750 employees and would therefore be classified as small entities. We do not have information that indicates how many of the six radio equipment manufacturers associated with this proceeding are among these 778 firms. However, Motorola and Ericsson, two of the six manufacturers, are major, nationwide radio equipment manufacturers, and, thus, we conclude that these manufacturers would *not* qualify as small businesses.

23. *Television Stations.* This proceeding will affect full service TV station licensees (Channels 60–69), TV translator facilities, and low power TV (LPTV) stations. The SBA defines a TV broadcasting station that has no more than $10.5 million in annual receipts as a small business. TV broadcasting stations consist of establishments primarily engaged in broadcasting visual programs by TV to the public, except cable and other pay TV services. Included in this industry are commercial, religious, educational, and other TV stations. Also included are establishments primarily engaged in TV broadcasting and which produce taped TV program materials. Separate establishments primarily engaged in producing taped TV program materials are classified under another SIC number.

24. There were 1,509 TV stations operating in the Nation in 1992. That number has remained fairly constant as indicated by the approximately 1,551 operating TV broadcasting stations in the Nation as of February 28, 1997. For 1992, the number of TV stations that produced less than $10.0 million in revenue was 1,155 establishments, or approximately 77 percent of the 1,509 establishments. There are currently 95 full service analog TV stations, either operating or with approved construction permits on channels 60–69. In the *DTV Proceeding*, we adopted a DTV Table that provides only 15 allotments for DTV stations on channels 60–69 in the continental United States. There are seven DTV allotments in channels 60–69 outside the continental United States. Thus, the rules will affect approximately 117 TV stations; approximately 90 of those stations may be considered small businesses. These estimates may overstate the number of small entities since the revenue figures on which they are based do not include or aggregate revenues from non-TV affiliated companies. We recognize that the rules may also impact minority-owned and women-owned stations, some of which may be small entities. In 1995, minorities owned and controlled 37 (3.0 percent) of 1,221 commercial TV stations in the United States. According to the U.S. Bureau of the Census, in 1987 women owned and controlled 27 (1.9 percent) of 1,342 commercial and non-commercial TV stations in the United States.

25. There are currently 4,977 TV translator stations and 1,952 LPTV stations. Approximately 1,309 low power TV and TV translator stations are on channels 60–69, which could be affected by policies in this proceeding. The Commission does not collect financial information of any broadcast facility and the Department of Commerce does not collect financial information on these broadcast facilities. We will assume for present purposes, however, that most of these broadcast facilities, including LPTV stations, could be classified as small businesses. As indicated earlier, approximately 77 percent of TV stations are designated under this analysis as potentially small businesses. Given this, LPTV and TV translator stations would not likely have revenues that exceed the SBA maximum to be designated as small businesses.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

26. The *Fourth Report and Order* adopts rules that will entail reporting, recordkeeping, and/or third-party consultation, including the requirement that a state notify the Commission regarding the state's intentions regarding administration of the Interoperability channels. The Commission believes, however, that these requirements are the minimum needed. For example, the *Fourth Report and Order* requires that, while public safety entities are not required to enter into a formal Memoranda of Understanding (MOUs) with a state regarding use of Interoperability channels, applicants must secure approval from the state. To minimize any Federally-imposed paperwork burden, we have left the procedure for such an agreement up to the state. Because we are requiring monitoring of the Interoperability channels, there is the possibility that additional resources may be required. This type of monitoring may be routine for some, while others may require additional resources. In any event, we believe the impact will not be substantial.

E. Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

27. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities. 5 U.S.C. 603.

28. The NCC, comprised of representatives from government, the public safety community, and the communications equipment manufacturing industry, was chartered by the Commission as a Federal Advisory Committee, effective February 25, 1999. The NCC made recommendations concerning various issues addressed in the *Fourth Notice.* We note that in several instances, to benefit all entities, including small entities, we did not propose a particular recommendation.

29. In formulating the rules in the *Fourth Report and Order,* we reduced economic burdens wherever possible. The regulatory burdens that we adopted are necessary to ensure that the public receives the public safety benefits of innovative new services in a prompt and efficient manner. For example, we adopted technical and operational rules that will promote competition in the equipment market. We believe that the rules must be as competitively and technologically neutral as possible, in order to allow for competing equipment designs and to avoid hindering future innovative technological developments. We note that tighter technical specifications generally allow more intense spectrum use, but may result in higher equipment costs. Conversely, although wider tolerances may allow manufacturers to use less costly component parts in transmitting equipment, they also may result in less efficient spectrum use. With these considerations in mind, we believe that the technical regulations we adopt herein provide a reasonable balance of these concerns.

30. Under the regional planning process, frequency coordination is competitive. Frequency coordination is the process by which a private organization recommends to the

Commission the most appropriate frequencies for private land mobile radio service applicants. Frequency coordinators provide a valuable service to the Commission by eliminating common application errors, thereby improving the quality of the applications and resolving potential interference problems at the source. We continue to believe that the encouragement of competition among coordinators promotes cost-based pricing of coordination services and provides incentives for enhancing service quality. Therefore, we will continue to allow any of the certified public safety coordinators to provide coordination in the 700 MHz band.

31. Recognizing the budgetary constraints that public safety entities face as a matter of course, we have adopted rules that encourage broad-based efforts, such as projects on the state and regional level, to coordinate and consolidate operations that are critical to meeting the needs of public safety with cost effective, spectrally-efficient radio systems. For example, we have adopted permissive trunking on certain public safety channels in the 700 MHz band. Trunked systems provide service to many governmental entities in a specific geographic area and offer a higher degree of efficiency than some smaller, non-trunked systems. A difficulty in establishing these types of shared systems is that they require individual agencies to surrender some autonomy in return for the efficiencies and better coverage of a larger system. In addition, the funding required to develop the infrastructure necessary to support some of the newer technologies is often too great to permit small public safety agencies to participate in new, sophisticated, spectrum efficient, wireless radio systems. These same agencies, however, might be able to participate in a county-wide or state-wide system. For these, and other reasons, we encourage the use of shared systems in the public safety community.

Report to Congress: The Commission will send a copy of the *Fourth Report and Order,* including this FRFA, in a report to be sent to Congress pursuant to the SBREFA, see 5 U.S.C. 801(a)(1)(A). In addition, the commission will send a copy of the *Fourth Report and Order,* including this FRFA, to the Chief Counsel for Advocacy of the Small Business Administration. In addition, the *Fourth Report and Order* and FRFA (or summaries thereof) will be published in the **Federal Register**. See 5 U.S.C. 604(b).

Ordering Clause

Authority for the issuance of this *Fourth Report and Order* and Fifth *Notice of Proposed Rule Making* is contained in Sections 4(i), 4(j), 7(a), 302, 303(b), 303(f), 303(g), 303(r), 307(e), 332(a), and 332(c) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 154(j), 157(a), 302, 303(b), 303(f), 303(g), 303(r), 307(e), 332(a), 332(c).

Part 90 of the Commission's Rules, 47 CFR Part 90 is amended as specified in the rule changes.

This *Fourth Report and Order* will be effective March 19, 2001.

The Commission's Consumer Information Bureau, Reference Information Center, shall send a copy of this *Fourth Report and Order* and Fifth *Notice of Proposed Rule Making*, including the Final and Initial Regulatory Flexibility Analyses, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 90

Communications equipment, Radio.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

Final Rules

For the reasons discussed, 47 CFR part 90 is amended as follows:

PART 90—PRIVATE LAND MOBILE RADIO SERVICES

1. The authority citation for part 90 continues to read as follows:

Authority: Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 161, 303(g), 303(r), 332(c)(7).

2. Section 90.179 is amended by adding paragraph (j) to read as follows:

§ 90.179 Shared use of radio stations.

* * * * *

(j) On the Interoperability Channels in the 700 MHz Public Safety Band (*See* 90.531(b)(1)), hand-held and vehicular units operated by any licensee holding a license in the 700 MHz Public Safety Band or by any licensee for any public safety frequency pursuant to part 90 of the Commission's rules may communicate with or through land stations without further authorization and without a sharing agreement.

3. Section 90.421 is amended by adding paragraph (a)(3) to read as follows:

§ 90.421 Operation of mobile units in vehicles not under the control of the licensee.

* * * * *

(a) * * *

(3) On the Interoperability Channels in the 700 MHz Public Safety Band (*See* § 90.531(b)(1)), hand-held and vehicular transmitters may be operated by any licensee holding a license in the 700 MHz Public Safety Band or by any licensee holding a license for any other public safety frequency pursuant to part 90 of the Commission's rules. Therefore, individual licenses are not required for hand-held and vehicular transmitters in the 700 MHz Band.

4. Section 90.525 is added to read as follows:

§ 90.525 Administration of Interoperability channels

(a) States are responsible for administration of the Interoperability channels in the 764–776 MHz and 794–806 MHz frequency bands. Base and control stations must be licensed individually. A public safety entity meeting the requirements of § 90.523 may operate mobile or portable units on the Interoperability channels in the 764–776 MHz and 794–806 MHz frequency bands without a specific authorization from the Commission provided it holds a part 90 license. All persons operating mobile or portable units under this authority are responsible for compliance with part 90 of these rules and other applicable federal laws.

(b) License applications for Interoperability channels in the 764–776 MHz and 794–806 MHz frequency bands must be approved by a state-level agency or organization responsible for administering state emergency communications. States may hold the licenses for Interoperability channels or approve other qualified entities to hold such licenses. States may delegate the approval process for Interoperability channels to another entity, such as regional planning committees.

5. Section 90.531 is amended by adding paragraphs (b)(1)(i) through (b)(1)(iii) and (b)(7), and by revising paragraphs (b)(2) and (d) to read as follows:

§ 90.531 Band plan.

* * * * *

(b) * * *

(1) * * *

(i) *Narrowband data Interoperability channels.* The following channel pairs are reserved nationwide for the express purpose of data transmission only: 279/1239, 280/1240, 921/1881, and 922/1882.

(ii) *Narrowband calling Interoperability channels.* The following channel pairs are dedicated nationwide for the express purpose of

Interoperability calling only: 39/999, 40/1000, 681/1641, and 682/1642. They may not be used primarily for routine, day-to-day communications. Encryption is prohibited on the designated calling channels.

(iii) *Narrowband trunking Interoperability channels.* The following interoperability channel pairs may be combined with the appropriate adjacent secondary trunking channel pairs and used in the trunked mode on a secondary basis to conventional interoperability operations: 23/983, 24/984, 63/1023, 64/1024, 103/1063, 104/1064, 143/1103, 144/1104, 183/1143, 184/1144, 223/1183, 224/1184, 263/1223, 264/1124, 303/1263 and 304/1264. For every ten general use channels trunked at a station, entities may obtain a license to operate in the trunked mode on two of the above contiguous Interoperability channel pairs. The maximum number of Interoperability channel pairs that can be trunked at any one location is eight.

(2) *Narrowband reserve channels.* The following narrowband channels are undesignated and reserved: 37, 38, 77, 78, 117, 118, 157, 158, 197, 198, 221, 222, 237, 238, 277, 278, 317, 318, 643, 644, 659, 660, 683, 684, 699, 700, 723, 724, 739, 740, 763, 764, 779, 780, 803, 804, 819, 820, 843, 844, 859, 860, 883, 884, 899, 900, 923, 924, 939, 940, 997, 998, 1037, 1038, 1077, 1078, 1117, 1118, 1157, 1158, 1181, 1182, 1197, 1198, 1237, 1238, 1277, 1278, 1603, 1604, 1619, 1620, 1643, 1644, 1659, 1660, 1683, 1684, 1699, 1700, 1723, 1724, 1739, 1740, 1763, 1764, 1779, 1780, 1803, 1804, 1819,1820, 1843, 1844, 1859, 1860, 1883, 1884, 1899, 1900.

* * * * *

(7) *Secondary trunking channels.* The following channels pairs are reserved for secondary trunking operations: 21/981, 22/982, 61/1021, 62/1022, 101/1061, 102/1062, 141/1101, 142/1102, 181/1141, 182/1142, 221/1181, 222/1182, 261/1221, 262/1222, 301/1261 and 302/1262. They may be used only in combination with the appropriate adjacent Interoperability channel pairs specified in (b)(1)(iii) of this section in trunked systems.

* * * * *

(d) *Combining channels.* Except as noted in this section, at the discretion of the appropriate regional planning committee, contiguous channels may be used in combination in order to accommodate requirements for larger bandwidth emissions, in accordance with this paragraph. Interoperability channels may not be combined with channels in another group except for channels for secondary trunking channels.

6. Section 90.531(b)(2) is amended by removing the following channels: 21, 22, 37, 38, 61, 62, 77, 78, 101, 102, 141, 142, 181, 182, 221, 222, 261, 262, 277, 278, 301, 302, 317, 318, 981, 982,997, 998,1021, 1022, 1037, 1038, 1061, 1062, 1101, 1102,1141, 1142, 1181, 1182, 1221, 1222, 1237, 1238, 1261, 1262, 1277, and 1278.

7. Section 90.537 is revised to read as follows:

§ 90.537 Trunking requirement.

(a) *General use channels.* All systems using six or more narrowband channels in the 764–776 MHz and 794–806 MHz frequency bands must be trunked systems, except for those described in paragraph (b) of this section.

(b) *Interoperability channels.* Trunking is permitted only on Interoperability channels specified in § 90.531(b)(1)(iii). Trunked use must be strictly on a secondary, non-interference basis to conventional operations. The licensee must monitor and immediately release these channels when they are needed for interoperability purposes.

8. Section 90.547 is revised to read as follows:

§ 90.547 Interoperability channel capability requirement.

Except as noted below, mobile and portable transmitters operating in the 764–776 MHz and 794–806 MHz frequency bands must be capable of operating on all of the designated nationwide narrowband Interoperability channels pursuant to the standards specified in this part.

(a) Mobile and portable transmitters that are designed to operate only on the Low Power Channels specified in §§ 90.531(b)(3) and (b)(4) are exempt from this Interoperability channel requirement.

(b) Mobile and portable transmitters that are designed to operate only on the narrowband data Interoperability channels specified in § 90.531 (b)(1)(i) are exempt from this Interoperability channel requirement.

(c) Mobile and portable transmitters that are designed to operate only in the voice mode do not have to operate on the narrowband data Interoperability channels specified in § 90.531 (b)(1)(i).

9. Section 90.548 is added to read as follows:

§ 90.548 Interoperability technical standards.

(a) Transmitters operating on those narrowband channels in the 764–776 and 794–806 MHz band designated for interoperability (*See* 90.531) shall conform to the following technical standards:

(1) Transmitters designed for voice operation shall include a 12.5 kHz bandwidth mode of operation conforming to the following standards: ANSI/TIA/EIA 102.BAAA–1 (common air interface) for operation in the 12.5 kHz FDM mode; ANSI/TIA/EIA 102.BABA (vocoder).

(2) Transmitters designed for data transmission shall include a 12.5 kHz bandwidth mode of operation conforming to the following standards: ANSI/TIA/EIA 102.BAEA (data overview); ANSI/TIA/EIA 102.BAEB (packet data specification); ANSI/TIA/EIA 102.BAEC (circuit data specification); ANSI/TIA/EIA 102.BAEA (radio control protocol); ANSI/TIA/EIA 102.BAAA–1 (common air interface) for operation in the 12.5 kHz FDM mode.

(b) Copies of the standards listed in this Section that are incorporated by reference can be purchased from the American National Standards Institute, Washington, DC Headquarters, 1819 L Street, NW, 6th Floor, Washington, DC 20036.

(c) Copies of the standards listed in this Section that are incorporated by reference may be inspected at the Federal Communications Commission, 445 12th Street, SW, Washington, DC (Reference Information Center) or at the Office of the **Federal Register**, 800 North Capitol Street, NW, Suite 700, Washington DC.

10. Section 90.553 is added to read as follows:

§ 90.553 Encryption.

(a) Encryption is permitted on all but the two nationwide Interoperability calling channels. Radios employing encryption must have a readily accessible switch or other readily accessible control that permits the radio user to disable encryption.

(b) If Encryption is employed then the following encryption protocol must be used: TIA/EIA IS AAAA–A Project 25 DES.

(c) Copies of the standards listed in this Section that are incorporated by reference can be purchased from TIA/EIA, 2500 Wilson Boulevard, Arlington, VA, 22201, or Global Engineering Documents, 155 Inverness Way East, Englewood, CO 80112.

[FR Doc. 01–4027 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 010112013-1013-01; I.D. 020201A]

Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Steller Sea Lion Protection Areas in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting trawling within Steller sea lion protection areas in the Central Aleutian District of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season critical habitat limit of the 2001 total allowable catch (TAC) of Atka mackerel allocated to the Central Aleutian District.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 13, 2001, until the directed fishery for Atka mackerel closes within the Central Aleutian District, which will be published in the **Federal Register**.

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

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

The 2001 A season apportionment of TAC for Atka mackerel in the Central Aleutian District is 15,540 metric tons (mt), of which no more than 7,148 mt may be harvested from Steller Sea lion protection areas (66 FR 7276, January 22, 2001). See § 679.20(a)(8)(ii)(A) and 679.22(a)(12)(iii)(B).

In accordance with § 679.22(a)(12)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the allowable harvest of Atka mackerel in the Steller Sea lion protection areas in the Central Aleutian District has been reached. Consequently, NMFS is prohibiting trawling in selected rookery and haul out sites, as defined at Table 21 to 50 CFR Part 679 in the Central Aleutian District of the BSAI.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to avoid jeopardy to the continued existence of Steller sea lions constitutes good cause to waive the requirement to provide prior notice opportunity for public comment pursuant to the authority set forth at 5 USC 553(b)(3)(B) and 50 CFR 679.20(b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to avoid jeopardy to the continued existence of Steller sea lions constitutes good cause to find that the effective date of this action cannot be delayed for 30 days.

This action is required by § 679.20 and 679.22 and is exempt from review under Executive Order 12866.

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

Dated: February 12, 2001.

Bruce C. Morehead,

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

[FR Doc. 01–3996 Filed 2–13–01; 3:20 pm]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 010112013–1013–01; I.D. 021301B]

Fisheries of the Exclusive Economic Zone Off Alaska; Trawling in Steller Sea Lion Protection Areas in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area

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

ACTION: Closure.

SUMMARY: NMFS is prohibiting trawling within Steller sea lion protection areas in the Western Aleutian District of the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the A season critical habitat limit of the 2001 total allowable catch (TAC) of Atka mackerel allocated to the Central Aleutian District.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), February 13, 2001, until the directed fishery for Atka mackerel closes within the Western Aleutian District, which will be published in the **Federal Register**.

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

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

The 2001 A season apportionment of TAC for Atka mackerel in the Western Aleutian District is 12,904 metric tons (mt), of which no more than 6,194 mt may be harvested from Steller Sea lion protection areas (66 FR 7276, January 22, 2001). See § 679.20(a)(8)(ii)(A) and 679.22(a)(12)(iii)(B).

In accordance with § 679.22 (a)(12)(iii), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the allowable harvest of Atka mackerel in the Steller Sea lion protection areas in the Western Aleutian District has been reached. Consequently, NMFS is prohibiting trawling in selected rookery and haul out sites, as defined at Table 21 to 50 CFR Part 679 in the Western Aleutian District of the BSAI.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA, finds that the need to immediately implement this action to avoid jeopardy to the continued existence of Steller sea lions constitutes good cause to waive the requirement to provide prior notice opportunity for public comment pursuant to the authority set forth at 5 USC 553(b)(3)(B) and 50 CFR 679.20(b)(3)(iii)(A), as such procedures would be unnecessary and contrary to the public interest. Similarly, the need to implement these measures in a timely fashion to avoid jeopardy to the continued existence of Steller sea lions constitutes good cause to find that the effective date of this action cannot be delayed for 30 days.

This action is required by § 679.20 and 679.22 and is exempt from review under Executive Order 12866.

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

Dated: February 13, 2001.

Bruce C. Morehead,

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

[FR Doc. 01–4035 Filed 2–13–01; 3:20 pm]

BILLING CODE 3510–22–S

Proposed Rules

Federal Register
Vol. 66, No. 33
Friday, February 16, 2001

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.

FARM CREDIT ADMINISTRATION

12 CFR Parts 611, 618, and 620

RIN: 3052–AC03

Organization; General Provisions; Disclosure to Shareholders

AGENCY: Farm Credit Administration.

ACTION: Proposed rule.

SUMMARY: The Farm Credit Administration (FCA or Agency) proposes to amend its regulations to provide procedures for requesting national charters. The proposed rule would also require each association with a national charter to extend sound and constructive credit to eligible and creditworthy customers in its Local Service Area (LSA). In addition, the FCA proposes to establish controls through new business planning requirements for an association with a national charter. These new requirements will help strengthen the safety and soundness of the Farm Credit System (System or FCS). These requirements will also help ensure that the FCS continues to meet its public policy mission to provide adequate, dependable, and competitive credit and related services to agriculture and rural America.

DATES: Please send your comments to us on or before March 19, 2001.

ADDRESSES: You may submit comments via electronic mail to *''reg-comm@fca.gov''* or through the Pending Regulations section of our Web site at ''www.fca.gov.'' You may also mail or deliver written comments to Thomas McKenzie, Director, Regulation and Policy Division, Office of Policy and Analysis, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090 or send them by facsimile transmission to (703) 734–5784. You may review copies of all comments we receive in the Office of Policy and Analysis, Farm Credit Administration.

FOR FURTHER INFORMATION CONTACT:

S. Robert Coleman, Senior Policy Analyst, Office of Policy and Analysis, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4498, TDD (703) 883–4444,

or

Jennifer A. Cohn, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102–5090, (703) 883–4020, TDD (703) 883–4444.

SUPPLEMENTARY INFORMATION:

I. Objectives

Our objectives are to:

- Establish procedures for a direct lender association to request a national charter;
- Establish that each association with a national charter must provide dependable, sound, adequate, competitive, and constructive credit and related services to all eligible and creditworthy customers within its Local Service Area on a priority basis while being responsive to other areas in the nationally chartered territory;
- Establish controls through new business planning requirements for a direct lender association with a national charter;
- Maintain safety and soundness and improve risk management in the FCS; and
- Strengthen the ability of the FCS to achieve its public policy mission to serve agriculture and rural America.

We welcome your comments on how we should modify this proposed rule, or whether we should consider a wholly different approach that would better enable the System to remain responsive to the credit needs of agriculture in a changing market.

II. Authority To Issue National Charters

The Farm Credit Act of 1971, as amended (Act), gives the FCA broad authority to issue and amend the charters of System associations, including specifying the territories in which associations may carry on their operations. Section 5.17(a)(2)(A) of the Act authorizes the FCA, ''[w]here necessary or appropriate to carry out the policy and objectives of this Act, [to] issue and approve amendments to Federal charters of institutions of the System * * *.'' Sections 2.0(b)(8), 2.10(c), and 7.8(b) of the Act specifically give the FCA the power to provide for the territory in which a direct lender association may carry on its operations, either in the terms of the association's charter or by regulation. These provisions also give FCA the power to approve amendments to the charters of associations. Finally, section 5.17(a)(5) of the Act authorizes the FCA to ''[g]rant approvals provided for under this Act either on a case-by-case basis or through regulations that confer approval on actions of Farm Credit System institutions.'' These statutory provisions authorize the FCA to issue and amend charters, including charters to operate nationwide, to direct lender associations without notice and comment rulemaking.

On May 3, 2000, the FCA issued guidance to System direct lender associations about how they could apply for a national charter. Because there was significant public interest in national charters, we published our guidance in the **Federal Register** on July 20, 2000 and invited comment. See 65 FR 45066, July 20, 2000. We received over 1000 responses to the **Federal Register** notice. Many commenters believe the law requires the FCA to pursue a notice and comment rulemaking for national charters. Hence, we are proposing this rule, which codifies requirements for any direct lender association requesting a national charter. Notwithstanding this proposal, we continue to believe that the FCA may issue or amend charters without conducting a rulemaking, and we specifically reserve the right to do so with other chartering actions.

III. Background

The FCA proposes to amend regulations in parts 611 and 618 to provide procedures for requesting a national charter. Additionally, we propose to amend the disclosure requirements in part 620 to provide shareholders with information about lending activities if their associations have national charters. National charters, because they permit direct lender associations to diversify their loan portfolios geographically and by commodity, will significantly enhance safety and soundness opportunities for these associations. The proposed rule establishes new regulatory requirements that, when taken with other provisions of our existing regulations, will ensure an association with a national charter continues to operate in a safe and sound

manner. In addition, these new requirements will strengthen the commitment of each direct lender association with a national charter to serve all eligible and creditworthy customers in its local area.

IV. A National Charter Defined

Proposed § 611.1126(a)(2) defines a national charter as a charter that authorizes a direct lender association to exercise all powers conferred on it under the Act and FCA regulations throughout the United States and the Commonwealth of Puerto Rico or within any lesser territory the FCA specifies in accordance with section 5.17(a) of the Act.

As discussed above, the FCA has the authority under sections 2.0(b)(8), 2.10(c), 7.8(b), and several provisions of 5.17(a) to issue and amend charters for System institutions. These provisions give us broad discretion to issue national charters to direct lender associations that include most of the United States and Puerto Rico. Section 5.17(a)(2)(B), (a)(2)(C), (a)(13), and (a)(14) of the Act requires various consents before the FCA may include certain territories in an association's national charter.

Specifically, the following associations and their supervisory banks must consent before these associations' territories can be included in the national charter of any other association:

- Ag New Mexico, Farm Credit Services, PCA;
- Federal Land Bank Association of North Alabama, FLCA;
- Federal Land Bank Association of North Mississippi, FLCA;
- Federal Land Bank Association of South Alabama, FLCA;
- Federal Land Bank Association of South Mississippi, FLCA;
- First South Agricultural Credit Association [1];
- Louisiana Federal Land Bank Association, FLCA [2];
- Production Credit Association of New Mexico; and
- Production Credit Association of Southern New Mexico.

Under the Act, these associations' shareholders must consent before the territories of these associations can be included in the charters of other FCS associations. Additionally, the association's affiliated bank, and for the three New Mexico production credit associations, their boards of directors, must consent to these charter changes. An association's national charter issued by the FCA will specify its exact territory. Separately, we have proposed rules that would provide specific direction on voting procedures by these institutions. See 65 FR 26776, May 9, 2000 and 65 FR 58486, September 29, 2000.

V. Eligibility To Request a National Charter

Proposed § 611.1126(b) provides that an existing direct lender association (as defined in §§ 619.9135 and 620.1, i.e., Federal land credit association, production credit association, or agricultural credit association) or an applicant for a new direct lender association charter may request a national charter.

The proposed rule states that any direct lender association that is under a cease and desist order that has become final, as defined by section 5.25 of the Act, is ineligible for a national charter. The FCA is authorized under part C of title V to issue cease and desist orders against any System institution that operates in an unsafe or unsound manner or violates a statute or regulation.

VI. Local Service Areas

Section 1.1 of the Act states that the Farm Credit System is ''designed to accomplish the objective of improving the income and well-being of American farmers and ranchers by furnishing sound, adequate, and constructive credit and closely related services to them, their cooperatives, and to selected farm-related businesses * * *.'' The FCA believes the System should be responsive to all types of agricultural producers and other eligible borrowers who have a basis for credit and related services.

Each direct lender association that receives a national charter must remain responsive to the needs of eligible FCS customers. Accordingly, proposed § 611.1126(a)(3) and (e) establishes a Local Service Area for each direct lender association that receives a national charter. The LSA of an existing direct lender association will be its chartered territory immediately before it receives a national charter. The FCA will designate the LSA of any newly chartered association.

The Local Service Area establishes where each association with a national charter must offer credit and related services. The FCA believes the LSA requirement will ensure that the System carries out its public policy mission of extending credit and related services to farmers, ranchers, and other eligible customers in every part of the United States as described in section 1.1 of the Act. Therefore, each association with a national charter must provide dependable, sound, adequate, competitive, and constructive credit and related services to all eligible and creditworthy customers within its LSA on a priority basis, consistent with safe and sound lending practices. Furthermore, each association must be responsive to the needs of customers in other areas of its nationally chartered territory.

Existing regulations require that all System lenders extend credit and related services in a safe and sound manner. Accordingly, every association with a national charter must maintain sufficient capacity and expertise to provide credit and related services within its LSA before it can serve other areas in its national charter.

In section 4.19 of the Act, Congress intended that the System would make special efforts to serve young, beginning, and small farmers. We anticipate that each association will make specific efforts to reach out to serve those farmers in its Local Service Area. In conjunction with business planning for an association's national charter, we encourage System institutions to review FCA Policy Statement 75, dated December 10, 1998, when they plan, develop, and implement program revisions for young, beginning, and small farmers.

VII. Procedures for Requesting a National Charter Amendment

Proposed § 611.1126(c) establishes the procedures that an association requesting a national charter must follow. Under § 611.1126(c)(1), a national charter applicant must submit the following information to the FCA:

- A statement of the provision(s) of the charter that the association proposes to amend and the proposed amendment(s);
- A statement of the reasons for the proposed amendment(s), the impact of the amendment(s) on the association and its stockholders, and the requested effective date of the amendment(s);
- A certified copy of the resolution of the board of directors of the association approving the amendment(s);
- A business plan, revised to reflect the proposed national charter, that includes an LSA Plan addressing the matters set forth in § 618.8440, and has been adopted by the association's board of directors; and,

[1] Protected territory of First South Agricultural Credit Association is located in the States of Alabama, Louisiana, and Mississippi.

[2] Except in the parishes of Bienville, Bossier, Caddo, Caliborne, DeSoto, Jackson, Lincoln, Red River, Union and Webster Parishes, and that part of Ouachita Parish west of the Ouachita River in the State of Louisiana.

• Any other information or documents that the association wishes to submit in support of its application, or requested by the FCA.

Proposed § 611.1126(c)(2) requires any association that applies for a national charter to simultaneously send a copy of its application to its supervisory bank. The proposed rule also allows the supervisory bank to provide comments on a related association's national charter application to the FCA within a reasonable period of time. Under proposed § 611.1126(c)(3), the FCA will inform the association of the approval or disapproval of its national charter application.

Because § 611.1126(c) would establish specific procedures for requesting a national charter, we propose to make conforming changes to § 611.1121. We propose to amend that provision, which sets forth general procedures for requesting charter amendments, to exclude national charter applications from its scope.

VIII. Business Planning Requirements

Section 618.8440 continues to address business planning requirements for System institutions. The proposed amendments to this regulation would add a provision that specifically requires any association with a national charter to develop and implement a Local Service Area Plan.

A. Current Business Planning Requirements

Each association that obtains a national charter must update its business plan to reflect changes in its operating environment. In addressing the requirements set forth in the proposed amendments to § 618.8440, each association should take into account the following considerations when it updates its business plan:

• Economic and market conditions facing the association;

• The effect that lending outside the association's LSA may have on meeting the association's objectives within its LSA;

• The effect programs that provide credit and related services to a broader customer base will have on the association's organizational efficiency, customer service, risk management, and operational capabilities;

• Specific operating objectives and strategies for any new credit or related services programs, including delivery and servicing mechanisms;

• The types and projected amounts of credit and related services that the association will offer and the geographic markets in which it will operate;

• The risk associated with providing credit and related services in new markets, including establishing risk-tolerance levels in relation to risk-bearing capacity and loan portfolio concentrations; and

• Policies, underwriting standards, and controls for the association's lending and related service activities in any new territory, so that such activities are conducted in a safe and sound manner.

Business planning is an integral component of any financial institution operating in a safe and sound manner. An association's board of directors is responsible for and in the best position to assess the association's strategic strengths and weaknesses and to set proper limits and internal controls on lending operations and related services. The FCA will exercise its examination and supervisory powers to evaluate whether each System association is operating in a safe and sound manner as it executes its plans to extend credit and offers related services in its national charter territory.

B. Safety and Soundness Requirements for National Charter Applicants

National charters, when planned and implemented properly, can improve safety and soundness by diversifying geographic and industry concentrations in the loan portfolios of FCS associations. Because they provide enforceable safety and soundness controls, proposed § 611.1126(c) and (d) and the proposed amendment to § 618.8440 provide additional safeguards to eliminate concerns that national charters expose System institutions to excessive risk.

Proposed § 611.1126(d) imposes rigorous safety and soundness criteria on each association that applies for and subsequently receives a national charter. Specifically, § 611.1126(d)(1) incorporates by reference existing regulations that address capital adequacy; loan underwriting requirements; loan servicing requirements; internal controls; and compliance with regulations governing consumer protection, equal credit opportunity, and fair lending practices. Further, § 611.1126(d)(4) requires any association that receives a national charter to continue to meet safety and soundness standards, both those included in § 611.1126(d)(1), and those listed in § 611.1126(d)(2) such as asset quality, management, and earnings performance. Once an association receives a national charter, the FCA reserves its right to restrict the association's operations if it fails to operate in a safe and sound manner. In addition to safety and soundness, § 611.1126(d)(3) requires each association that applies for and receives a national charter to demonstrate that it has implemented a program to serve young, beginning, and small farmers in its LSA.

C. Local Service Area Plan

The proposed rule establishes new business planning requirements for each association applying for a national charter. Existing § 618.8440 requires each FCS institution to adopt an operational and strategic business plan on an annual basis that covers at least the succeeding 3 years. Proposed § 611.1126(c)(1)(iv) and the proposed amendment to § 618.8440 will require each direct lender association that applies for a national charter to develop an LSA Plan that addresses how it will continue to serve its local customers. Any association that receives a national charter must update its LSA Plan annually as part of its planning process and explain how it will continue to serve local areas by providing sound, adequate credit and related services to all eligible and creditworthy customers.

A direct lender association's LSA Plan must include its assessment of its LSA and its strategies to ensure adequate service in its LSA. At a minimum, each association's LSA Plan must:

• Describe all segments of its existing market (including both existing and potential customers);

• Evaluate how well it is currently serving each segment of its existing market (including both existing and potential customers);

• Assess underserved segments in its existing market;

• Assess its capacity to serve all segments of its existing markets (including both existing and potential customers) and any constraints on this capacity; and

• Describe the strategies it will pursue to ensure that it provides adequate service within its LSA.

The purpose of an LSA is to ensure each direct lender association does its part to help the FCS meet its public policy mission. This mission includes providing dependable, sound, adequate, competitive, and constructive credit and related services to all eligible farmers and ranchers, aquatic producers and harvesters, farm-related businesses, and rural homeowners.

D. Shareholder Reporting Requirements for Nationally Chartered Associations

The proposed rule establishes reporting requirements that provide association shareholders and the FCA with useful information about the

lending and related services activities of any association that has a national charter. The proposed rule amends the shareholder disclosure regulation, § 620.5, to require any association with a national charter to disclose in its annual report information about the volume of loans, leases, and related services both inside and outside its LSA. Specifically, proposed § 620.5(a)(3) would require an association that has a national charter to disclose to its shareholders summary information on the percentage and total dollar amount of loans, leases, and related services extended both inside and outside the LSA. Additionally, the FCA, through its call reporting, may request more detailed information about loans, leases, and related services that nationally chartered associations offer outside their LSAs.

IX. Effective Dates for National Charters

We expect that national charters approved by the FCA will have the same effective date for all System associations that apply by a specified target date. The effective date for national charters and the target date for submitting applications will be determined by the FCA once a final rule is adopted. Effective dates for national charters for subsequent applications will be based on the timing of the applications received. We welcome your comments on any unique business aspects that we should consider when we establish a uniform effective date for national charters.

X. Governance and Supervising Bank Relationship

National charters will not change FCA regulations on FCS corporate governance. A borrower who is an eligible farmer, rancher, aquatic producer or harvester is entitled to hold voting stock and to serve as a director in the System association from which he or she has a loan, regardless of geographic location. As required by section 4.15 of the Act, each association with a national charter must make efforts to ensure that borrowers from its chartered territory are adequately represented on its board of directors. Additionally, representation on an association's board should reflect the types of agriculture practiced by its borrowers. The proposed rule does not change the affiliation between a nationally chartered association and its current funding and supervisory bank.

List of Subjects

12 CFR Part 611

Agriculture, Banks, banking, Rural areas.

12 CFR Part 618

Agriculture, Archives and records, Banks, banking, Insurance, Reporting and recordkeeping requirements, Rural areas, Technical assistance.

12 CFR Part 620

Accounting, Agriculture, Banks, banking, Reporting and recordkeeping requirements, Rural areas.

For the reasons stated in the preamble, parts 611, 618, and 620 of chapter VI, title 12 of the Code of Federal Regulations are proposed to be amended to read as follows:

PART 611—ORGANIZATION

1. The authority citation for part 611 continues to read as follows:

Authority: Secs. 1.3, 1.13, 2.0, 2.10, 3.0, 3.21, 4.12, 4.15, 4.20, 4.21, 5.9, 5.10, 5.17, 7.0–7.13, 8.5(e) of the Farm Credit Act (12 U.S.C. 2011, 2021, 2071, 2091, 2121, 2142, 2183, 2203, 2208, 2209, 2243, 2244, 2252, 2279a–2279f–1, 2279aa–5(e)); secs. 411 and 412 of Pub. L. 100–233, 101 Stat. 1568, 1638; secs. 409 and 414 of Pub. L. 100–399, 102 Stat. 989, 1003, and 1004.

2. Revise the heading of subpart G to read as follows:

Subpart G—Mergers, Consolidations, and Other Chartering Actions of Associations

3. Revise § 611.1120(b) to read as follows:

§ 611.1120 General authority.

* * * * *

(b) The Farm Credit Administration may make changes in the charter of an association as may be requested by that association and approved by the Farm Credit Administration pursuant to § 611.1121 or, in the case of national charters, § 611.1126 of this part.

* * * * *

4. Amend § 611.1121 by revising the introductory paragraph to read as follows:

§ 611.1121 Charter amendment procedures.

This section applies to any request by an association to amend its charter, except it does not apply to applications for national charters.

* * * * *

5. Add § 611.1126 to subpart G to read as follows:

§ 611.1126 National charters.

This section applies to any association that requests or receives a national charter.

(a) *Definitions*—(1) *You* means a direct lender association as defined in §§ 619.9135 and 620.1 of this chapter.

(2) *National charter.* A charter that authorizes you to exercise all powers conferred on you under the Act and regulations of the Farm Credit Administration throughout the United States and the Commonwealth of Puerto Rico or within such lesser territory as specified by the Farm Credit Administration in accordance with section 5.17(a) of the Act.

(3) *Local Service Area (LSA).* (i) If you are an existing direct lender association, your LSA is your chartered territory immediately before you receive a national charter.

(ii) If you are a newly chartered direct lender association, your LSA is any territory the Farm Credit Administration designates as such.

(b) *Eligibility to request a national charter.* (1) An existing direct lender association or an applicant for a new direct lender association charter may request a national charter.

(2) No direct lender association that is under a cease and desist order that has become final as defined by section 5.25 of the Act is eligible to request a national charter.

(c) *Procedures for requesting an amendment to an existing charter that would result in a national charter.* (1) In requesting an amendment to an existing charter that would result in a national charter, you must submit an application to the Farm Credit Administration that contains the following information:

(i) A statement of the provision(s) of the charter that the association proposes to amend and the proposed amendment(s);

(ii) A statement of the reasons for the proposed amendment(s), the impact of the amendment(s) on the association and its stockholders, and the requested effective date of the amendment(s);

(iii) A certified copy of the resolution of the board of directors of the association approving the amendment(s);

(iv) A business plan, revised to reflect your proposed national charter, that includes an LSA Plan addressing the matters set forth in § 618.8440 of this chapter and has been adopted by your board of directors; and

(v) Any additional information or documents that you wish to submit in support of your application or that the Farm Credit Administration requests.

(2) You must simultaneously send a copy of your national charter

application to your supervisory bank. The supervisory bank may provide comments on your national charter application to the Farm Credit Administration within a reasonable period of time.

(3) The Farm Credit Administration will notify you of its approval or disapproval of the amendment request.

(d) *Criteria for issuing national charters.* (1) You may apply for a national charter if you are in compliance with:

(i) Capital adequacy requirements in subpart H of part 615 of this chapter;

(ii) Loan underwriting requirements in subpart D of part 614 of this chapter;

(iii) Loan servicing requirements in subpart N of part 614 of this chapter;

(iv) Internal control requirements in subpart J of part 618 of this chapter;

(v) All applicable laws and regulations pertaining to nondiscrimination in lending requirements in part 626 of this chapter, and other Federal statutes and regulations governing consumer protection, equal credit opportunity, and fair lending practices.

(2) The Farm Credit Administration will grant national charters only to direct lender associations that it determines are operating safely and soundly in accordance with capital, assets, management, earnings, liquidity, interest rate sensitivity, and other safety and soundness standards.

(3) If you apply for a national charter, you must demonstrate to the Farm Credit Administration that you have implemented a program that serves young, beginning, and small farmers in your local service area, and that you have complied with § 614.4165 of this chapter and other Agency guidance.

(4) After you receive a national charter, you must continue to comply with all the requirements in paragraphs (d)(1), (d)(2) and (d)(3) of this section.

(e) *LSA requirement.* If you receive a national charter, you will have a LSA. Once you receive your national charter, you must extend credit and offer related services to all eligible and creditworthy customers in your LSA, consistent with safe and sound lending practices.

PART 618—GENERAL PROVISIONS

6. The authority citation for part 618 continues to read as follows:

Authority: Secs. 1.5, 1.11, 1.12, 2.2, 2.4, 2.5, 2.12, 3.1, 3.7, 4.12, 4.13A, 4.25, 4.29, 5.9, 5.10, 5.17 of the Farm Credit Act (12 U.S.C. 2013, 2019, 2020, 2073, 2075, 2076, 2093, 2122, 2128, 2183, 2200, 2211, 2218, 2243, 2244, 2252).

Subpart J—Internal Controls

7. Revise § 618.8440 to read as follows:

§ 618.8440 Planning.

(a) No later than 30 days after the commencement of each calendar year, the board of directors of each Farm Credit System institution must adopt an operational and strategic business plan for at least the succeeding 3 years.

(b) The business plan must include, at a minimum, the following:

(1) A mission statement;

(2) A review of the internal and external factors that are likely to affect the institution during the planning period;

(3) Quantifiable goals and objectives;

(4) Pro forma financial statements for each year of the plan;

(5) A detailed operating budget for the first year of the plan; and

(6) The capital adequacy plan adopted pursuant to §§ 615.5200(b), 615.5330(c), and 615.5335(b) of this chapter.

(c)(1) The business plan for each Farm Credit System association that has received a national charter, as defined in § 611.1126 of this chapter, must include a Local Service Area (LSA) Plan.

(2) A LSA Plan is a plan that addresses how the Farm Credit System association will serve its LSA under § 611.1126(d) of this chapter. At a minimum, a LSA Plan must:

(i) Describe all segments of the existing market of the Farm Credit System association (including both existing and potential customers);

(ii) Evaluate how well the Farm Credit System association is currently serving each segment of its existing market (including both existing and potential customers);

(iii) Assess underserved segments in the Farm Credit System association's existing market;

(iv) Assess the Farm Credit System association's capacity to serve all segments of its existing markets (including both existing and potential customers) and any constraints on this capacity; and

(v) Describe the strategies the Farm Credit System association will pursue to ensure that it provides full service within its LSA.

PART 620—DISCLOSURE TO SHAREHOLDERS

8. The authority citation for part 620 continues to read as follows:

Authority: Secs. 5.17, 5.19, 8.11 of the Farm Credit Act (12 U.S.C. 2252, 2254, 2279aa–11); sec. 424 of Pub. L. 100–233, 101 Stat. 1568, 1656.

Subpart B—Annual Report to Shareholders

9. Amend § 620.5(a)(3) as follows:

a. Remove the ''; '' at the end of the third sentence and add a ''.''; and

b. Add two new sentences to the end of this paragraph to read as follows:

§ 620.5 Contents of the annual report to shareholders.

* * * * *

(a) *Description of business.* * * *

* * * * *

(3) * * * For any association that has a national charter, it must identify the percentage and the total dollar amount of loans, leases, and related services that it extends to eligible customers. An association with a national charter must separately report the total loans, leases, and related services that is made both inside and outside its local service area;

* * * * *

Dated: February 12, 2001.

Kelly Mikel Williams,

Secretary, Farm Credit Administration Board.

[FR Doc. 01–3942 Filed 2–15–01; 8:45 am]

BILLING CODE 6705–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–105946–00]

RIN 1545–AY31

Mid-contract Change in Taxpayer

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking and notice of public hearing.

SUMMARY: This document contains proposed regulations concerning a mid-contract change in taxpayer of a contract that has been accounted for under a long-term contract method of accounting. A taxpayer that is a party to such a contract will be affected by these proposed regulations. This document also provides notice of a public hearing on the proposed regulations.

DATES: Written comments must be received by May 17, 2001. Outlines of oral comments to be presented at the public hearing scheduled for June 13, 2001, at 10 a.m. must be received by May 30, 2001.

ADDRESSES: Send submissions to CC:M&SP:RU (REG–105946–00), room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand

delivered Monday through Friday between the hours of 8 a.m. and 5 p.m. to: CC:M&SP:RU (REG–105946–00), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC. Alternatively, taxpayers may submit comments electronically via the Internet by selecting the ''Tax Regs'' option on the IRS Home Page, or by submitting comments directly to the IRS Internet site at *http://www.irs.gov/prod/tax__regs/regslist.html.* The public hearing will be held in room 6718, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Concerning the proposed regulations, John Aramburu or Leo F. Nolan II at (202) 622–4960; concerning submissions of comments, the hearing, and/or to be placed on the building access list to attend the hearing, Guy Traynor of the Regulations Unit at (202) 622–7180 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collections of information contained in this notice of proposed rulemaking have been submitted to the Office of Management and Budget for review in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)). Comments on the collections of information should be sent to the Office of Management and Budget, Attn: Desk Officer for the Department of the Treasury, Office of Information and Regulatory Affairs, Washington, DC 20503, with copies to the Internal Revenue Service, Attn: IRS Reports Clearance Officer, W:CAR:MP:FP:S:O, Washington, DC 20224. Comments on the collections of information should be received by April 17, 2001. Comments are specifically requested concerning:

- Whether the proposed collections of information are necessary for the proper performance of the functions of the Internal Revenue Service, including whether the information will have practical utility;
- The accuracy of the estimated burden associated with the proposed collections of information (see below);
- How the quality, utility, and clarity of the information to be collected may be enhanced;
- How the burden of complying with the proposed collections of information may be minimized, including through the application of automated collection techniques or other forms of information technology; and
- Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

The collection of information in this proposed regulation is in § 1.460–6(g)(3)(ii)(C). The information collected in § 1.460–6(g)(3)(ii)(C) is required to provide certain recipients of long-term contracts with the information needed to make look-back calculations. This collection of information is mandatory. The likely respondents are for-profit entities.

Estimated total reporting burden: 10,000 hours.

Estimated average burden per respondent: 2 hours.

Estimated number of respondents: 5000.

Estimated annual frequency of responses: On occasion.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid control number.

Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Background

Section 460 of the Internal Revenue Code was enacted by section 804 of the Tax Reform Act of 1986, Public Law 99–514 (100 Stat. 2085, 2358–2361). Section 460 was amended by section 10203 of the Omnibus Budget Reconciliation Act of 1987, Public Law 100–203 (101 Stat. 1330, 1330–394); by sections 1008(c) and 5041 of the Technical and Miscellaneous Revenue Act of 1988, Public Law 100–647 (102 Stat. 3342, 3438–3439 and 3673–3676); by sections 7621 and 7811(e) of the Omnibus Budget Reconciliation Act of 1989, Public Law 101–239 (103 Stat. 2106, 2375–2377 and 2408–2409); by section 11812 of the Omnibus Budget Reconciliation Act of 1990, Public Law 101–508 (104 Stat. 1388, 1388–534 to 1388–536); by sections 1702(h)(15) and 1704(t)(28) of the Small Business Job Protection Act of 1996, Public Law 104–188 (110 Stat. 1755, 1874, 1888); and by section 1211 of the Taxpayer Relief Act of 1997, Public Law 105–34 (111 Stat. 788, 998–1000).

Section 460(h) directs the Secretary to prescribe regulations to the extent necessary or appropriate to carry out the purpose of section 460, including regulations to prevent a taxpayer from avoiding section 460 by using related parties, pass-through entities, intermediaries, options, and other similar arrangements.

Explanation of Provisions

Overview

Generally, manufacturing and construction contracts not completed within the taxable year they are entered into are long-term contracts. A manufacturing contract, however, is not a long-term contract unless it requires the manufacture of a unique item or an item normally requiring more than 12 months to complete. Section 460 generally requires that long-term contracts be accounted for under the percentage-of-completion method (PCM) and that taxpayers make a look-back computation of interest to compensate the government (or the taxpayer) for any underestimation (overestimation) of income from the contract. However, home construction contracts and certain contracts of smaller construction contractors are exempt from these requirements. Moreover, residential builders are entitled to use the 70/30 percentage-of-completion/ capitalized cost method (PCCM), and certain shipbuilders are entitled to use the 40/60 PCCM. A long-term contract or a portion of a long-term contract that is exempt from the PCM may be accounted for under any permissible method, including the completed contract method (CCM) or the exempt percentage-of-completion method (EPCM). These long-term contract methods of accounting (i.e., the PCM, PCCM, CCM and EPCM) are described in proposed § 1.460–4. These proposed regulations address the Federal income tax treatment of a change in taxpayer prior to completion of a long-term contract accounted for under a long-term contract method of accounting.

Existing Guidance on Transfers of Long-term Contracts

In the case of transactions not governed by section 381, such as those occurring prior to its effective date, numerous cases have required a taxpayer to take into income items that under its method of accounting would be deferred past the date of the transaction. These cases have involved both taxable and nontaxable transactions, e.g., liquidations and reorganizations. For example, in the case of a disposition of a long-term contract accounted for under the CCM, the transferor was required to recognize income earned on the contract prior to its transfer, with the amount earned determined under some variant of the PCM. These cases generally relied on section 446(b), section 482 and/or the

assignment of income doctrine to allocate income to the transferor. See e.g., *Jud Plumbing and Heating, Inc.* v. *Commissioner,* 153 F.2d 681 (5th Cir. 1946); *Standard Paving Co.* v. *Commissioner,* 190 F.2d 330 (10th Cir.), *cert. denied,* 342 U.S. 860 (1951); *Central Cuba Sugar Co.* v. *Commissioner,* 198 F.2d 214 (2nd Cir.), *cert. denied,* 344 U.S. 874 (1952); *Dillard-Waltermire, Inc.* v. *Campbell,* 255 F.2d 433 (5th Cir. 1958); and *Midland-Ross Corp.* v. *United States,* 485 F.2d 110 (6th Cir. 1973). In addition, § 1.451–5(f) of the regulations has been cited as support for taxing a transferor who has deferred advance payments under its long-term contract method of accounting. See *Rotolo* v. *Commissioner,* 88 T.C. 1500 (1987).

Under section 381(c)(4), in the case of a section 381 transaction, an acquiring corporation generally must use the method of accounting used by the transferor. Further, regulations under § 1.381(c)(4)–1 require the acquiring corporation to take into account the transferor's items of income or deduction which, because of its method of accounting, were not required or permitted to be included or deducted by the transferor in computing taxable income prior to the date of the transfer. Consistent with section 381, the IRS has held that section 381 generally requires a transferee to account for a long-term contract transferred pursuant to a section 381 transaction using the CCM used by the transferor and, thus, to report the entire gain or loss from the contract. Accordingly, the decisions in the *Standard Paving* line of cases are generally not applicable to transactions to which section 381 applies. Rev. Rul. 70–83 (1970–1 C.B. 85). In addition, section 351 generally has been interpreted to prevent recognition of gain or loss by a transferor from a section 351 transfer of partially completed long-term contracts accounted for by the transferor using the CCM. See GCM 39258 (July 13, 1984) applying Rev. Rul. 80–198 (1980–2 C.B. 113) (no gain or loss is recognized to a cash basis transferor with respect to unrealized accounts receivable and unrecognized accounts payable transferred in a section 351 transaction).

In 1990, the IRS issued proposed regulations (REG–209308–86) (55 FR 23755) that addressed the treatment of a mid-contract change in taxpayer of a contract accounted for using PCM for purposes of applying the look-back method. Generally, these proposed regulations provided that the successor to the contract ''stepped into the shoes'' of the predecessor with respect to the PCM. Thus, the successor was to continue to use the same PCM used by the predecessor both for purposes of reporting income under the contract and recomputing income under the look-back method. No look-back calculation was to be made until the successor completed the contract, and the successor was liable for look-back interest attributable to both pre- and post-transaction years. On the other hand, except in the case of taxable dispositions to unrelated parties, the successor could not recover look-back interest owed by the government that was attributable to pre-transaction years. These proposed regulations were withdrawn. One criticism of the regulations was that step-in-the-shoes treatment was inappropriate in the case of taxable dispositions.

Proposed Provisions

Consistent with the existing guidance described above and in response to comments received on the 1990 proposed regulations, these proposed regulations divide the rules regarding a mid-contract change in taxpayer of a long-term contract accounted for under a long-term contract method into two categories—constructive completion transactions and step-in-the-shoes transactions. For this purpose, the step-in-the-shoes rules apply to the following transactions—

(1) Transactions described in section 381 (i.e., liquidations under section 332 and reorganizations described in section 368(a)(1)(A), (C), (D), (F), or (G));

(2) Transactions described in section 351;

(3) Transactions described in section 368(a)(1)(D) with respect to which the requirements of section 355 (or so much of section 356 as relates to section 355) are met (divisive ''D'' reorganization);

(4) Transfers (e.g. sales) of S corporation stock;

(5) Conversion to or from an S corporation;

(6) Members joining or leaving a consolidated group; and

(7) Any other transaction designated in the Internal Revenue Bulletin by the Internal Revenue Service. See 26 CFR 601.601(d)(2)(ii).

The constructive completion rules apply to all other transactions.

A constructive completion transaction results in the taxpayer originally reporting income under the long-term contract (old taxpayer) recognizing income from the contract based on a contract price that takes into account any amounts realized from the transaction or paid by the old taxpayer to the taxpayer subsequently reporting income under the long-term contract (new taxpayer) that are allocable to the contract. Similarly, the new taxpayer in a constructive completion transaction is treated as though it entered into a new contract as of the date of the transaction, with the contract price taking into account the purchase price and any amount paid by the old taxpayer that is allocable to the contract.

In the case of a step-in-the-shoes transaction, the old taxpayer's obligation to account for the contract terminates on the date of the transaction and is assumed by the new taxpayer. The new taxpayer must assume the old taxpayer's methods of accounting for the contract, with both the contract price and allocable contract costs based on amounts taken into account by both parties. However, in the case of a tax avoidance transaction, the IRS may allocate income with respect to a transferred long-term contract between the old and new taxpayers. Section § 1.451–5(f) will not be applied to a mid-contract change in taxpayer of a contract accounted for under a long-term contract method.

In the case of a step-in-the-shoes transaction in which the transferor's basis in the stock of the transferee is determined by reference to its basis of the property transferred, the basis in the stock of the transferee attributable to the transfer of a long-term contract will not be appropriate unless the amount previously received by the transferor under the long-term contract equates to the amount previously recognized as gross receipts by the transferor. Under both the PCM and the CCM, however, it is common for the amount received with respect to a long-term contract to differ from the amount recognized because the receipt of progress payments does not affect the recognition of income. To address this situation, the proposed regulations provide that, in the case of a section 351 transaction or a divisive ''D'' reorganization, the old taxpayer must adjust its basis in the stock of the new taxpayer by the difference between the amount the old taxpayer has recognized with respect to the contract and the amount the old taxpayer has received or reasonably expects to receive under the contract. The IRS and Treasury Department specifically request comments with respect to this rule.

The proposed regulations also provide rules for applying the look-back method in the case of a mid-contract change in taxpayer. For constructive completion transactions, the look-back method is applied by the old taxpayer with respect to pre-transaction years upon the transaction date and, if applicable, by the new taxpayer with respect to post-transaction years upon contract

completion. For step-in-the-shoes transactions, the look-back method is applied only by the new taxpayer upon contract completion. The new taxpayer must account for pre- and post-transaction years, with special rules governing the calculation of look-back interest in the case of pre-transaction years. The proposed regulations also require the old taxpayer in such cases to provide certain information to the new taxpayer in order to enable the new taxpayer to make the necessary look-back calculations.

The proposed regulations reserve on whether a mid-contract change in taxpayer that results from a partnership transaction, including a transaction described in section 721, a transaction described in section 731, and a transfer (e.g., sale) of a partnership interest, should be treated as a constructive completion, or a step-in-the-shoes, transaction. Although these transactions are similar to other step-in-the-shoes transactions, such as nonrecognition transactions (e.g., sections 351 and 332) and transactions where the party responsible for performing the contract has not changed (e.g., sales of S corporation stock and members joining or leaving consolidated groups), the IRS and Treasury Department are concerned that step-in-the-shoes treatment for these partnership transactions could more readily facilitate the shifting of income to tax indifferent parties than in other situations and thus are concerned about monitoring such activities solely through an anti-abuse rule. In addition, other issues, such as the treatment of long-term contracts under section 704(c), 751, and 752, significantly complicate, and could thwart, the application of the step-in-the-shoes rule with respect to mid-contract changes involving partnership transactions. The IRS and Treasury Department request comments on the appropriate treatment for mid-contract changes in taxpayer resulting from these partnership transactions.

Proposed Effective Date

These regulations are proposed to be applicable for transactions on or after the date they are published in the **Federal Register** as final regulations.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

It is hereby certified that the collection of information in these regulations will not have a significant economic impact on a substantial number of small entities. This certification is based on the fact that the relevant information is already maintained by taxpayers. Therefore, a Regulatory Flexibility Analysis under the Regulatory Flexibility Act (5 U.S.C. chapter 6) is not required.

Comments and Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any electronic or written comments (a signed original and eight (8) copies) that are submitted timely to the IRS. The IRS and Treasury Department specifically request comments on the clarity of the proposed rule and how it could be made easier to understand. All comments will be available for public inspection and copying.

A public hearing has been scheduled for June 13, 2001, at 10 a.m. in room 6718, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC. Due to building security procedures, visitors must enter at the 10th Street entrance, located between Constitution and Pennsylvania Avenue, NW. In addition, all visitors must present photo identification to enter the building. Because of access restrictions, visitors will not be admitted beyond the immediate entrance area more than 15 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who wish to present oral comments at the hearing must submit written comments and an outline of the topics to be discussed and the time to be devoted to each topic (signed original and eight (8) copies) by May 30, 2001. A period of 10 minutes will be allotted to each person for making comments. An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.

Drafting Information

The principal author of these proposed regulations is John Aramburu, Office of Associate Chief Counsel (Income Tax and Accounting). However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 1 is proposed to be amended as follows:

PART 1—INCOME TAXES

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

Authority: 26 U.S.C. 7805 * * *

Par. 2. In § 1.381(c)(4)–1, a sentence is added at the end of paragraph (a)(2) to read as follows:

§ 1.381(c)(4)–1 Method of accounting.

(a) * * *

(2) * * * See § 1.460–4(k) for rules relating to transfers of contracts accounted for using a long-term contract method of accounting in a transaction to which section 381 applies.

* * * * *

Par. 3. Section 1.460–0 is amended by:

1. Revising the entry for paragraph (k) of § 1.460–4.

2. Adding entries for paragraphs (k)(1) through (k)(6) of § 1.460–4.

3. Revising the entry for paragraph (g) of § 1.460–6.

4. Adding entries for paragraphs (g)(1) through (g)(3) of § 1.460–6.

The revisions and additions read as follows:

§ 1.460–0 Outline of regulations under section 460.

* * * * *

§ 1.460–4 Methods of accounting for long-term contracts.

* * * * *

(k) Mid-contract change in taxpayer.
(1) In general.
(2) Constructive completion transactions.
(i) Scope.
(ii) Old taxpayer.
(iii) New taxpayer.
(3) Step-in-the-shoes transactions.
(i) Scope.
(ii) Old taxpayer.
(iii) New taxpayer.
(A) Method of accounting.
(B) Contract price.
(C) Contract costs.
(4) Anti-abuse rule.
(5) Examples.
(6) Effective date.

* * * * *

§ 1.460–6 Look-back method.

* * * * *

(g) Mid-contract change in taxpayer.

(1) In general.

(2) Constructive completion transactions.

(3) Step-in-the-shoes transactions.

(i) General rules.

(ii) Application of look-back method to pre-transaction period.

(A) Method.

(B) Interest accrual period.

(C) Information old taxpayer must provide.

(iii) Application of look-back method to post-transaction years.

* * * * *

Par. 4. Section 1.460–4 is amended by:

1. Adding a sentence at the end of paragraph (a).

2. Revising paragraph (k).

The revision and addition read as follows:

§ 1.460–4 Methods of accounting for long-term contracts.

(a) * * * Finally, paragraph (k) of this section provides rules relating to a mid-contract change in taxpayer of a contract accounted for using a long-term contract method of accounting.

* * * * *

(k) *Mid-contract change in taxpayer*—(1) *In general.* The rules in this paragraph (k) apply if prior to the completion of a long-term contract accounted for using a long-term contract method by a taxpayer (old taxpayer), there is a transaction that makes another taxpayer (new taxpayer) responsible for reporting income from the same contract. For purposes of this paragraph (k) and § 1.460–6(g), an old taxpayer also includes any old taxpayer(s) (e.g., predecessors) of the old taxpayer. In addition, a change in status from taxable to tax exempt or from domestic to foreign, and vice versa, will be considered a change in taxpayer. Finally, a contract will be treated as the same contract if the terms of the contract are not substantially changed in connection with the transaction, whether or not the customer agrees to release the old taxpayer from any or all of its obligations under the contract. The rules governing constructive completion transactions are provided in paragraph (k)(2) of this section, while the rules governing step-in-the-shoes transactions are provided in paragraph (k)(3) of this section. For application of the look-back method to mid-contract changes in taxpayers for contracts accounted for using the PCM, see § 1.460–6(g).

(2) *Constructive completion transactions*—(i) *Scope.* The constructive completion rules in this paragraph (k)(2) apply to transactions that result in a change in the taxpayer responsible for reporting income from a contract and that are not described in paragraph (k)(3)(i) of this section (constructive completion transactions). Constructive completion transactions generally include, for example, taxable sales under section 1001 and deemed asset sales under section 338.

(ii) *Old taxpayer.* The old taxpayer is treated as completing the contract on the date of the transaction. The total contract price (or, gross contract price in the case of a long-term contract accounted for under the CCM) for the old taxpayer is the sum of any amounts realized from the transaction that are allocable to the contract and any amounts the old taxpayer has received or reasonably expects to receive under the contract after the transaction. Total contract price (gross contract price) is reduced by any amount paid by the old taxpayer to the new taxpayer, and by any transaction costs, that are allocable to the contract. Thus, the old taxpayer's allocable contract costs do not include any consideration paid, or costs incurred, as a result of the transaction that are allocable to the contract. In the case of a transaction subject to sections 338 or 1060, the amount realized from the transaction allocable to the contract is determined by using the residual method under §§ 1.338–6T and 1.338–7T.

(iii) *New taxpayer.* The new taxpayer is treated as entering into a new contract on the date of the transaction. The new taxpayer must evaluate whether the new contract should be classified as a long-term contract within the meaning of § 1.460–1(b) and account for the contract under a permissible method of accounting. For a new taxpayer who accounts for a contract using the PCM, the total contract price is any amount the new taxpayer reasonably expects to receive under the contract consistent with paragraph (b)(4) of this section. Total contract price is reduced in the amount of any consideration paid as a result of the transaction, and by any transaction costs, that are allocable to the contract and is increased in the amount of any consideration received as a result of the transaction that is allocable to the contract. Similarly, the gross contract price for a contract accounted for using the CCM is all amounts the new taxpayer is entitled by law or contract to receive consistent with paragraph (d)(3) of this section, adjusted for any consideration paid (or received) as a result of the transaction that is allocable to the contract. Thus, the new taxpayer's allocable contract costs do not include any consideration paid, or costs incurred, as a result of the transaction that are allocable to the contract. In the case of a transaction subject to sections 338 or 1060, the amount of consideration paid that is allocable to the contract is determined by using the residual method under §§ 1.338–6T and 1.338–7T.

(3) *Step-in-the-shoes transactions*—(i) *Scope.* The step-in-the-shoes rules in this paragraph (k)(3) apply to the following transactions that result in a change in the taxpayer responsible for reporting income from a contract (step-in-the-shoes transactions)—

(A) Transactions described in section 381 (i.e., liquidations under section 332 and reorganizations described in section 368(a)(1)(A), (C), (D), (F), or (G));

(B) Transactions described in section 351;

(C) Transactions described in section 368(a)(1)(D) with respect to which the requirements of section 355 (or so much of section 356 as relates to section 355) are met;

(D) Transfers (e.g., sales) of S corporation stock;

(E) Conversion to or from an S corporation;

(F) Members joining or leaving a consolidated group; and

(G) Any other transaction designated in the Internal Revenue Bulletin by the Internal Revenue Service. See § 601.601(d)(2)(ii) of this chapter.

(ii) *Old taxpayer*—(A) *In general.* The new taxpayer will ''step into the shoes'' of the old taxpayer with respect to the contract. Thus, consistent with § 1.381(c)(4)–1(a)(1)(ii), the old taxpayer's obligation to account for the contract terminates on the date of the transaction and is assumed by the new taxpayer, as set forth in paragraph (k)(3)(iii) of this section. As a result, an old taxpayer using the PCM is required to recognize income from the contract based on the cumulative allocable contract costs incurred as of the date of the transaction. Similarly, an old taxpayer using the CCM is not required to recognize any revenue and may not deduct allocable contract costs incurred with respect to the contract.

(B) *Basis adjustment.* In the case of transactions described in paragraph (k)(3)(i)(B) or (C) of this section, the old taxpayer must adjust its basis in the stock of the new taxpayer by reducing such basis to the extent the amount the old taxpayer has received or reasonably expects to receive under the contract exceeds the amount recognized by the old taxpayer with respect to the contract or by increasing such basis to the extent the amount the old taxpayer has recognized with respect to the contract exceeds the amount the old taxpayer has received or reasonably expects to receive under the contract. However, the old taxpayer may not reduce its basis in

the stock of the new taxpayer below zero. If the old and new taxpayer do not join in the filing of a consolidated Federal income tax return, the old taxpayer must recognize income to the extent the basis in the stock of the new taxpayer otherwise would be reduced below zero. If the old and new taxpayer join in the filing of a consolidated Federal income tax return, the old taxpayer must create an (or increase an existing) excess loss account to the extent the basis in the stock of the new taxpayer otherwise would be reduced below zero. See §§ 1.1502–19 and 1.1502–32(a)(3)(ii).

(iii) *New taxpayer*—(A) *Method of accounting.* Beginning on the date of the transaction, the new taxpayer must account for the long-term contract by using the same method of accounting used by the old taxpayer prior to the transaction consistent with § 1.381(c)(4)–1(b)(4). The same method of accounting must be used for such contract regardless of whether the old taxpayer's method is the new taxpayer's principal method of accounting under § 1.381(c)(4)–1(b)(3) or whether the new taxpayer is otherwise eligible to use the old taxpayer's method. Thus, if the old taxpayer uses the PCM to account for the contract, the new taxpayer steps into the shoes of the old taxpayer with respect to its completion factor and percentage of completion methods (such as the 10-percent method), even if the new taxpayer has not elected such methods for similarly classified contracts. Similarly, if the old taxpayer uses the CCM, the new taxpayer steps into the shoes of the old taxpayer with respect to the CCM, even if the new taxpayer is not otherwise eligible to use the CCM. However, the new taxpayer is not necessarily bound by the old taxpayer's method for similarly classified contracts entered into by the new taxpayer subsequent to the transaction and must apply general tax principles, including section 381, to determine the appropriate method to account for these subsequent contracts. To the extent that general tax principles allow the taxpayer to account for similarly classified contracts using a method other than the old taxpayer's method, the taxpayer is not required to obtain the consent of the Commissioner to begin using such other method.

(B) *Contract price.* The total contract price for the new taxpayer is the sum of any amounts the old taxpayer or new taxpayer have received or reasonably expect to receive under the contract consistent with paragraph (b)(4) of this section. Similarly, the gross contract price in the case of a long-term contract accounted for under the CCM includes all amounts the old taxpayer or new taxpayer are entitled by law or by contract to receive consistent with paragraph (d)(3) of this section.

(C) *Contract costs.* Total allocable contract costs for the new taxpayer are the allocable contract costs as defined under paragraph (b)(5) of this section incurred by either the old taxpayer prior to or the new taxpayer after the transaction. Thus, any payments between the old taxpayer and the new taxpayer with respect to the contract are not treated as part of contract price or an allocable contract cost.

(4) *Anti-abuse rule.* Notwithstanding this paragraph (k), in tax avoidance cases, the Commissioner may allocate to the old (or new) taxpayer the income from a long-term contract properly allocable to the old (or new) taxpayer. For example, the Commissioner may scrutinize a transaction in which a long-term contract accounted for using the CCM, or using the PCM where the old taxpayer has received advance payments in excess of its contribution to the contract, is transferred to a tax indifferent party.

(5) *Examples.* The following examples illustrate the rules of this paragraph (k). For purposes of these examples, it is assumed that the contracts are long-term construction contracts accounted for using the PCM prior to the transaction unless stated otherwise and the contracts are not transferred in tax avoidance cases. The examples are as follows:

Example 1. Constructive completion—PCM.

(i) *Facts.* In Year 1, X enters into a contract. The total contract price is $1,000,000 and the estimated total allocable contract costs are $800,000. In Year 1, X incurs costs of $200,000. In Year 2, X incurs additional costs of $400,000 before selling the contract as part of the sale of its business in Year 2 to Y, an unrelated party. At the time of sale, X has received $650,000 in progress payments under the contract. The consideration allocable to the contract under section 1060 is $150,000. Pursuant to the sale, the new taxpayer Y immediately assumes X's contract obligations and rights. Y is required to account for the contract using the PCM. In Year 2, Y incurs additional allocable contract costs of $50,000. Y correctly estimates at the end of Year 2 that it will have to incur an additional $75,000 of allocable contract costs in Year 3 to complete the contract.

(ii) *Old taxpayer.* For Year 1, X reports receipts of $250,000 (the completion factor multiplied by total contract price ($200,000/$800,000×$1,000,000)) and costs of $200,000, for a profit of $50,000. X is treated as completing the contract in Year 2 because it sold the contract. For purposes of applying the PCM in Year 2, the total contract price is $800,000 (the sum of the amounts received under the contract and the amount realized in the sale ($650,000 + $150,000)) and the total allocable contract costs are $600,000 (the sum of the costs incurred in Year 1 and Year 2 ($200,000 + $400,000)). Thus, in Year 2, X reports receipts of $550,000 (total contract price minus receipts already reported ($800,000 − $250,000)) and costs incurred in year 2 of $400,000, for a profit of $150,000.

(iii) *New taxpayer.* Y is treated as entering into a new contract in Year 2. The total contract price is $200,000 (the amount remaining to be paid under the terms of the contract less the consideration paid allocable to the contract ($1,000,000 − $650,000 − $150,000)). The estimated total allocable contract costs at the end of Year 2 are $125,000 (the allocable contract costs that Y reasonably expects to incur to complete the contract ($50,000 + $75,000)). In Year 2, Y reports receipts of $80,000 (the completion factor multiplied by the total contract price [($50,000/$125,000) × $200,000] and costs of $50,000 (the costs incurred after the purchase), for a profit of $30,000. For Year 3, Y reports receipts of $120,000 (total contract price minus receipts already reported ($200,000 − $80,000)) and costs of $75,000, for a profit of $45,000.

Example 2. Constructive completion—CCM.

(i) *Facts.* The facts are the same as in *Example 1,* except that X and Y properly account for the contract under the CCM.

(ii) *Old taxpayer.* X does not report any income or costs from the contract in Year 1. In Year 2, the contract is deemed complete for X, and X reports its gross contract price of $800,000 (the sum of the amounts received under the contract and the amount realized in the sale ($650,000 + $150,000)) and its total allocable contract costs of $600,000 (the sum of the costs incurred in Year 1 and Year 2 ($200,000 + $400,000)) in that year.

(iii) *New taxpayer.* Y is treated as entering into a new contract in Year 2. Under the CCM, Y reports no gross receipts or costs in Year 2. Y reports its gross contract price of $200,000 (the amount remaining to be paid under the terms of the contract less the consideration paid allocable to the contract ($1,000,000 − $650,000 − $150,000)) and its total allocable contract costs of $125,000 (the allocable contract costs that Y incurred to complete the contract ($50,000 + $75,000)) in Year 3, the completion year, for a profit of $75,000.

Example 3. Step-in-the-shoes—PCM.

(i) *Facts.* The facts are the same as in *Example 1,* except that X transfers the contract to Y in exchange for stock of Y in a transaction that qualifies as a statutory merger described in section 368(a)(1)(A) and does not result in gain or loss to X under section 361(a).

(ii) *Old taxpayer.* For Year 1, X reports receipts of $250,000 (the completion factor multiplied by total contract price ($200,000/$800,000 × $1,000,000)) and costs of $200,000, for a profit of $50,000. Because the mid-contract change in taxpayer results from a transaction described in paragraph (k)(3)(i) of this section, X is not treated as completing the contract in Year 2. In Year 2, X reports receipts of $500,000 (the completion factor multiplied by the total contract price and minus the Year 1 gross receipts [($600,000/

$800,000 × $1,000,000) − $250,000]) and costs of $400,000, for a profit of $100,000.

(iii) *New taxpayer.* Because the mid-contract change in taxpayer results from a step-in-the-shoes transaction, Y must account for the contract using the same methods of accounting used by X prior to the transaction. Total contract price is the sum of any amounts that X and Y have received or reasonably expect to receive under the contract, and total allocable contract costs are the allocable contract costs of X and Y. Thus, the estimated total allocable contract costs at the end of Year 2 are $725,000 (the cumulative allocable contract costs of X and the estimated total allocable contract costs of Y ($200,000 + $400,000 + $50,000 + $75,000)). In Year 2, Y reports receipts of $146,552 (the completion factor multiplied by the total contract price minus receipts reported by the old taxpayer ([($650,000/$725,000) × $1,000,000] − $750,000) and costs of $50,000, or a profit of $96,552. For Year 3, Y reports receipts of $103,448 (the total contract price minus prior year receipts ($1,000,000 − $896,552)) and costs of $75,000, for a profit of $28,448.

Example 4. Step-in-the-shoes—CCM.

(i) *Facts.* The facts are the same as in *Example 3,* except that X properly accounts for the contract under the CCM.

(ii) *Old taxpayer.* X reports no income or costs from the contract in Years 1, 2 or 3.

(iii) *New taxpayer.* Because the mid-contract change in taxpayer results from a step-in-the-shoes transaction, Y must account for the contract using the same methods of accounting used by X prior to the transaction. Thus, in Year 3, the completion year, Y reports receipts of $1,000,000 and total contract costs of $725,000, for a profit of $275,000.

Example 5. Step in the shoes—Basis adjustment.

The facts are the same as in *Example 1,* except that X transfers the contract (including the uncompleted property with a basis of $0) and $125,000 of cash to a new corporation, Z, in exchange for all of the stock of Z in a section 351 transaction. Thus, under section 358(a), X's basis in Z is $125,000. X must increase its basis in Z by $100,000 pursuant to paragraph (k)(3)(ii)(B) of this section because the amount X recognized with respect to the contract, $750,000 ($250,000 receipts in Year 1 + $500,000 receipts in Year 2), exceeds the amount X received under the contract, the $650,000 in progress payments, by $100,000.

Example 6. Step in the shoes—Basis adjustment.

The facts are the same as in *Example 2,* except that X receives progress payments of $800,000 (rather than $650,000) and transfers the contract (including the uncompleted property with a basis of $600,000) and $125,000 of cash to a new corporation, Z, in exchange for all of the stock of Z in a section 351 transaction. Thus, under section 358(a), X's basis in Z is $725,000. X and Z do not join in filing a consolidated Federal income tax return. X must reduce its basis in the stock of Z by $725,000 to zero pursuant to paragraph (k)(3)(ii)(B) of this section because the amount X received under the contract, $800,000 in progress payments, exceeds the amount recognized by X with respect to the contract, $0. In addition, X must recognize income of $75,000 because X's basis in the stock of Z otherwise would have been reduced below zero by $75,000 (800,000 unrecognized progress payments—725,000 basis).

(6) *Effective date.* This paragraph (k) is applicable for transactions on or after the date they are published in the **Federal Register** as final regulations.

Par. 5. In § 1.460–6, paragraph (g) is revised to read as follows:

§ 1.460–6 Look-back method.

* * * * *

(g) *Mid-contract change in taxpayer*—(1) *In general.* The rules in this paragraph (g) apply if, as described in § 1.460–4(k), prior to the completion of a long-term contract accounted for using the PCM or the PCCM by a taxpayer (old taxpayer), there is a transaction that makes another taxpayer (new taxpayer) responsible for reporting income from the same contract. The rules governing constructive completion transactions are provided in paragraph (g)(2) of this section, while the rules governing step-in-the-shoes transactions are provided in paragraph (g)(3) of this section. For purposes of this paragraph, pre-transaction years are all taxable years of the old taxpayer in which the old taxpayer reported (or should have reported) gross receipts from the contract, and post-transaction years are all taxable years of the new taxpayer in which the new taxpayer reported (or should have reported) gross receipts from the contract.

(2) *Constructive completion transactions.* In the case of a transaction described in § 1.460–4(k)(2)(i) (constructive completion transaction), the look-back method is applied by the old taxpayer with respect to pre-transaction years upon the date of the transaction and, if the new taxpayer uses the PCM or the PCCM to account for the contract, by the new taxpayer with respect to post-transaction years upon completion of the contract. The contract price and allocable contract costs to be taken into account by the old taxpayer or the new taxpayer in applying the look-back method are described in § 1.460–4(k)(2).

(3) *Step-in-the-shoes transactions*—(i) *General rules.* In the case of a transaction described in § 1.460–4(k)(3)(i) (step-in-the-shoes transaction), the look-back method is not applied at the time of the transaction, but is instead applied for the first time when the contract is completed by the new taxpayer. Upon completion of the contract, the look-back method is applied by the new taxpayer with respect to both pre-transaction years and post-transaction years, taking into account all amounts reasonably expected to be received by either the old or new taxpayer and all allocable contract costs incurred during both periods as described in § 1.460–4(k)(3). The new taxpayer is liable for filing the Form 8697 and for interest computed on hypothetical underpayments of tax, and is entitled to receive interest with respect to hypothetical overpayments of tax, for both pre-and post-transaction years. Pursuant to section 6901, the old taxpayer will be secondarily liable for any interest required to be paid with respect to pre-transaction years reduced by any interest on pre-transaction overpayments.

(ii) *Application of look-back method to pre-transaction period*—(A) *Method.* The new taxpayer must apply the look-back method to each pre-transaction year that is a redetermination year using the simplified marginal impact method described in paragraph (d) of this section (regardless of whether or not the old taxpayer would have actually used that method and without regard to the tax liability ceiling).

(B) *Interest accrual period.* With respect to any hypothetical underpayment or overpayment of tax for a pre-transaction year, interest accrues from the due date of the old taxpayer's tax return (not including extensions) for the taxable year of the underpayment or overpayment until the due date of the new taxpayer's return (not including extensions) for the completion year or the year of a post-completion adjustment, whichever is applicable.

(C) *Information old taxpayer must provide.* In order to help the new taxpayer to apply the look-back method with respect to pre-transaction taxable years, any old taxpayer that reported income from a long-term contract under the PCM or PCCM for either regular or alternative minimum tax purposes is required to provide the information described in this paragraph to the new taxpayer by the due date (not including extensions) of the old taxpayer's income tax return for the taxable year ending with, or the first taxable year ending after, a step-in-the-shoes transaction described in § 1.460–4(k)(3)(i). The required information is as follows—

(*1*) The portion of the contract reported by the old taxpayer under PCM for regular and alternative minimum tax purposes (i.e., whether the old taxpayer used PCM, the 40/60 PCCM method, or the 70/30 PCCM method);

(*2*) The submethod used to apply PCM (e.g., the simplified cost-to-cost method or the 10-percent method);

(*3*) The amount of total contract price reported by year;

(*4*) The numerator and the denominator of the completion factor by year;

(*5*) The due date (not including extensions) of the old taxpayer's income tax returns for each taxable year in which income was required to be reported;

(*6*) Whether the old taxpayer was a corporate or a noncorporate taxpayer by year; and

(*7*) Any other information required by the Commissioner by administrative pronouncement.

(iii) *Application of look-back method to post-transaction years.* With respect to post-transaction taxable years, the new taxpayer must use the same look-back method it uses for other contracts (i.e., the simplified marginal impact method or the actual method) to determine the amount of any hypothetical overpayment or underpayment of tax and the time period for computing interest on these amounts.

* * * * *

David A. Mader,

Acting Deputy Commissioner of Internal Revenue.

[FR Doc. 01–1992 Filed 2–15–01; 8:45 am]

BILLING CODE 4830–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 40

[REG–106892–00]

RIN 1545–AX11

Deposits of Excise Taxes

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations relating to the requirements for excise tax returns, payments, and deposits. These regulations affect persons required to report liability for excise taxes on Form 720, ''Quarterly Federal Excise Tax Return.''

DATES: Written and electronic comments and requests for a public hearing must be received by May 17, 2001.

ADDRESSES: Send submissions to: CC:M&SP:RU (REG–106892–00), room 5226, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered Monday through Friday between the hours of 8 a.m. and 5 p.m. to: CC:M&SP:RU (REG–106892–00), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC. Alternatively, taxpayers may send submissions electronically via the Internet by selecting the ''Tax Regs'' option on the IRS Home Page, or directly to the IRS Internet site at http://www.irs.gov/tax__regs/regslist.html.

FOR FURTHER INFORMATION CONTACT: Concerning submissions, Guy Traynor, (202) 622–7180; concerning the regulations, Susan Athy (202) 622–3130 (not toll-free numbers).

SUPPLEMENTARY INFORMATION:

Background

This document contains proposed amendments to the Excise Tax Procedural Regulations (26 CFR part 40) relating to the requirements for excise tax returns, payments, and deposits. On January 7, 2000, an advance notice of proposed rulemaking was published in the **Federal Register** (65 FR 1076) that invited comments from the public on issues relating to the requirements for excise tax returns and deposits. Several written comments were received that were considered in drafting these proposed regulations.

The advance notice requested comments on: whether there should be a single deposit date for all excise taxes (other than those deposited under the alternative method), such as 14 days after the end of the semimonthly period; whether a taxpayer should be required to deposit only 95 percent of tax liability incurred for the semimonthly period (in lieu of the current requirement of 100 percent with safe harbor rules); and whether the amount required to be deposited for a quarter should be computed without reduction for the amounts of any claims made on Schedule C of the Form 720 for that quarter.

In general, commentators from the air transportation industry requested that the one-month filing extension provided to those reporting communications, air transportation, and ozone-depleting chemical taxes be retained because airlines need additional time to determine the proper amount of tax liability. The IRS and Treasury believe the need for additional time is adequately addressed by the retention of the alternative method for making deposits of communications and air transportation taxes. Filers choosing to use the alternative method for making deposits of these taxes also are allowed additional time to determine the amount of tax liability. For example, under the alternative method, the activity for December, January, and February is reported as tax liability for January, February, and March on the Form 720 due April 30th. Thus, even without the one-month filing extension, filers reporting under the alternative method have two months after the last activity to determine the amount of tax liability to be reported. In addition, retention of an extended filing date for certain industries would be inconsistent with the simplification and overall fairness sought to be achieved by these changes. Accordingly, the proposed amendments eliminate the one-month filing extension that is now allowed for returns related to taxes imposed by chapter 33 (relating to communications and air transportation) and section 4681 (relating to ozone-depleting chemicals) and require that all Forms 720 be filed by the last day of the month following the quarter for which the return is made.

Commentators generally supported a single deposit date for all taxes other than those deposited under the alternative method (regular method taxes). The proposed amendments provide that deposits for regular method taxes for a semimonthly period are due by the 14th day of the following semimonthly period. The proposed amendments change the requirement to deposit by class of tax. The 9-day rule, 14-day rule, and 30-day rule taxes are eliminated. Instead there are two classes: regular method and alternative method.

Commentators generally supported a reduction in the amount of the required deposit for a semimonthly period from 100 percent of net tax liability to 95 percent of net tax liability. However, they requested that the look-back quarter safe harbor rule be retained. One commentator noted that the look-back quarter safe harbor rule is easy for taxpayers to use and provides a way for taxpayers to meet the deposit requirements when taxpayers have not determined their liability for the current semimonthly period. Finally, some commentators requested that the provisions allowing deposits to be reduced by Schedule C claims be retained to avoid economic hardship. The proposed amendments adopt the suggestions of these commentators.

The proposed amendments require the deposit of at least 95 percent of net tax liability incurred during the semimonthly period. This rule replaces both the requirement to deposit 100 percent of net tax liability and the safe harbor rule for taxpayers depositing 95 percent of their current liability. The new requirement is, in fact, more generous than the current safe harbor,

which applies only if the 95-percent deposit requirement is met for each semimonthly period in the quarter. Under the proposed amendments, a taxpayer that deposits 95 percent of net tax liability for a semimonthly period will satisfy the deposit requirement for that period even if less than 95 percent of net tax liability is deposited for one or more of the other semimonthly periods in the quarter.

The proposed amendments retain the look-back quarter liability safe harbor rule for taxpayers depositing taxes that were in effect during the look-back quarter. The proposed amendments to the deposit requirements and the safe harbor rule apply to all excise tax deposits, including deposits made under the alternative method. Finally, the proposed amendments continue to allow deposits to be reduced by Schedule C claims.

Proposed Effective Date

The regulations are proposed to be applicable with respect to returns and deposits that relate to calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations and, because these regulations do not impose on small entities a collection of information requirement, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Therefore, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any electronic and written comments that are submitted timely to the IRS. The IRS and Treasury Department specifically request comments on the clarity of the proposed regulations and how they may be made easier to understand. All comments will be available for public inspection and copying. A public hearing may be scheduled if requested in writing by any person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the hearing will be published in the **Federal Register**.

Drafting Information

The principal author of these regulations is Susan Athy, Office of Associate Chief Counsel (Passthroughs and Special Industries). However, other personnel from the IRS and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 40

Excise taxes, Reporting and recordkeeping requirements.

Proposed Amendments to the Regulations

Accordingly, 26 CFR part 40 is proposed to be amended as follows:

PART 40—EXCISE TAX PROCEDURAL REGULATIONS

Paragraph 1. The authority citation for part 40 is amended by removing the entries for Sections 40.6071(a)–1 and 40.6071(a)–2 and Sections 40.6302(c)–2, 40.6302(c)–3, and 40.6302(c)–4; and adding entries in numerical order to read in part as follows:

Authority: 26 U.S.C. 7805 * * *

Section 40.6071(a)–1 also issued under 26 U.S.C. 6071(a). * * *

Section 40.6302(c)–2 also issued under 26 U.S.C. 6302(a).

Section 40.6302(c)–3 also issued under 26 U.S.C. 6302(a).

§ 40.0–1 [Amended]

Par. 2. Section 40.0–1 is amended as follows:

1. Paragraphs (d) and (e) are removed.

2. Paragraph (f) is redesignated as new paragraph (d).

§ 40.6011(a)–1 [Amended]

Par. 3. Section 40.6011(a)–1 is amended by removing paragraph (c).

§ 40.6011(a)–2 [Amended]

Par. 4. Section 40.6011(a)–2 is amended as follows:

1. In paragraph (b)(2), the language ''§ 40.6302(c)–1(f)(2)'' is removed and ''§ 40.6302(c)–1(e)(2)'' is added in its place.

2. Paragraph (d) is removed.

Par. 5. Section 40.6071(a)–1 is amended by revising paragraphs (a), (b)(2), and (c) to read as follows:

§ 40.6071(a)–1 Time for filing returns.

(a) *Quarterly returns.* Each quarterly return required under § 40.6011(a)–1(a)(2) must be filed by the last day of the first calendar month following the quarter for which it is made.

(b) * * *

(2) *Semimonthly returns.* Each semimonthly return required under § 40.6011(a)–1(b) must be filed by the last day of the semimonthly period (as defined in § 40.0–1(c)) following the semimonthly period for which it is made.

(c) *Effective date.* This section is applicable with respect to returns that relate to calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

§ 40.6071(a)–2 [Removed]

Par. 6. Section 40.6071(a)–2 is removed.

§ 40.6091–1 [Amended]

Par. 7. Section 40.6091–1 is amended by removing paragraph (d).

Par. 8. Section 40.6101–1 is revised to read as follows:

§ 40.6101–1 Period covered by returns.

See § 40.6011(a)–1(a)(2) for the rules relating to the period covered by the return.

Par. 9. Sections 40.6109(a)–1 and 40.6151(a)–1 are revised to read as follows:

§ 40.6109(a)–1 Identifying numbers.

Every person required under § 40.6011(a)–1 to make a return must provide the identifying number required by the instructions applicable to the form on which the return is made.

§ 40.6151(a)–1 Time and place for paying tax shown on return.

Except as provided by statute, the tax must be paid at the time prescribed in § 40.6071(a)–1 for filing the return, and at the place prescribed in § 40.6091–1 for filing the return.

Par. 10. Section 40.6302(c)–1 is revised to read as follows:

§ 40.6302(c)–1 Use of Government depositaries.

(a) *In general*—(1) *Semimonthly deposits required.* Except as provided by statute or by paragraph (e) of this section, each person required under § 40.6011(a)–1(a)(2) to file a quarterly return must make a deposit of tax for each semimonthly period (as defined in § 40.0–1(c)) in which tax liability is incurred.

(2) *Treatment of taxes imposed by chapter 33.* For purposes of this part 40, tax imposed by chapter 33 (relating to communications and air transportation) is treated as a tax liability incurred during the semimonthly period—

(i) In which that tax is collected; or

(ii) In the case of the alternative method, in which that tax is considered as collected.

(3) *Definition of net tax liability.* Net tax liability means the tax liability for the specified period plus or minus any adjustments allowable in accordance with the instructions applicable to the form on which the return is made.

(4) *Computation of net tax liability for a semimonthly period.* The net tax liability for a semimonthly period may be computed by—

(i) Determining the net tax liability incurred during the semimonthly period; or

(ii) Dividing by two the net tax liability incurred during the calendar month that includes that semimonthly period, provided that this method of computation is used for all semimonthly periods in the calendar quarter.

(b) *Amount of deposit*—(1) *In general.* The deposit of tax for each semimonthly period must be not less than 95 percent of the amount of net tax liability incurred during the semimonthly period.

(2) *Safe harbor rules*—(i) *Applicability.* The safe harbor rules of this paragraph (b)(2) are applied separately to taxes deposited under the alternative method provided in § 40.6302(c)–3 (alternative method taxes) and to the other taxes for which deposits are required under this section (regular method taxes).

(ii) *Regular method taxes.* Any person that made a return of tax reporting regular method taxes for the second preceding calendar quarter (the look-back quarter) is considered to have complied with the requirement of this part 40 for deposit of regular method taxes for the current calendar quarter if—

(A) The deposit of regular method taxes for each semimonthly period in the current calendar quarter is not less than ⅙ of the net tax liability for regular method taxes reported for the look-back quarter;

(B) Each deposit is made on time;

(C) The amount of any underpayment of regular method taxes is paid by the due date of the return; and

(D) The person's liability does not include any regular method tax that was not imposed at all times during the look-back quarter or a tax on a chemical not subject to tax at all times during the look-back quarter.

(iii) *Alternative method taxes.* Any person that made a return of tax reporting alternative method taxes for the look-back quarter is considered to have complied with the requirement of this part 40 for deposit of alternative method taxes for the current calendar quarter if—

(A) The deposit of alternative method taxes for each semimonthly period in the current calendar quarter is not less than ⅙ of the net tax liability for alternative method taxes reported for the look-back quarter;

(B) Each deposit is made on time;

(C) The amount of any underpayment of alternative method taxes is paid by the due date of the return; and

(D) The person's liability does not include any alternative method tax that was not imposed at all times during the look-back quarter and the month preceding the look-back quarter.

(iv) *Modification for tax rate increase.* The safe harbor rules of this paragraph (b)(2) do not apply to regular method taxes or alternative method taxes for the first and second calendar quarters beginning on or after the effective date of an increase in the rate of any tax to which this part 40 applies unless the deposit of those taxes for each semimonthly period in the calendar quarter is not less than ⅙ of the tax liability the person would have had with respect to those taxes for the look-back quarter if the increased rate of tax had been in effect for the look-back quarter.

(v) *Failure to comply with deposit requirements.* If a person fails to make deposits as required under this part 40, that failure may be reported to the appropriate IRS office and the IRS may withdraw the person's right to use the safe harbor rules of this paragraph (b)(2).

(c) *Time to deposit*—(1) *In general.* The deposit of tax for any semimonthly period must be made by the 14th day of the following semimonthly period unless such day is a Saturday, Sunday, or legal holiday in the District of Columbia in which case the immediately preceding day which is not a Saturday, Sunday, or legal holiday in the District of Columbia is treated as the 14th day. Thus, generally, the deposit of tax for the first semimonthly period in a month is due by the 29th day of that month and the deposit of tax for the second semimonthly period in a month is due by the 14th day of the following month.

(2) *Exceptions.* See § 40.6302(c)–2 for the special rules for September. See § 40.6302(c)–3 for the special rules for deposits under the alternative method.

(d) *Remittance of deposits*—(1) *Deposits by federal tax deposit coupon.* A completed Form 8109, ''Federal Tax Deposit Coupon,'' must accompany each deposit. The deposit must be remitted, in accordance with the instructions applicable to the form, to a financial institution authorized as a depositary for federal taxes (as provided in 31 CFR part 203).

(2) *Deposits by electronic funds transfer.* For the requirement to deposit excise taxes by electronic funds transfer, see § 31.6302–1(h) of this chapter. A taxpayer not required to deposit by electronic funds transfer pursuant to § 31.6302–1(h) of this chapter remains subject to the rules of this paragraph (d).

(e) *Exceptions*—(1) *Taxes excluded.* No deposit is required in the case of the taxes imposed by—

(i) Section 4042 (relating to fuel used on inland waterways);

(ii) Section 4161 (relating to sport fishing equipment and bows and arrow components);

(iii) Section 4682(h) (relating to floor stocks tax on ozone-depleting chemicals); and

(iv) Section 48.4081–3(b)(1)(iii) of this chapter (relating to certain removals of gasohol from refineries).

(2) *One-time filings.* No deposit is required in the case of any taxes reportable on a one-time filing (as defined in § 40.6011(a)–2(b)).

(3) *De minimis exception.* For any calendar quarter, no deposit is required if the net tax liability for the quarter does not exceed $2,500.

(f) *Effective date.* This section is applicable with respect to deposits that relate to calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

Par. 11. Section 40.6302(c)–2 is revised to read as follows:

§ 40.6302(c)–2 Special rules for September.

(a) *In general*—(1) *Separate deposits required for the second semimonthly period.* In the case of deposits of taxes not deposited under the alternative method (regular method taxes) for the second semimonthly period in September, separate deposits are required for the period September 16th through 26th and for the period September 27th through 30th.

(2) *Amount of deposit*—(i) *In general.* The deposits of regular method taxes for the period September 16th through 26th and the period September 27th through 30th must be not less than 95 percent of the net tax liability for regular method taxes incurred during the respective periods. The net tax liability for regular method taxes incurred during these periods may be computed by—

(A) Determining the amount of net tax liability for regular method taxes reasonably expected to be incurred during the second semimonthly period in September;

(B) Treating $^{11}/_{15}$ of the amount determined under paragraph (a)(2)(i)(A) of this section as the net tax liability for regular method taxes incurred during the period September 16th through 26th; and

(C) Treating the remainder of the amount determined under paragraph (a)(2)(i)(A) of this section (adjusted to reflect the amount of net tax liability for regular method taxes actually incurred through the end of September) as the net tax liability for regular method taxes incurred during the period September 27th through 30th.

(ii) *Safe harbor rules.* The safe harbor rules in § 40.6302(c)–1(b)(2) do not apply for the third calendar quarter unless—

(A) The deposit of taxes for the period September 16th through 26th is not less than 11/90 of the net tax liability for regular method taxes reported for the look-back quarter; and

(B) The total deposit of taxes for the second semimonthly period in September is not less than 1/6 of the net tax liability for regular method taxes reported for the look-back quarter.

(3) *Time to deposit.* (i) The deposit required for the period beginning September 16th must be made by September 29th unless—

(A) September 29th is a Saturday, in which case the deposit must be made by September 28th; or

(B) September 29th is a Sunday, in which case the deposit must be made by September 30th.

(ii) The deposit required for the period ending September 30th must be made at the time prescribed in § 40.6302(c)–1(c).

(b) *Persons not required to use electronic funds transfer.* The rules of this section are applied with the following modifications in the case of a person not required to deposit taxes by electronic funds transfer.

(1) *Periods.* The deposit periods for the separate deposits required under paragraph (a) of this section are September 16th through 25th and September 26th through 30th.

(2) *Amount of deposit.* In computing the amount of deposit required under paragraph (a)(2)(i)(B) of this section, the applicable fraction is 10/15. In computing the amount of deposit required under paragraph (a)(2)(ii)(A) of this section, the applicable fraction is 10/90.

(3) *Time to deposit.* In the case of the deposit required under paragraph (a) of this section for the period beginning September 16th, the deposit must be made by September 28th unless—

(i) September 28th is a Saturday, in which case the deposit must be made by September 27th; or

(ii) September 28th is a Sunday, in which case the deposit must be made by September 29th.

(c) *Effective date.* This section is applicable with respect to deposits that relate to calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

Par. 12. Section 40.6302(c)–3 is amended as follows:

1. In paragraph (b)(1)(ii), the language ''9-day rule of § 40.6302(c)–1(b)(6)'' is removed and ''rule of § 40.6302(c)–1(c)(1)'' is added in its place.

2. In paragraph (b)(3), second sentence, the language ''6th'' is removed and ''16th'' is added in its place.

3. In paragraph (d), first sentence, the language ''not less than'' is removed and ''not less than 95 percent of'' is added in its place.

4. In paragraph (f)(4), the language ''§ 40.6302(c)–1(c)(2)(i)'' is removed and ''§ 40.6302(c)–1(b)(2)'' is added in its place.

5. Paragraph (f)(5) is removed.

6. Paragraphs (f)(6) and (f)(7) are redesignated as paragraphs (f)(5) and (f)(6), respectively.

7. Paragraph (g) is revised.

8. Paragraph (h) is removed.

The revision reads as follows:

§ 40.6302(c)-3 Special rules for use of Government depositaries under chapter 33.

* * * * *

(g) *Effective date.* This section is applicable with respect to deposits of taxes that are considered as collected in calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register** and to returns of tax for calendar quarters beginning on or after the date of publication of the final regulations in the **Federal Register**.

§ 40.6302(c)–4 [Removed]

Par. 13. Section 40.6302(c)–4 is removed.

§ 40.9999–1 [Removed]

Par. 14. Section 40.9999–1 is removed.

Robert E. Wenzel,

Deputy Commissioner of Internal Revenue.

[FR Doc. 01–1120 Filed 2–15–01; 8:45 am]

BILLING CODE 4830–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA–D–7506]

Proposed Flood Elevation Determinations

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

DATES: The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

ADDRESSES: The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each community. The respective addresses are listed in the following table.

FOR FURTHER INFORMATION CONTACT: Matthew B. Miller, P.E., Chief, Hazards Study Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646–3461, or (email) matt.miller@fema.gov.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency (FEMA or Agency) proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, state or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

National Environmental Policy Act. This proposed rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Associate Director, Mitigation Directorate, certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. As a result, a regulatory flexibility analysis has not been prepared.

Regulatory Classification. This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 12612, Federalism. This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

Executive Order 12778, Civil Justice Reform. This proposed rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended as follows:

PART 67—[AMENDED]

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

§ 67.4 [Amended]

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Indiana	Decatur County (Unincorporated Areas).	Righthand Fork	At confluence with Lake Santee	None	*997
			Approximately 1,850 feet upstream of the confluence of Righthand Fork Tributary.	None	*1,025
		Righthand Fork Tributary	At confluence with Righthand Fork	None	*1,017
			Approximately 1,003 feet upstream of the confluence with Righthand Fork.	None	*1,023
		Lake Santee	For its entire shoreline within the community.	None	*997
Maps available for inspection at the Decatur County Area Planning Commission Office, 150 Courthouse Square, Greensburg, Indiana.					
Maine	Bar Island, Lincoln County.	Muscongus Bay	Entire shoreline of Bar Island	None	*16
Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.					
Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.					
Maine	Dixfield (Town), Oxford County.	Androscoggin River	At the downstream corporate limits	None	*403
			At the confluence of the Webb River	None	*416
		Aunt Hannah Brook	At the confluence with the Webb River	None	*434
			Approximately 75 feet upstream of Weld Road.	None	*443
		Butterfield Brook	At the confluence with Sevenmile Stream	None	*466
			Approximately 60 feet upstream of U.S. Route 2/State Route 17.	None	*478
		Harvey Brook	At the confluence with the Androscoggin River.	None	*407
			Approximately 460 feet upstream of Canton Point Road.	None	*407
		Hugh Brook	At the confluence with Sevenmile Stream	None	*516
			Approximately 1,460 feet upstream of the confluence with Sevenmile Stream.	None	*562
		Newton Brook	At the confluence with the Androscoggin River.	None	*409
			Just upstream of Norton Road	None	*580
		Paddy Meadow Brook	Approximately 1,400 feet upstream of the confluence with the Webb River.	None	*435
			Just upstream of Weld Road	None	*458
		Potash Brook	At the confluence with Sevenmile Stream	None	*490
			At county boundary	None	*491
		Sevenmile Stream	Approximately 490 feet downstream of Severy Hill Road.	None	*422
			Approximately 0.5 mile upstream of U.S. Route 2/State Route 17.	None	*562
		Tucker Valley Brook	Approximately 0.7 mile downstream of Valley Brook Road.	None	*428
			Approximately 70 feet upstream of Point Morse Hill Road.	None	*612

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
		Webb River	At the confluence with Androscoggin River.	None	*416
			Approximately 100 feet downstream of U.S. Route 2.	None	*420
Maps available for inspection at the Dixfield Town Hall, 46 Main Street, Dixfield, Maine.					
Send comments to Mr. Hugh G. Daley, Chairman of the Town of Dixfield Board of Selectmen, P.O. Box 808, Dixfield, Maine 04224–0808.					
Maine	Greenville (Town) Piscataquis County.	Mill Brook	At the confluence with Moosehead Lake	None	*1,030
			Approximately 55 feet upstream of Scammon Road.	None	*1,260
		Prong Pond	Entire shoreline within community	None	*1,033
Maps available for inspection at the Greenville Town Office, Minden Street, Greenville, Maine.					
Send comments to Mr. John Simko, Greenville Town Manager, P.O. Box 1109, Greenville, Maine 04441.					
Maine	Indian Island, Lincoln County.	Muscongus Bay	Western shoreline of Indian Island	None	*13
			Eastern shoreline of Indian Island	None	*16
Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.					
Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.					
Maine	Louds Island, Lincoln County.	Muscongus Bay	Eastern shoreline of Louds Island directly west of Killick Stone Island.	None	*23
		Muscongus Sound	Northwestern shoreline of Louds Island	None	*10
Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.					
Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.					
Maine	Marsh Island, Lincoln County.	Muscongus Bay	Southeastern shoreline of Marsh Island	None	*23
			Northern shoreline of Marsh Island	None	*10
Maps available for inspection at the Bristol Town Office, 1268 Bristol Road, Bristol, Maine, and Land Use Regulation Commission, State House Station 22, Augusta, Maine.					
Send comments to Mr. Fred Todd, Land Use Regulation Commission, State House Station 22, Augusta, Maine 04333.					
Maine	Wilton (Town), Franklin County.	Butterfield Brook	At U.S. Route 2/State Route 17	None	*477
			Approximately 0.64 mile upstream of Butterfield Road.	None	*727
		Cram Brook	At confluence with Sevenmile Stream	None	*611
			At confluence of Ice Pond Brook	None	*617
		Ice Pond Brook	At confluence with Cram Brook	None	*617
			Approximately 230 feet upstream of Gordon Road.	None	*638
		Pine Brook	At confluence with Wilson Stream	None	*581
			Approximately 85 feet upstream of State Route 156 (Weld Road).	None	*592
		Potash Brook	At U.S. Route 2/State Route17	None	*488
			Approximately 120 feet upstream of Cemetery Road.	None	*515
		Sevenmile Stream	At downstream U.S. Route 2/State Route 17 crossing.	None	*520
			At upstream corporate limits	None	*633
		Temple Brook	At confluence with Wilson Stream	None	*635
			Approximately 0.84 mile upstream of State Road 156 (Weld Road).	None	*775
		Wilson Stream	At confluence with Wilson Pond	None	*576
			Approximately 0.7 mile upsream of Tobin Flats Road.	None	*726
		Varnum Pond	Approximately 1,250 feet west of the intersection of Rupert Road and Walker Hill Road.	None	*758

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the Wilton Town Hall, Code Enforcement Office, 158 Weld Road, Wilton, Maine.					
Send comments to Mr. Richard Davis, Wilton Town Manager, P.O. Box 651, Wilton, Maine 04294.					
New Hampshire	Nashua (City), Hillsborough County.	Nashua River	At the downstream side of B&M Railroad Bridge.	*115	*114
			Approximately 0.75 mile upstream of State Route 11.	*177	*176
		Bartemus Brook	At confluence with Nashua River	*167	*165
			At upstream corporate limits	*168	*166
Maps available for inspection at the Nashua City Hall, 229 Main Street, Nashua, New Hampshire.					
Send comments to The Honorable Bernard A. Streeter, Mayor of the City of Nashua, 229 Main Street, Nashua, New Hampshire 03061.					
New Jersey	Millburn (Township), Essex County.	Passaic River	Approximately 2,550 feet upstream of downstreeam corporation limits.	*176	*177
			Approximately 100 feet downstream of Main Street.	*180	*179
Maps available for inspection at the Millburn Township Hall, 375 Millburn Avenue, Millburn, Ne Jersey.					
Send comments to The Honorable Elaine Becker, Mayor of the Township of Millburn, 375 Millburn Avenue, Millburn, New Jersey 07041.					
New Jersey	New Providence (Borough), Union County.	Passaic River	At the downstream corporate limit	*208	*207
			At the upstream corporate limit	*211	*212
Maps available for inspection at the New Providence Borough Hall, Engineer's Office, 360 Elkwood Avenue, New Providence, New Jersey.					
Send comments to The Honorable Allen Morgan, Mayor of the Borough of New Providence, Municipal Building, 360 Elkwood Avenue, New Providence, New Jersey 07974.					
New Jersey	Roseland (Borough), Essex County.	Passaic River	At the downstream corporate limits	*173	*174
			Approximately 0.65 mile upstream of Eagle Rock Avenue.	*174	*175
		Foulertons Brook	At the confluence with Passaic River	*173	*174
			Approximately 0.44 mile upstream of the confluence with Passaic River.	*173	*174
		North Branch Foulertons Brook.	At the confluence with Foulertons Brook	*173	*174
			Approximately 780 feet upstream of the confluence with Foulertons Brook.	*173	*174
Maps available for inspection at the Roseland Municipal Building, Office of the Borough Clerk, 19 Harrison Avenue, Roseland, New Jersey.					
Send comments to The Honorable Louis DeBell, Mayor of the Borough of Roseland, Municipal Building, 19 Harrison Avenue, Roseland, New Jersey 07068–1397.					
New Jersey	Warren (Township), Somerset County.	Passaic River	Approximately 0.38 mile downstream of Hillcrest Road.	*215	*213
			Approximately 3.45 miles upstream of Stirling Road.	*216	*214
Maps available for inspection at the Warren Township Hall, Engineer's Office, 46 Mountain Boulevard, Warren, New Jersey.					
Send comments to The Honorable Kenneth Brenn, Mayor of the Township of Warren, 46 Mountain Boulevard, Warren, New Jersey 07059.					
New York	Corning (Town), Steuben County.	Post Creek	Approximately 150 feet downstream of downstream corporate limits.	None	*956
			Approximately 1,850 feet upstream of downstream corporate limits.	None	*967
Maps available for inspection at the Corning Town Hall, 20 South Maple Street, Corning, New York 14830.					
Send comments to Mr. Joe Prisella, Corning Town Supervisor, 20 South Maple Street, Corning, New York 14830.					
New York	Hamburg (Town), Erie County.	Foster Brook	At the confluence with Lake Erie	*581	*582
			Downstream side of Maelou Drive	*791	*795
		Lake Erie	Southwest corporate limits along Lake Erie.	*580	*582
			Northeast corporate limits along Lake Erie.	*581	*582

State	City/town/county	Source of flooding	Location	#Depth in feet above ground *Elevation in feet (NGVD)	
				Existing	Modified
Maps available for inspection at the Town of Hamburg Building Inspection Department, 6100 South Park Avenue, Hamburg, New York. Send comments to Mr. Patrick H. Hoak, Hamburg Town Supervisor, 6100 South Park Avenue, Hamburg, New York 14075.					
Ohio	Adams County (Unincorporated Areas).	Ohio River	Approximately 600 feet downstream of the downstream county boundary.	None	*517
			Approximately 400 feet upstream of the upstream county boundary.	None	*529
Maps available for inspection at the Adams County Administrative Offices, 215 North Cross Street, West Union, Ohio. Send comments to Mr. Robert Hall, Adams County Senior Commissioner, 110 West Main Street, West Union, Ohio 45693.					
Ohio	Brown County (Unincorporated Areas).	Ohio River	From the downstream county boundary	None	*509
			From the upstream county boundary	None	*517
Maps available for inspection at the Brown County Engineer's Office, 325 West State Street, Georgetown, Ohio. Send comments to Mr. Kirby Cornett, Chairman of the Brown County Board of Commissioners, 800 Mount Orab Pike, Georgetown, Ohio 45121.					
Ohio	Valley View (Village), Cuyahoga County.	Cuyahoga River	Approximately 250 feet downstream of corporate limits.	*602	*606
			Approximately 100 feet upstream of Hillside Road.	*616	*615
Maps available for inspection at the Valley View Village Hall, 6848 Hathaway Road, Valley View, Ohio. Send comments to The Honorable Randall A. Westfall, Mayor of the Village of Valley View, 6848 Hathaway Road, Valley View, Ohio 44125.					
Pennsylvania	Emmaus (Borough), Lehigh County.	Tributary No. 1 to Little Lehigh Creek.	Approximately 450 feet downstream of East Berger Street.	None	*337
			Approximately 460 feet upstream of Minor Street.	None	*418
Maps available for inspection at the Emmaus Borough Hall, 28 South Fourth Street, Emmaus, Pennsylvania. Send comments to The Honorable Winfield Lost, Mayor of the Borough of Emmaus, 28 South Fourth Street, Emmaus, Pennsylvania 18049.					
South Carolina	Richland County (Unincorporated Areas).	Gills Creek	At the confluence with the Congaree River.	*135	*133
			At the Southern Railway bridge	*140	*139
		Rocky Branch	At the confluence with Congaree River	*152	*146
			Approximately 460 feet upstream of Olympia Avenue.	*152	*151
		Tributary G–1	At the confluence with Gills Creek	*140	*136
			Approximately 810 feet upstream of Bluff Road.	*142	*141
		Reeder Point Branch	At the confluence with Black Lake	*129	*133
			Approximately 140 feet upstream side of State Route 48 (Bluff Road).	*136	*135
		Congaree River	Approximately 2.64 miles downstream of the confluence with Gills Creek.	None	*128
			Approximately 0.45 mile upstream of the Southern Railway.	*155	*149
		Spears Creek	Downstream side of Jacobs Mill Pond Road.	*220	*221
			Approximately 0.5 mile upstream Spears Creek Church Road.	*312	*311
		Lake Murry	Entire shoreline within county	None	*363
Maps available for inspection at the Richland County Planning Department, 2020 Hampton Street, Columbia, South Carolina. Send comments to Mr. T. Cary McSwain, Richland County Administrator, P.O. Box 192, Columbia, South Carolina 29202.					

(Catalog of Federal Domestic Assistance No. 83.100, ''Flood Insurance'')

Dated: January 30, 2001.

Margaret E. Lawless,

Acting Executive Associate Director for Mitigation.

[FR Doc. 01–3918 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–04–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–255; MM Docket No. 00–123; RM–9903]

Radio Broadcasting Services; Rincon, PR

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; denial.

SUMMARY: The Commission denies the request of Ocean Communications to allot Channel 300B to Rincon, PR, as its first local aural service. *See* 65 FR 44507, July 18, 2000. The proposed transmitter site is located within the Desecheo National Wildlife Refuge and the Fish and Wildlife Service, U.S. Department of the Interior, has stated that it is unlikely that it would favorably consider a request to erect a tower there.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 00–123, adopted January 24, 2001, and released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, NW, Washington, DC 20036.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3962 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA No. 01–271, MM Docket No. 01–31, RM–10035]

Radio Broadcasting Services; Huntsville, La Porte, Nacogdoches and Willis, TX and Lake Charles, LA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed on behalf of New Wavo Communication Group, Inc. (''New Wavo'') requesting the substitution of Channel 279C for Channel 279C3 at Willis, Texas, reallotment of Channel 279C from Willis, Texas to La Porte, Texas, and modify the license for Station KVST(FM) accordingly. The coordinates for Channel 279C at La Porte are 29–58–19 and 94–31–16. To accommodate the proposal for La Porte, New Wavo also requests the substitution of Channel 259A for Channel 259C3 at Huntsville, Texas, reallotment of Channel 259A to Willis, Texas, at coordinates 30–32–37 and 95–28–32, and modification of the license for Station KUST accordingly; substitute Channel 277C2 for Channel 279C1 at Lake Charles, Louisiana, at coordinates 30–12–12 and 93–26–19 and modifiy the license for Station KBIU accordingly; and substitute Channel 277C2 for Channel 277C1 at Nacogdoches, Texas, at coordinates 31–25–59 and 94–49–03 and modify the license for Station KJCS accordingly. In accordance with Section 1.420(i) of the Commission's Rules, we shall not accept competing expressions of interest in the use of Channel 279C at La Porte, Texas.

DATES: Comments must be filed on or before March 26, 2001, and reply comments on or before April 10, 2001.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the New Wavo's counsel, as follows: Frank R. Jazzo, Fletcher Heald & Hildreth, PLC, 1300 North 17th Street, 11th Floor, Arlington, Virginia 22209–3801 and Mark N. Lipp, J. Thompas Nolan, Shook Hardy & Bacon LLP, 600 14th Street, NW, suite 800, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 01–31, adopted January 24, 2001, and released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the Commission's Reference Center, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street, NW., Washington, DC 20036, (202) 857–3800, facsimile (202) 857–3805.

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.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by removing Channel 279C3 at Willis, removing Channel 259C3 at Huntsville, adding Channel 259A at Willis, removing Channel 277C1 and adding Channel 277C2 at Nacogdoches and by adding La Porte, Channel 279C.

3. Section 73.202(b), the Table of FM Allotments under Louisiana, is amended by removing Channel 279C1 and adding Channel 277C2 at Lake Charles.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3963 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–192; MM Docket No. 01–19, RM–10048, MM Docket No. 01–20, RM–10049; MM Docket No. 01–21, RM–10050]

Radio Broadcasting Services; Saint Joseph, LA; Reliance, WY; and Genoa, CO

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document proposes three new allotments to Saint Joseph, Louisiana; Reliance, Wyoming; and Genoa, Colorado.

DATES: Comments must be filed on or before March 19, 2001, and reply comments on or before April 3, 2001.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, his counsel, or consultant, as follows: Ann Bavender, Fletcher, Heald & Hildreth, P.L.C., 1300 N. 17th Street, 11th Floor, Arlington, Virginia 22209 (Counsel for Saint Joseph Broadcasting Company); A. Wray Fitch, III, Gammon & Grange, P.C., 8280 Greensboro Drive, 7th Floor, McLean, Virginia 22102–3807 (Counsel for Reliance Broadcasting and Genoa Broadcasting).

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01–19; MM Docket No. 01–20; and MM Docket No. 01–21, adopted January 17, 2001, and released January 26, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Information Center (Room CY–A257), 445 12th Street, SW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

The Commission requests comments on a petition filed by Saint Joseph Broadcasting Company proposing the allotment of Channel 257C3 at Saint Joseph, Louisiana, as the community's first local aural transmission service. Channel 257C3 can be allotted to Saint Joseph in compliance with the Commission's minimum distance separation requirements with a site restriction of 7.6 kilometers (4.7 miles) southeast to avoid a short-spacing to the licensed site of Station WJMI(FM), Channel 259C, Jackson, Mississippi. To accommodate the allotment, Channel 266A can be substituted at Clayton with a site restriction of 3.4 kilometers (2.1 miles) northeast to avoid short-spacings to the licensed sites of Station KBON(FM), Channel 266C3, Mamou, Louisiana, and Station WBBV(FM), Channel 267C3, Vicksburg, Mississippi. The coordinates for Channel 257C3 at Saint Joseph are 31–51–44 North Latitude and 91–11–41 West Longitude.

The Commission requests comments on a petition filed by Reliance Broadcasting proposing the allotment of Channel 288C3 at Reliance, Wyoming, as the community's first local aural transmission service. Channel 288C3 can be allotted to Reliance in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.9 kilometers (4.3 miles) east to avoid a short-spacing to the licensed site of Station KDWY(FM), Channel 287C2, Diamondville, Wyoming. The coordinates for Channel 288C3 at Reliance are 41–39–44 North Latitude and 109–06–50 Longitude.

The Commission requests comments on a petition filed by Genoa Broadcasting proposing the allotment of Channel 288C3 at Genoa, Colorado, as the community's first local transmission service. Channel 288C3 can be allotted to Genoa in compliance with the Commission's minimum distance separation requirements site restriction of 21.3 kilometers (13.3 miles) northeast to avoid a short-spacing to the licensed site of Station KVAY(FM), Channel 289C1, Lamar, Colorado. The coordinates for Channel 288C3 at Genoa are 39–23–06 North Latitude and 103–17–38 West Longitude.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3964 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 01–256; MM Docket No. 00–204; RM–9983]

Radio Broadcasting Services; Blairsville, GA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule, dismissal.

SUMMARY: The Commission, at the request of M. Terry Carter and Douglas Sutton, Jr. d/b/a Tugart Communications, dismisses its request to allot Channel 236A to Blairsville, GA, as the community's first local aural service. *See* 65 FR 66950, November 8, 2000. Channel 236A cannot be allotted to Blairsville in compliance with section 73.315 of the Commission's Rules because of a major obstruction between the proposed transmitter site and the community.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 00–204, adopted January 24, 2001, and released February 2, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 445 12th Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Services, Inc., (202) 857–3800, 1231 20th Street, NW., Washington, DC 20036.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 01–3961 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 90

[WT Docket No. 96–86; FCC 01–10]

Public Safety Communications

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission proposes to establish rules governing the migration to a 6.25 kHz technology on the 700 MHz public safety band General Use channels. By establishing such rules, the Commission will increase the efficiency of that spectrum, with the potential of allowing additional public safety use of that band.

DATES: Comments are due March 19, 2001, Reply Comments are due April 2, 2001.

ADDRESSES: Federal Communications Commission, 445 12th St., SW., Room TW–A325, Washington, DC 20554. Comments may also be filed using the Commission's Electronic Filing System, which can be accessed via the Internet at www.fcc.gov/e-file/ecfs.html.

FOR FURTHER INFORMATION CONTACT: Michael Connelly, Policy and Rules Branch, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau at (202) 418–0132.

SUPPLEMENTARY INFORMATION:

1. The Commission's Fifth Notice of Proposed Rule Making (5th NPRM), WT Docket No. 96–86, FCC 01–10, was adopted January 11, 2001, and released on January 17, 2001. The full text of this 5th NPRM is available for inspection and copying during normal business hours in the FCC Reference Center, Room CY–A257, 445 12th Street, SW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 1231 20th Street, NW., Washington, DC 20037. The full text may also be downloaded at: http://www.fcc.gov/wtb/releases/fcc0110.doc. Alternative formats are available to persons with disabilities by contacting Martha Contee at (202) 418–0260 or TTY (202) 418–2555.

Summary of the 5th NPRM

2. The Commission seeks comment on proposals regarding implementing to a voice efficiency standard of one voice channel per 6.25 kHz bandwidth for the General Use channels in the 700 MHz public safety band. Based on comments received from public safety entities, communication directors, and equipment manufacturers, the Commission believes that there are two broad groups proposing different ''migration paths'' to a more spectrum-efficient standard. The first, which includes Com-Net Ericsson, Nokia, and the North American TETRA Forum (NATF), urges immediate adoption of the concept of one voice channel per 6.25 kHz. The second, which includes the Association of Public-Safety Communications Officials—International (APCO), the International Association of Chiefs of Police (IACP), Motorola, the Federal Law Enforcement Wireless Users Group, and the Project 25 Steering Committee, set forth a migration path consisting of five stages and spanning a total of twenty-one years.

3. Com-Net Ericsson, Nokia, and NATF recommend immediate adoption of a 6.25 kHz efficiency standard, *i.e.*, one voice path per 6.25 kHz of occupied bandwidth, for voice operations on the General Use channels. Com-Net Ericsson, for example, asserts that compliant technologies are available today, and further technological advances are anticipated between now and when 700 MHz-band public safety equipment becomes available. Nokia and NATF recommend that in 2005, the Commission evaluate equipment deployed in the 700 MHz band and the progress of the technical development and, based on this information, consider a formal migration path to 6.25 kHz interoperability. Nokia contends that equipment utilizing 6.25 kHz efficiency is already fully developed and available for general use from a wide array of manufacturers, including leading U.S manufacturers, and believes that adopting this efficiency standard will encourage equipment manufacturers to devote their research and development resources to 6.25 kHz conventional technology.

4. Under the five-step, twenty-one year plan put forth by APCO and IACP, step one is immediate adoption of Project 25 Phase I as the Interoperability standard. Step two requires that as of December 31, 2006, or within six months following Commission notice that at least fifteen of the Top twenty metropolitan areas have been cleared of relevant television stations, whichever is later, all newly type-accepted radios for use in the band must have the capability to provide one voice channel per 6.25 kHz and must still meet the Project 25 Phase I standard for the Interoperability channels. Within ten years after the date established in step two, all General Use operations must be at 6.25 kHz in the Top fifty metropolitan areas for step three. Step four requires that all General Use operations must be at 6.25 kHz by fifteen years after the date established in Step two. Finally, as of the date established in step two, the Commission must re-examine technological and marketplace developments and determine whether it is possible to develop a migration path for the subsequent transition.

5. The Commission seeks comment on the proper approach for achieving a 6.25 kHz standard for the General Use channels. At the same time, in order to facilitate the prompt use of the 700 MHz Band spectrum, the Commission had determined in the *Fourth Report and Order* in this proceeding that it will not require new systems to use 6.25 kHz technology before December 31, 2005. The Commission has also concluded that any 12.5 kHz-based systems constructed and placed in operation prior to December 31, 2005, will be able to continue to purchase and deploy 12.5 kHz equipment for system expansion or maintenance. The Commission has also concluded that such 12.5 kHz systems will not be required to cease operations and convert to 6.25kHz technology prior to December 31, 2015, at the earliest. While nothing in the Commission's Rules would prohibit the use of 6.25 kHz technology now, the Commission is concerned that mandating the use of 6.25 kHz technology would only serve to delay the use of the 700 MHz Band spectrum. Commenters should address the advantages and disadvantages associated with various approaches that are consistent with this ''safe harbor'' provision.

6. The Commission seeks comments to identify such factors and the potential impact that they would have on the duration of a migration period and to discuss what would be an appropriate length for migration and the reasoning therefore. The Commission seeks comment on whether the Commission should adopt different migration paths for rural and urban markets, given their different needs. Given the differing needs of public safety entities in rural and urban areas, as well as possible differences in timing when the 700 MHz public safety spectrum may be available to those entities, it may be appropriate to establish multiple migration paths for different types of entities. The Commission encourages commenters that would urge the Commission to adopt multiple migration paths to offer specific proposals.

Initial Regulatory Flexibility Analysis

7. As required by the Regulatory Flexibility Act (RFA), the Commission has prepared an Initial Regulatory

Flexibility Analysis (IRFA) of the possible significant economic impact on small entities of the policies and rules proposed in this *Fifth Notice of Proposed Rule Making* (*Fifth Notice*). Written public comments are requested regarding this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments on the *Fifth Notice* provided in paragraph 103. The Commission will send a copy of the *Fifth Notice*, including this IRFA, to the Chief Counsel for Advocacy of the Small Business Administration.

A. Need for, and Objectives of, the Proposed Rules

8. In the *Fifth Notice*, we continue our evaluation of rules applicable to the use of public safety spectrum in the frequencies at 764–776 MHz and 794–806 MHz (the 700 MHz band). Specifically, the *Fifth Notice* seeks comment on a ''migration path'' to a more spectrum-efficient technology standard for public safety general use frequencies in the 700 MHz band. We seek comment on only the issue of what path the Commission should adopt. Adopting such a path should provide for the prompt entry of public safety entities onto the 700 MHz band when that band is cleared of its present occupants.

B. Legal Basis

9. Authority for issuance of this item is contained in Sections 1, 4(i), 7, 301, 302, 303, and 337 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 157, 301, 302, 303, 337.

C. Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

10. The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. The RFA defines the term ''small entity'' as having the same meaning as the terms ''small business,'' ''small organization,'' and ''small business concern'' under Section 3 of the Small Business Act. A small business concern is one that: (1) is independently owned and operated, (2) is not dominant in its field of operation, and (3) satisfies any additional criteria established by the Small Business Administration. Nationwide, as of 1992, there were approximately 275,801 small organizations. ''Small governmental jurisdiction'' generally means ''governments of cities, counties, towns, townships, villages, school districts, or special districts, with a population of less than 50,000.'' As of 1992, there were approximately 85,006 such jurisdictions in the United States. This number includes 38,978 counties, cities, and towns; of these, 37,566, or ninety-six percent, have populations of fewer than 50,000. The Census Bureau estimates that this ratio is approximately accurate for all governmental entities. Thus, of the 85,006 governmental entities, we estimate that 81,600 (ninety-one percent) are small entities. Below, we further describe and estimate the number of small entity licensees and regulatees that may be affected by the proposed rules, if adopted.

11. *Public Safety Radio Pool Licensees.* As a general matter, Public Safety Radio Pool licensees include police, fire, local government, forestry conservation, highway maintenance, and emergency medical services. Spectrum in the 700 MHz band for public safety services is governed by 47 U.S.C. 337. Non-Federal governmental entities, as well as private businesses, are licensees for these services. As indicated above, all governmental entities with populations of less than 50,000 fall within the definition of a small entity. Neither the Commission nor the SBA has developed a definition of small businesses directed specifically toward public service licensees. Therefore, the applicable definition of small business is the definition under the SBA rules applicable to radiotelephone (wireless) companies. This provides that a small business is a radiotelephone company employing no more than 1,500 persons. According to the Bureau of the Census, only twelve radiotelephone firms from a total of 1,178 such firms which operated during 1992 had 1,000 or more employees. Therefore, even if all twelve of these firms were public safety licensees, nearly all would be small businesses under the SBA's definition, if independently owned and operated.

12. *Radio and Television Equipment Manufacturers.* We anticipate that at least six radio equipment manufacturers will be affected by our decisions in this proceeding. According to the Small Business Administration's regulations, a radio and television broadcasting and communications equipment manufacturer must have 750 or fewer employees in order to qualify as a small business concern. Census Bureau data indicate that there are 858 U.S. firms that manufacture radio and television broadcasting and communications equipment, and that 778 of these firms have fewer than 750 employees and would therefore be classified as small entities. We do not have information that indicates how many of the six radio equipment manufacturers associated with this proceeding are among these 778 firms. Motorola and Ericsson, however, are major, nationwide radio equipment manufacturers, and thus, we conclude that they would not qualify as small businesses.

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements

13. The *Fifth Notice* does not propose a rule that will entail reporting, recordkeeping, and/or third-party consultation.

E. Significant Alternatives Minimizing the Economic Impact on Small Entities

14. The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for small entities; (3) the use of performance, rather than design, standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities. 5 U.S.C. 603. In this proceeding, we have several options for migrating from 12.5 kHz technology to 6.25 kHz technology. We seek to determine the most efficient, cost effective, and quickest migration path for the public safety community.

F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules

None.

List of Subjects in 47 CFR Part 90

Communications equipment, Radio requirements.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 01–4028 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

Notices

Federal Register
Vol. 66, No. 33
Friday, February 16, 2001

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Lolo National Forest Big Game Winter Range and Burned Area Weed Management Project

AGENCY: Forest Service, USDA.

ACTION: Revised Notice: intent to prepare an environment impact statement (EIS).

SUMMARY: This is a revision of a Notice of Intent originally published in the **Federal Register** on July 30, 1998. The original notice stated the Forest Service would prepare an environmental impact statement to address noxious weeds and big game winter range habitat degradation of 21 critical, low elevation, winter ranges covering approximately 20,120 acres on the Lolo National Forest. Within these 20,120 acres we are considering treating weeds on a maximum of 14,010 acres. This revision proposes analyzing weed management options on an additional 67,300 acres of Lolo National Forest lands that burned in the wildfires of 2000. Within these 67,300 acres, we are considering treating weeds on a maximum of 7,650 acres. The reason we are expanding this EIS is because of the anticipated increase in invasive weeds due to loss of canopy and competitive vegetation and increased ground disturbance from the wildfires of 2000. The issues identified in the July 30, 1998 **Federal Register** notice have been amended as follows:

1. Recognizing that invasive weeds are spreading rapidly in Western Montana, what effect will invasive weeds have on elk, deer and bighorn sheep big game winter ranges, other wildlife, native grasses and wildflower communities and threatened, endangered or sensitive species?

2. How would actions taken to control invasive weeds, including the use of herbicides, biological agents, prevention measures, and mechanical treatments affect elk, deer and bighorn sheep big game winter ranges, other wildlife, native grasses and wildflower communities, threatened, endangered or sensitive plants, fish and water quality?

3. What are the potential effects of herbicides used to control invasive weeds on human health?

4. Fire suppression has changed forest communities. How would prescribed fire affect elk, deer and bighorn sheep big game winter ranges, other wildlife, native grasses and wildflowers, threatened, endangered or sensitive species and other resources?

5. What are the fire escape, air quality, and human health risks associated with prescribed fire?

6. As a result of the wildfires of 2000, burned areas have increased bare soil, reduced overstory shade and less competitive vegetation. How have these changes affected the vulnerability of the burned areas to invasive weeds?

7. How can we mitigate invasive weed spread in the burned areas and how urgent is such mitigation?

8. What are the comparative costs of implementing different restoration activities?

DATES: Comments concerning this revision should be received on or before March 19, 2001. Person who have already commented on the original winter range project in the July 30, 1998 Notice of Intent do not need to resubmit those comments.

ADDRESSES: The responsible official is Deborah L. R. Austin, Forest Supervisor, Lolo National Forest, Supervisor's Office, Building 24A Fort Missoula, Missoula, MT. 59804. Phone (406) 329–3797.

FOR FURTHER INFORMATION CONTACT: Andy Kulla, Resource Assistant, Missoula Ranger District, at (406) 329–3962. Please direct written comments to Andy Kulla at the Missoula Ranger District; Building 24A, Fort Missoula, Missoula, MT 59804.

SUPPLEMENTARY INFORMATION: Further information about the proposal can be found in the original Notice of Intent. Another formal opportunity to comment will be provided following completion of the Draft Environmental Impact Statement (DEIS). The DEIS will be available for public review by spring or summer of 2001. The Final Environmental Impact Statement (FEIS) will be filed by the summer or fall of 2001. The responsible official will make a decision on this proposal after considering comments and responses, environmental consequences discussed in the FEIS and applicable laws, regulations and policies. The decision and reasons for the decision will be documented in a Record of Decision.

Dated: February 17, 2001.

Deborah L. R. Austin,

Forest Supervisor, Lolo National Forest.

[FR Doc. 01–3971 Filed 2–15–01; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Forest Service

Deschutes Provincial Interagency Executive Committee (PIEC), Advisory Committee

AGENCY: Forest Service.

ACTION: Notice of Meeting.

SUMMARY: The Deschutes PIEC Advisory Committee will meet on February 22, 2001 at the Jefferson County Firehall located at the corner of Adam and ''J'' Street off of Highway 97 in Madras, Oregon. A business meeting will begin at 9 am and finish at 4:30 pm. Agenda items will include Legislation to Counties, Update on ICBEMP, Upper Deschutes Resource Management Plan, Monitoring Reports, Info Sharing and a Public Forum from 4 pm till 4:30 pm. All Deschutes Province Advisory Committee Meetings are open to the public.

FOR FURTHER INFORMATION CONTACT: Mollie Chaudet, Province Liaison, USDA, Bend-Ft. Rock Ranger District, 1230 N.E. 3rd., Bend, OR 97701, Phone (541) 416–6872.

Dated: February 12, 2001.

Leslie A.C. Weldon,

Deschutes National Forest Supervisor.

[FR Doc. 01–3989 Filed 2–15–01; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Availability of Funding and Requests for Proposals for Guaranteed Loans Under the Section 538 Guaranteed Rural Rental Housing Program; Correction

AGENCY: Rural Housing Service, USDA.

ACTION: Correction.

SUMMARY: The Rural Housing Service (RHS) corrects a notice published December 26, 2000 (65 FR 81650–81656). This action is taken to correct the point scoring of the selection criteria in paragraph VIII(A), (B), and (E). This action is being taken so that interest credit requests may be scored as they are received, on an individual basis, to determine if the threshold criteria of 70 points have been met.

Accordingly, the notice published December 26, 2000, (65 FR 81650–81656), is corrected as follows:

On page 81655, in the second column, Item VIII(A), the third sentence, ''The proposals will be given a point score starting with the project located in the area with the lowest population receiving 20 points, the next 19 points and so forth, until up to 20 projects have received points.'' should read ''Population points will be awarded as follows:

Population	Points
Less than 10,000	20
10,001–14,999	15
15,000–16,999	5
17,000–20,000	0

On page 81655, in the third column, Item VIII(B), the second sentence, ''The proposals will be given a point score starting with the community having the lowest median income receiving 20 points, the next 19 points and so forth until up to 20 proposals have received points.'' should read ''Median income points will be awarded as follows:

Median income (dollars)	Points
Less than 25,000	20
25,000–29,999	15
30,000–34,999	10
35,000–40,000	5
More than 40,000	0

On page 81656, in the first column, Item VIII(E), the second sentence, ''The proposals will be ranked in order of this percentage with the proposal with the highest percent receiving 20 points, the next 19 points and so forth until up to 20 projects have received points.'' should read ''Percentage of 3–5 bedroom points will be awarded as follows:

Percentage of 3–5 bedrooms	Points
100	20
At least 75	15
At least 50	10
At least 25	5
Less than 25	0

Dated: February 2, 2001.

Obediah G. Baker, Jr.,

Acting Administrator, Rural Housing Service.

[FR Doc. 01–3969 Filed 2–15–01; 8:45 am]

BILLING CODE 3410–XV–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List Additions and Deletion

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Additions to and deletion from the procurement list.

SUMMARY: This action adds to the Procurement List commodities and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities, and deletes from the Procurement List a service previously furnished by such agencies.

EFFECTIVE DATE: March 19, 2001.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Louis R. Bartalot (703) 603–7740.

SUPPLEMENTARY INFORMATION: On July 21, September 22 and December 29, 2000, the Committee for Purchase From People Who Are Blind or Severely Disabled published notices (65 FR 45358, 57313 and 82974) of proposed additions to and deletion from the Procurement List:

Additions

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and services listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46–48c and 41 CFR 51–2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities and services.

3. The action will result in authorizing small entities to furnish the commodities and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List.

Accordingly, the following commodities and services are hereby added to the Procurement List:

Commodities

EMM Tray, Plastic
7240–00–NSH–0001
Cloth, High Performance
7920–00–NIB–0194
7920–00–NIB–0390
7920–00–NIB–0394
7920–00–NIB–0395
7920–00–NIB–0396
7920–00–NIB–0397
7920–00–NIB–0398

Services

Janitorial/Custodial
NASA Headquarters, 300 E Street, SW., Washington, DC
Laborer, Multi-Tasks Support Services
Postwide, Fort Hood, Texas, Mailroom Operation, USDA, Rural Development Agency, St. Louis, Missouri

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

Deletion

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.

2. The action will not have a severe economic impact on future contractors for the service.

3. The action will result in authorizing small entities to furnish the service to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the service deleted from the Procurement List.

After consideration of the relevant matter presented, the Committee has determined that the service listed below is 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 service is hereby deleted from the Procurement List:

Service

Commissary Shelf Stocking & Custodial
Charles Melvin Price Support Center
Commissary, Granite City, Illinois

Louis R. Bartalot,

Deputy Director (Operations).

[FR Doc. 01–3993 Filed 2–15–01; 8:45 am]

BILLING CODE 6353–01–P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List, Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee is proposing to add to the Procurement List 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 19, 2001.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Jefferson Plaza 2, Suite 10800, 1421 Jefferson Davis Highway, Arlington, Virginia 22202–3259.

FOR FURTHER INFORMATION CONTACT: Louis R. Bartalot (703) 603–7740.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodities and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities. I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities and services to the Government.

2. The action will result in authorizing small entities to furnish the commodities and services to the Government.

3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodities and services proposed for addition to the Procurement List. Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Commodities

Power Duster

7045–00—NIB–0165
7045–00—NIB–0166
7045–00—NIB–0167
NPA: Lighthouse for the Blind St. Louis, Missouri

Services

Administrative Services for Catalog Distribution, Defense Reutilization and Marketing Service, Battle Creek, Michigan, NPA: Peckham Vocational Industries, Inc., Lansing, Michigan

Food Service Attendant, Air National Guard-Phoenix 3200 E Old Tower Road, Phoenix, Arizona, NPA: Goodwill Community Services, Inc., Phoenix, Arizona

Louis R. Bartalot,

Deputy Director (Operations).

[FR Doc. 01–3994 Filed 2–15–01; 8:45 am]

BILLING CODE 6353–01–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the District of Columbia Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the District of Columbia Advisory Committee to the Commission will convene at 8:30 a.m. and adjourn at 4 p.m. on Thursday, March 15, 2001, at the U.S. Commission on Civil Rights, 624 9th Street NW., 5th Floor Conference Room (Room 540), Washington, DC 20425. The Advisory Committee will conduct a forum to receive information from Federal and District of Columbia government officials and financial services representatives concerning equal access to financial services in the District. Issues to be discussed include predatory lending, computer generated credit scoring, and changes in the banking industry.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson or Ki-Taek Chun, Director of the Eastern Regional Office, 202–376–7533 (TDD 202–376–8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, February 9, 2001.

Edward A. Hailes, Jr.,

General Counsel.

[FR Doc. 01–3917 Filed 2–15–01; 8:45 am]

BILLING CODE 6335–01–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Construction Project Reporting Surveys.

Form Number(s): C–700, C–700(SL), C–700(R).

Agency Approval Number: 0607–0153.

Type of Request: Revision of a currently approved collection.

Burden: 40,320 hours.

Number of Respondents: 13,440.

Avg. Hours Per Response: 15 minutes.

Needs and Uses: The Census Bureau conducts the Construction Project Reporting Surveys (CPRS) to provide the dollar value of construction put in place by private companies, individuals, private multifamily residential buildings, and state and local government sectors. The C–700 form

(Private Construction Projects) collects construction put in place data for nonresidential projects owned by private companies or individuals. The C–700(R) (Multifamily Residential Projects) form collects construction put in place data for private multifamily residential buildings. Form C–700(SL) (State and Local Government Projects) collects construction put in place data for state and local government projects.

The Census Bureau uses the information from the CPRS to publish the value of construction put in place series. Published estimates are used by a variety of private business and trade associations to estimate the demand for building materials and to schedule production, distribution, and sales efforts. They also provide various governmental agencies with a tool to evaluate economic policy and to measure progress towards established goals. For example, Bureau of Economic Analysis staff use data to develop the construction components of gross private domestic investment in the gross domestic product. The Federal Reserve Board and the Department of Treasury use the value in place data to predict the gross domestic product, which is presented to the Board of Governors and has an impact on monetary policy.

With this clearance request we are requesting that all three forms (previously cleared separately) now be approved under the same OMB approval number. No substantive changes to any of the forms are planned.

Affected Public: Individuals or households; Businesses or other for-profit organizations; State, local or tribal government; Not-for-profit institutions.

Frequency: Monthly.

Respondent's Obligation: Voluntary.

Legal Authority: Title 13 U.S.C., Section 182.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Forms Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at mclayton@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 13, 2001.

Madeleine Clayton,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01–4017 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: U.S. Census Bureau.

Title: Generic Approval for MAF & TIGER Update Activities.

Form Number(s): Will vary by activity.

Agency Approval Number: 0607–0809.

Type of Request: Revision of a currently approved collection.

Burden: 3,725 hours.

Number of Respondents: 114,500.

Avg. Hours Per Response: 2 minutes.

Needs and Uses: The Census Bureau is seeking approval from the Office of Management and Budget (OMB) for an extension of the generic clearance for a number of activities it plans to conduct to create and update its Master Address File (MAF) and maintain the linkage between the MAF and the Topologically Integrated Geographic Encoding and Referencing (TIGER) database of address ranges and associated geographic information. The Census Bureau plans to use the MAF for post-Census 2000 evaluations and as a sampling frame for the American Community Survey and our other demographic current surveys. In the past, the Census Bureau has built a new address list for each decennial census. The MAF built during Census 2000 is meant to be kept current thereafter, eliminating the need to build a completely new address list for future censuses and surveys. The TIGER is a geographic system that maps the entire country in Census Blocks with applicable address range of living quarter location information. Linking MAF and TIGER allows us to assign each address to the appropriate Census Block, produce maps as needed and publish results at the appropriate level of geographic detail.

The generic clearance for the past three years has proved to be very beneficial to the Census Bureau. The generic clearance allowed us to focus our limited resources on actual operational planning and development of procedures. This extension will be especially beneficial over the upcoming three years by allowing us to focus on the other work involved in evaluating Census 2000 and keeping the MAF current.

The activities to be conducted are: Community Address Updating System (CAUS), Evaluation of the Quality of Geocodes, and Evaluation of the Block Splitting Operation for Tabulation. Other similar activities may be conducted as well.

Under the terms of this extension to the generic clearance, this request describes all planned activities for the entire period; we will not submit a separate clearance package for each updating activity. We will send a letter to OMB at least five days before the planned start of each activity that gives more exact details, examples of forms, and final estimates of respondent burden. We will also file a year-end summary with OMB after the close of each fiscal year giving results of each activity conducted.

Affected Public: Individuals or households.

Frequency: One time.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Sections 141 and 193.

OMB Desk Officer: Susan Schechter, (202) 395–5103.

Copies of the above information collection proposal can be obtained by calling or writing Madeleine Clayton, Departmental Forms Clearance Officer, (202) 482–3129, Department of Commerce, room 6086, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at mclayton@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer, room 10201, New Executive Office Building, Washington, DC 20503.

Dated: February 13, 2001.

Madeleine Clayton,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01–4018 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Census Bureau Age Search; Proposed Collection; Comment Request

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before April 17, 2001.

ADDRESSES: Direct all written comments to Madeleine Clayton, Departmental Forms Clearance Officer, Department of Commerce, Room 6086, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at mclayton@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to: Mary Lee Eldridge, U. S. Census Bureau, National Processing Center, Management Services Branch, Jeffersonville, IN 47132, Phone: 812–218–3192.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Age Search is a service provided by the Census Bureau for persons who need transcripts of personal data as proof of age for pensions, retirement plans, medicare, or social security benefits. Transcripts are also used as proof of citizenship to obtain passports or to provide evidence of family relationship for rights of inheritance. The Age Search forms gather information necessary for the Census Bureau to make a search of its historical population census records in order to provide the requested transcript.

II. Method of Collection

BC–600—''Application for Search of Census Records'

Form BC–600, Application For Search of Census Records is a public use form that is submitted by applicants requesting information from the decennial census records.

BC–649(L)—''Not Found'' Form

Form BC–649(L), which is called ''Not Found'', advises the applicant that search for information from the census records was unsuccessful. The form also advises the applicant that new or corrected information must be furnished if further searches of the records are desired. A variety of footnotes are used to specify the nature of the item required in order to proceed with the search.

BC–658(L)—''Insufficient Information Received To Proceed With Search''

Form BC–658(L) is sent to the applicant when insufficient information was received on which to base a search of the census records. The form requests that the applicant provide the exact address of the place of residence including the street name and house number, or the names of cross streets between which the house is situated, and the name of the head of the household with whom the person resided on a particular census date.

III. Data

OMB Number: 0607–0117.
Form Number: BC–600, BC–649(L), BC–658(L).
Type of Review: Regular.
Affected Public: Individuals.
Estimated Number of Respondents: BC–600 (6650); BC–649(L) (4123); BC–658(L) (333); Total=11,106.
Estimated Time Per Response: BC–600 (12 min.); BC–649(L) (6 min.); BC–658(L) (6 min.).
Estimated Total Annual Burden Hours: 1775.
Estimated Total Annual Cost: BC–600: $266,000 ($40 per applicant).
Respondent's Obligation: Required to obtain or retain benefits.
Legal Authority: Title 13, U.S.C., Section 8.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: February 13, 2001.

Madeleine Clayton,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 01–4019 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Bureau of Export Administration

Action Affecting Export Privileges; Maria Del Rosario Cases Ames

Order Denying Export Privileges

On October 21, 1994, Maria Del Rosario Cases Ames (Ames) was convicted in the United States District Court for the Eastern District of Virginia of violating section 793(g) of the Espionage Act (18 U.S.C.A. 792–799 (1976 & Supp. 2000)). Specifically, Ames was convicted of unlawfully, knowingly, and willfully, combining, conspiring, confederating and agreeing with other persons, both known and unknown, including her husband Aldrich Hazen Ames, who had authorized possession of classified documents relating to the national defense of the United States, to communicate, deliver, and transmit to a foreign government, that is the U.S.S.R. and Russia, and to representatives, officers, and agents thereof, documents and writings relating to the national defense of the United States, knowing that the persons to whom these documents and writings were transmitted were not entitled to receive them.

Section 11(h) of the Export Administration Act of 1979, as amended (currently codified at 50 U.S.C.A. app. secs. 2401–2420 (1991 & Supp. 2000 and Pub. L. 106–508, November 13, 2000)) (the Act) [1] provides that, at the discretion of the Secretary of Commerce,[2] no person convicted of violating the Espionage Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR parts 730–774 (2000), as amended (65 FR 14862, March 20, 2000)) (the Regulations), for a period of up to 10 years from the date of the conviction. In addition, any license issued pursuant to the Act in which

[1] During the time of Act's lapse, (August 20, 1994 through November 12, 2000) the President, through Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), which had been extended by successive Presidential Notices, the most recent being that of August 3, 2000 (65 FR 48347, August 8, 2000), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. 1701–1706 (1991 & Supp. 2000)).

[2] Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary of Section 11(h) of the Act.

such a person had any interest at the time of conviction may be revoked.

Pursuant to §§ 766.25 and 750.8(a) of the regulations, upon notification that a person has been convicted of violating the Espionage Act, the Director, Office of Exporter Services, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person's export privileges for a period of up to 10 years from the date of conviction and shall also determine whether to revoke any license previously issued to such a person.

Having received notice of Ames's conviction for violating the Espionage Act, and after providing notice and an opportunity for Ames to make a written submission to the Bureau of Export Administration before issuing an Order denying her export privileges, as provided in §766.25 of the regulations, I, following consultations with the Director, Office of Export Enforcement, have decided to deny Ames's export privileges for a period of eight years from the date of her conviction. The eight-year period ends on October 21, 2002. I have also decided to revoke all licenses issued pursuant to the Act in which Ames had an interest at the time of her conviction.

Accordingly, it is hereby Ordered:

I. Until October 21, 2002, Maria Del Rosario Cases Ames, Transversal 12 #125–51, Apartment 607, Bogota, Columbia, may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as ''item'') exported or to be exported from the United States, that is subject to the Regulations, or in any other activity subject to the regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or any other activity subject to the regulations.

II. No person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the denied person of the ownership, possession, or control of any item subject to the regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the denied person, or service any item, of whatever origin, that is owned, possessed or controlled by the denied person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

III. After notice and opportunity for comment as provided in § 766.23 of the Regulations, any person, firm, corporation, or business organization related to Ames by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. This Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

V. This Order is effective immediately and shall remain in effect until October 21, 2002.

VI. In accordance with Part 756 of the Regulations, Ames may file an appeal from this Order with the Under Secretary for Export Administration. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

VII. A copy of this Order shall be delivered to Ames. This Order shall be published in the **Federal Register.**

Dated: January 26, 2001.

Eileen M. Albanese,

Director, Office of Exporter Services.

[FR Doc. 01–3915 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–DT–M

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 9–2001]

Proposed Foreign-Trade Zone—Butte County, California Application and Public Hearing

An application has been submitted to the Foreign-Trade Zones (FTZ) Board (the Board) by the Oroville Economic Development Corporation (a non-profit corporation), to establish a general-purpose foreign-trade zone at sites in southern Butte County, California, which appears to be within 90 minutes driving time from the San Francisco/Oakland/Sacramento, California, Customs port of entry limits. The application was submitted pursuant to the provisions of the FTZ Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on February 6, 2001. The applicant is authorized to make the proposal under section 6302 of the California Code.

The proposed zone would be the sixth general-purpose zone in the San Francisco/Oakland/Sacramento, California, Customs port of entry area. The existing zones are FTZ 3 in San Francisco (Grantee: San Francisco Port Commission, Board Order 16, 13 FR 1459, 3/19/48); FTZ 18 in San Jose (Grantee: City of San Jose, California, Board Order 103, 39 FR 42031, 12/4/74); FTZ 56 in Oakland (Grantee: City of Oakland, California, Board Order 155, 45 FR 27802, 4/24/80); FTZ 143 in the W. Sacramento area (site also in Chico) Grantee: Sacramento-Yolo Port District, Board Order 360, 52 FR 30698, 8/17/87); and, FTZ 231 in the Stockton (San Joaquin County) area (Grantee: Stockton Port District, Board Order 967, 63 FR 23719, 4/30/98).

The proposed new zone would consist of 4 sites in the southern Butte County area: *Site 1* (1,834 acres)—central Oroville industrial area located in Oroville on Highway 70; *Site 2* (812 acres)—Oroville Municipal Airport complex, west of Highway 70 along Highway 162, Oroville; *Site 3* (155 acres)—Gridley industrial area west of Highway 99 along the Union Pacific

Railroad right of way with Liberty Road, Gridley; and, *Site 4* (9 acres)—east of Highway 99, north of Standish Lane, Gridley. Sites 1 and 2 in Oroville are within a California State Recycling Market Development Zone and a California State Enterprise Zone.

The application indicates a need for foreign-trade zone services in the southern Butte County area. Several firms have indicated an interest in using zone procedures for warehousing/distribution activities. Specific manufacturing approvals are not being sought at this time. Requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

As part of the investigation, the Commerce examiner will hold a public hearing on March 15, 2001, 9 a.m., at the City Council Chambers, 1735 Montgomery Street, Oroville, California 95965,

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is April 17, 2001. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to May 2, 2001).

A copy of the application and accompanying exhibits will be available during this time for public inspection at the following locations:

Office of the Deputy City Clerk, Oroville City Hall, 1735 Montgomery Street, Oroville, CA 95965

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 4008, U.S. Department of Commerce, 14th and Pennsylvania Avenue, NW, Washington, DC 20230

Dated: February 9, 2001.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 01–4021 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–852]

Initiation of New Shipper Antidumping Duty Review: Structural Steel Beams From Japan

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of initiation of new shipper antidumping duty review on structural steel beams from Japan.

SUMMARY: On December 27, 2000, the Department of Commerce (''the Department'') received a request to conduct a new shipper review of the antidumping duty order on structural steel beams from Japan. We are initiating this new shipper review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended, and 19 CFR 351.214(d).

EFFECTIVE DATE: February 16, 2001.

FOR FURTHER INFORMATION CONTACT: Juanita H. Chen or Robert Bolling, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230; telephone 202–482–0409 and 202–482–3434, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Act''), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR part 351 (2000).

Background

On April 25, 2000, the Department published its final determination in the less than fair value investigation on structural steel beams from Japan. *See* Structural Steel Beams from Japan, 65 FR 24182 (April 25, 2000) (final determination). On June 19, 2000, the Department published its antidumping duty order on structural steel beams from Japan. *See* Structural Steel Beams from Japan, 65 FR 37960 (June 19, 2000) (order). Accordingly, the anniversary month is June. On December 27, 2000, Yamato Kogyo Co., Ltd. (''Yamato Kogyo'') requested a new shipper review of the antidumping duty order on structural steel beams from Japan, covering Yamato Kogyo's U.S. sales of structural steel beams.

Period of Review

The period of review (''POR'') is June 1, 2000 through November 30, 2000.

Initiation of Review

In accordance with 19 CFR 351.214(b)(2), Yamato Kogyo certified that: (1) it did not export subject merchandise to the United States during the period of investigation (''POI'') (July 1, 1998 through June 30, 1999); and (2) since the initiation of the investigation, it has never been affiliated with any exporter or producer who exported the subject merchandise to the United States during the POI, including those exporters or producers not individually examined during the investigation. Yamato Kogyo also submitted documentation establishing the following: (1) The date on which it first shipped subject merchandise for export to the United States; (2) the volume of that shipment; and (3) the date of the first sale to an unaffiliated customer in the United States.

As Yamato Kogyo meets the eligibility requirements for a new shipper review, we are initiating a new shipper review of the antidumping duty order on structural steel beams from Japan, in accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214(d)(1), with respect to Yamato Kogyo. In accordance with 19 CFR 351.214(i)(1), we intend to issue the preliminary results of this review no later than 180 days after the day on which this new shipper review is initiated.

Concurrent with publication of this notice, and in accordance with 19 CFR 351.214(e), we will instruct the U.S. Customs Service to allow, at the option of the importer, the posting of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by Yamato Kogyo until the completion of this new shipper review.

The interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation notice is published in accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: January 31, 2001.

Joseph A. Spetrini,

Deputy Assistant Secretary for Enforcement Group III.

[FR Doc. 01–4020 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–357–804]

Revocation of Antidumping Duty Order: Silicon Metal From Argentina

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of revocation of antidumping duty order: silicon metal from Argentina.

SUMMARY: Pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''), the United States International Trade Commission (''the Commission'') determined that revocation of the antidumping duty order on silicon metal from Argentina is not likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (66 FR 8981 (February 5, 2001)). Therefore, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1), the Department of Commerce (''the Department'') is revoking the antidumping duty order on silicon metal from Argentina. Pursuant to section 751(c)(6)(A)(iv) of the Act and 19 CFR 351.222(i)(2)(ii) the effective date of revocation is January 1, 2000.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit or James P. Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482–5050 or (202) 482–3330, respectively.

EFFECTIVE DATE: January 1, 2000.

Background

On November 2, 1999, the Department initiated (64 FR 59160), and the Commission instituted (64 FR 59209), a sunset review of the antidumping duty order on silicon metal from Argentina, pursuant to section 751(c) of the Act. As a result of its review, the Department found that revocation of the antidumping duty order on silicon metal from Argentina would likely lead to continuation or recurrence of dumping, and notified the Commission of the magnitude of the margin likely to prevail were the antidumping duty order revoked. *See Silicon Metal From Argentina; Final Results of Expedited Sunset Review of Antidumping Duty Order,* 65 FR 35608 (June 5, 2000).

On February 5, 2001, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on silicon metal from Argentina would not likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Silicon Metal From Argentina,* 66 FR 8981 (February 5, 2001), and USITC Pub. 3385, (January 2001), Investigations Nos. 731-TA–470–472 (Review).

Scope

The merchandise subject to this antidumping duty order is silicon metal containing at least 96.00 percent, but less than 99.99 percent of silicon by weight. Also subject to this order is silicon metal containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight (65 FR 5311, February 3, 2000). Silicon metal is currently provided under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule (''HTS'') as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon is provided under subheading 2804.61.00 of the HTS is not subject to this antidumping duty order. Although the HTS numbers are provided for convenience and customs purposes, the written description remains dispositive.

Determination

As a result of the determination by the Commission that revocation of this antidumping duty order is not likely to lead to continuation or recurrence of material injury to an industry in the United States, the Department, pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(1), is revoking the antidumping duty order on silicon metal from Argentina.

Pursuant to section 751(c)(6)(A)(iv) of the Act and 19 CFR 351.222(i)(2)(ii), this revocation is effective January 1, 2000. The Department will instruct the Customs Service to discontinue the suspension of liquidation and collection of cash deposit rates on entries of the subject merchandise entered or withdrawn from warehouse on or after January 1, 2000 (the effective date). The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This notice is published pursuant to section 703(c)(2) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: February 12, 2001.

Bernard T. Carreau,

Deputy Assistant Secretary, AD/CVD Enforcement II.

[FR Doc. 01–4022 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–806, A–570–806, A–351–824, A–570–828, A–823–805]

Continuation of Antidumping Duty Orders on Silicon Metal From Brazil and China and on Silicomanganese From Brazil and China, and Continuation of Suspended Antidumping Duty Investigation on Silicomanganese From Ukraine

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of continuation of antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and of suspended antidumping duty investigation on silicomanganese from Ukraine.

SUMMARY: The Department of Commerce (''the Department''), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended (''the Act''), determined that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement suspending the antidumping duty investigation (''the Agreement'') on silicomanganese from Ukraine would be likely to lead to continuation or recurrence of dumping.[1] On February 5, 2001, the International Trade Commission (''the Commission''), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement on silicomanganese from Ukraine would be

[1] *Silicon Metal From Brazil; Final Results of Expedited Sunset Review of Antidumping Duty Order,* 65 FR 35607 (June 5, 2000), *Silicon Metal From the People's Republic of China; Final Results of Expedited Sunset Review of Antidumping Duty Order,* 65 FR 35609 (June 5, 2000), *Silicomanganese From the People's Republic of China and Brazil; Final Results of Antidumping Duty Expedited Sunset Reviews,* 65 FR 35324 (June 2, 2000), and *Final Results of Full Sunset Review: Silicomanganese From Ukraine,* 65 FR 58045 (September 27, 2000).

likely to lead to continuation or recurrence of material injury to industries in the United States within a reasonably foreseeable time (66 FR 8981 (February 5, 2001)). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and of the continuation of the suspended investigation on silicomanganese from Ukraine.

EFFECTIVE DATE: February 16, 2001.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit or James P. Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482–5050 or (202) 482–3330, respectively.

SUPPLEMENTARY INFORMATION:

Background

On November 2, 1999, the Department initiated (64 FR 59160) and the Commission instituted (64 FR 59204; 59209) sunset reviews of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and sunset reviews of the suspended antidumping duty investigation on silicomanganese from Ukraine, pursuant to section 751(c) of the Act. As a result of its reviews, the Department found that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the agreement on Silicomanganese from Ukraine would be likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the orders revoked and the agreement terminated.[2]

On February 5, 2001, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and termination of the suspended investigation on silicomanganese from Ukraine would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Silicon Metal From Argentina, Brazil, and China, and Silicomanganese From Brazil, China, and Ukraine,* 66 FR 8981 (February 5, 2001) and USITC Pub. 3384 (January 2001) Investigation Nos., 731 TA–470–472, and 731 TA 671–673 (Reviews).

Scope

Silicon Metal—Brazil and China

The merchandise subject to these antidumping duty orders is silicon metal containing at least 96.00 percent, but less than 99.99 percent of silicon by weight. Also covered by these orders is silicon metal containing between 89.00 and 96.00 percent silicon by weight but which contains a higher aluminum content than the silicon metal containing at least 96.00 percent but less than 99.99 percent silicon by weight (58 FR 27542, May 10, 1993). Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the HTS as a chemical product, but is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS is not subject to these orders. Although the HTS numbers are provided for convenience and customs purposes, the written description remains dispositive.

Silicomanganese—Brazil, China, and Ukraine

The merchandise subject to the orders and the suspension agreement is silicomanganese. Silicomanganese, which is sometimes called ferrosilicon manganese, is a ferroalloy composed principally of manganese, silicon, and iron, and normally containing much smaller proportions of minor elements, such as carbon, phosphorous, and sulfur. Silicomanganese generally contains by weight not less than four percent iron, more than 30 percent manganese, more than eight percent silicon, and not more than three percent phosphorous. All compositions, forms, and sizes of silicomanganese are included within the scope of these orders, and agreement, including silicomanganese slag, fines, and briquettes. Silicomanganese is used primarily in steel production as a source of both silicon and manganese. These antidumping duty orders, and this agreement, cover all silicomanganese, regardless of its tariff classification. Most silicomanganese is currently classifiable under subheading 7202.30.0000 of the HTS schedule. Some silicomanganese may also currently be classifiable under HTS subheading 7202.99.5040. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope remains dispositive.

Determination

As a result of the determinations by the Department and the Commission that revocation of the antidumping duty orders and termination of the agreement would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on silicon metal from Brazil and China and on silicomanganese from Brazil and China, and the continuation of the agreement on silicomanganese from Ukraine. The Department will instruct the Customs Service to continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of continuation of these orders, and this agreement, will be the date of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) and 751 (c)(6) of the Act, the Department intends to initiate the next five-year review of these orders, and this agreement, not later than January 2006.

This notice is published pursuant to section 703(c)(2) of the Act. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: February 12, 2001.

Bernard T. Carreau,

Deputy Assistant Secretary, AD/CVD Enforcement II.

[FR Doc. 01–4023 Filed 2–15–01; 8:45 am]

BILLING CODE 3510–DS–P

[2] *Silicon Metal From Brazil; Final Results of Expedited Sunset Review of Antidumping Duty Order,* 65 FR 35607 (June 5, 2000), *Silicon Metal From the People's Republic of China; Final Results of Expedited Sunset Review of Antidumping Duty Order,* 65 FR 35609 (June 5, 2000), *Silicomanganese From the People's Republic of China and Brazil; Final Results of Antidumping Duty Expedited Sunset Reviews,* 65 FR 35324 (June 2, 2000), and *Final Results of Full Sunset Review: Silicomanganese From Ukraine,* 65 FR 58045 (September 27, 2000).

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Illinois River Ecosystem Restoration Feasibility Report, Illinois

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of intent.

SUMMARY: A DEIS will be prepared to address the Illinois River Ecosystem Restoration Feasibility Report, a systemic evaluation of identify

problems and opportunities related to sedimentation and habitat degradation in the Illinois River Basin and to identify potential restoration projects and a prioritization framework.

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and DEIS can be answered by calling Mr. Ken Barr, 309/794–5256, or by writing to: Commander, U.S. Army Engineer District, Rock Island, ATTN: CEMVR–PM–A (Ken Barr), Clock Tower Building, P.O. Box 2004, Rock Island, Illinois 61204–2004.

SUPPLEMENTARY INFORMATION: The Illinois River Ecosystem Restoration Feasibility Report is being conducted under the Corps of Engineers General Investigations Program in partnership with the Illinois Department of Natural Resources. The study was authorized by Section 216 of the Flood Control Act of 1970. Supplemental authorization is provided by Section 519 of the Water Resources Development of 2000, which authorizes development of a comprehensive plan for the purposes of restoring, preserving, and protecting the Illinois River Basin. The Illinois Waterway System is being reviewed for changed physical and economic conditions that may warrant structural or operation modifications to improve the quality of the environment. The study area includes the entire Illinois River Watershed.

1. During the reconnaissance study, the primary problems identified were sedimentation and degradation of the environmental conditions of the Illinois Waterway System. This study will identify ecosystem restoration efforts which could address these problems.

2. Ecosystem restoration alternatives to address sedimentation and habitat degradation that have been identified to date include the following: stabilization of tributary watersheds, modification of Illinois River side channel and backwater habitats, water level management to reduce rapid fluctuations and naturalized flows, and restoration and protection of floodplan habitats. Combinations of these, along with the ''No Action'' alternative, are being evaluated to form an array of alternatives which will eventually result in a recommended plan.

3. The DEIS will address impacts associated with the general types of restoration alternatives proposed. Supplemental documentation will be prepared, as appropriate, to address site-specific impacts of restoration alternatives.

4. Previous scoping information developed as part of the Upper Mississippi River—Illinois Waterway Environmental Management Program (EMP), the EMP Habitat Needs Assessment, and the State of Illinois Integrated Management Plan for the Illinois River Watershed, Upper Mississippi and Illinois Waterway Cumulative Effects Study were considered for initial study scoping efforts. A coordinating body with representatives from Federal, State, and local government and non-governmental organizations will be established to promote dialogue and coordination. Study newsletters will be sent to a mailing list of approximately 2,000 individuals and organizations approximately 8 times during the 4-year study. A series of public meetings will be held three times during the feasibility study. Each of the three series of meetings will be held at six or more sites within the Illinois River Basin. The first series of meetings were held in November and December 2000 and February 2001. The second and third series of meetings will occur at the study mid-point and the study's conclusion, respectively. Interested Federal, State, and local agencies, Indian tribes, and other interested private organizations and citizens are invited to participate.

5. Significant issues to be analyzed in depth in the DEIS are as follows:

a. *Water/Tributary Restoration*—evaluate options to address tributary degradation and instability looking at stream and wetlands restoration, water retention, conservation easements, and riparian buffers;

b. *Side Channel and Backwater Restoration*—consider opportunities to restore aquatic habitats in these areas, including off-channel deep-water habitat, backwater lakes, side channels, islands, etc;

c. *Water Level Management*—evaluate options to reduce rapid fluctuations and naturalize flows; and,

d. *Floodplan Restoration and Protection*—floodplain use, potential restoration of floodplain function, and value and potential for acquisition of conservation easements.

6. Any subsequent environment review will be conducted according to the requirements of the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act, Clean Water Act, Farmland Protection Act, Fish and Wildlife Coordination Act, Executive Order 11988—Floodplain Management, Executive Order 11990—Protection of Wetlands, and other environmental regulations.

7. Scoping meetings were held on November 29, 2000, and December 4, 5, and 6, 2000. Additional scoping meetings are scheduled for February 20, 2001, in Grafton, Illinois; February 26, 2001, in Utica, Illinois; and February 27, 2001, in Macomb, Illinois. Notification of these meetings will be made available to local media.

8. The DEIS is anticipated to be provided to the public in fall 2003. The EIS will be supplemented, as appropriate.

Dated: January 26, 2001.

William J. Bayles,

Colonel, EN, Commanding.

[FR Doc. 01–3846 Filed 2–15–01; 8:45 am]

BILLING CODE 3710–HU–M

DEPARTMENT OF DEFENSE

Department of the Army, Corps of Engineers

Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the Proposed King Cove to Cold Bay Transportation Access Project Located in the Aleutians East Borough, Near the Terminus of the Alaska Peninsula, Alaska

AGENCY: U.S. Army Corps of Engineers, DoD.

ACTION: Notice of Intent.

SUMMARY: The Alaska District, U.S. Army Corps of Engineers (Corps), intends to prepare a Draft Environmental Impact Statement (DEIS) to address the potential impacts associated with the construction of the proposed King Cove to Cold Bay Transportation Access Project to be located between King Cove, Alaska and Cold Bay, Alaska. The Corps will be evaluating a permit application for the work under the authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The EIS will be used as a basis for the permit decision and to ensure compliance with the National Environmental Policy Act (NEPA).

FOR FURTHER INFORMATION CONTACT: Questions about the proposed action and the DEIS should be addressed to Ms. Kathleen Kuná, Regulatory Branch, phone (907) 753–2712, in Alaska 1–800–478–2712, Fax (907) 753–5567, U.S. Army Corps of Engineers, CO–R, Post Office Box 898, Anchorage, Alaska 99506–0898.

SUPPLEMENTARY INFORMATION:

1. The permit applicant is proposing to construct a year-round transportation system between the cities of King Cove and Cold Bay, Alaska. The route would include the construction of a 17.9 mile one lane gravel all-weather road and a marine hovercraft link to transport

people and supplies across Cold Bay. This action would involve the placement of fill material in both wetlands and waters of the US for the construction of the road and the hovercraft terminal and ramps. Funds for the proposed project were allocated by Congress in the Fiscal Year 1999 Omnibus Appropriations Act.

2. The proposed road and hovercraft terminal is located on lands owned by the King Cove Village Corporation. A section of the road and the terminal are sited within the boundaries of the Izembek National Wildlife Refuge on Section 22(g) Native owned lands.

3. Additional alternatives to the applicant's proposal include the following: alternate hovercraft terminal sites; two ferryboat alternatives with various harbor locations within Cold Bay; a ferry or smaller heavy weather capable boat out of Lenard Harbor or King Cove; upgrading the existing King Cove airport; development of a new jet or general aviation airport and the use of a helicopter service. In addition, there are three variations of an overland route: the Native Lands road which would be located on King Cove Corporation lands and would use an elevated road and bridges to cross the mouth of Kinzarof Lagoon; a road and railroad combination using the Native Lands route; and the Isthmus road which would follow the same route as the Native Lands road until it reached the head of the bay, then would go behind Kinzarof Lagoon through the Izembek National Wildlife Refuge and Wilderness to connect with existing roads and trails. All overland alternatives must cross AK Peninsula Refuge lands at the northwest corner of Cold Bay. This list of alternatives is preliminary and contains suggestions from many individuals and organizations. Some may be dropped and others added through the scoping process. Certain alternative proposals conflict with existing laws. The selected alternatives will be further analyzed as part of the EIS process.

4. Scoping: a. The Corps invites full public participation to promote open communication on the issues surrounding the proposal. All Federal, State, local agencies, and other persons or organizations that have an interest are urged to participate in the NEPA scoping process. Public meetings will be held to receive public input on the purpose and need of the project, to identify significant issues and to discuss proposed alternatives. The scoping process will help to further explain the purpose and need plus the alternatives to be reviewed in the DEIS.

b. The DEIS will analyze the potential social, economic, and environmental impacts to the local area and the Izembek National Wildlife Refuge resulting from the proposed project. The following major issues will be analyzed in depth in the DEIS: transportation systems; essential fish habitat and other marine mammal habitat; threatened and endangered species including their critical habitat; migratory birds including the threatened Steller's eider, Emperor goose and Pacific brant; resident and migratory mammals; impacts to the wilderness area; cultural resources; alternatives; secondary and cumulative impacts; and socioeconomics.

c. The Corps will serve as the lead Federal agency in the preparation of the DEIS. The U.S. Fish and Wildlife Service (FWS) is participating as a cooperating agency.

d. Some of these alternatives may require additional federal approvals such as a compatibility determination from the FWS.

5. The scoping meetings are tentatively planned for the following dates and locations. Specific dates will be further announced by local media. Further information about these public meetings will be published locally and can be obtained by contacting the Corps office.

Anchorage, Alaska—April 2, 2001
Sand Point, Alaska—April 3, 2001
Cold Bay, Alaska—April 4, 2001
King Cove, Alaska—April 5, 2001

6. It is anticipated that the DEIS will be made available for public review in fall 2001.

Larry L. Reeder,

Branch Chief, Regulatory Branch.

[FR Doc. 01–3847 Filed 2–15–01; 8:45 am]

BILLING CODE 3710–NL–P

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Meeting; Sunshine Act

Pursuant to the provision of the ''Government in the Sunshine Act'' (5 U.S.C. § 552b), notice is hereby given of the Defense Nuclear Facilities Safety Board's (Board) meeting described below.

TIME AND DATE OF MEETING: 9 a.m., February 22, 2001.

PLACE: The Defense Nuclear Facilities Safety Board, Public Hearing Room, 625 Indiana Avenue, NW., Suite 300, Washington, DC 20004.

STATUS: Open.

MATTERS TO BE CONSIDERED: The Defense Nuclear Facilities Safety Board (''Board'') will reconvene and continue the fourteenth quarterly open meeting conducted on February 13, 2001, regarding the status of progress of the activities associated with the Department of Energy's Implementation Plans for the Board's Recommendation 95–2, Integrated Safety Management (''ISM''), Recommendation 98–1, Integrated Safety Management (Response to Issues Identified by the Office of Internal Oversight), and Recommendation 2000–2, Configuration Management, Vital Safety Systems. Topics will include the roles of line management in executing these Implementation Plans and the budgetary resources required to satisfy the Department's commitments.

CONTACT PERSON FOR MORE INFORMATION: Richard A. Azzaro, General Counsel, Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, NW., Suite 700, Washington, DC 20004, (800) 788–4016. This is a toll-free number.

SUPPLEMENTARY INFORMATION: The Defense Nuclear Facilities Safety Board reserves its right to further schedule and otherwise regulate the course of this meeting, to recess, reconvene, postpone or adjourn the meeting, and otherwise exercise its authority under the Atomic Energy Act of 1954, as amended.

Dated: February 13, 2001.

John T. Conway,

Chairman.

[FR Doc. 01–4074 Filed 2–13–01; 4:41 pm]

BILLING CODE 3670–01–P

DEPARTMENT OF ENERGY

Office of Science; Office of Science Financial Assistance Program Notice 01–23; Atmospheric Radiation Measurement Program

AGENCY: U.S. Department of Energy (DOE).

ACTION: Notice inviting grant applications.

SUMMARY: The Office of Biological and Environmental Research (OBER) of the Office of Science (SC), U.S. Department of Energy (DOE), hereby announces its interest in receiving applications for experimental and theoretical studies of radiation and clouds in conjunction with the Atmospheric Radiation Measurement (ARM) Program as part of the U.S. Global Change Research Program (USGCRP). This notice requests new applications and renewal applications of grants currently funded by DOE under previous ARM Program notices that are relevant to the terms of reference for this announcement and

responsive to the particular needs defined below.

DATES: Applicants are encouraged (but not required) to submit a brief preapplication for programmatic review. The deadline for submission of preapplications is April 16, 2001. Early submission of preapplications is encouraged to allow time for meaningful responses.

Formal applications submitted in response to this notice must be received by 4:30 p.m., E.D.T., May 15, 2001, to be accepted for merit review and to permit timely consideration for award in Fiscal Year 2002.

ADDRESSES: Preapplications referencing Program Notice 01–23 may be sent to the program contact, Dr. Wanda Ferrell, via electronic mail at: *wanda.ferrell@science.doe.gov* or by U.S. Postal Service Mail at: Office of Biological and Environmental Research, Dr. Wanda Ferrell, Environmental Sciences Division, SC–74, U.S. Department of Energy, 19901 Germantown Road, Germantown, MD 20874–1290. Electronic mail is recommended to speed up response to preapplications.

Formal applications referencing Program Notice 01–23 should be forwarded to: U.S. Department of Energy, Office of Science, Grants and Contract Division, SC–64, 19901 Germantown Road, Germantown, MD 20874–1290, ATTN: Program Notice 01–23. This address also 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. An original and seven copies of the application must be submitted; however, applicants are requested not to submit multiple application copies using more than one delivery or mail service.

FOR FURTHER INFORMATION CONTACT: Dr. Wanda Ferrell, Office of Biological and Environmental Research, Environmental Sciences Division, SC–74, U.S. Department of Energy, 19901 Germantown Road, Germantown, MD 20874–1290, telephone (301) 903–0043, fax (301) 903–8519, Internet e-mail address: *wanda.ferrell@science.doe.gov*. The full text of Program Notice 01–23 is available via the World Wide Web using the following web site address: *http://www.sc.doe/production/grants/grants.html.*

SUPPLEMENTARY INFORMATION:

Background

Atmospheric Radiation Measurement (ARM) Program. One of the major scientific objectives of the Environmental Sciences Division (ESD) is to improve the performance of predictive models of the Earth's climate and to thereby make predictions of the response of the climate system to increasing concentrations of greenhouse gases. The purpose of the ARM Program is to improve the treatment of radiation and clouds in the models used to predict future climate, particularly the General Circulation Models (GCMs). This program is one element of a major effort to improve the quality of current models and to support the development of sets of climate models capable of making regional prediction of climate and climate change. The major component of the ARM Program is an experimental testbed to gather data for the study of models of the terrestrial radiation field, properties of clouds, the full life cycle of clouds, and the incorporation of these process-level models into climate models. This facility is referred to as the Cloud and Radiation Testbed (CART). The first ARM CART site, Southern Great Plains (SGP), began operation in calendar year 1992, with instruments spread over an area of approximately 60,000 sq. km., centered on Lamont, Oklahoma. The Tropical Western Pacific (TWP) site consists of island-based suites of instrumentation focused on cloud and radiative properties in the tropical ocean environment. The first and second of the TWP Atmospheric Radiation and Clouds Stations (ARCS) are operating on the islands of Manus, Papua, New Guinea and the Republic of Nauru respectively. Similar instrumentation is gathering data in the vicinity of Point Barrow, on the North Slope of Alaska (NSA) and an inland site near Atqasak. Program information is available on the DOE/OBER WWW site using the URL: *http://www.sc.doe.gov/production/OBER/GC/arm.html*.

To ensure that the program meets the broadest needs of the research community and the specific needs of the DOE ESD, successful applicants are expected to participate as ARM Science Team members in the appropriate working group(s) relevant to their efforts. Costs for participation in ARM Science Team meetings and subcommittee meetings should be based on two trips of 1 week each to Washington, DC, and two trips of 3 days each to Chicago, IL.

Request for Grant Applications

This notice requests applications for grants, both new and renewals that address the broad ARM goal of improving cloud and radiation parameterizations in climate models.

Successful applicants for renewal of previously awarded grants, shall demonstrate: (a) continued relevance of their work to the goals of the ARM Program; (b) the contribution of work conducted under previous support to the goals of the ARM Program, including a listing of publications and presentations; and (c) relevant contribution to the development of the ARM Program, particularly the design and development of CART facilities, as a result of previous funding. Renewal applications should include a special section covering items (b) and (c) entitled ''Accomplishments Under Previous Support.''

Successful applicants for new grants will demonstrate the role of their research in the improvement of GCMs and/or related models and delineate the path that their results will take to make those improvements. Applications are requested in one or more of the following four areas: (a) the development of models and parameterization of radiative transfer or cloud processes, including aerosol effects, or the testing of these models in GCMs or process-level models; (b) experimental studies at CART facilities to test elements of models and their performance; (c) experimental studies to obtain key laboratory data; or (d) the analysis of existing data, including field data and satellite data, to support model development or testing.

The efforts proposed must have as a focus the conduct of research using the CART facilities either in operation or being developed for ARM. Successful applicants will participate in the continuing development of the detailed experimental approaches for CART and guide the evolving development and acquisition of the experimental equipment.

Specific areas of interest to the ARM Program include, but are not limited to:

- Determination of the concentration and advection of cloud water and ice on the regional scale;
- Statistics of cloud fields and their interaction with atmospheric radiation;
- Realistic retrievals of the 3D structure of clouds on scales of 10 to 100 km;
- Retrieval of ice water path and ice cloud microphysics using remote sensing measurements from the ground or ground and satellite;
- Calculation of heating rate profiles in realistic cloud fields;
- Climatological properties of aerosols over the SGP site using ARM data;
- Combining ground-based and satellite remote sensing data to provide improved characterization of the

atmospheric column above and surrounding the CART sites, particularly at the remote sites in the TWP and NSA;

- Comparative studies using data from multiple CART sites;
- Use of ARM data to test quantitatively cloud and radiation parameterizations used in both GCMs and numerical weather prediction (NWP) models;
- Development of new cloud and radiation parameterizations.

Additional information about ARM program needs and directions may be found in the Vision 2000 Reports from the Aerosol, Cloud Properties, Cloud Parameterization and Modeling, and Instantaneous Radiative Flux Working Groups. These reports are available on the ARM web site at: *www.arm.gov*. Investigators are encouraged to consult these reports. Not all the recommendations in these reports, however, are addressable by this current grant process.

Program Funding

It is anticipated that approximately $3,000,000 will be available for awards in Fiscal Year 2002, contingent upon the availability of appropriated funds. Multiple year funding of awards is expected, with out-year funding also contingent upon the availability of appropriated funds, progress of the research, and programmatic needs. The allocation of funds within the research areas will depend upon the number and quality of applications received.

Collaboration

Applicants are strongly encouraged to collaborate with researchers in other institutions, such as: universities, industry, non-profit organizations, federal laboratories and Federally Funded Research and Development Centers (FFRDCs), including the DOE National Laboratories, where appropriate, and to include cost sharing wherever feasible. Additional information on collaboration is available in the Application Guide for the Office of Science Financial Assistance Program that is available via the World Wide Web at: *http://www.sc.doe.gov/production/grants/Colab.html*.

Preapplications

Potential applicants are strongly encouraged to submit a brief preapplication 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 ARM Program. Principal Investigator (PI) address, telephone number, fax number and e-mail address are required parts of the preapplication. A response to each preapplication discussing the potential program relevance of a formal application generally will be communicated within 15 days of receipt. Use of e-mail for this communication will decrease the possibility of delay in responses to the preapplication. The deadline for the submission of preapplications is April 16, 2001. But applicants should allow sufficient time so that the formal application deadline is met. SC's preapplication policy can be found on SC's Grants and Contracts Web Site at: *http://www.sc.doe.gov/production/grants/preapp.html*.

Merit Review

Applications will be subjected to formal merit review (peer review) and will be evaluated against the following evaluation criteria which are listed in descending order of importance codified at 10 CFR 605.10(d):

1. Scientific and/or Technical Merit of the Project;

2. Appropriateness of the Proposed Method or Approach;

3. Competency of Applicant's personnel and Adequacy of Proposed Resources;

4. Reasonableness and Appropriateness of the Proposed Budget.

The evaluation process will include program policy factors such as the relevance of the proposed research to the terms of the announcement and the agency's programmatic needs. Note, external peer reviewers are selected with regard to both their scientific expertise and the absence of conflict-of-interest issues. Non-federal reviewers will often be used, and submission of an application constitutes agreement that this is acceptable to the investigator(s) and the submitting institution.

Submission Information

Information about development and submission of applications, eligibility, limitations, evaluation, selection process, and other policies and procedures may be found in 10 CFR Part 605 and in the Application Guide for the Office of Science Financial Assistance Program. Electronic access to the Guide and required forms is made available via the World Wide Web at: *http://www.sc.doe.gov/production/grants/grants.html*. DOE is under no obligation to pay for any costs associated with the preparation or submission of applications if an award is not made.

The technical portion of the application should not exceed twenty-five (25) double-spaced pages and should include detailed budgets for each year of support requested. Awards are expected to begin on or about November 1, 2001. On the grant face page, form DOE F 4650.2, in block 15, also provide the PI's phone number, fax number and e-mail address. Attachments include curriculum vitae, a listing of all current and pending federal support, and letters of intent when collaborations are part of the proposed research. Curriculum vitae should be submitted in a form similar to that of NIH or NSF (two to three pages), see for example: *http://www.nsf.gov/bfa/cpo/gpg/fkit.htm#forms-9*.

In addition to the original and seven copies of the application that must be submitted, the applicants are asked to submit an electronic copy of the abstract in ASCII format to: wanda.ferrell@science.doe.gov. The abstract should include the following information: PI and co-PIs, their institutions, and a brief summary of research.

For researchers who do not have access to the World Wide Web, please contact Karen Carlson, Environmental Sciences Division, SC–74, U.S. Department of Energy, 19901 Germantown Road, Germantown, MD 20874–1290, phone: (301) 903–3338, fax: (301) 903–8519, e-mail: *karen.carlson@science.doe.gov*; for hard copies of background material mentioned in this solicitation.

Technical information on ARM is available on the WWW at the URL: *http://www.arm.gov* and the ARM Program Office at the Pacific Northwest National Laboratory, P.O. Box 999, Richland, Washington 99352, telephone (509) 375–6964.

The Catalog of Federal Domestic Assistance Number for this program is 81.049, and the solicitation control number is ERFAP 10 CFR part 605.

Issued in Washington, DC February 9, 2001.

John Rodney Clark,

Associate Director of Science for Resource Management.

[FR Doc. 01–4004 Filed 2–15–01; 8:45 am]

BILLING CODE 6450–01–U

DEPARTMENT OF ENERGY

Office of Fossil Energy

[FE Docket No. 01–01–NG, 01–02–NG]

Transco Energy Marketing Co.; Selkirk Cogen Partnership, L.P.; Orders Granting Authority To Import and Export Natural Gas

AGENCY: Office of Fossil Energy, DOE.

ACTION: Notice of orders.

SUMMARY: The Office of Fossil Energy (FE) of the Department of Energy gives notice that during January 2001, it issued Orders granting authority to import and export natural gas. These Orders are summarized in the attached appendix and may be found on the FE website at http://www.fe.doe.gov, or on the electronic bulletin board at (202) 586–7853. They are also available for inspection and copying in the Office of Natural Gas & Petroleum Import & Export Activities, Docket Room 3E–033, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC on February 12, 2001.

Clifford P. Tomaszewski,

Manager, Natural Gas Regulation, Office of Natural Gas & Petroleum Import & Export Activities, Office of Fossil Energy.

APPENDIX—ORDERS GRANTING IMPORT/EXPORT AUTHORIZATIONS

[DOE/FE Authority]

Order No.	Date Issued	Importer/Exporter FE Docket No.	Import Volume	Export Volume	Comments
1665	1/22/01	Transco Energy Marketing Company 01–01–NG.	730 Bcf	.....	Import from Canada beginning on February 7, 2001, and extending through February 6, 2003
1664	1/26/01	Selkirk Cogen Partners, L.P. 01–02–NG.	57 Bcf		Import and export a combined total from and to Canada, beginning on January 29, 2001, and extending through January 28, 2003

[FR Doc. 01–4005 Filed 2–15–01; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[DE–PS36–01GO90000]

Innovative Technologies for Conversion of Biomass to Fuels and Chemicals

AGENCY: Golden Field Office, Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Notice of request for applications for research and development projects in support of the DOE Biomass Program.

SUMMARY: The Office of Fuels Development is funding a competitive financial assistance program in support of the DOE Biomass Program. Proposals are requested under the Supplemental Announcement Number 04, Innovative Technologies for Conversion of Biomass to Fuels and Chemicals, to the Broad Based Solicitation DE–PS36–01GO90000 that is anticipated to result in the award of several cooperative agreements in Fiscal Year 2001.

DATES: Applications should be submitted as described in the Supplemental Announcement by March 27, 2001.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Golden Field Office, 1617 Cole Boulevard, Golden, CO 80401–3393. The Project Engineer is Andrew Trenka, FAX (303) 275–4753 or e-mail at andy_trenka@nrel.gov. The Contract Specialist is Andrea Lucero, FAX (303) 275–4788 or e-mail at andrea_lucero@nrel.gov. The Supplemental Announcement can be obtained from the Golden Field Office website at *www.golden.doe.gov/businessopportunities.html* under ''Solicitations.''

SUPPLEMENTARY INFORMATION:

Background Information: The Office of Fuels Development of the Department of Energy Office of Energy Efficiency and Renewable Energy (EERE) is supporting the issuance of this Supplemental Announcement to the EERE Broad Based Solicitation for Submission of Financial Assistance Applications Involving Research, Development and Demonstration, DE–PS36–01GO90000. The Broad Based Solicitation contains information that must be used in conjunction with this Supplemental Announcement when applying for an award. Thus, in order to prepare a complete application, it is mandatory to comply with requirements of the overall Broad Based Solicitation document, DE–PS36–01GO90000, found on the DOE Golden Field Office Home Page at *http://www.golden.doe.gov/businessopportunities.html* under ''Solicitations'', as well as with the requirements of this Supplemental Announcement 04 document.

Under this Supplemental Announcement, DOE is soliciting applications to support innovative technologies that will increase the efficiency and/or lower the cost of producing and converting biomass to transportation fuels and chemicals. The three specific areas of interest for this solicitation include the following: pretreatment fundamentals; biomass sugars technologies; and microbial strain development.

Award under this Supplemental Announcement will be Cooperative Agreements with a term of up to 12 months. University-led efforts with participation of industry and other non-federal research organizations are strongly encouraged. A minimum cost share of 20% of the total project cost is required under the Supplemental Announcement. Awards, if any, will result from a merit review process applied to the applications.

The Supplemental Announcement can be obtained from the Golden Field Office website at *www.golden.doe.gov/businessopportunities.html* under ''Solicitations.''

Issued in Golden, Colorado on January 25, 2001.

Jerry L. Zimmer,

Director, Office of Acquisition and Financial Assistance.

[FR Doc. 01–4002 Filed 2–15–01; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

[DE–PS36–01GO90000]

Financial Assistance Applications Involving Research, Development, and Demonstration; Hydrogen Technical Analysis

AGENCY: Golden Field Office, Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Notice of request for financial assistance solicitation.

SUMMARY: The Hydrogen Program of the DOE Office of Energy Efficiency and Renewable Energy (EERE) is issuing a Supplemental Announcement (06) to the EERE Fiscal Year 2001 Broad Based Solicitation for Submission of Financial Assistance Applications Involving Research, Development and Demonstration, DE–PS36–01GO90000, dated November 27, 2000. Under this Supplemental Announcement 06, titled ''Hydrogen Technical Analysis,'' DOE is seeking applications for technical analysis in two specific areas that can advance hydrogen production, storage, and utilization technologies. Analysis is requested in the areas of: (1) Gasification of certain materials followed by hydrogen production, and (2) hydrogen infrastructure development that may be enabled by the installation of fuel cells in federal buildings and in vehicles.

DATES: DOE expects to issue the Supplemental Announcement on February 07, 2001. The closing date of the Supplemental Announcement is March 21, 2001.

ADDRESSES: The Supplemental Announcement will be posted on the DOE Golden Field Office Home Page at *http://www.golden.doe.gov/businessopportunities.html* under ''Solicitations''.

FOR FURTHER INFORMATION CONTACT: Beth H. Dwyer, Contracting Officer, at Facsimile 303–275–4788 or e-mail Beth_Dwyer@nrel.gov.

SUPPLEMENTARY INFORMATION: DOE will undertake this effort under provisions of the Hydrogen Future Act of 1996, Public Law 104–271.

DOE anticipates selecting up to three Applications for negotiation toward an award under this Supplemental Announcement. Each award will be a Cooperative Agreement with a term of one or two calendar years (crossing up to three fiscal years), depending on the area of analysis, as described in the Supplemental Announcement. A minimum cost share of 20% of the total project cost is required for an Application to be considered for award under this Supplemental Announcement. Subject to availability, the total DOE cost share contribution for all awards is anticipated to be up to $200,000 in Fiscal Year 2001, $400,000 in 2002, and $200,000 in 2003. For each individual award, the maximum DOE cost share contribution is anticipated to be no more than $150,000 per calendar year, or a total of $300,000.

All information regarding the Supplemental Announcement will be posted on the DOE Golden Field Office Home page at the address identified in the **ADDRESSES** section of this notice.

Issued in Golden, Colorado on January 31, 2001.

Matthew A. Barron,

Contracting Officer, Golden Field Office.

[FR Doc. 01–4003 Filed 2–15–01; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Office of Energy Efficiency and Renewable Energy

Superconductivity Program for Electric Power Systems

AGENCY: Golden Field Office, Office of Energy Efficiency and Renewable Energy, Department of Energy (DOE).

ACTION: Supplemental Announcement 05 to the Fiscal Year 2001 Broad Based Solicitation for Submission of Financial Assistance Applications Involving Research, Development and Demonstration for the Office of Energy Efficiency and Renewable Energy, DE–PS36–01GO90000.

SUMMARY: The U.S. Department of Energy, pursuant to the DOE Financial Assistance Rules, 10 CFR 600.8, is announcing its intention to solicit applications for the DOE Superconductivity Partnership Initiative (SPI) Program. The selected applicants will receive financial assistance under a cooperative agreement with DOE.

DATES: Supplemental Announcement 05 will be issued February 9, 2001.

ADDRESSES: To obtain a copy of Supplemental Announcement 05 once it is issued, interested parties must access the Golden Field Office Application, Award and Solicitation page at *http://www.golden.doe.gov/businessopportunities.html,* click on ''solicitations'' and then locate Supplemental Announcement 05. DOE does not intend to issue written copies of the Supplemental Announcement.

SUPPLEMENTARY INFORMATION: DOE Office of Energy Efficiency and Renewable Energy, (EERE) is pursuing, through the issuance of this Supplemental Announcement, the development of a wide range of electric power and industrial equipment, incorporating significant high temperature superconductive (HTS) components or sub-systems through its Superconductivity Program. A minimum cost share of 50% of the total project cost is required for an Application to be considered for award under this Supplemental Announcement. DOE intends that its industry partners will be vertically integrated teams composed of equipment manufacturers, HTS wire and coil suppliers, component suppliers, and end users (primarily utilities). Applicant teams may avail themselves of the technical expertise and capabilities of the DOE National Laboratories via a Cooperative Research and Development Agreement. A laboratory could contribute specialized capabilities, facilities, or equipment to the project that would complement the partnership's needs. These teams would carry out the multi-year technology developmental efforts, consisting of design, construction, installation and testing phases. DOE anticipates that awards will be made to teams for projects ranging in size from hundreds of thousands of dollars to several million dollars per year and for project periods of up to four years. Subject to the availability of funds, it is anticipated that the DOE funding share for these efforts will be no more than $5.5 million in the first year, and no more than $9 million for each of the following 3 years. Awards under this Supplemental Announcement will be cost-shared cooperative agreements between DOE and the prime of the industry-led team. Supplemental Announcement 05 will include complete information on the program including technical aspects, funding, application preparation instructions, application evaluation criteria, and other factors that will be considered when selecting applications for funding. No pre-application conference is planned.

FOR FURTHER INFORMATION CONTACT: James McDermott, Contract Specialist, at 303–275–4732, e-mail jim_mcdermott@nrel.gov. Responses to questions will be made by amendment to the Supplemental Announcement and will be posted on the DOE Golden Field Office Home Page listed above.

Issued in Golden, Colorado on February 5, 2001.

Jerry Zimmer,

Director, Office of Acquisition and Financial Assistance.

[FR Doc. 01–4001 Filed 2–15–01; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. IC00–547–001, FERC–547]

Information Collection Submitted for Review and Request for Comments

February 12, 2001.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Notice of submission for review of the Office of Management and Budget (OMB) and request for comments.

SUMMARY: The Federal Energy Regulatory Commission (Commission) has submitted the energy information collection listed in this notice to the Office of Management and Budget (OMB) for review under the provisions of Section 3507 of the Paperwork Reduction Act of 1995 (Pub. L. 104–13). Any interested person may file comments on the collection of information directly with OMB and should address a copy of those comments to the Commission as explained below. The Commission did not receive comments in response to an earlier **Federal Register** notice of September 5, 2001 (65 FR 53708–09) and has made a notation in this submission.

DATES: Comments regarding this collection are best assured of having their full effect if received on or before March 19, 2001.

ADDRESSES: Address comments to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Federal Energy Regulatory Commission Desk Officer, 725 17th Street, NW., Washington DC 20503. A copy of the comments should also be sent to Federal Energy Regulatory Commission, Office of the Chief Information Officer, Attention: Mr. Michael Miller, CI–1, 888 First Street NE., Washington, DC 20426. Mr. Miller may be reached by telephone at (202) 208–1415, by fax at (202) 208–2425, and by e-mail at *mike.miller@ferc.fed.us.*

SUPPLEMENTARY INFORMATION:

Description

The energy information collection submitted to OMB for review contains:

1. *Collection of Information:* FERC–547 ''Gas Pipeline Rates: Refund Report Requirements.''

2. *Sponsor:* Federal Energy Regulatory Commission.

3. *Control No.:* 1902–0084. The Commission is requesting reinstatement, without change, of the previously approved data collection for which approval expired July 31, 2000, and a three-year approval of the collection of data. This is a mandatory information collection requirement.

4. *Necessity of Collection of Information:* Submission of the information is necessary to enable the Commission to carry out its responsibilities in implementing provisions of Section 4, 5, and 16 of the Natural Gas Act (NGA). Refund Reports are required to carry out the refund obligation policy in Section 4(e) of the NGA. Refunds are created due to the difference between pipeline rates collected and subject to refund and firm rates set by the Commission. The refunds are flowed through by the following means: (a) Pursuant to settlement agreements, and (b) legal requirements. The Commission uses the data to insure the pass-through to gas consumers of refunds that are required to correct rates charged by pipelines. The data provided by the respondents are used to monitor the progress that is being made to make those refunds and to assure that refunds are being made in compliance with the Commission's regulatory functions. The Commission is committed to insuring that refunds owed by pipelines, to their customers are made as expeditiously as possible, in order to hasten their ultimate pass-through to residential customers and other end-users. The data required to be filed for the refund report is specified by 18 Code of Federal Regulations (CFR) 154.501.

(5) *Respondent Description:* The respondent universe currently comprises approximately 75 natural gas pipeline companies.

6. *Estimated Burden:* 5,625 total burden hours, 75 respondents, 75 responses annually, 1 hour per response.

Authority: Sections 4, 5 and 16 of the NGA (15 U.S.C. 717–717w).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3911 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ER01–791–000]

Allegheny Energy Supply Conemaugh, LLC; Notice of Issuance of Order

February 12, 2001.

Allegheny Energy Supply Conemaugh, LLC (Allegheny Conemaugh) submitted for filing a rate schedule under which Allegheny Conemaugh will engage in wholesale electric power and energy transactions at market-based rates. Allegheny Conemaugh also requested waiver of various Commission regulations. In particular, Allegheny Conemaugh requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by Allegheny Conemaugh.

On February 1, 2001, pursuant to delegated authority, the Director, Division of Corporate Applications, Office of Markets, Tariffs and Rates, granted requests for blanket approval under Part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuances of securities or assumptions of liability by Allegheny Conemaugh should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First 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).

Absent a request for hearing within this period, Allegheny Conemaugh is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Allegheny Conemaugh's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is March 5, 2001.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Internet at *http://www.ferc.fed.us/online/rims.htm* (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3914 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. CP01–79–000]

ANR Pipeline Company; Notice of Application

February 12, 2001.

Take notice that on February 1, 2001, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit Michigan 48243, filed in Docket No. CP01–79–000, an application, pursuant to section 7(c) of the Natural Gas Act and Part 157 of the Federal Energy Regulatory Commission's Regulations for a certificate of public convenience and necessity authorizing ANR to construct and operate certain pipeline facilities in Wisconsin, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be viewed on the web at *http://www.ferc.fed.us/online/rims.htm.* (Call 202–208–2222 for assistance.)

ANR proposes to construct and operate approximately 222 miles of 20-inch diameter pipeline to serve a proposed gas-fired power plant to be constructed by Badger Generating Company, LLC, in Kenosha County, Wisconsin. The proposed facilities consist of 12.8 miles of pipeline looping ANR's Racine Lateral which extends from ANR's mainline in Racine County, Wisconsin, to Kenosha, Wisconsin, and an additional 9.5 miles of pipeline connecting to the power plant. ANR states that the pipeline will enable ANR to provide gas transportation service to the plant and will have a capacity of up to 210 Mmcf of natural gas per day. ANR explains that the proposed facilities are needed to provide a fuel source to a power generation plant that will meet the growing electric generation requirements of the Midwest. ANR estimates the cost of the proposed facilities at approximately $19.5 million. ANR requests that the FERC issue a certificate by October 2001, so that the plant may become operational by the summer of 2003.

Any questions regarding this application should be directed to Richard W. Porter, Assistant Vice President, Rates and Regulatory Affairs, at (313) 496–2473, ANR Pipeline Company, 500 Renaissance Center, Detroit, Michigan 48243.

Any person desiring to be heard or to make any protest with reference to said application should on or before March 5, 2001, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene or protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) 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 any proceeding must file a motion to intervene in accordance with the Commission's rules. Beginning November 1, 2000, comments and protests may be filed electronically via the internet in lieu of paper. See 18 CFR 385.2001(a)(1)(iii) and the Commission's website at http://www.ferc.fed.us/efi/doorbell.htm.

A person obtaining intervenor status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents issued by the Commission, filed by the applicant, or filed by all other intervenors. An intervenor can file for rehearing of any Commission order and can petition for court review of any such order. However, an intervenor must serve copies of comments or any other filing it makes with the Commission to every other intervenor in the proceeding, as well as filing an original and 14 copies with the Commission.

A person does not have to intervene, however in order to have comments considered, a person, instead, may submit two copies of such comments to the Secretary of the Commission. Commenters will be placed on the Commission's environmental mailing list, will receive copies of environmental documents, and will be able to participate in meetings associated with the Commission's environmental review process. Commenters will not be required to serve copies of filed documents on all other parties. However, Commenters will not receive copies of all documents filed by other parties or issued by the commission, and will not have the right to seek rehearing or appeal the Commission's final order to a Federal court.

The Commission will consider all comments and concerns equally, whether filed by Commenters or those requesting intervenor status. Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the 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 authority is required by the public 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 ANR to appear or be represented at the hearing.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3907 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. EL01–36–000]

Coral Power, L.L.C., Enron Power Marketing, Inc., Arizona Public Service Company, Cargill-Alliant, LLC, San Diego Gas & Electric Company, Avista Energy, Inc., Sempra Energy Trading Corp., PacifiCorp, Constellation Power Source, Complainants, v. California Power Exchange Corporation, Respondent; Notice of Complaint

February 12, 2001.

Take notice that on February 8, 2001, Coral Power, L.L.C., Enron Power Marketing, Inc., Arizona Public Service Company, Cargill-Alliant, LLC, San Diego Gas & Electric Company, Avista Energy, Inc., L.L.C., Sempra Energy Trading Corp. PacifiCorp, and Constellation Power Source (Complainants) filed a complaint and request for expedited relief under Section 206 of the Federal Power Act, 16 U.S.C. 824e (1994), and Section 206 of the Commission's Rules of Practice and Procedure, 18 CFR 385.206, seeking a determination that attempts being

made by the California Power Exchange Corporation (CalPX) to chargeback to sellers into the CalPX market pursuant to Section 5.3 of Schedule 2 of the CalPX Tariff for defaults of Southern California Edison Company (SCE) and other defaulting parties are unauthorized by the CalPX Tariff and are unjust and unreasonable under current circumstances in California.

Any person desiring to be heard or to protest this filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First 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 motions or protests must be filed on or before February 28, 2001. 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. This filing may also be viewed on the Internet at *http://www.ferc.fed.us/online/rims.htm* (call 202–208–2222) for assistance. Answers to the complaint shall also be due on or before February 28, 2001.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3912 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–U

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP01–227–000]

Natural Gas Pipeline Company of America; Notice of Proposed Changes in FERC Gas Tariff

February 12, 2001.

Take notice that on February 8, 2001, Natural Gas Pipeline Company of America (Natural) tendered for filing to be part of its FERC Gas Tariff, Sixth Revised Volume No. 1, certain tariff sheets listed on Appendix A to the filing, to be effective March 12, 2001.

Natural states that the purpose of this filing is to revise Rate Schedule FRSS, so that customers can elect a ''storage-only'' option in lieu of a delivered storage service. Customers can then use separately contracted transportation (including released capacity) for deliveries of gas withdrawn from storage. Deliveries to the city-gate or to an end-use facility may still be made on a firm no-notice basis, provided the Shipper meets the requirements in the new Section 7.5(b) Rate Schedule FRSS.

Natural states that copies of the filing have been mailed to its customers and interested state regulatory agencies.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, in accordance with Sections 385.214 or 385.211 of the Commission's Rules and Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. 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. This filing may be viewed on the web at *http://www.ferc.fed.us/online/rims.htm* (call 202–208–2222 for assistance). Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at *http://www.ferc.fed.us/efi/doorbell.htm.*

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3910 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. ES01–16–000]

Ogden Energy Group, Inc.; Notice of Issuance or Order

February 12, 2001.

On January 8, 2001, Ogden Energy Group, Inc. (Ogden) submitted for filing an application pursuant to section 204 of the Federal Power Act. In its application, Ogden also requested waiver of various Commission regulations. In particular, Ogden requested that the Commission grant blanket approval under 18 CFR part 34 of all future issuances of securities and assumptions of liability by Ogden.

On February 2, 2001, pursuant to delegated authority, the Director, Division of Corporate Application, Office of Markets, Tariffs and Rates, granted requests for blanket approval under part 34, subject to the following:

Within thirty days of the date of the order, any person desiring to be heard or to protest the blanket approval of issuance of securities or assumptions of liability by Ogden should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First 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).

Absent a request for hearing within this period, Ogden is authorized to issue securities and assume obligations or liabilities as a guarantor, indorser, surety, or otherwise in respect of any security of another person; provided that such issuance or assumption is for some lawful object within the corporate purposes of the applicant, and compatible with the public interest, and is reasonably necessary or appropriate for such purposes.

The Commission reserves the right to require a further showing that neither public nor private interests will be adversely affected by continued approval of Ogden's issuances of securities or assumptions of liability.

Notice is hereby given that the deadline for filing motions to intervene or protests, as set forth above, is March 5, 2001.

Copies of the full text of the Order are available from the Commission's Public Reference Branch, 888 First Street, NE., Washington, DC 20426. The Order may also be viewed on the Internet at *http://www.ferc.fed.us/online/rims.htm* (call 202–208–2222 for assistance).

Linwood A. Watson, Jr,

Acting Secretary.

[FR Doc. 01–3913 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket No. RP01–226–000]

Transcontinental Gas Pipe Line Corporation; Notice of Tariff Filing

February 12, 2001.

Take notice that on February 7, 2001 Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing as part of its FERC Gas Tariff, Third Revised Volume No. 1, Twenty-First Revised Sheet No. 28, effective February 1, 2001.

Transco states that the purpose of the instant filing is track rate changes attributable to storage service purchased from Texas Eastern Transmission Corporation under its Rate Schedule X–28 the costs of which are included in

the rates and charges payable under Transco's Rate Schedule S–2. The filing is being made pursuant to tracking provisions under Section 26 of the General Terms and Conditions of Transco's Third Revised Volume No. 1 Tariff. Transco states that included in Appendix B attached to the filing is the explanation and details regarding the computation of the Rate Schedule S–2 rate changes.

Transco 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 a protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with sections 385.214 or 385.211 of the Commission's Rules and Regulations. All such motions or protests must be filed in accordance with section 154.210 of the Commission's Regulations. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceedings. 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. This filing may be viewed on the web at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance). Comments and protests may be filed electronically via the internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's web site at http://www.ferc/fed.us/efi/doorbell.htm.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3909 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. RP00–494–000, RP01–13–000 and RP01–13–001]

Williams Gas Pipelines Central, Inc.; Notice of Technical Conference

February 12, 2001.

On August 16, 2000, Williams Gas Pipelines Central, Inc. (Williams) submitted a filing to comply with Order No. 637. Several parties have protested various aspects of Williams' filing. Subsequently, on October 2, 2000, Williams submitted a filing in Docket No. RP01–13–000 to comply with Order Nos. 587–G and 587–L. The Commission accepted the 587–L filing subject to further consideration in Williams' Order No. 637 proceeding and required Williams to make a further compliance filing. On November 27, 2000, in Docket No. PR01–13–001, Williams submitted the required compliance filing.

Take notice that a technical conference to discuss the various issues raised by Williams' filings will be held on Thursday, February 22, 2001, at 9 a.m., in a room to be designated at the Federal Energy Regulatory Commission, 888 First Street, NE, Washington, D.C. 20426.

Among the major areas to be addressed is Williams' segmentation proposal. Therefore, Williams should provide current maps of its system and be prepared to discuss their system's operations. Parties protesting aspects of Williams' filings are invited to present alternative proposals.

All interested persons and Staff are permitted to attend.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3908 Filed 2–15–01; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF ENGERGY

Federal Energy Regulatory Commission

[Docket No. EG01–119–000, et al.]

Indian Mesa Power Partners II LP, et al.; Electric Rate and Corporate Regulation Filings

February 9, 2001.

Take notice that the following filings have been made with the Commission:

1. Indian Mesa Power Partners II LP

[Docket No. EG01–119–000]

Take notice that on February 7, 2001, Indian Mesa Partners II LP, 13000 Jameson Road, Tehachapi, California 93561 (Indian Mesa II), 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.

Indian Mesa II is an indirect subsidiary company of Enron Corp. Indian Mesa II will build and own a wind turbine generation facility (the ''Indian Mesa II Facility'') near Iraan, Texas. The Indian Mesa II Facility will consist of ninety (90) wind turbines, with an aggregate nameplate capacity of approximately one hundred thirty-five (135) megawatts. Electric energy produced by the Indian Mesa II Facility will be sold to Enron Power Marketing, Inc.

Comment date: March 2, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

2. New Haven Harbor Power LLC

[Docket No. EG01–120–000]

Take notice that on February 8, 2001, New Haven Harbor Power LLC (NHHP) filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to section 32 of the Public Utility Holding Company Act of 1935 (PUHCA) and Part 365 of the Commission's regulations.

As more fully explained in the application, NHHP is a limited liability company that will be engaged either directly or indirectly and exclusively in the business of owning and operating electric generation facilities located in New Haven, Connecticut.

Comment date: March 2, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

3. NRG Connecticut Power Assets LLC

[Docket No. EG01–121–000]

Take notice that on February 8, 2001, NRG Connecticut Power Assets LLC (NRG Connecticut) filed with the Federal Energy Regulatory Commission an application for determination of exempt wholesale generator status pursuant to section 32 of the Public Utility Holding Company Act of 1935 (PUHCA) and Part 365 of the Commission's regulations.

As more fully explained in the application, NRG Connecticut is a limited liability company that will be engaged either directly or indirectly and exclusively in the business of owning and operating electric generation facilities located in Bridgeport and New Haven, Connecticut.

Comment date: March 2, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

4. Bridgeport Harbor Power LLC

[Docket No. EG01–122–000]

Take notice that on February 8, 2001, Bridgeport Harbor Power LLC (BHP) filed with the Federal Energy Regulatory

Commission an application for determination of exempt wholesale generator status pursuant to section 32 of the Public Utility Holding Company Act of 1935 (PUHCA) and Part 365 of the Commission's regulations.

As more fully explained in the application, BHP is a limited liability company that will be engaged either directly or indirectly and exclusively in the business of owning and operating electric generation facilities located in Bridgeport, Connecticut.

Comment date: March 2, 2001, in accordance with Standard Paragraph E at the end of this notice. The Commission will limit its consideration of comments to those that concern the adequacy or accuracy of the application.

5. American Transmission Company, LLC

[Docket No. ES01–19–000]

Take notice that on February 5, 2001, American Transmission Company, LLC (ATCo.) submitted an application pursuant to section 204 of the Federal Power Act requesting authorization to issue no more than $400 million of long-term notes and to engage in short-term debt financing in an amount not to exceed $125 million, with an aggregate amount of debt not to exceed $400 million.

ATCo. also requests a waiver of the Commission competitive bidding and negotiated placement requirements at 18 CFR 34.2.

Comment date: February 26, 2001, in accordance with Standard Paragraph E at the end of this notice.

6. Craig G. Matthews

[Docket No. ID–3601–000]

Take notice that on February 5, 2001, Craig G. Matthews filed an Abbreviated Application for Authorization to Hold Interlocking Positions pursuant to Section 305(b) of the Federal Power Act.

Comment date: March 7, 2001, in accordance with Standard Paragraph E at the end of this notice.

7. Illinois Power Company

[Docket No. ER01–722–001]

Take notice that on February 6, 2001, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 65251–2200, submitted an amendment to its original filing in this proceeding. Illinois Power states that the amendment consists of revised specifications to four Service Agreements for Firm Long-Term Point-To-Point Transmission Service with Dynegy Power Marketing Inc. (DPM) for the purpose of clarifying receipt and delivery points.

Illinois Power states that a copy of this filing has been sent to DPM.

Comment date: February 26, 2001, in accordance with Standard Paragraph E at the end of this notice.

8. Illinois Power Company

[Docket No. ER01–1119–001]

Take notice that on February 6, 2001, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 65251–2200, tendered for filing revised specifications to seven Firm Long-Term Point-To-Point Transmission Service Agreements with Dynegy Power Marketing Inc. (DPM), for the purpose of clarifying receipt and delivery points.

Illinois Power states that a copy of this filing has been sent to DPM.

Comment date: February 26, 2001, in accordance with Standard Paragraph E at the end of this notice.

9. Consolidated Edison Company of New York, Inc.

[Docket No. ER01–471–002]

Take notice that on February 6, 2001, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing a re-conformed rate schedule in the above-referenced docket.

Con Edison states that a copy of this filing has been served by mail upon Central Hudson.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

10. Consolidated Edison Company of New York, Inc.

[Docket No. ER01–129–002]

Take notice that on February 6, 2001, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing a revised rate schedule in the above-listed docket.

Con Edison states that a copy of this filing has been served by mail upon NYPA.

Comment date: February 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

11. Carolina Power & Light Company

[Docket Nos. ER00–3537–003 and OA96–198–006]

Take notice that on February 2, 2001, Carolina Power & Light Company (CP&L), tendered for filing a revised refund report in this docket.

Copies of the filing were served upon the North Carolina Utilities Commission and the South Carolina Public Service Commission.

Comment date: February 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

12. ONEOK Power Marketing Company

[Docket No. ER98–3897–007]

Take notice that on February 2, 2001, ONEOK Power Marketing Company (OPMC), tendered for filing Notification of Change in Status in compliance with the reporting requirements of the Federal Energy Regulatory Commission's Letter Order dated September 8, 1998. OPMC plans to construct a gas-fired power plant in Logan County, Oklahoma with peak capacity of 338 Mw. OPMC also intends to sell energy and capacity from the new generation facility at market based rates under its FERC Rate Schedule No. 2.

Comment date: February 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

13. Consolidated Edison Company of New York, Inc.

[Docket No. ER01–130–002]

Take notice that on February 6, 2001, Consolidated Edison Company of New York, Inc. (Con Edison), tendered for filing a re-conformed rate schedule in the above-referenced docket.

Con Edison states that a copy of this filing has been served by mail upon LIPA.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

14. Deseret Generation & Transmission Co-operative, Inc

[Docket No. ER01–1133–001]

Take notice that on February 2, 2001, Deseret Generation & Transmission Co-operative, Inc. (Deseret), tendered for filing a Long-Term Service Agreement between Deseret and Kanab City, Utah. Deseret requests that the Commission accept this filing as a service agreement under the Company's Market-Based Rate Tariff, designated Service Agreement No. 8 to FERC Electric Tariff, Original Volume No. 3.

Deseret requests an effective date of January 3, 2001.

Comment date: February 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

15. Sempra Energy Resources

[Docket No. ER01–1178–000]

Take notice that on February 6, 2001, Sempra Energy Resources (SER), tendered for filing pursuant to Rule 205, 18 CFR 385.205, a petition for waivers and blanket approvals under various regulations of the Commission and for an order accepting its FERC Electric Rate Schedule No. 1 authorizing SER to make sales at market-based rates.

SER has requested waiver of the Commission's Regulations to permit an

effective date of sixty days from the date of this filing.

SER intends to sell electric power and ancillary services at wholesale. In transactions where SER sells electric power or ancillary services it proposes to make such sales on rates, terms, and conditions to be mutually agreed to with the purchasing party. Rate Schedule No. 1 provides for the sale of energy and capacity and ancillary services at agreed prices.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

16. American Transmission Systems, Inc.

[Docket No. ER01–1179–000]

Take notice that on February 6, 2001, American Transmission Systems, Inc., tendered for filing a Service Agreement to provide Firm Point-to-Point Transmission Service for FirstEnergy Services Corp., the Transmission Customer. Services are being provided under the American Transmission Systems, Inc., Open Access Transmission Tariff submitted for filing by the Federal Energy Regulatory Commission in Docket No. ER99–2647–000.

The proposed effective date under the Service Agreement is January 22, 2001 for the above mentioned Service Agreement in this filing.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

17. American Transmission Systems, Inc.

[Docket No. ER01–1180–000]

Take notice that on February 6, 2001, American Transmission Systems, Inc., tendered for filing a Service Agreement to provide Non-Firm Point-to-Point Transmission Service for FirstEnergy Services Corp., the Transmission Customer. Services are being provided under the American Transmission Systems, Inc., Open Access Transmission Tariff submitted for filing by the Federal Energy Regulatory Commission in Docket No. ER99–2647–000.

The proposed effective date under the Service Agreement is January 22, 2001 for the above mentioned Service Agreement in this filing.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

18. MidAmerican Energy Company

[Docket No. ER01–1181–000]

Take notice that on February 6, 2001, MidAmerican Energy Company (MidAmerican), tendered for filing with the Commission a Notice of Cancellation pursuant to Section 35.15 of the Commission's Regulations.

MidAmerican requests that the following rate schedule be canceled effective as of 11:59 p.m. on April 30, 2001:

1. Unit Participation Agreement dated August 12, 1991 between Iowa Public Service Company (a predecessor company of MidAmerican) and Interstate Power Company (a predecessor company of Alliant Energy Company). This Agreement has been designated as MidAmerican Rate Schedule No. 80.

MidAmerican has mailed a copy of this filing to Alliant Energy, the Iowa Utilities Board, the Illinois Commerce Commission and the South Dakota Public Utilities

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

19. Doswell Limited Partnership

[Docket No. ER01–1182–000]

Take notice that on February 6, 2001, Doswell Limited Partnership (Doswell), tendered for filing, pursuant to Section 205 of the Federal Power Act, an executed Service Agreement (the Service Agreement) between Doswell and Virginia Electric and Power Company.

Doswell requests that the Commission accept for filing the Service Agreement as Doswell's Rate Schedule FERC No. 4 to be effective as soon as possible, but in no event later than sixty (60) days from the date of filing.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

20. Celerity Energy of New Mexico, LLC

[Docket No. ER01–1183–000]

Take notice that on February 6, 2001, Celerity Energy of New Mexico, LLC (Celerity), petitioned the Commission for acceptance of Celerity Rate Schedule FERC No. 1; the granting of certain blanket approvals, including the authority to sell electricity at market-based rates; and the waiver of certain Commission Regulations.

Celerity intends to engage in wholesale electric power and energy purchases and sales as a marketer. Celerity is 85 percent owned by Caterpillar Power Systems, Inc., which produces electric power generation equipment, and 15 percent owned by Celerity Energy, an Oregon LLC, which engages in the business of distributed generation products and services.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

21. Niagara Mohawk Power Corporation

[Docket No. ER01–1184–000]

Take notice that on February 6, 2001, Niagara Mohawk Power Corporation tendered for filing an Interconnection Agreement between Niagara Mohawk Power Corporation and International Paper Company for the Ticonderoga generating facility, dated as of June 26, 2000.

Niagara Mohawk Power Corporation requests an Interconnection Agreement effective date of June 26, 2000. To the extent necessary, Niagara Mohawk requests waiver of the Commission requirement that a rate schedule be filed not less than 60 days or more than 120 days from its effective date.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

22. Illinois Power Company

[Docket No. ER01–1185–000]

Take notice that on February 5, 2001, Illinois Power Company (Illinois Power), 500 South 27th Street, Decatur, Illinois 65251–2200, tendered for filing with the Commission a Service Agreement for Non-Firm Point-To-Point Transmission Service and a Service Agreement for Firm Short-Term Point-To-Point Transmission Service entered into with Split Rock Energy LLC pursuant to Illinois Power's Open Access Transmission Tariff.

Illinois Power requests an effective date of January 25, 2001 for the Agreements and accordingly seeks a waiver of the Commission's notice requirement.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

23. Deseret Generation & Transmission Co-operative, Inc.

[Docket No. ER01–1186–000]

Take notice that on February 6, 2001, Deseret Generation & Transmission Co-operative, Inc. (Deseret), tendered for filing a Amendment to Service Agreement No. 7 to Deseret's FERC Electric Tariff, Original Volume No. 3, amending a Confirmation Agreement between Deseret and Utah Associated Municipal Power Systems (UAMPS) for a firm power sale pursuant to the Western Systems Power Pool Agreement (WSPP Agreement).

Deseret requests an effective date of February 1, 2001.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

24. Arizona Public Service Company

[Docket No. ER01–1187–000]

Take notice that on February 6, 2001, Arizona Public Service Company (APS), tendered for filing with the Commission its notice of termination of the California Power Exchange Corporation (PX) Participation Agreement, Addendums to the PX Participation Agreement and the PX Meter Service Agreement.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

25. Avista Corp.

[Docket No. ER01–1188–000]

Take notice that on February 6, 2001 Avista Corp. (AVA), tendered for filing with the Federal Energy Regulatory Commission executed Service Agreements for Short-Term Firm and Non-Firm Point-To-Point Transmission Service under AVA's Open Access Transmission Tariff—FERC Electric Tariff, Volume No. 8 with Pacific Northwest Generating Cooperative.

AVA requests the Service Agreements be given a respective effective date of January 23, 2001.

Comment date: February 27, 2001, in accordance with Standard Paragraph E at the end of this notice.

26. Mid-Continent Area Power Pool

[Docket Nos. OA97–163–012, ER97–1162–011 and OA97–658–012]

Take notice that on February 2, 2001, the Mid-Continent Area Power Pool (MAPP), tendered for filing notice to the Commission of certain procedural changes related to MAPP Schedule F to the Restated Agreement.

A copy of the notification was served on all parties in the above-referenced proceedings and the state public service commissions located in the MAPP region.

Comment date: February 23, 2001, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest such filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, 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 motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of these filings are on file with the Commission and are available for public inspection. This filing may also be viewed on the Internet at http://www.ferc.fed.us/online/rims.htm (call 202–208–2222 for assistance).

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 01–3906 Filed 2–14–01; 8:45 am]

BILLING CODE 6717–01–P

ENVIRONMENTAL PROTECTION AGENCY

[FRL–6945–4]

Agency Information Collection Activities; OMB Responses

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This document announces the Office of Management and Budget's (OMB) responses to Agency clearance requests, in compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.). An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR part 9 and 48 CFR Chapter 15.

FOR FURTHER INFORMATION CONTACT: Sandy Farmer at 260–2740, or email at *Farmer.sandy@epa.gov,* and please refer to the appropriate EPA Information Collection Request (ICR) Number.

SUPPLEMENTARY INFORMATION:

OMB Responses to Agency Clearance Requests

OMB Approvals

EPA ICR No. 1953.02; Best Management Practices Alternatives, Effluent Limitations Guidelines and Standards, Oil and Gas Extraction Point Source Category; in 40 CFR part 435; was approved 01/02/2001; OMB No. 2040–0230; expires 01/31/2004.

EPA ICR No. 1755.04; Regulatory Reinvention Pilots (Project XL) Amendment: Proposed Rule for US Filter Recovery Services; in 40 CFR parts 262–265, 268, 270, 273, and 279; was approved 01/08/2001; OMB No. 2010–0026; expires 02/28/2002.

EPA ICR No. 1948.02; National Primary Drinking Water Regulations: Arsenic and Clarifications to Compliance and New Source Contaminants Monitoring; in 40 CFR part 141; was approved 01/018/2001; OMB No. 2040–0231; expires 01/31/2004.

EPA ICR No. 1907.02; Recordkeeping and Reporting Requirements Regarding the Sulfur Content of Motor Vehicle Gasoline under the Tier 2 Rule; in 40 CFR part 80, 40 CFR part 86; as approved 01/18/2001; OMB No. 2060–0437; expires 01/31/2004.

EPA ICR No. 1926.02; Reporting and Recordkeeping Requirements for Standards of Performance for New Stationary Sources: Commercial and Industrial Solid Waste Incineration (CISWI) Units; in 40 CFR part 60, subpart CCCC; as approved 01/18/2001; OMB No. 2060–0450; expires 01/31/2004.

EPA ICR No. 1927.02; Reporting and Recordkeeping Requirements for the Emission Guidelines for Existing Commercial and Industrial Solid Waste Incineration (CISWI) Units; in 40 CFR part 60, subpart DDDD; was approved 01/18/2001; expires 01/31/2004.

EPA ICR No. 1704.05; Alternate Threshold for Low Annual Reportable Amounts; Toxic Chemical Release Reporting; in 40 CFR part 372; was approved 01/18/2001; OMB No. 2070–0143; expires 01/31/2003.

EPA ICR No. 1924.02; Hazardous Waste Listing for Chlorinated Aliphatics Production Wastes; in 40 CFR part 268.7, 40 CFR part 261.32 and, 40 CFR 264.73(b)(3); was approved 01/18/2001; OMB No. 2050–0173; expires 01/31/2004.

EPA ICR No. 1854.02; Reporting and Recordkeeping Requirements of the Consolidated Federal Air Rule for the Synthetic Organic Chemical Manufacturing Industry; in 40 CFR part 60, subparts Ka, Kb, VV, DDD, III, NNN, RRR, 40 CFR part 61, subparts V, Y, and BB, and 40 CFR part 63, subparts F, G, and H; was approved 01/19/2001; OMB No. 2060–0443; expires 01/31/2004.

EPA ICR No. 1572.05; Hazardous Waste Specific Unit Requirements, and Special Waste Processes and Types; in 40 CFR parts 261, 264, 265 and 266; was approved 12/22/2000; OMB No. 2050–0050; expires 12/31/2003.

EPA ICR No. 1959.01; National Listing of Advisories/Fish and Wildlife Advisories; was approved 01/23/2001; OMB No. 2040–0226; expires 01/31/2004.

EPA ICR No. 0597.07; Tolerance Petitions for Pesticides on Food/Feed Crops and New Inert Ingredients; in 40 CFR parts 177 and 180; was approved 01/23/2001; OMB No. 2070–0024; expires 01/31/2003.

EPA ICR No. 1214.05; Pesticide Product Registration Maintenance Fee; was approved 01/23/2001; OMB No. 2070–0100; expires 01/31/2004.

EPA ICR No. 0616.07; Compliance Requirements for Child Resistant Packaging; in 40 CFR part 157; was approved 01/23/2001; OMB No. 2070–0052; expires 01/31/2004.

EPA ICR No. 1790.02; NESHAP for Phosphoric Acid Manufacturing and Phosphate Fertilizers Production, in 40 CFR part 63, subparts AA and BB; was approved 01/24/2001; OMB No. 2060–0361; expires 01/31/2004.

EPA ICR No. 1066.03; NSPS for Ammonium Sulfate Manufacturing Plants; in 40 CFR part 60, subpart PP; was approved 01/24/2001; OMB No. 2060–0032; expires 01/31/2004.

EPA ICR No. 1797.02; NSPS for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11; in 40 CFR part 60, subpart K; was approved 01/24/2001; expires 01/31/2004.

EPA ICR No. 1056.07; NSPS for Nitric Acid Plants, in 40 CFR part 60, subpart G; was approved 01/24/2001; OMB No. 2060–0019; expires 01/31/2004.

EPA ICR No. 1678.04; NESHAP for Magnetic Tape Manufacturing Operations; in 40 CFR part 63, subpart EE; was approved 01/24/2001; OMB No. 2060–0326; expires 01/31/2004.

EPA ICR No. 1783.02; MACT—Flexible Polyurethane Form Product; in 40 CFR part 63, subpart III; was approved 01/24/2001; OMB No. 2060–0357; expires 01/31/2004.

EPA ICR No. 1664.04; The National Oil and Hazardous Substances Pollution Contingency Plan; in 40 CFR part 300.900, subpart J; was approved 01/24/2001; OMB No. 2050–0141; expires 01/31/2004.

EPA ICR No. 1799.02; NESHAP/MACT Mineral Wool Production; in 40 CFR part 63, subpart DDD; was approved 01/24/2001; OMB No. 2060–0362; expires 01/31/2004.

EPA ICR No. 1717.03; NESHAP for Site Waste and Recovery Operations; in 40 CFR part 63, subpart DD; was approved 01/24/2001; OMB No. 2060–0313; expires 01/31/2004.

Short Term Extensions

EPA ICR No. 1056.06; NSPS FOR Nitric Acid Plants; in 40 CFR part 60, subpart G; OMB No. 2060–0019; on 10/26/2000 OMB extended the expiration date through 01/31/2001.

EPA ICR No. 1012.06; Polychlorinated Biphenyls (PCBs) Disposal Permitting Regulation; in 40 CFR part 761; OMB No. 2070–0011; on 11/22/2000 OMB extended the expiration date through 03/31/2001.

EPA ICR No. 1503.03; Data Acquisition for Registration; in 40 CFR part 158; OMB No. 2070–0122; on 12/22/2000 OMB extended the expiration date through 03/31/2001.

EPA ICR No. 0586.08; Preliminary Assessment Information Rule (PAIR)—TSCA Section 8(a); in 40 CFR part 712; OMB No. 2070–0054; on 12/22/2000 OMB extended the expiration date through 03/31/2001.

Comments Filed

EPA ICR No. 1968.01; Hazardous Waste Listings for Wastes from the Production of Inorganic Chemicals; in 40 CFR part 261; on 01/18/2001 OMB filed a comment under comment No. 2050–0174. Note, this is not an OMB approval number.

EPA ICR No. 1974.01; NESHAP for Cellulose Products Manufacturing; in 40 CFR part 63, subpart A, G, and H; on 01/24/2001 OMB file a comment under comment No. 2060–0444. Note, this is not an OMB approval number.

EPA ICR No. 1964.01; Reporting and Recordkeeping Requirements of the NESHAP from Wet-formed Fiberglass; on 01/24/2001 OMB file a comment under comment No. 2060–0440. Note, this is not an OMB approval number.

Comment Filed and Continue

EPA ICR No. 1189.08; Requirements for Zinc Fertilizers Made from Recycled Hazardous Secondary Materials (Proposed Rule); in 40 CFR part 261.4; OMB No. 2050–0052; on 01/18/2001 OMB filed a comment/continue action pending review of the final rule.

Withdrawal/Continue

EPA ICR No. 1363.09; Toxic Chemical Release Reporting, Recordkeeping, Supplier Notification and Petitions under Section 313 of the Emergency Planning and Community Right-to-Know Act (EPRA); in 40 CFR part 372; on 01/18/2001 OMB's action reads: This ICR is withdrawn because there is already an approved ICR for this collection that authorizes the collection through 01/31/2003.

Dated: February 9, 2001.

Oscar Morales,

Director, Collection Strategies Division.

[FR Doc. 01–3985 Filed 2–15–01; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6615–5]

Environmental Impact Statements; Notice of Availability

Responsible Agency

Office of Federal Activities, General Information (202) 564–7167 or www.epa.gov/oeca/ofa

Weekly receipt of Environmental Impact Statements Filed February 05, 2001 Through February 09, 2001 Pursuant to 40 CFR 1506.9.

EIS No. 010039, Draft EIS, FAA, FL, Fort Lauderdale—Hollywood International Airport, Proposed Expansion of Runway 9R–2FL and other Associated Improvements, Funding, Broward County, FL, Comment Period Ends: April 20, 2001, Contact: Bart Vernace (407) 812–6331.

EIS No. 010040, Final EIS, BOP, ID, Terre Haute United States Penitentiary (USP), Proposal to Construct and Operate 960 Beds Facilities along with a Special Confinement Unit of 100–120 Beds to Alleviating Overcrowding, Vigo County, Terra Haute, ID, Wait Period Ends: March 19, 2001, Contact: David J. Dorworth (202) 514–6470.

EIS No. 010041, Draft EIS, FHW, MI, I–94/Rehabilitation Project, Transportation Improvements to a 6.7 miles portion of I–94 from east I–96 west end to Conner Avenue on the east end, Funding and NPDES Permit, City of Detroit, Wayne County, MI, Comment Period Ends: April 02, 2001, Contact: James Kirschensteiner (517) 377–1880.

EIS No. 010042, Final EIS, FHW, MI, Boardman River Crossing Mobility Study, Improve the East-West Mobility across the Boardman River, COE Permit, Traverse City and Grand Traverse County, MI , Wait Period Ends: March 19, 2001, Contact: James A. Kirschensteiner (517) 377–1880.

EIS No. 010043, Final EIS, TVA, Adoption—Disposition of Surplus Highly Enriched Uranium, TVA proposes to obtain 33 Metric Tons of Highly Enriched Uranium (HEU) to blend down to Low Enriched Uranium (LEU) and Fabricated to Fuel for use in Nuclear Reactors at Browns Ferry Nuclear Plant, Wait Period Ends: March 19, 2001, Contact: Bruce L. Yeager (423) 632–8051. Tennessee Valley Authority (TVA) has adopted a portion of the Department of Energy's FEIS #960298 filed 06–21–96. TVA was not a Cooperating Agency for the above final EIS. Recirculation of the document is necessary under

§ 1506.3(b) of the Council on Environmental Quality Regulations.

EIS No. 010044, Final Supplement, NPS, MS, Natchez Trace Parkway, Update Information on the Construction of Section 3P13 (Old Agency Road), City of Ridgeland, Madison County, MS, Wait Period Ends: March 19, 2001, Contact: Wendell A. Simpson (662) 680–4004.

EIS No. 010045, Draft EIS, EPA, Proposed Rule on Environmental Impact Assessment of Nongovernmental Activities in Antarctica, To implement the Protocol on Environmental Protection to the Antarctic Treaty of 1959, Comment Period Ends: April 02, 2001, Contact: B. Katherine Biggs (202) 564–7144.

Dated: February 13, 2001.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 01–3999 Filed 2–15–01; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–6615–6]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities aT (202) 564–7167.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in **Federal Register** dated April 14, 2000 (65 FR 20157).

Draft EISs

ERP No. D–AFS–J65327–CO Rating EC2, Baylor Park Blowdown Project, Salvage and Treat Down and Damaged Timber, To Reduce Impact of Spruce Beetles, Implementation, White River National Forest, Sopris and Rifle Ranger Districts, Garfield, Mesa, and Pitkin Counties, CO.

Summary: EPA expressed environmental concerns about potential impacts from road construction on water quality, watershed health and wetlands.

ERP No. D–AFS–K39064–CA Rating LO, Mammoth Creek Revised Instream Flow Requirements, Implementation for Point of Measurement and Place of Use, Mammoth Lakes, Mono County, CA.

Summary: EPA has no objections to the proposed project.

ERP No. D–EPA–E90016–NC Rating NA, New Wilmington Ocean Dredged Material Disposal Site, Designation, Wilmington Harbor, North Carolina State Port and the Military Ocean Terminal (Sunny Point (MOTSU), NC.

Summary: EPA EISs are not subject to 309 review.

ERP No. D–FHW–C40152–NJ Rating EC2, NJ–52(1) Causeway (known as MacArthur Boulevard) Construction Project, between NJ–9 in Somers Point, Atlantic County to Bay Avenue in Ocean City City, Cape May County, Funding, COE Section 404 and 10 Permits, USCGD Permit, Atlantic and Cape May Counties, NJ.

Summary: EPA raised concerns with the project based on purpose and need and alternatives, wetlands, water quality, coastal zone, and cumulative impacts.

ERP No. D–FHW–C40153–NY Rating EC2, NY–22 Transportation Improvement, from I–684 to north of County Road 65, Doansburg Road, Construction, COE Section 404 Permit, Town of Southeast, Putnam County, NY.

Summary: EPA raised concerns with the project based on direct and growth induced impacts to water quality and the New York City Watershed.

ERP No. D–FHW–F40784–OH Rating EC2, OH–7 (LAW–7) Relocation, OH–7 and OH–527 to a point Northeast of Rome Township and OH–607 from East Huntington Bridge to an Interchange with proposed OH–7 and OH–775, Funding, Lawrence County, OH.

Summary: EPA expressed concern due to potential wetland impacts.

ERP No. D–FTA–F40390–MN Rating EC2, Northstar Transportation Corridor Project, Improvements from downtown Minneapolis to the St. Cloud area along Trunk Highway (TH) 10/47 and the Burlington Northern Santa Fe (BNSF) Railroad Transcontinental Route, Connecting the Hiawatha Light Rail Transit (LRT) Line at a Multi-Modal Station, Minneapolis/St. Paul (MSP) International.

Summary: EPA expressed concern for and requested additional information regarding; storm water management; wetland mitigation; air quality; and cumulative impact analysis.

ERP No. D–HUD–C85043–NY Rating EC2, 1105–1135 Warburton Avenue, River Club Apartment Complex Development and Operation, Funding, City of Yonkers, Westchester County, NY.

Summary: EPA expressed concerns regarding the draft EIS's lack of an Environmental Justice analysis as required by Executive Order 12898. EPA requested that the final EIS include an EJ analysis in order to ensure that EJ issues if identified would be addressed or mitigated.

ERP No. D–HUD–K89062–CA Rating EC2, North Hollywood Arts and Entertainment District Project, Construction and Operation, North Hollywood Redevelopment Project, City of Los Angeles, CA.

Summary: EPA expressed concerns regarding the information supporting the air quality conformity determination and requested that this information be provided in the final EIS.

ERP No. D–NOA–K91008–00 Rating EC2, Pelagic Fisheries of the Western Pacific Region, Fishery Management Plan, To Analyze Longline Fisheries, Commercial Troll and Recreational Troll Fisheries, Commercial Pelagic Handliner and Commercial Pole and Line Skipjack Fishery, Hawaii, American Samoa, Guam and Commonwealth of the Northern Mariana Island.

Summary: EPA expressed concerns regarding proposed changes to the plan and requested additional information on the Biological Opinion for sea turtles and the Hawaii longline fishery and the relationship between this comprehensive planning effort and similar ongoing or planned revisions to related fishery management plans in the Western Pacific Region and Pacific Coast.

ERP No. D–SFW–K64020–CA Rating EC2, Metro Air Park Habitat Conservation Plan, Issuance of an Incidental Take Permit, To Protect, Conserve and Enhance Fish, Wildlife and Plants and their Habitat, Natomas Basin, Sacramento County, CA.

Summary: EPA expressed concerns regarding cumulative impacts, compliance with Section 404 Wetland requirements, conformity with regional air quality plans, adequate and sound science, and species population viability. EPA recommended better integration with the Natomas Basin Habitat Conservation Planning and a commitment to planned growth which is town-centered, transit and pedestrian oriented, and has a greater mix of housing, commercial and retail uses that could significantly enhance the benefits of the Metro Air Park and Natomas Basin habitat conservation planning efforts.

ERP No. DB–NOA–B91017–00 Rating EC2, Atlantic Sea Scallop Fishery Management Plan (FMP), Updated Information, Framework Adjustment 14 to adjust the annual Amendment 7 day-at-sea allocation for 2001 and 2002 and to re-open portions of the Hudson

Canyon and Virginia/North Carolina Areas for Scallop Fishing.

Summary: EPA had environmental concerns regarding the plan and requested additional information on yield, total allowable catch, observers, water quality, gear and vessel trip reports.

ERP No. DR–FTA–K40237–CA Rating LO, Orange County Centerline Project, Transportation Improvements, Revised Alternatives, Advanced Rail Transit in the Heart of Orange County, CA.

Summary: EPA found that the document adequately discussed the environmental impacts of the proposed project.

Final EISs

ERP No. F–AFS–F65027–MN. Little East Creek Fuel Reduction Project, Plan to Grant Access Across Federal Land to Non-Federal Landowners, Implementation, LaCroix Ranger District, Superior National Forest, Saint Louis County, MN.

Summary: EPA expressed lack of objections to the proposed project.

ERP No. F–AFS–L65289–00. Interior Columbia Basin Ecosystem Management Projects, Updated and New Information on Three Management Alternatives, Implementation, WA, OR, ID and MT.

Summary: No formal comment letter was sent to the preparing agency.

ERP No. F–FRC–F03008–00. Guardian Pipeline Project, Proposal to Construct and Operate an Interstate Natural Gas Pipeline that would extend from Joliet (Will County), IL and Ixonia (Jefferson County), WI.

Summary: EPA continues to express objections due to potential cumulative impacts and the lack of adequate mitigation for forested wetlands and upland forest impacts.

ERP No. F–UAF–J11018–WY. F. E. Warren Air Force Base Deactivation and Dismantlement of the Peacekeeper Missile System, To Comply with the Strategic Arms Reduction Treaty (START), Laramie, Platte and Goshen Counties, WY.

Summary: EPA had no additional comments on the FEIS.

Dated: February 13, 2001.

Joseph C. Montgomery,

Director, NEPA Compliance Division, Office of Federal Activities.

[FR Doc. 01–4000 Filed 2–15–01; 8:45 am]

BILLING CODE 6560–50–U

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00698; FRL–6767–6]

Notice of Availability of Region III Strategic Agricultural Initiative Grants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA Region III is announcing the availability of approximately $200,000 in fiscal year (FY) 2001 grant/cooperative agreement funds under section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, (the Act), for grants to States and federally recognized Native American Tribes for research, public education, training, monitoring, demonstrations, and studies. For convenience, the term ''State'' in this notice refers to all eligible applicants.

DATES: In order to be considered for funding during the FY 2001 award cycle, all applications must be received by EPA Region III on or before March 19, 2001. EPA will make its award decisions by March 30, 2001.

FOR FURTHER INFORMATION CONTACT: Racine L. Davis, Environmental Protection Agency, Region III, Mail Code 3WC32, 1650 Arch Street, Philadelphia, PA 19103–2029; telephone: (215) 814–5797; e-mail address: davis.racine@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to eligible applicants who primarily operate out of and will conduct the project in one of the following Region III States: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.

II. Availability of FY 2001 Funds

With this publication, EPA Region III is announcing the availability of approximately $200,000 in grant/cooperative agreement funds for FY 2001. The Agency has delegated grant making authority to the EPA Regional Offices. EPA Region III is responsible for the solicitation of interest, the screening of proposals, and the selection of projects. Grant guidance will be provided to all applicants along with any supplementary information Region III may wish to provide. All applicants must address the criteria listed under Unit IV.B. of this document. Interested applicants should contact the Regional Strategic Agricultural Initiative coordinator listed under Unit V. of this document for more information.

III. Eligible Applicants

In accordance with the Act ''. . . Federal agencies, universities, or others as may be necessary to carry out the purposes of the act, . . .'' are eligible to receive a grant. Eligible applicants for purposes of funding under this grant program include those operating within the six EPA Region III states (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), any agency or instrumentality of a Region III State including State universities and non-profit organizations operating within a Region III state. For convenience, the term ''State'' in this notice refers to all eligible applicants.

IV. Activities and Criteria

A. General

The goal of the Strategic Agricultural Initiative Grant Program is to reduce the risks and use of pesticides in agricultural settings. Another goal is to rapidly spread available technology and information about ways to reduce dependence on the more highly toxic pesticides.

B. Criteria

Proposals will be evaluated based on the following criteria:

1. Qualifications and experience of the applicant relative to the proposed project.

• Does the applicant demonstrate experience in the field of the proposed activity?

• Does the applicant have the properly trained staff, facilities, or infrastructure in place to conduct the project?

2. Consistency of applicant's proposed project with the risk reduction goals of Strategic Agricultural Initiative.

3. Provision for a quantitative or qualitative evaluation of the project's success at achieving the stated goals.

• Is the project designed in such a way that it is possible to measure and document the results quantitatively and qualitatively?

• Does the applicant identify the method that will be used to measure and document the project's results quantitatively and qualitatively?

• Will the project assess or suggest a means for measuring progress in reducing risk associated with the use of pesticides?

4. Likelihood the project can be replicated to benefit other communities or the product may have broad utility to a widespread audience. Can this project, taking into account typical staff and

financial restraints, be replicated by similar organizations in different locations to address the same or similar problem?

C. Program Management

Awards of FY 2001 funds will be managed through EPA Region III.

D. Contacts

Interested applicants must contact the appropriate EPA Regional Strategic Agricultural Initiative coordinator listed under Unit V. of this document to obtain specific instructions, regional criteria, and guidance for submitting proposals.

V. Region III Strategic Agricultural Initiative Program Contact

Region III: (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), Racine Davis, (3WC32), 1650 Arch St., Philadelphia, PA 19103; telephone: (215) 814–5797; e-mail address: davis.racine@epa.gov.

VI. Submission to Congress and the Comptroller General

Under the Agency's current interpretation of the definition of a ''rule,'' grant solicitations such as this which are competitively awarded on the basis of selection criteria, are considered rules for the purpose of the Congressional Review Act (CRA). The CRA, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects

Environmental protection.

Dated: February 2, 2001.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 01–3986 Filed 2–15–01 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–00699; FRL–6767–5]

Notice of Availability of Region III Urban Initiative Grants

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA Region III is announcing the availability of approximately $102,000 in fiscal year (FY) 2001 grant/cooperative agreement funds under section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended, (the Act), for grants to States and federally recognized Native American Tribes for research, public education, training, monitoring, demonstrations, and studies. For convenience, the term ''State'' in this notice refers to all eligible applicants.

DATES: In order to be considered for funding during the FY 2001 award cycle, all applications must be received by EPA Region III on or before March 19, 2001. EPA will make its award decisions by March 30, 2001.

FOR FURTHER INFORMATION CONTACT: Racine L. Davis, Environmental Protection Agency, Region III, Mail Code 3WC32, 1650 Arch Street, Philadelphia, PA 19103–2029; telephone: (215) 814–5797; e-mail address: davis.racine@epa.gov.

SUPPLEMENTARY INFORMATION:

I. Does this Action Apply to Me?

This action is directed to the public in general. This action may, however, be of interest to eligible applicants who primarily operate out of and will conduct the project in one of the following Region III States: Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.

II. Availability of FY 2001 Funds

With this publication, EPA Region III is announcing the availability of approximately $102,000 in grant/cooperative agreement funds for FY 2001. The Agency has delegated grant making authority to the EPA Regional Offices. EPA Region III is responsible for the solicitation of interest, the screening of proposals, and the selection of projects. Grant guidance will be provided to all applicants along with any supplementary information Region III may wish to provide. All applicants must address the criteria listed under Unit IV.B. of this document. Interested applicants should contact the Regional Urban Initiative coordinator listed under Unit V. of this document for more information.

III. Eligible Applicants

In accordance with the Act ''. . . Federal agencies, universities, or others as may be necessary to carry out the purposes of the act, . . .'' are eligible to receive a grant. Eligible applicants for purposes of funding under this grant program include those operating within the six EPA Region III States (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), any agency or instrumentality of a Region III State including State universities and non-profit organizations operating within a Region III State. For convenience, the term ''State'' in this notice refers to all eligible applicants.

IV. Activities and Criteria

A. General

The goal of the Urban Initiative Grant Program is to: (1) Detect any diversion of highly toxic pesticides from the agriculture sector into urban areas for illegal use indoors; (2) identify any ongoing misuse of agricultural pesticides in urban and residential communities; and (3) prevent future diversion and structural application of pesticide misuse through compliance assistance and education.

B. Criteria

Proposals will be evaluated based on the following criteria:

1. Qualifications and experience of the applicant relative to the proposed project.

- Does the applicant demonstrate experience in the field of the proposed activity?
- Does the applicant have the properly trained staff, facilities, or infrastructure in place to conduct the project?

2. Consistency of applicant's proposed project with the risk reduction goals of Urban Initiative.

3. Provision for a quantitative or qualitative evaluation of the project's success at achieving the stated goals.

- Is the project designed in such a way that it is possible to measure and document the results quantitatively and qualitatively?
- Does the applicant identify the method that will be used to measure and document the project's results quantitatively and qualitatively?
- Will the project assess or suggest a means for measuring progress in reducing risk associated with the use of pesticides?

4. Likelihood the project can be replicated to benefit other communities

or the product may have broad utility to a widespread audience. Can this project, taking into account typical staff and financial restraints, be replicated by similar organizations in different locations to address the same or similar problem?

C. Program Management

Awards of FY 2001 funds will be managed through EPA Region III.

D. Contacts

Interested applicants must contact the appropriate EPA Regional Urban Initiative coordinator listed under Unit V. of this document to obtain specific instructions, regional criteria, and guidance for submitting proposals.

V. Region III Urban Initiative Program Contact

Region III: (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia), Racine Davis, (3WC32), 1650 Arch St., Philadelphia, PA 19103; telephone: (215) 814–5797; e-mail address: davis.racine@epa.gov.

VI. Submission to Congress and the Comptroller General

Under the Agency's current interpretation of the definition of a ''rule,'' grant solicitations such as this which are competitively awarded on the basis of selection criteria, are considered rules for the purpose of the Congressional Review Act (CRA). The CRA, 5 U.S.C. 801 *et seq*., as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2).

List of Subjects

Environmental protection.

Dated: February 2, 2001.

Thomas Voltaggio,

Acting Regional Administrator, Region III.

[FR Doc. 01–3987 Filed 2–15–01 8:45 am]

BILLING CODE 6560–50–S

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

February 8, 2001.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before April 17, 2001. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Les Smith, Federal Communications Commissions, 445 12th Street, S.W., Room 1–A804, Washington, DC 20554 or via the Internet to lesmith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collections contact Les Smith at (202) 418–0217 or via the Internet at lesmith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Approval Number: 3060–xxxx.

Title: Public Safety—State Interoperability Channels.

Form No.: Not applicable.

Type of Review: New collection.

Respondents: State, Local or Tribal Government.

Number of Respondents: 50.

Estimated Time Per Response: .5 hours.

Total Annual Burden: 25 hours.

Estimated costs per respondent: Not applicable.

Needs and Uses: This one time reporting requirement results from the Fourth Report and Order in WT Docket No. 96–86 and requires states notify the Commission regarding their intentions concerning administration of the Interoperability public safety channels. The states should be responsible for administration of the Interoperability channels, however, certain states may be unable or unwilling to perform these administrative functions. If a state declines to administer the Interoperability channels then the Public Safety Regional Planning Committee will administer the channels.

Federal Communications Commission

Magalie Roman Salas,

Secretary.

[FR Doc. 01–4026 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–U

FEDERAL COMMUNICATIONS COMMISSION

[EB Docket No. 01–39; FCC 01–44]

Order To Show Cause and Notice of Opportunity for Hearing

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: The Commission has ordered a hearing to determine whether the licenses held by Family Broadcasting, Inc. for Stations WSTX(AM) and WSTX–FM, Christiansted, U.S. Virgin Islands, should be revoked. The Commission has determined that serious questions exist as to whether Family Broadcasting, Inc. willfully and repeatedly violated the Commission's rules and misrepresented facts to and/or lacked candor with the Commission.

ADDRESSES: Federal Communications Commission, Enforcement Bureau, 445 12th Street, SW, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Kathy Berthot, Enforcement Bureau, Technical and Public Safety Division, (202) 418–7454.

SUPPLEMENTARY INFORMATION: This is a summary of an Order to Show Cause and Notice of Opportunity for Hearing in EB Docket No. 01–39, adopted on February 8, 2001, and released on February 13, 2001. The complete text of this Order is available for inspection

and copying during normal business hours in the FCC Reference Information Center, Courtyard Level, 445 12th Street, SW, Washington, D.C., and also may be purchased from the Commission's copy contractor, International Transcription Services, Inc., at 202–857–3800, CY–B400, 445 12th Street, SW, Washington, D.C.

Summary of Order To Show Cause and Notice of Opportunity for Hearing

1. The Commission has commenced a hearing proceeding to determine whether Family Broadcasting, Inc. (''Family''), licensee of Stations WSTX(AM) and WSTX–FM, Christiansted, U.S. Virgin Islands, is qualified to be or remain a Commission licensee. The record before the Commission indicates that Family has misrepresented facts to and/or lacked candor with the Commission regarding its relocation of WSTX–FM's transmitter from its authorized site. In addition, the record indicates that Family has operated both WSTX(AM) and WSTX–FM substantially at variance from the terms of their authorizations for approximately four years and has committed numerous other violations of the Commission's rules, including violations which raise public safety concerns. Family has also repeatedly failed to respond to Commission correspondence and inquiries. Pursuant to sections 312(a) and 312(c) of the Communications Act of 1934, as amended, Family is ordered to show cause why the licenses for Stations WSTX(AM) and WSTX–FM should not be revoked, at a hearing proceeding before an Administrative Law Judge at a time and place to be specified in a subsequent Order, upon the following issues:

(a) To determine whether Family Broadcasting, Inc. misrepresented facts to and/or lacked candor with the Commission in its statements regarding the relocation of WSTX–FM's transmitter from its authorized site in violation of section 73.1015 of the Commission's Rules;

(b) To determine whether Family Broadcasting, Inc. willfully or repeatedly violated sections 1.89 and/or 73.1015 of the Commission's Rules by failing to respond to official Commission correspondence and inquiries;

(c) To determine whether Family Broadcasting, Inc. willfully or repeatedly violated sections 73.1350(a), 73.1560(a), 73.1560(b) and/or 73.1690(b)(2) of the Commission's Rules by operating WSTX(AM) and WSTX–FM at variance from the terms of their authorizations;

(d) To determine whether Family Broadcasting, Inc. willfully or repeatedly violated section 73.49 of the Commission's Rules by failing to enclose WSTX(AM)'s antenna within an effective locked fence;

(e) To determine whether Family Broadcasting, Inc. willfully or repeatedly violated section 11.35 of the Commission's Rules by failing to install and maintain operational EAS equipment for WSTX(AM) and WSTX–FM;

(f) To determine whether Family Broadcasting, Inc. willfully or repeatedly violated section 73.3526 of the Commission's Rules by failing to maintain public inspection files for WSTX(AM) and WSTX–FM;

(g) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether Family Broadcasting, Inc. is basically qualified to be or remain a Commission licensee; and

(h) To determine, in light of the evidence adduced pursuant to the foregoing issues, whether the licenses for WSTX(AM) and/or WSTX–FM should be revoked.

2. The Commission also ordered that it be determined, pursuant to section 503 of the Communications Act of 1934, as amended, whether an Order of Forfeiture in an amount not to exceed two hundred seventy five thousand dollars ($275,000) shall be issued against Family for willfully and/or repeatedly violating sections 1.89, 11.35, 73.49, 73.1015, 73.1350(a), 73.1560(a), 73.1560(b), 73.1690(b)(2) and/or 73.3526 of the Commission's Rules.

3. The Commission ordered that, to avail itself of the opportunity to be heard and the right to present evidence at a hearing in these proceedings, Family, in person or by its attorney, shall file within 30 days of the release of the Order to Show Cause and Notice of Opportunity for Hearing, a written appearance stating that it will appear at the hearing and present evidence on matters specified in the Order. If Family fails to file a timely written notice of appearance, the right to a hearing shall be deemed to be waived. Where a hearing is waived, Family may submit a written, signed statement of mitigation or justification within 30 days of the release of the Order. In the event the right to a hearing is waived, the Chief Administrative Law Judge (or presiding officer if one has been designated) shall, at the earliest practicable date, issue an order terminating the hearing proceeding and certifying the case to the Commission.

Federal Communications Commission.

Magalie Roman Salas,

Secretary.

[FR Doc. 01–4029 Filed 2–15–01; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1354–DR]

Arkansas; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Arkansas, (FEMA–1354–DR), dated December 29, 2000, and related determinations.

EFFECTIVE DATE: January 8, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Arkansas is hereby amended to include the Hazard Mitigation Grant Program among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 29, 2000:

All counties in the State of Arkansas are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program.)

James L. Witt,

Director.

[FR Doc. 01–3926 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1354–DR]

Arkansas; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Arkansas, (FEMA–1354–DR), dated December 29, 2000, and related determinations.

EFFECTIVE DATE: January 10, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Arkansas is hereby amended to include the Categories C–G under the Public Assistance program to the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 29, 2000:

Arkansas, Benton, Bradley, Calhoun, Clark, Cleveland, Columbia, Crawford, Crittenden, Cross, Dallas, Desha, Drew, Faulkner, Franklin, Garland, Grant, Hempstead, Hot Spring, Howard, Jackson, Jefferson, Johnson, Lafayette, Lee, Lincoln, Little River, Logan, Lonoke, Madison, Miller, Mississippi, Monroe, Montgomery, Nevada, Ouachita, Perry, Pike, Poinsett, Polk, Prairie, Pulaski, Saline, Scott, Sebastian, Sevier, St. Francis, Union, Washington, White, Woodroof and Yell Counties for Categories C–G under the Public Assistance program (already designated for Individual Assistance and debris removal and emergency protective measures (Categories A and B), including direct Federal assistance under Public Assistance).

Conway, Fulton, Izard, Marion, Newton, Pope, Searcy, Stone, and Van Buren for Public Assistance (Categories A–G).

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3927 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1354–DR]

Arkansas; Amendment No. 4 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Arkansas, (FEMA–1354–DR), dated December 29, 2000, and related determinations.

EFFECTIVE DATE: January 10, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Arkansas is hereby amended to include Individual Assistance to the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of December 29, 2000:

Baxter and Independence Counties for Individual Assistance.

Conway, Izard, Newton, Pope, Searcy, and Van Buren Counties for Individual Assistance (already designated for Public Assistance Categories A–G).

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3928 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1354–DR]

Arkansas; Amendment No. 5 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Arkansas, (FEMA–1354–DR), dated December 29, 2000, and related determinations.

EFFECTIVE DATE: January 10,2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice is hereby given that, in a letter dated January 10, 2001, the President amended the cost-sharing arrangements concerning Federal funds provided under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, *et seq.*, as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000), in a letter to James L. Witt, Director of the Federal Emergency Management Agency, as follows:

I have determined that the damage in certain areas of the State of Arkansas resulting from a severe winter ice storm beginning on December 12, 2000, and continuing through January 8, 2001, is of sufficient severity and magnitude that the provision of additional Federal assistance to ensure public health and safety is warranted under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000) (Stafford Act).

Therefore, I amend my declaration of December 29, 2000, to provide that the Federal Emergency Management Agency (FEMA) may reimburse 90 percent of the costs of debris removal from December 29, 2000, through and including February 27, 2001. This adjustment of the cost share may be provided to all counties under the major disaster declaration. You may extend this assistance for an additional period of time, if requested and warranted.

Please notify the Governor of Arkansas and the Federal Coordinating Officer of this amendment to my major disaster declaration.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 01–3929 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–3160–EM]

Michigan; Emergency and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of an emergency for the State of Michigan (FEMA–3160–EM), dated January 10, 2001, and related determinations.

EFFECTIVE DATE: January 10, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 10, 2001, the President declared an emergency under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000), as follows:

I have determined that the emergency conditions in certain areas of the State of Michigan, resulting from the record/near record snow on December 11–31, 2000, is of sufficient severity and magnitude to warrant an emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000) (the Stafford Act). I, therefore, declare that such an emergency exists in the State of Michigan.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide emergency protective measures under the Public Assistance program to save lives, protect public health and safety, and property. Other forms of assistance under Title V of the Stafford Act may be added at a later date, as you deem appropriate. You are further authorized to provide this emergency assistance in the affected areas for a period of 48 hours. You may extend the period of assistance, as warranted. This assistance excludes regular time costs for subgrantees' regular employees. Assistance under this emergency is authorized at 75 percent Federal funding for eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Robert R. Colangelo of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared emergency.

I do hereby determine the following areas of the State of Michigan to have been affected adversely by this declared emergency:

Allegan, Barry, Calhoun, Cass, Clare, Clinton, Eaton, Genesee, Gratiot, Isabella, Kalamazoo, Kent, Lapeer, Livingston, Macomb, Midland, Montcalm, Muskegon, Oakland, Ottawa, Saginaw, St. Clair, St. Joseph, Tuscola, Van Buren, and Washtenaw Counties for emergency protective measures under the Public Assistance program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 01–3935 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1355–DR]

Oklahoma; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Oklahoma (FEMA–1355–DR), dated January 5, 2001, and related determinations.

EFFECTIVE DATE: January 5, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 5, 2001, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121, *et seq.*, as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000), as follows:

I have determined that the damage in certain areas of the State of Oklahoma, resulting from a severe winter ice storm beginning on December 25, 2000, and continuing is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121, *et seq.*, as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 2000) (Stafford Act), I, therefore, declare that such a major disaster exists in the State of Oklahoma.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance and assistance for debris removal (Category A) and emergency protective measures (Category B), including direct Federal assistance, under Public Assistance in the designated areas and any other forms of assistance under the Stafford Act you may deem appropriate subject to completion of Preliminary Damage Assessments (PDAs). Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of the total eligible costs. If Hazard Mitigation is later determined to be warranted, Federal funds provided under that program will also be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint C. Michel Butler of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Oklahoma to have been affected adversely by this declared major disaster:

Adair, Atoka, Bryan, Carter, Cherokee, Choctaw, Cleveland, Coal, Cotton, Creek, Garvin, Grady, Haskell, Hughes, Jefferson, Johnston, Latimer, LeFlore, Lincoln, Love, Marshall, McClain, McCurtain, McIntosh, Murray, Muskogee, Okfuskee, Oklahoma, Okmulgee, Pittsburg, Pontotoc, Pottawatomie, Pushmataha, Seminole, Sequoyah, Stephens, Tulsa, Wagoner and Washington Counties for Individual Assistance and debris removal and emergency protective measures (Categories A and B), including direct Federal assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used

for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 01–3930 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1355–DR]

Oklahoma; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Oklahoma (FEMA–1355–DR), dated January 5, 2001, and related determinations.

EFFECTIVE DATE: January 10, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this disaster is closed effective January 10, 2001.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3931 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1355–DR]

Oklahoma; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Oklahoma, (FEMA–1355–DR), dated January 5, 2001, and related determinations.

EFFECTIVE DATE: January 8, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Oklahoma is hereby amended to include the Hazard Mitigation Grant Program among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 5, 2001:

All counties in the State of Oklahoma are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3932 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–3158–EM]

Oklahoma; Amendment No. 2 to Notice of an Emergency Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of an emergency declaration for the State of Oklahoma (FEMA–3158–EM), dated December 28, 2000, and related determinations.

EFFECTIVE DATE: January 10, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the incident period for this emergency is closed effective January 10, 2001.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3934 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1356–DR]

Texas; Major Disaster and Related Determinations

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This is a notice of the Presidential declaration of a major disaster for the State of Texas (FEMA–1356–DR), dated January 8, 2001, and related determinations.

EFFECTIVE DATE: January 8, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: Notice is hereby given that, in a letter dated January 8, 2001, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000), as follows:

I have determined that the damage in certain areas of the State of Texas, resulting from a severe winter ice storm beginning on December 12, 2000, and continuing is of

sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC 5121, et seq., as amended by the Disaster Mitigation Act of 2000, Pub. L. No. 106–390, 114 Stat. 1552 (2000) (Stafford Act), I, therefore, declare that such a major disaster exists in the State of Texas.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance, Hazard Mitigation and assistance for debris removal (Category A) and emergency protective measures (Category B) under the Public Assistance program in the designated areas and any other forms of assistance under the Stafford Act you may deem appropriate subject to completion of Preliminary Damage Assessments (PDAs). Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of the total eligible costs.

Further, you are authorized to make changes to this declaration to the extent allowable under the Stafford Act.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint A. D. Rodham of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Texas to have been affected adversely by this declared major disaster:

Bowie, Cass, and Red River Counties for Individual Assistance and debris removal and emergency protective measures (Categories A and B), including direct Federal assistance under Public Assistance.

All counties within the State of Texas are eligible to apply for assistance under the Hazard Mitigation Grant Program.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

James L. Witt,

Director.

[FR Doc. 01–3933 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA–1356–DR]

Texas; Amendment No. 4 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster for the State of Texas, (FEMA–1356–DR), dated January 8, 2001, and related determinations.

EFFECTIVE DATE: January 22, 2001.

FOR FURTHER INFORMATION CONTACT: Madge Dale, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646–3772.

SUPPLEMENTARY INFORMATION: The notice of a major disaster for the State of Texas is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of January 8, 2001:

Briscoe, Crosby, Floyd, Nacogdoches, San Augustine, and Shelby Counties for Public Assistance.

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Lacy E. Suiter,

Executive Associate Director, Response and Recovery Directorate.

[FR Doc. 01–3936 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–02–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

Open Meeting of the Federal Interagency Committee on Emergency Medical Services (FICEMS)

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice of open meeting.

SUMMARY: FEMA announces the following open meeting.

Name: Federal Interagency Committee on Emergency Medical Services (FICEMS).

Date of Meeting: March 1, 2001.

Place: Suite 900, Emergency Medical Service for Children (EMS–C), 8737 Colesville Road in Silver Spring, Maryland 20910.

Time: 10:30 a.m.

Proposed Agenda: Review and submission for approval of previous FICEMS Committee Meeting Minutes; Ambulance Design Subcommittee and Technology Subcommittee Reports; presentation of member agency reports; reports of other Interested parties; discussion on Federal programs and policies regarding Public Access Defibrillation; presentation on military logistics program.

SUPPLEMENTARY INFORMATION: This meeting will be open to the public with limited seating available on a first-come, first-served basis. Members of the general public who plan to attend the meeting should contact William Troup, United States Fire Administration, 16825 South Seton Avenue, Emmitsburg, Maryland 21727, (301) 447–1231, on or before Monday, February 26, 2001.

Minutes of the meeting will be prepared and will be available upon request 30 days after they have been approved at the next FICEMS Committee Meeting on June 7, 2001.

Kenneth O. Burris, Jr.,

Acting U.S. Fire Administrator, United States Fire Administration.

[FR Doc. 01–3924 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–08–P

FEDERAL EMERGENCY MANAGEMENT AGENCY

Partially Open Meeting, Board of Visitors for the National Fire Academy

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice of partially open meeting.

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2, FEMA announces the following committee meeting:

Name: Board of Visitors for the National Fire Academy.

Dates of Meeting: March 22–24, 2001.

Place: Building H, Room 300, National Emergency Training Center, Emmitsburg, Maryland.

Time: March 22, 2001, 8:30 a.m.–10:30 a.m. (Closed Meeting); March 22, 2001, 10:30 a.m.–5 p.m. (Open Meeting); March 23, 2001, 8:30 a.m.–9 p.m. (Open Meeting); March 24, 2001, 8:30 a.m.–12 noon (Open Meeting).

Proposed Agenda: March 22, (Closed Meeting from 8:30 a.m. to 10:30 a.m., to review budget and procurement information.) March 23–24, Review National Fire Academy Program Activities.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public (except as noted above) with seating available on a first-come, first-served basis. Members of the general public who plan to attend the meeting should contact the Office of the Superintendent, National Fire Academy, U.S. Fire Administration, 16825 South Seton Avenue, Emmitsburg, MD 21727, (301) 447–1117, on or before March 16, 2001.

Minutes of the meeting will be prepared and will be available for public viewing in the Office of the Chief Operating Officer, U.S. Fire Administration, Federal Emergency Management Agency, Emmitsburg, Maryland 21727. Copies of the minutes will be available upon request within 60 days after the meeting.

Dated: February 5, 2001.

Kenneth O. Burris, Jr.,

Acting U.S. Fire Administrator.

[FR Doc. 01–3923 Filed 2–15–01; 8:45 am]

BILLING CODE 6718–01–U

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities; Correction

This notice corrects a notice (FR Doc. 01-3005) published on pages 9085 and 9086 of the issue for Tuesday, February 6, 2001.

Under the Federal Reserve Bank of Chicago heading, the entry for America United Bancorp, Inc., Schaumburg, Illinois, is revised to read as follows:

A. Federal Reserve Bank of Chicago (Phillip Jackson, Applications Officer) 230 South LaSalle Street, Chicago, Illinois 606901–1413:

1. AmericaUnited Bancorp, Inc., Schaumburg, Illinois; proposes to retain and continue to engage *de novo* in the nonbanking activity of extending credit and servicing loans, pursuant to § 225.28(b)(1) of Regulation Y.

Comments on this application must be received by February 20, 2001.

Board of Governors of the Federal Reserve System, February 12, 2001.

Robert deV. Frierson

Associate Secretary of the Board.

[FR Doc. 01–3895 Filed 2–15–01; 8:45 am]

BILLING CODE 6210–01–S

FEDERAL RESERVE SYSTEM

Notice of Proposals to Engage in Permissible Nonbanking Activities or to Acquire Companies that are Engaged in Permissible Nonbanking Activities

The companies listed in this notice have given notice under section 4 of the Bank Holding Company Act (12 U.S.C. 1843) (BHC Act) and Regulation Y (12 CFR Part 225) to engage *de novo*, or to acquire or control voting securities or assets of a company, including the companies listed below, that engages either directly or through a subsidiary or other company, in a nonbanking activity that is listed in § 225.28 of Regulation Y (12 CFR 225.28) or that the Board has determined by Order to be closely related to banking and permissible for bank holding companies. Unless otherwise noted, these activities will be conducted throughout the United States.

Each notice is available for inspection at the Federal Reserve Bank indicated. The notice also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether the proposal complies with the standards of section 4 of the BHC Act. Additional information on all bank holding companies may be obtained from the National Information Center website at www.ffiec.gov/nic/.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 2, 2001.

A. Federal Reserve Bank of Kansas City(D. Michael Manies, Assistant Vice President) 925 Grand Avenue, Kansas City, Missouri 64198–0001:

1. Winter Trust of 12/3/1974; Ottawa, Kansas, and Peoples, Inc., Colorado Springs, Colorado; to acquire Peoples Mortgage Corporation, Colorado Springs, Colorado, and thereby engage in mortgage lending activities, pursuant to § 225.28(b)(1) of Regulation Y.

Board of Governors of the Federal Reserve System, February 12, 2001.

Robert deV. Frierson

Associate Secretary of the Board.

[FR Doc. 01–3896 Filed 2–15–01; 8:45 am]

BILLING CODE 6210–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice of a meeting of the National Bioethics Advisory Commission (NBAC)

SUMMARY: Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), notice is given of a meeting of the National Bioethics Advisory Commission. The Commission will discuss its ongoing project ethical and policy issues in research involving human participants. Some Commission members may participate by telephone conference. The meeting is open to the public and opportunities for statements by the public will be provided on March 15 from 1:30–2 pm.

Dates/Times and Location

March 15, 2001, 8:30 am–5 pm, The Georgian Terrace, 659 Peachtree Street, Atlanta, Georgia 30308

March 16,2001, 8:30 am–12 pm, Same Location as Above

SUPPLEMENTARY INFORMATION: The President established the National Bioethics Advisory Commission (NBAC) on October 3, 1999 by Executive Order 12975 as amended. The mission of the NBAC is to advise and make recommendations to the National Science and Technology Council, its Chair, the President, and other entities on bioethical issues arising from the research on human biology and behavior, and from the applications of that research.

Public Participation

The meeting is open to the public with attendance limited by the availability of space on a first come, first serve basis. Members of the public who wish to present oral statements should contact Ms. Jody Crank by telephone, fax machine, or mail as shown below as soon as possible, at least 4 days before the meeting. The Chair will reserve time for presentations by persons requesting to speak and asks that oral statements be limited to five minutes. The order of persons wanting to make a statement will be assigned in the order in which requests are received. Individuals unable to make oral presentations can mail or fax their written comments to the NBAC staff office at least five business days prior to the meeting for distribution to the Commission and inclusion in the public record. The Commission also accepts general comments at its website at bioethics.gov. Persons needing special assistance, such as sign language interpretation or other special

accommodations, should contact NBAC staff at the address or telephone number listed below as soon as possible.

FOR FURTHER INFORMATION CONTACT: Ms. Jody Crank, National Bioethics Advisory Commission, 6705 Rockledge Drive, Suite 700, Bethesda, Maryland 20892–7979, telephone (301) 402–4242, fax number (301) 480–6900.

Dated: February 12, 2001.

Eric M. Meslin,

Executive Director, National Bioethics Advisory Commission.

[FR Doc. 01–3940 Filed 2–15–01; 8:45 am]

BILLING CODE 4167–01–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Annual Update of the HHS Poverty Guidelines

AGENCY: Department of Health and Human Services.

ACTION: Notice.

SUMMARY: This notice provides an update of the HHS poverty guidelines to account for last (calendar) year's increase in prices as measured by the Consumer Price Index.

EFFECTIVE DATE: These guidelines go into effect on the day they are published (unless an office administering a program using the guidelines specifies a different effective date for that particular program).

ADDRESSES: Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services (HHS), Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT: *For information about how the poverty guidelines are used or how income is defined in a particular program*, contact the Federal (or other) office which is responsible for that program.

For general questions about the poverty guidelines (but NOT for questions about a particular program—such as the Hill-Burton Uncompensated Services Program—that uses the poverty guidelines), contact Gordon Fisher, Office of the Assistant Secretary for Planning and Evaluation, Room 404E, Humphrey Building, Department of Health and Human Services, Washington, DC 20201—telephone: (202) 690–5880; persons with Internet access may visit the poverty guidelines Internet site at <http://aspe.hhs.gov/poverty/poverty.htm>.

For information about the Hill-Burton Uncompensated Services Program (no-fee or reduced-fee health care services at certain hospitals and other health care facilities for certain persons unable to pay for such care), contact the Office of the Director, Division of Facilities Compliance and Recovery, Health Resources and Services Administration, HHS, Room 10C–16, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857. To speak to a person, call (301) 443–5656. To receive a Hill-Burton information package, call 1–800–638–0742 (for callers outside Maryland) or 1–800–492–0359 (for callers in Maryland), and leave your name and address on the Hotline recording. Persons with Internet access may visit the Division of Facilities Compliance and Recovery Internet home page site at <http://www.hrsa.gov/osp/dfcr>. The Division of Facilities Compliance and Recovery notes that as set by 42 CFR 124.505(b), the effective date of this update of the poverty guidelines for facilities obligated under the Hill-Burton Uncompensated Services Program is sixty days from the date of this publication.

For information about the percentage multiple of the poverty guidelines to be used on immigration forms such as INS Form I–864, Affidavit of Support, contact the U.S. Immigration and Naturalization Service. To obtain information on the most recent applicable poverty guidelines from the Immigration and Naturalization Service, call 1–800–375–5283. Persons with Internet access may obtain the information from the Immigration and Naturalization Service Internet site at <http://www.ins.usdoj.gov/graphics/howdoi/affsupp.htm>.

For information about the Department of Labor's Lower Living Standard Income Level (an alternative eligibility criterion with the poverty guidelines for certain Workforce Investment Act programs and services), contact Ronald E. Putz, U.S. Department of Labor—telephone: (202) 693–3575—e-mail: <rputz@doleta.gov>; persons with Internet access may visit the Employment and Training Administration's Lower Living Standard Income Level Internet site a <http://www.wdsc.org/llsil>.

For information about the number of people in poverty since 1959 or about the Census Bureau statistical poverty thresholds, contact the HHES Division, Room G251, Federal Office Building #3, U.S. Census Bureau, Washington, DC 20233–8500—telephone: (301) 457–3242—or send e-mail to <hhes-info@census.gov>; persons with Internet access may visit the Poverty section of the Census Bureau's Internet site at <http://www.census.gov/hhes/www/poverty.html>.

2001 POVERTY GUIDELINES FOR THE 48 CONTIGUOUS STATES AND THE DISTRICT OF COLUMBIA

Size of family unit	Poverty guideline
1	$8,590
2	11,610
3	14,630
4	17,650
5	20,670
6	23,690
7	26,710
8	29,730

For family units with more than 8 members, add $3,020 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY GUIDELINES FOR ALASKA

Size of family unit	Poverty guideline
1	$10,730
2	14,510
3	18,290
4	22,070
5	25,850
6	29,630
7	33,410
8	37,190

For family units with more than 8 members, add $3,780 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

2001 POVERTY GUIDELINES FOR HAWAII

Size of family unit	Poverty guideline
1	$9,890
2	13,360
3	16,830
4	20,300
5	23,770
6	27,240
7	30,710
8	34,180

For family units with more than 8 members, add $3,470 for each additional member. (The same increment applies to smaller family sizes also, as can be seen in the figures above.)

(Separate poverty guideline figures for Alaska and Hawaii reflect Office of

Economic Opportunity administrative practice beginning in the 1966–1970 period. Note that the Census Bureau poverty thresholds—the primary version of the poverty measure—have never had separate figures for Alaska and Hawaii. The poverty guidelines are not defined for Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, the Republic of the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, and Palau. In cases in which a Federal program using the poverty guidelines serves any of those jurisdictions, the Federal office which administers the program is responsible for deciding whether to use the contiguous-states-and-D.C. guidelines for those jurisdictions or to follow some other procedure.)

The preceding figures are the 2001 update of the poverty guidelines required by section 673(2) of the Omnibus Budget Reconciliation Act (OBRA) of 1981 (Pub. L. 97–35—reauthorized by Pub. L. 105–285, Section 201 (1998)). As required by law, this update reflects last year's change in the Consumer Price Index (CPI–U); it was done using the same procedure used in previous years.

Section 673(2) of OBRA–1981 (42 U.S.C. 9902(2)) requires the use of these poverty guidelines as an eligibility criterion for the Community Services Block Grant program. The poverty guidelines are also used as an eligibility criterion by a number of other Federal programs (both HHS and non-HHS). Due to confusing legislative language dating back to 1972, the poverty guidelines have sometimes been mistakenly referred to as the ''OMB'' (Office of Management and Budget) poverty guidelines or poverty line. In fact, OMB has never issued the guidelines; the guidelines are issued each year by the Department of Health and Human Services (formerly by the Office of Economic Opportunity/Community Services Administration). The poverty guidelines may be formally referenced as ''the poverty guidelines updated annually in the **Federal Register** by the U.S. Department of Health and Human Services under the authority of 42 U.S.C. 9902(2).''

The poverty guidelines are a simplified version of the Federal Government's statistical poverty thresholds used by the Bureau of the Census to prepare its statistical estimates of the number of persons and families in poverty. The poverty guidelines issued by the Department of Health and Human Services are used for administrative purposes—for instance, for determining whether a person or family is financially eligible for assistance or services under a particular Federal program. The poverty thresholds are used primarily for statistical purposes. Since the poverty guidelines in this notice—the 2001 guidelines—reflect price changes through calendar year 2000, they are approximately equal to the poverty thresholds for calendar year 2000 which the Census Bureau expects to issue in September or October 2001. (A preliminary version of the 2000 thresholds is now available from the Census Bureau.)

In certain cases, as noted in the relevant authorizing legislation or program regulations, a program uses the poverty guidelines as only one of several eligibility criteria, or uses a percentage multiple of the guidelines (for example, 125 percent or 185 percent of the guidelines). Non-Federal organizations which use the poverty guidelines under their own authority in non-Federally-funded activities also have the option of choosing to use a percentage multiple of the guidelines such as 125 percent or 185 percent.

While many programs use the guidelines to classify persons or families as either eligible or ineligible, some other programs use the guidelines for the purpose of giving priority to lower-income persons or families in the provision of assistance or services.

In some cases, these poverty guidelines may not become effective for a particular program until a regulation or notice specifically applying to the program in question has been issued.

The poverty guidelines given above should be used for both farm and non-farm families. Similarly, these guidelines should be used for both aged and non-aged units. The poverty guidelines have never had an aged/non-aged distinction; only the Census Bureau (statistical) poverty thresholds have separate figures for aged and non-aged one-person and two-person units.

Definitions

There is no universal administrative definition of ''family,'' ''family unit,'' or ''household'' that is valid for all programs that use the poverty guidelines. Federal programs in some cases use administrative definitions that differ somewhat from the statistical definitions given below; the Federal office which administers a program has the responsibility for making decisions about its administrative definitions. Similarly, non-Federal organizations which use the poverty guidelines in non-Federally-funded activities may use administrative definitions that differ from the statistical definitions given below. In either case, to find out the precise definitions used by a particular program, please consult the office or organization administering the program in question.

The following statistical definitions (derived for the most part from language used in U.S. Bureau of the Census, Current Population Reports, Series P60–185 and earlier reports in the same series) are made available for illustrative purposes only; in other words, these statistical definitions are not binding for administrative purposes.

(a) Family. A family is a group of two or more persons related by birth, marriage, or adoption who live together; all such related persons are considered as members of one family. For instance, if an older married couple, their daughter and her husband and two children, and the older couple's nephew all lived in the same house or apartment, they would all be considered members of a single family.

(b) Unrelated individual. An unrelated individual is a person 15 years old or over (other than an inmate of an institution) who is not living with any relatives. An unrelated individual may be the only person living in a house or apartment, or may be living in a house or apartment (or in group quarters such as a rooming house) in which one or more persons also live who are not related to the individual in question by birth, marriage, or adoption. Examples of unrelated individuals residing with others include a lodger, a foster child, a ward, or an employee.

(c) Household. As defined by the Bureau of the Census for statistical purposes, a household consists of all the persons who occupy a housing unit (house or apartment), whether they are related to each other or not. If a family and an unrelated individual, or two unrelated individuals, are living in the same housing unit, they would constitute two family units (see next item), but only one household. Some programs, such as the Food Stamp Program and the Low-Income Home Energy Assistance Program, employ administrative variations of the ''household'' concept in determining income eligibility. A number of other programs use administrative variations of the ''family'' concept in determining income eligibility. Depending on the precise program definition used, programs using a ''family'' concept would generally apply the poverty guidelines separately to each family and/or unrelated individual within a household if the household includes more than one family and/or unrelated individual.

(d) Family Unit. ''Family unit'' is not an official U.S. Bureau of the Census term, although it has been used in the poverty guidelines **Federal Register** notice since 1978. As used here, either an unrelated individual or a family (as defined above) constitutes a family unit. In other words, a family unit of size one is an unrelated individual, while a family unit of two/three/etc. is the same as a family of two/three/etc.

Note that this notice no longer provides a definition of ''income.'' This is for two reasons. First, there is no universal administrative definition of ''income'' that is valid for all programs that use the poverty guidelines. Second, in the past there has been confusion regarding important differences between the statistical definition of income and various administrative definitions of ''income'' or ''countable income.'' The precise definition of ''income'' for a particular program is very sensitive to the specific needs and purposes of that program. To determine, for example, whether or not taxes, college scholarships, or other particular types of income should be counted as ''income'' in determining eligibility for a specific program, one must consult the office or organization administering the program in question; that office or organization has the responsibility for making decisions about the definition of ''income'' used by the program (to the extent that the definition is not already contained in legislation or regulations).

Dated: February 13, 2001.

Tommy G. Thompson,

Secretary of Health and Human Services.

[FR Doc. 01–4036 Filed 2–15–01; 8:45 am]

BILLING CODE 4154–05–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Working Group; Meeting

The National Center for Infectious Diseases (NCID), Division of Viral and Rickettsial Diseases (DVRD), Hepatitis Branch of the Centers for Disease Control and Prevention (CDC) announces the following meeting.

Name: Working Group to Review and Update Recommendations for the Prevention and Control of Viral Hepatitis among Incarcerated Persons.

Times and Dates:

7 p.m.—9:15 p.m., March 5, 2001
8:30 a.m.—4:30 p.m., March 6, 2001
8:30 a.m.—2:30 p.m., March 7, 2001

Place: Crown Plaza Ravinia Perimeter, 4355 Ashford-Dunwoody Road, Atlanta, Georgia 30346

Status: Open to the public, limited only by the space available. Registration required. See contact person for more information.

Purpose: The purpose of this working meeting is to review and update recommendations that will serve as a resource to individuals and organizations involved in prevention and control of viral hepatitis in adult and juvenile correctional settings.

Matters to be Discussed: Participants will discuss and update recommendations for infection control and hepatitis B immunization, and education, testing, and surveillance of hepatitis B and C in adult and juvenile incarceration settings. Discussions will include updating guidelines for medical evaluation, management and counseling of incarcerated individuals with chronic hepatitis B or chronic hepatitis C. The agenda will include an overview of issues related to prevention of transmission of these agents and management of infected patients in correctional settings and work group sessions on current and updated recommendations for infection control practices including screening and vaccination.

The participants will consist of representatives from public, private, voluntary and non-governmental organizations.

Agenda items are subject to change as priorities dictate.

Written comments are welcome and should be received by the contact person(s) listed below prior to the opening of the meeting.

Contact Persons for More Information: Katherine Roeder, Cindy Weinbaum, MD, or Rob Lyerla, PhD, Hepatitis Branch, NCID, CDC, M/S G–37, 1600 Clifton Road, NE., Atlanta, Georgia 30333, telephone 404/371–5460.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** Notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

Dated: February 8, 2001.

Carolyn J. Russell,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. 01–3990 Filed 2–15–01; 8:45 am]

BILLING CODE 4163–18–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Voluntary Establishment of Paternity.

OMB No. 0970–0175.

Description: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requires States to develop procedures for a simple civil process for voluntarily acknowledging paternity under which the State must provide that, before a mother and putative father can sign a voluntary acknowledgement of paternity, the mother and putative father must be given notice, orally and in writing, of the alternatives to, the legal consequences of, and the rights and responsibilities of acknowledging paternity, and ensure that due process safeguards are afforded.

Respondents: Hospitals, birth record agencies, and other entities participating in a State's voluntary paternity establishment program.

TABLE OF BURDEN ESTIMATES FOR INFORMING PARENTS OF THEIR RIGHTS AND RESPONSIBILITIES AND FOR PROVIDING TRAINING

Notifying entity	Number of disclosures	Number of disclosures per disclosure	Average burden hours per disclosure	Average burden hours for training	Total burden hours
Hospital	6,291	35.654	.166	800	38,034
Birth Record Agencies	3,072	3.319	.166	36	1,728
Child Support Agencies	3,072	3.319	.166	36	1,728
Private Health Care Providers	650,000	3.319	.166	36	1,728
Child Care Resource and Referral Centers	500	3.319	.166	36	1,728
Child Care Providers	310,000	3.319	.166	36	1,728

TABLE OF BURDEN ESTIMATES FOR INFORMING PARENTS OF THEIR RIGHTS AND RESPONSIBILITIES AND FOR PROVIDING TRAINING—Continued

Notifying entity	Number of disclosures	Number of disclosures per disclosure	Average burden hours per disclosure	Average burden hours for training	Total burden hours
TANF Agencies	3,072	36.507	.166	400	19,017
Legal Aid Agencies and Private Attorneys	946,500	3.319	.166	36	1,728
Food Stamp Agencies	3,072	3.319	.166	36	1,728
Community Action Agencies	1,158	3.319	.166	36	1,728
Head Start Schools	37,000	3.319	.166	36	1,728
Secondary Schools	23,046	3.319	.166	36	1,728
WIC Centers	1,800	3.319	.166	36	1,728

Estimated Total Annual Burden Hours: 76,059.

In compliance with the requirements of section 3506(c)(2)A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, D.C. 20447, Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

Dated: February 12, 2001.

Bob Sargis,

Reports Clearance Officer.

[FR Doc. 01–3889 Filed 2–15–01; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Proposed Information Collection Activity; Comment Request

Proposed Projects

Title: Required Data Elements for Paternity Establishment Affidavits.

ANNUAL BURDEN ESTIMATES

Instrument	Number of respondents	Number of responses per respondent	Average burden hours per response	Total burden hours
Affidavit	2,000,000	.2243	.166	74,468
Estimated Total Annual Burden Hours				74,468

In compliance with the requirements of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Administration for Children and Families is soliciting public comment on the specific aspects of the information collection described above. Copies of the proposed collection of information can be obtained and comments may be forwarded by writing to the Administration for Children and Families, Office of Information Services, 370 L'Enfant Promenade, SW., Washington, DC 20447. Attn: ACF Reports Clearance Officer. All requests should be identified by the title of the information collection.

The Department specifically requests comments on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted within 60 days of this publication.

OMB No. 0970–0171.

Description: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 required the Secretary of the Department of Health and Human Services to specify the minimum data elements of an affidavit to be used for the voluntary acknowledgment of paternity. States must enact laws requiring the development and use of the affidavit and to give full faith and credit to affidavits signed in any other State according to its procedures.

Respondents: State birth record agencies and State Child Support Offices.

Dated: February 12, 2001.

Bob Sargis,

Reports Clearance Officer.

[FR Doc. 01–3890 Filed 2–15–01; 8:45 am]

BILLING CODE 4184–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

Radiological Devices Panel of the Medical Devices Advisory Committee; Notice of Meeting

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

This notice announces a forthcoming meeting of a public advisory committee of the Food and Drug Administration (FDA). The meeting will be open to the public.

Name of Committee: Radiological Devices Panel of the Medical Devices Advisory Committee.

General Function of the Committee: To provide advice and recommendations to the agency on FDA's regulatory issues.

Date and Time: The meeting will be held on March 5, 2001, 9 a.m. to 3:30 p.m.

Location: Corporate Bldg., conference room 020B, 9200 Corporate Blvd., Rockville, MD.

Contact: Robert J. Doyle, Center for Devices and Radiological Health (HFZ–470), Food and Drug Administration, 9200 Corporate Blvd., Rockville, MD 20850, 301–594–1212, or FDA Advisory Committee Information Line, 1–800–741–8138 (301–443–0572 in the Washington, DC area), code 12526. Please call the Information Line for up-to-date information on this meeting.

Agenda: The committee will discuss, make recommendations, and vote on a premarket approval application for a computer-aided detection device for identifying regions of interest in chest radiographs.

Procedure: Interested persons may present data, information, or views, orally or in writing, on issues pending before the committee. Written submissions may be made to the contact person by February 26, 2001. Oral presentations from the public will be scheduled between approximately 9:15 a.m. and 9:45 a.m., and for an additional 30 minutes near the end of the committee deliberations. Time allotted for each presentation may be limited. Those desiring to make formal oral presentations should notify the contact person before February 26, 2001, and submit a brief statement of the general nature of the evidence or arguments they wish to present, the names and addresses of proposed participants, and an indication of the approximate time requested to make their presentation.

Notice of this meeting is given under the Federal Advisory Committee Act (5 U.S.C. app. 2).

Dated: February 9, 2001.

Bonnie H. Malkin,

Special Assistant to the Senior Associate Commissioner.

[FR Doc. 01–4033 Filed 2–15–01; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 98D 0994]

Guidance for Industry on BACPAC I: Intermediates in Drug Substance Synthesis; Bulk Actives Postapproval Changes: Chemistry, Manufacturing, and Controls Documentation; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance for industry entitled ''BACPAC I: Intermediates in Drug Substance Synthesis; Bulk Actives Postapproval Changes: Chemistry, Manufacturing, and Controls Documentation.'' This guidance provides recommendations to holders of new drug applications, abbreviated new drug applications, new animal drug applications, abbreviated new animal drug applications, and drug master files or veterinary master files who intend, during the postapproval period, to change the site of manufacture, the scale of manufacture, the equipment, the specification(s), and/or the manufacturing process of intermediates in the synthetic pathway leading to the drug substance.

DATES: Submit written comments on agency guidances at any time.

ADDRESSES: Submit written requests for single copies of this guidance to the Drug Information Branch (HFD–210), Center for Drug Evaluation and Research, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857. Send one self-addressed adhesive label to assist that office in processing your requests. Submit written comments on the guidance to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. See the **SUPPLEMENTARY INFORMATION** section for electronic access to the guidance document.

FOR FURTHER INFORMATION CONTACT: Kasturi Srinivasachar, Center for Drug Evaluation and Research (HFD–110), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–594–5376; or Dennis M. Bensley, Center for Veterinary Medicine (HFV–143), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–6956.

SUPPLEMENTARY INFORMATION:

I. Background

FDA is announcing the availability of a guidance for industry entitled ''BACPAC I: Intermediates in Drug Substance Synthesis; Bulk Actives Postapproval Changes: Chemistry, Manufacturing, and Controls Documentation.'' This guidance describes chemistry, manufacturing, and controls information and documentation in support of each change and provides recommendations on reporting categories. The guidance applies to synthetic drug substances and the synthetic steps involved in the preparation of semisynthetic drug substances. It is limited to structurally well-characterized drug substances where impurities can be monitored at the levels recommended. The guidance covers changes as follows: (1) Site, scale, and equipment changes involving the synthetic steps up to, and including, the step that produces the final intermediate; (2) specification changes for raw materials, starting materials, and intermediates, excluding the final intermediate; and (3) manufacturing process changes involving the synthetic steps up to and including the final intermediate. The guidance does not cover postapproval changes affecting: (1) Synthetic peptides, (2) oligonucleotides, (3) radiopharmaceuticals, (4) drug substances derived exclusively by isolation from natural sources or produced by procedures involving biotechnology, or (5) nonsynthetic steps for semisynthetic drug substances. Also excluded from this guidance are certain changes in specification and process associated with the use of raw materials or starting materials derived from natural sources or biotechnology.

In the **Federal Register** of November 30, 1998 (63 FR 65793), FDA announced the availability of a draft version of this guidance. The November 1998 guidance gave interested persons an opportunity to submit comments through March 31, 1999. All comments received during the comment period have been carefully reviewed and incorporated in this revised guidance where appropriate. As a result of the public comment, the guidance is clearer and more concise than the draft version.

This Level 1 guidance is being issued consistent with FDA's good guidance

practices regulation (21 CFR 10.115; 65 FR 56468, September 19, 2000). The guidance represents the agency's current thinking on intermediates in drug substance synthesis, bulk actives postapproval changes, chemistry, manufacturing, and controls documentation. It does not create or confer any rights for or on any person and does not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

II. Comments

Interested persons may, at any time, submit written comments on the guidance 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 guidance. The guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

III. Electronic Access

Persons with access to the Internet may obtain the document at http://www.fda.gov/cder/guidance/index.htm or http://www.fda.gov/cvm.

Dated: February 8, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–3956 Filed 2–15–01; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 00D–1313]

Guidance for Industry on How to Use E–Mail to Submit a Notice of Final Disposition of Animals Not Intended for Immediate Slaughter; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the final guidance for industry (#86) entitled ''How to Use E–Mail to Submit a Notice of Final Disposition of Animals Not Intended for Immediate Slaughter'' to the Center for Veterinary Medicine (CVM). This final guidance provides guidelines to new animal drug sponsors (sponsors) on how to submit a notice of final disposition of animals not intended for immediate slaughter (NFDA) as an e-mail attachment by Internet. This electronic submission is part of CVM's ongoing initiative to provide a method for paperless submissions. This final guidance implements provisions of the Government Paperwork Elimination Act (GPEA).

DATES: Submit written comments on the final guidance at any time.

ADDRESSES: Submit written comments on the final guidance to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Comments should be identified with the full title of the final guidance and the docket number found in brackets in the heading of this document.

Copies of the final guidance document entitled ''How to Use E–Mail to Submit a Notice of Final Disposition of Animals Not Intended for Immediate Slaughter'' may be obtained on the Internet from the CVM home page at http://www.fda.gov/cvm/. Persons without Internet access may submit written requests for single copies of the final guidance to the Communications Staff (HFV–12), Center for Veterinary Medicine, Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests.

FOR FURTHER INFORMATION CONTACT: Janis R. Messenheimer, Center for Veterinary Medicine (HFV–135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–7578, e-mail: jmessenh@cvm.fda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 29, 2000 (65 FR 40104), FDA published the notice of availability of the draft guidance entitled ''How to Use E–Mail to Submit a Notice of Final Disposition of Animals Not Intended for Immediate Slaughter'' (hereinafter referred to as the June 2000 notice). Interested persons were given until August 28, 2000, to submit comments. FDA received no comments.

In the **Federal Register** of March 20, 1997 (62 FR 13430), FDA published the Electronic Records; Electronic Signatures final regulation. This regulation (21 CFR part 11) provides for the voluntary submission of parts or all of regulatory records in electronic format without an accompanying paper copy. This rule also established docket number 92S–0251 to provide a permanent location for a list of the documents or parts of documents that are acceptable for submission in electronic form without paper records and the agency units to which such submissions may be made. The docket is accessible on the Internet at http://www.fda.gov/ohrms/dockets/dockets/92s0251.htm. CVM will identify in this public docket the types of documents that may be submitted in electronic form as those documents are identified in final guidance or regulations.

The electronic submission of NFDA's is part of CVM's ongoing initiative to provide a method for paperless submissions. This initiative reflects the principles behind the GPEA.

The GPEA of 1998 (Public Law 105–277) requires Federal agencies, by October 21, 2003, to provide: (1) For the option of the electronic maintenance, submission, or disclosure of information, if practicable, as a substitute for paper; and (2) for the use and acceptance of electronic signatures, when practicable.

Before submitting NFDA's by e-mail, sponsors should first register and follow the instructions in final guidance for industry (#108) entitled ''How to Use E–Mail to Submit Information to the Center for Veterinary Medicine.'' This final guidance is also available at http://www.fda.gov/cvm.

CVM monitors the final disposition of food animals treated with investigational new animal drugs in situations where the treated animals do not enter the human food chain immediately at the completion of the investigational study. Monitoring of the final disposition of such food animals is consistent with CVM's responsibility to protect the public health under the Federal Food, Drug, and Cosmetic Act. In addition, acceptable standards of study conduct such as those set out in 21 CFR 514.117 include sponsors accounting for the disposition of all animals treated with investigational new animal drugs. Furthermore, CVM requests this information because some animals are held for 30 days after the investigational drug withdrawal period ends, and CVM does not request a notice of intent to slaughter for human food purposes for these animals. Animals held for this period may still be sent for slaughter, however. CVM issues a slaughter authorization letter to sponsors that sets the terms under which animals treated with investigational new animal drugs may be slaughtered (21 CFR 511.1(b)(5)). Also in this letter, CVM requests that sponsors submit NFDA's for animals that are treated with investigational new animal drugs and are not intended for immediate slaughter. NFDA's have historically been submitted to CVM on

paper. This final guidance will give sponsors the option to submit an NFDA as an e-mail attachment to CVM via the Internet.

II. Significance of Guidance

This Level 1 final guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115; 65 FR 56468, September 19, 2000). The final guidance represents the agency's current thinking about using e-mail to submit an NFDA. It does not create or confer any rights for or on any person and will not operate to bind FDA or the public. An alternative approach may be used if such approach satisfies the requirements of the applicable statutes and regulations.

III. Paperwork Reduction Act of 1995

In the June 2000 notice, FDA published a notice of the proposed collection of information related to the guidance. The **Federal Register** notice also requested comments on the burden estimates for the guidance document. No comments were received on the estimated annual reporting burden. The annual reporting burden estimate of 262 hours therefore remains unchanged. In the **Federal Register** of September 21, 2000 (65 FR 57193), the agency announced that it was submitting the collection of information to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The information collection provisions related to this final guidance have been approved under OMB control number 0910–0453. This approval expires November 30, 2003.

IV. Comments

As with all of FDA's guidances, the public is encouraged to submit written comments with new data or other new information pertinent to this final guidance. FDA will periodically review the comments in the docket and, where appropriate, will amend the guidance. The agency will notify the public of any such amendments through a notice in the **Federal Register**.

Interested persons may submit to the Dockets Management Branch (address above) written comments on this final guidance at any time. Two copies of any comments are to be submitted, except individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. A copy of the final guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 9, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–3886 Filed 2–15–01; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 00D–1316]

Guidance for Industry on How to Use E–Mail to Submit a Request for a Meeting or Teleconference to the Office of New Animal Drug Evaluation; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of the final guidance for industry (#88) entitled. ''How to Use E–Mail to Submit a Request for a Meeting or Teleconference to the Office of New Animal Drug Evaluation'' in the Center for Veterinary Medicine (CVM). This final guidance provides guidelines to new animal drug sponsors (sponsors) on how to submit a request for a meeting or teleconference about a new animal drug submission as an e-mail attachment by Internet. These electronic submissions are part of CVM's ongoing initiative to provide a method for paperless submissions. This final guidance implements provisions of the Government Paperwork Elimination Act (GPEA).

DATES: Submit written comments at any time.

ADDRESSES: Copies of the final guidance document entitled ''How to Use E–Mail to Submit a Request for a Meeting or Teleconference to the Office of New Animal Drug Evaluation'' may be obtained on the Internet from the CVM home page at http://www.fda.gov/cvm/ . Persons without Internet access may submit written requests for single copies of the final guidance to the Communications Staff (HFV–12), Center for Veterinary Medicine, Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855. Send one self-addressed adhesive label to assist that office in processing your requests.

Submit written comments on the final guidance to the Dockets Management Branch (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Comments should be identified with the full title of the final guidance document and the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Janis R. Messenheimer, Center for Veterinary Medicine (HFV–135), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–827–7578, e-mail: jmessenh@cvm.fda.gov.

SUPPLEMENTARY INFORMATION:

I. Background

In the **Federal Register** of June 29, 2000 (65 FR 40108), FDA published the notice of availability of the draft guidance entitled ''How to Use E–Mail to Submit a Request for a Meeting or Teleconference to the Office of New Animal Drug Evaluation'' giving interested persons until August 28, 2000, to submit comments. FDA received no comments.

In the **Federal Register** of March 20, 1997 (62 FR 13430), FDA published the Electronic Records; Electronic Signatures, final regulation. This regulation (21 CFR part 11) provides for the voluntary submission of parts or all of regulatory records in electronic format without an accompanying paper copy. This final rule also established public docket number 97S–0251 to provide a permanent location for a list of the documents or parts of documents that are acceptable for submission in electronic form without paper records and the agency units to which such submissions may be made. CVM will identify in this public docket the types of documents that may be submitted in electronic form as those documents are identified in final guidance or regulations. This docket is accessible on the Internet at http://www.fda.gov/ohrms/dockets/dockets/92s0251/92s0251.htm.

The electronic submission of requests for meetings and teleconferences is part of CVM's ongoing initiative to provide a method for paperless submissions. The final guidance implements provisions of the GPEA. The GPEA of 1998 (Public Law 105–277) requires Federal agencies, by October 21, 2003, to provide: (1) For the option of the electronic maintenance, submission, or disclosure of information, if practicable, as a substitute for paper; and (2) for the use and acceptance of electronic signatures, when practicable.

On request, CVM will hold meetings and/or teleconferences to assist sponsors with new animal drug submissions and general questions. Currently, sponsors submit meeting and

teleconference requests to CVM on paper. CVM would like to allow sponsors to request meetings and teleconferences in a manner more efficient and time saving to them. This final guidance will give sponsors the option to submit a request for a meeting or teleconference as an e-mail attachment by the Internet.

Before submitting requests for meetings or teleconferences by e-mail, sponsors should first register and follow the instructions in the final guidance for industry (#108) entitled ''How to Use E–Mail to Submit Information to CVM.''

II. Significance of Guidance

This Level 1 final guidance is being issued consistent with FDA's good guidance practices regulation (21 CFR 10.115; 65 FR 56468, September 19, 2000). The final guidance represents the agency's current thinking on submitting a request for a meeting or teleconference about new animal drug submissions by e-mail. The final guidance does not create or confer any rights for or on any person and will not operate to bind FDA or the public. An alternative method may be used if such approach satisfies the requirements of the applicable statutes and regulations.

III. Paperwork Reduction Act of 1995

In the document announcing the availability of the draft version of this guidance (65 FR 40108), FDA published notice of the proposed collection of information related to the guidance. The **Federal Register** document also requested comments on the burden estimates for the guidance document. No comments were received on the estimated annual reporting burden. The annual reporting burden estimate of 116 hours, therefore remains unchanged. In the **Federal Register** of September 21, 2000 (65 FR 57194), the agency announced that it was submitting the collection of information to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995. The information collection provisions related to this final guidance document have been approved under OMB control number 0910–0452. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. This approval expires November 30, 2003.

V. Comments

As with all of FDA's guidances, the public is encouraged to submit written comments with new data or other new information pertinent to this final guidance. FDA will periodically review the comments in the docket and, where appropriate, will amend the guidance. The agency will notify the public of any such amendments through a notice in the **Federal Register**.

Interested persons may, at any time, submit written comments on the guidance to the Dockets Management Branch (address above). Two copies of any comments are to be submitted, except individuals may submit one copy. Comments should be identified with the docket number found in brackets in the heading of this document. The guidance and received comments are available for public examination in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: February 9, 2001.

Ann M. Witt,

Acting Associate Commissioner for Policy.

[FR Doc. 01–3887 Filed 2–15–01; 8:45 am]

BILLING CODE 4160–01–S

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[Document Identifier: HCFA–565]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, has submitted to the Office of Management and Budget (OMB) the following proposal for the collection of information. Interested persons are invited to send comments regarding the burden estimate or any other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Type of Information Collection Request: Extension of a currently approved collection; *Title of Information Collection:* Medicare Qualification Statement for Federal Employees and Supporting Regulations in 42 CFR 406.15; *Form No.:* HCFA–565 (OMB# 0938–0501); *Use:* The HCFA–565 is completed by an individual filing for hospital insurance (HI) benefits (Part A) based upon their federal employment. This information is necessary to determine if HCFA/SSA can use federal employment prior to 1983 to qualify for free Part A. The data is passed to the HI master record, the Enrollment Data Base (EDB). An HI record showing appropriate entitlement is established and if applicable, a Medicare card is issued. *Frequency:* Other (one time only); *Affected Public:* Individuals or Households, Federal Government, and State, Local, or Tribal Government; *Number of Respondents:* 4,300; *Total Annual Responses:* 4,300; *Total Annual Hours:* 731.

To obtain copies of the supporting statement for the proposed paperwork collections referenced above, access HCFA's WEB SITE ADDRESS at *http://www.hcfa.gov/regs/prdact95.htm,* or E-mail your request, including your address and phone number, to Paperwork@hcfa.gov, or call the Reports Clearance Office on (410) 786–1326. Written comments and recommendations for the proposed information collections must be mailed within 30 days of this notice directly to the OMB Desk Officer designated at the following address: OMB Human Resources and Housing Branch, Attention: Allison Eydt, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 30, 2001.

John P. Burke, III,

HCFA Reports Clearance Officer, HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.

[FR Doc. 01–3972 Filed 2–15–01; 8:45 am]

BILLING CODE 4120–03–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

[Document Identifier: HCFA–10011]

Agency Information Collection Activities: Submission for OMB Review; Comment Request

In compliance with the requirement of section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Health Care Financing Administration (HCFA), Department of Health and Human Services, has submitted to the Office of Management and Budget (OMB) the following proposal for the collection of information. Interested persons are invited to send comments regarding the burden estimate or any

other aspect of this collection of information, including any of the following subjects: (1) The necessity and utility of the proposed information collection for the proper performance of the agency's functions; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) the use of automated collection techniques or other forms of information technology to minimize the information collection burden.

Type of Information Collection Request: New Collection;

Title of Information Collection: Stages of Change Survey for Informed Choice in the Medicare Population;

Form No.: HCFA–10011 (OMB# 0938–NEW)

Use: This is a survey of Medicare beneficiaries in the first step in the application the Transtheoretical Model (the ''stage model'') to informed choice in the Medicare population. The Transtheoretical Model has been applied and proven effective in facilitating behavior change in a wide range of health behaviors including smoking cessation, mammography screening, and safe sex. This work will yield psychometrically sound and externally valid measures of beneficiaries' readiness to make informed choices about health plans, and provide information to HCFA to assist with its national educational campaign to inform beneficiaries about their choices. Stages of Change measures will be administered to 560 Medicare beneficiaries' readiness to make informed choices about health plans, and provide information to guide HCFA's National Medicare Education Program (NMEP).;

Frequency: Other: One-time survey;

Affected Public: Individuals or Households;

Number of Respondents: 560;

Total Annual Responses: 560;

Total Annual Hours: 327.

To obtain copies of the supporting statement for the proposed paperwork collections referenced above, access HCFA's Web Site Address at *http://www.hcfa.gov/regs/prdact95.htm,* or E-mail your request, including your address and phone number, to Paperwork@hcfa.gov, or call the Reports Clearance Office on (410) 786–1326. Written comments and recommendations for the proposed information collections must be mailed within 30 days of this notice directly to the OMB Desk Officer designated at the following address: OMB Human Resources and Housing Branch, Attention: Allison Eydt, New Executive Office Building, Room 10235, Washington, DC 20503.

Dated: January 25, 2001.

John P. Burke III,

HCFA Reports Clearance Officer, HCFA, Office of Information Services, Security and Standards Group, Division of HCFA Enterprise Standards.

[FR Doc. 01–3973 Filed 2–15–01; 8:45 am]

BILLING CODE 4120–03–P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4652–N–02]

Notice of Proposed Information Collection for Public Comment for the Analysis of Proposed Main Construction Contract

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: Comments Due Date: April 17, 2001.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control number and should be sent to: Mildred M. Hamman, Reports Liaison Officer, Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4238, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Mildred M. Hamman, (202) 708–3642, extension 4128, for copies of the proposed forms and other available documents. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Analysis of Proposed Main Construction Contract.

OMB Control Number: 2577–0037.

Description of the need for the information and proposed use: Under the Annual Contribution Contract (ACC), Public Housing Agencies (PHAs) must prepare and submit main construction contracts and other contracts for projects being developed, or proposed to be developed under the Low-Income Housing Program. HUD will use the information to approve construction bids and budgets prior to awarding PHA's construction contracts.

Agency form number: HUD–52396.

Members of affected public: State or Local Government.

Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: 114 respondents, annually, 2 hours average per response; total annual reporting burden 248 hours.

Status of the proposed information collection: Extension, without change.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: February 9, 2001.

Gloria Cousar,

Acting General Deputy, Assistant Secretary for Public and Indian Housing.

BILLING CODE 4210–33–M

Analysis of Proposed Main Construction Contract

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0037 (exp. 4/30/2001)

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is collected under the authority of Section 6(c) of the U.S. Housing Act of l937. Under the ACC, Housing Agencies (HAs) must prepare and submit main construction contracts and other contracts for projects being developed, or proposed to be developed under the Low-Income Housing Program HUD will use the information to approve construction bids and budgets prior to awarding PHA's construction contracts. The approved pre-bid budget amounts for various elements, the actual bid amounts and any proposed changes, and the actual final adjusted bid amount by comparing these elements, HUD/PHA can prepare a revised Development Cost Budget. Responses to the collection of information are required to obtain a benefit The information requested does not lend itself to confidentiality.

Name of Public Housing Agency	Project No.	
Location of Project	No. of Units	No. of Rooms

	Account Classification 1	Pre-Bid Estimate 2	Bid Amount 3	Proposed Changes in Bid Amount 4	Bid Amount Plus or Minus Changes (3 + 4) 5
	Site Improvement (1450) Demolition				
	Grading				
	Sanitary Sewers				
	Storm Sewers				
	Water Distribution				
	Gas Distribution System				
	Electric Distribution System				
	All. for Abnormal Sub-Soil Conditions				
	Excess Dwell. & Nondwell. Foundations				
	Paved Areas				
	Fin. Grading, Lawns & Planting				
	Miscellaneous				
61	**Total Site Improvement**				
	Dwelling Structures (1460) General				
	Plumbing				
	Heating (except space heaters)				
	Electrical (including meters)				
	Elevators				
	Total Dwelling Structures				
	Dwelling Equipment (1465) Ranges				
	Refrigerators				
	Space Heaters				
	Shades				
	Screens				
	Work Tables				
	Other				
	Total Dwelling Equipment				
	Nondwelling Structures (1470) Admin. Bldgs. or Spaces				
	Maintenance Bldgs. or Spaces				
	Community Bldgs. or Spaces				
	Total Nondwelling Structures				
	Nondwelling Equipment (1475)				
	Total				

Previous editions are obsolete. ref. Handbooks 7475.1 & 7417.1 form **HUD-52396** (1/93)

[FR Doc. 01–3903 Filed 2–15–01; 8:45 am]
BILLING CODE 4210–33–C

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4656–N–01]

Notice of Proposed Information Collection: Comment Request; Issuer's Monthly Remittance Advice and Issuer's Monthly Serial Note Remittance Advice

AGENCY: Office of the President of the Government National Mortgage Association (Ginnie Mae), HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: Comments Due Date: April 17, 2001.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Sonya Suarez, Government National Mortgage Association, Office of Policy, Planning and Risk Management, Department of Housing & Urban Development, 451—7th Street, SW, Room 6226, Washington, DC 20410.

FOR FURTHER INFORMATION CONTACT: Sonya Suarez, Ginnie Mae, (202) 708–2772 (this is not a toll-free number), for copies of the proposed forms and other available documents.

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

Through this Notice, the Department is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Issuer's Monthly Remittance Advice and Issuer's Monthly Serial Note Remittance Advice.

OMB Control Number, if applicable: 2503–0015.

Description of the need for the information and proposed use: The Form HUD 11714 is used to advise each security holder of the current month's account transactions and calculation of holder's pro rata share percentage of total cash distribution. The Form HUD 11714SN is used to provide a summary of information to the holders of Serial Note Certificates with respect to the current month's account transactions, calculation of interest and principal to be distributed, and data with respect to the redemption of Serial Units.

Agency form numbers, if applicable: HUD Form 11714 and 11714SN.

Members of affected public: For-profit business (mortgage industry trade associations, securities companies, accounting firms, law firms, service providers, etc.)

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response:

Estimation of total number of hours needed to prepare the information collection is based on the number of respondents multiplied by the frequency of responses:

445 issuers + 21,500 responses = 21,945 responses

21,945 × 12 months = 263,340 Annual Responses,

263,340 × .01 (1 minute) = *2,633 Annual Burden Hours*

Status of the proposed information collection: This is a reinstatement, with change, of a previously approved collection for which approval has expired.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: February 1, 2001.

George S. Anderson,

Executive Vice President, Ginnie Mae.

[FR Doc. 01–3904 Filed 2–15–01; 8:45 am]
BILLING CODE 4210–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4652–N–01]

Notice of Proposed Information Collection for Public Comment; Allocation of Operating Subsidies Under the Operating Fund Formula: Data Collection

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: Comments Due Date: April 17, 2001.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control number and should be sent to: Mildred M. Hamman, Reports Liaison Officer, Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4238, Washington, DC 20410–5000.

FOR FURTHER INFORMATION CONTACT: Mildred M. Hamman, (202) 708–3642, extension 4128, for copies of the proposed forms and other available documents. (This is not a toll-free number).

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) enhance the quality, utility, and clarity of the information to be collected; and (4) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated collection techniques or other forms of information

technology; e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Allocation of Operating Subsidies under the Operating Fund Formula: Data Collection (formerly the performance Funding System (PFS)).

OMB Control Number: 2577–0029.

Description of the need for the information and proposed use: Statute requires that HUD implement an interim Operating Fund Formula for determining the payment of operating subsidies to public housing agencies (PHAs) for the operation and management of public housing. Section 9(f) establishes an Operating Fund for the purposes of making assistance available to PHAs; assistance made available from the Operating Fund is determined using a formula developed through negotiated remaking procedures. PHAs will compute operating subsidy eligibility by using forms prescribed by HUD as follows: Operating Fund Formula Data Collection (HUD–52720–A); Operating Fund Calculation of Formula and Delta (HUD–52720–B); Range Test and Determination of Base Year Expense Level (HUD–52720–C); Direct Disbursement Payment Schedule Data Operating Subsidies Public Housing Program (HUD–52721); Calculation of Allowable Utilities Expense Level (HUD–52722–A); Adjustment for Utility Consumption and Rates (HUD–52722–B); Operating Fund Calculation of Operating Subsidy (HUD–52723); Calculation of Subsidies for Operation (HUD–53087). Where appropriate, references to the Performance Funding System (PFS) have been changed to the operating fund; all references to Indian Housing Authorities (IHAs) have been removed. Line numbers have been revised to start at ''01'' on Form HUD–52722–B. Form HUD–53087 is being reinstated; all references to Section 23 Leased Housing have been removed. In the third quarter of FY 2001, HUD plans to start automating in phases all forms relating to operating subsidy calculations and the operating budget in the Public and Indian Housing Information Center (PIC).

Agency form number: HUD–52720–A, HUD–52720–B, HUD–52720–C, HUD–52721, HUD–52722–A, HUD–52722–B, HUD–52723, HUD–53087.

Members of affected public: State, Local government; PHAs.

Estimation of the total number of hours needed to prepare the information collection including number of respondents, frequency of response, and hour of response: 3,200 respondents, 1 response per respondent (eight forms) 25,600 total responses, .45 average time per response, 11,520 hours total burden.

Status of the proposed information collection: Extension; reinstatement (HUD–53087).

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: February 9. 2001.

Gloria Cousar,

Acting General Deputy Assistant Secretary for Public and Indian Housing.

BILLING CODE 4210–33–M

Operating Fund Formula Data Collection

PHA-Owned Rental Housing

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029 (exp. 5/31/2001)

DRAFT

1. Name and Address of Public Housing Agency	2. AC Contract No.	Page of
	3. Submission ☐ Original ☐ Revision No.( )	

Part I. Bedroom Composition and Unit Months Available

1. Ending Dates of PHA's Fiscal Year	Number of Dwelling Units by Bedroom Size 2. O BR	3. 1 BR	4. 2 BR	5. 3 BR	6. 4 BR	7. 5 BR	8. 6+ BR	9. Total Dwelling Units	10. Total Unit Months Available

Part II. Calculation of PHA/IHA characteristics for formula

A1	Number of two or more bedroom units (Total of columns 4 - 8, Part I)	
A2	Lesser of A1 or 15,000	
B1	Number of three or more bedroom units (Total of columns 5 - 8, Part I)	
B2	Total dwelling units (Column 9, Part I)	
B3	Ratio of three or more bedroom units to total dwelling units (line B1 divided by line B2)	

Part III. To be completed only if PHA has a high-rise family project

1. ACC Project Number List only High-Rise Family Projects (Col. 5 ≥ 35; Col. 7 ≥ 1.5; and Col. 8 ≥ 5)	2. Number of Two or More Bedroom Units in Project	3. Total Number of Dwelling Units in Project	4. Number of Buildings in the Project	5. Average Number of Units in a Building (Must be ≥ 35 to be included in this Table) (Col. 3 ÷ Col. 4)	6. Total Number of Bedrooms in Project	7. Average Bedroom Size (Must be ≥ 1.5 to be included in this Table) (Col. 6 ÷ Col. 3)	8. Height in Stories of Tallest Building (Must be ≥ 5 to be included in this Table)

Public Reporting Burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 9(a) of the U.S. Housing Act of I937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level(AEL), Allowable Utilities Expense Level (AUEL) and Other Costs for the major Operating Fund components. HUD reviews the information (Operating subsidy calculation) to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual approprations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

Instructions for Form HUD-52720-A

This form is only applicable to PHA-owned rental housing projects, under an Annual Contributions Contract (ACC) that will be available for occupancy within the requested budget year. This form is not applicable to the Section 23 Leased Housing Program, the Section 23 Housing Assistance Payments Program, the Section 8 Housing Assistance Payments Program, the Mutual-Help Program, or the Turnkey III or Turnkey IV Homeownership Opportunity Programs. Operating Fund is not applicable to the Housing Agencies of Alaska, Puerto Rico, the Virgin Islands or Guam. This form does not need to be completed if the PHA has not experienced a change in the number of its units in excess of 5 percent or 1000 units, whichever is less, since the last adjustment to the Allowable Expense Level using form HUD-52720-B. This form is also not applicable for the first budget year under Operating Fund for a new project of an existing PHA that the PHA decides to place under a separate ACC, unless the new project has been in management for at least one full fiscal year before the Requested Budget Year.

Prepare a separate copy of this form for each ACC. Send this form with form HUD-52564, Operating Budget, for each ACC for the Requested budget year, to the HUD Field Office. Carry numbers on this form to five decimal places.

Part I. Bedroom Composition and Unit Months Available

Column 1. Ending Dates of PHA's Fiscal Year. Enter the applicable date for the fiscal year to which the numbers on this form apply. If using this form for the one-time AEL adjustment in accordance with the revision to the Performance Funding System regulation published on February 4, 1992, complete for the PHA fiscal year ending in calendar year 1992. In the first year that you use this version of the form for the long calculation of the delta, you must prepare two copies of this form - one using the PHA characteristics for the requested budget year and one for the last year in which an adjustment was made based on the long calculation. After the first year that you use this version of the form for the long calculation of the delta, you will only need to prepare one copy using the PHA characteristics for the requested budget year.

Columns 2-8. Enter the total number of dwelling units available for occupancy at the end of the fiscal year by bedroom size for all projects. The classification of the bedroom size of a dwelling unit shall be the same as it was classified in the Development Program or subsequently reclassified as approved by HUD. A unit is considered available for occupancy from the date on which the End of the Initial Operating Period (EIOP) for the project is established until the time it is approved by HUD for deprogramming and is vacated or is approved for nondwelling use. On or after July 1, 1991, a unit is not considered available for occupancy in any PHA Requested Budget Year if the unit is located in a vacant building in a project that HUD has determined is nonviable. List efficiency apartments with no separate bedroom under "0" Bedroom Size. If there are no units of a certain size, insert 0 (zero) in the block(s) for the designated bedroom size category.

Column 9. Total Dwelling Units. Enter the total of columns 2-8.

Column 10. Total Unit Months Available. Calculate the total Unit Months Available. For those projects that have been or are expected to be available for occupancy during the fiscal year for which the data is given, multiply the total number of these dwelling units, as defined above, by 12. For those projects that will be or are expected to be in occupancy for less than 12 months during the fiscal year for which the data is given, multiply the total number of dwelling units as defined above by the actual number of months the projects will be in occupancy. (i.e., 3, 6, or 9 months.) Enter the sum of the products in column 10.

Part III. To be completed only if a PHA has a high-rise family project. For the purposes of this form, a high-rise family project is defined as one that has a building that is at least 5 stories tall, has an average bedroom size of at least 1.5, and has an average number of units per building of at least 35. If you have no projects with these characteristics, skip to C2. of this section and enter a 0 (zero).

Column 1. ACC Project Number. Use one line for each project. If you have too many high-rise family projects to fit on this page, list the other projects on separate lines on additional copies of this form, leaving Parts I and II blank.

Column 3. Total number of Dwelling Units. For each project listed, indicate the number of dwelling units expected to be available for occupancy at the end of the fiscal year.

Column 4. Number of buildings in the Project. Include only buildings that contain dwelling units.

Column 8. Height in stories of tallest building. For each project enter the number of stories of the tallest occupied building. Include only stories containing dwelling units or any space used by the PHA for project use that are not in a basement.

Operating Fund Calculation of Formula and Delta

PHA -Owned Rental Housing

DRAFT

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029
(exp. 5/31/2001)

Public Reporting Burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 9(a) of the U.S. Housing Act of l937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level(AEL), Allowable Utility Expense Level (AUEL) and Other Costs for the major Operating Fund components. HUD reviews the information (Operating subsidy calculation) to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual appropriations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

Public Housing Agency	AC Contract No.	Submission ☐ Original ☐ Revision No. ( )
Requested Fiscal Year Ending Date:		

Part I. Number of pre-1940 rental units occupied by poor households as a percentage of the population of the community.

1	2 Percentage	3 Multiplier	4 Current Year	5 Requested Year
Current and Requested		X		

Part II. Local Government Wage Rate Index.

	Wage Rate Index	Multiplier	Current Year	Requested Year
Current and Requested		X		

Part III. Number of two or more bedroom units or 15,000 whichever is less. (Transfer from form HUD-52720-A, Part II, A2)

	2 or more bedroom units	Multiplier	Current Year	Requested Year
Current		X		
Requested		X		

Part IV. Ratio of three or more bedroom units to total dwelling units. (Transfer from form HUD-52720-A, Part II, B3)

	Ratio	Multiplier	Current Year	Requested Year
Current		X		
Requested		X		

Part V. Ratio of two or more bedroom units in high rise family projects to total dwelling units. Enter 0 if there are no high rise family projects.

	(Transfer from form HUD-52720-A, Part III, C2)	Multiplier	Current Year	Requested Year
Current		X		
Requested		X		

Part VI. Calculation of Formula Expense Level and Delta.

		Current Year	Requested Year
1	Sum of the five products in columns 4 and 5		
2	Enter Equation Calibration Constant		
3	Combine line 1 and line 2		
4	Formula Expense Level (use FEL Increase Worksheet)		
5	Delta (Subtract line 4, column 4, from line 4, column 5)		

Instructions for Form HUD-52720-B

This form constitutes the second part of the calculations which begin on form HUD-52720-A. See the instructions to the HUD-52720-A for applicability.

Carry numbers on this form to five decimal places to correspond with the number of decimal places given for the weights and constant of the Operating Fund equation.

Calculate and insert data separately for the current and requested years, except for Parts I and II where the data for both years are identical. Depending on why you are completing the form, you may not have to complete all elements on this form:

(1) One-time AEL adjustment in accordance with the revision to the Performance Funding System regulation published on February 4, 1992, complete current year columns and rows.

(2) In the first year that you use this version of the form for the long calculation of the delta, you must complete all columns and rows. Use the PHA characteristics for the last year in which an adjustment was made based on the long calculation in the current year rows.

(3) After the first year that you use this version of the form for the long calculation of the delta, you will follow these special instructions for column 2 of the current year rows. Take form HUD-52720-B last used in calculating the AEL and transfer requested year values from Parts III, IV and V to the current year rows on this form (boxes are highlighted).

(4) If the PHA has been in management for 12 months and is first requesting subsidy. All columns and rows are completed by PHAs/IHAs first requesting subsidy for an ACC that has projects that were in management for the 12 months of the current year.

Column 2

Part I. Number of pre-1940 rental units occupied by poor households as a percentage of the population of the community. Enter the applicable value from the "Number of pre-1940 rental units occupied by poor households as a percentage of the population of the community" table. This table is available from the Financial Analyst in the HUD Field Office. If the city the PHA serves is listed and at least 80% of the PHA units are in that city, use the value for the city. If the PHA has at least 80% of its units in two or more listed cities, it can choose to use the value of the city in which it has the most units or choose to calculate the value of the weighted average based on the number of units in each city listed. If fewer than 80% of a PHA's units are in a listed city, use the value for the county. If the PHA has units in more than one county, the PHA may either choose to use the value for the county in which it has the most units or choose to calculate a weighted average factor based on the number of units in each county.

Part II. Local Government Wage Rate Index. Enter the applicable value from the "Local Government Wage Rate Index" table. This table is available from the Financial Analyst in the HUD Field Office. If the area served by the PHA covers more than one county, the PHA may either choose to use the value for the county in which it has the most units or choose to calculate a weighted average factor based on the number of units in each county.

Column 3 Multipliers. Enter the appropriate multiplier from the "Operating Fund Equation for Requested Budget Year" table which will be provided annually in a HUD Notice of updated Operating Fund equation and inflation factors.

Columns 4 and 5 for Parts I through V. Multiply column 2 by column 3 and enter in column 4 or 5, as appropriate.

Part VI. Calculation of Formula Expense Level and Delta.

Line 1. Enter the sum of the amounts shown in column 4 and 5.

Line 2. Enter the Equation Calibration Constant from "Operating Fund Equation for Requested Budget Year" table in column 4 and 5. This table will be provided in the annual Operating Fund Update Notice. The constant is the same for both the current year and the requested year.

Line 3. Combine the amounts on line 1 and line 2 and enter on line 3. If line 2 is a negative figure, subtract line 2 from line 1 and enter the result.

Line 4. Use the FEL Increase Worksheet to calculate the Formula Expense Level. This worksheet will be provided in the annual Operating Fund Update Notice.

Line 5. This amount is the adjustment for the change in characteristics since the last long calculation of the Delta.

Range Test and Determination of Base Year Expense Level

PHA-Owned Rental Housing
Operating Fund

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029 (exp. 5/31/2001)

DRAFT

Public reporting burden for this collection of information is estimated to average 12 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 9(a) of the U.S. Housing Act of I937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level (AEL), Allowable Utilities Expense Level (AUEL) and Other Costs for the major Operating Fund components. HUD reviews the information (Operating subsidy calculation) to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual apprporations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

Note: This form is used by a PHA to perform the Range Test and determine its Base Year Expense Level the first time operating subsidy is requested for an Annual Contributions Contract (ACC) when one or more projects under the ACC have been in management for at least one full fiscal year prior to the Requested Budget Year.

Public Housing Agency	ACC Number	Requested Budget Year Ending	Submission ☐ Original ☐ Revision No.

Line No.	Description	Requested by PHA (PUM)	Approved by HUD (PUM)
01	Formula Expense Level calculated on form HUD-52720-B, Calculation of Operating Fund Formula and Delta, part VI, line 4, column 4 for the current year		
02	Formula Expense Level Range Factor. (Multiply Line 01 by .15)		
03	Upper limit of the Formula Expense Level Range: (line 01 plus line 02)		
04	Base year Total Operating Expenditures, (line 890 of form HUD-52564 approved for PHA's fiscal year immediately preceding the Requested Budget Year.		
05	Adjustments to Base Year Total Operating Expenditures (see PFS Handbook 7475.13 REV, 2-7e) (explain adjustments)		
06	Base Year Expense Level (line 04 plus/minus line 05)		
07	☐ If line 06 is greater than line 03, enter the amount of line 03 on line 01 of form HUD-52723 ☐ If line 06 is less than line 03, complete lines 08 and 09 and enter the amount of line 09 on line 01 of form HUD-52723		
08	Increase of Base Year (see PFS Handbook 7475.13 REV, 2-7e)		
09	Base Year Expense Level plus Approved Increase (line 06 plus line 08)		

Direct Disbursement Payment Schedule Data
Operating Subsidies Public Housing Program

(See Instructions for Public Reporting Statement)

U.S. Department of Housing and Urban Development
Office o f Housing
Federal Housing Commissioner

OMB Approval No. 2577-0029 (Exp. 5/31/2001)

DRAFT

Line			
01	Project No.	Public Housing Agency (PHA)	☐ Original
02	Fiscal Year End (FYE) (MM/DD/YY)	PHA Address	☐ Revision No.

Part 1–Eligibility Values

		(a) PHA	(b) HUD Modifications	
03	Subject Year Eligibility			
04	Other Eligibility			
05	Prior Year Adjustment			
06	Total Elibibility			

		(a) PGM Code	(b) Obligated Amount	(c) Retained Amount	(d) Scheduled Amount	(e) Funds Available But Not Scheduled
07a	PHA/IHA Req.					
07b	HUD Modif.					
08a	PHA/IHA Req.					
08b	HUD Modif.					
09a	PHA/IHA Req.					
09b	HUD Modif.					
10a	PHA/IHA Req.	**Totals**				
10b	HUD Modif.	**Totals**				

Project No. ☐☐☐☐☐☐☐☐☐☐☐☐

Fiscal Year End (FYE) ☐☐☐☐

Line **Part II–Payment Entry Selection**

		PHA Request	HUD Modif.	
11	Program (PGM) Code	☐☐☐	☐☐☐	
12	Type of Payment Entry (Check one):	☐	☐	Manual Entry (Go to Part VI)
		☐	☐	System Calculation with Equal Monthly Payments
		☐	☐	System Calculation with Unequal Monthly Payments

Part III–System Calculation of Payment Schedule

Payments Within Month

			Y	N
13	Payments Equal Within Month? (Check Y or N)	PHA Req.	☐	☐
		HUD Modif.	☐	☐

			1	2	3	4
14	Pay Dates Within Month:	PHA Req.	☐☐	☐☐	☐☐	☐☐
		HUD Modif.	☐☐	☐☐	☐☐	☐☐
15	Payment Percentages Within Month:	PHA Req.	☐☐ %	☐☐ %	☐☐ %	☐☐ %
		HUD Modif.	☐☐ %	☐☐ %	☐☐ %	☐☐ %

Monthly Payment Allocation

16 Percentage Payment for Each Month:

		1	2	3	4	5	6	7	8	9	10	11	12
16a	Month	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐
16b	PHA Req.	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐
	HUD Modif.	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐	☐☐

Project No. ⌊_____⌋ | Fiscal Year End (FYE) ⌊_____⌋

Line	Part IV–Selection of Payment Schedule Revision Method
17	**Check One:**

☐ Manual Revision (Use Part VI)

☐ System Assisted Revision (Use Part V)

☐ Percent Distribution of Remaining Balance (Use Parts II and III)

Part V–System Assisted Payment Schedule Revision

18 **Type of Payment Revision (Check one):** ☐ Add/Change (Use lines 19-20c)

☐ Delete (Use lines 21-22)

Add/Change Revisions:

19 ☐ Source of Funds: **Existing Payments** PGM Code ⌊___⌋

19a Transfer ⌊_____⌋ from (choose one): Payment # ⌊___⌋ to Payment # ⌊___⌋

19b Pay Date ⌊_____⌋ to Pay Date ⌊_____⌋

20 ☐ Source of Funds: **Unscheduled Funds** PGM Code ⌊___⌋

20a Transfer ⌊_____⌋ to (choose one): Payment # ⌊___⌋

20b Pay Date ⌊_____⌋

20c Payment #'s ⌊___⌋ thru (Equal Spread) ⌊___⌋

Delete Revisions:

21 Delete (choose one): Payment # ⌊___⌋ PGM Codes ⌊___⌋ ⌊___⌋ ⌊___⌋

22 Pay Date ⌊_____⌋ PGM Codes ⌊___⌋ ⌊___⌋ ⌊___⌋

Project No.

Fiscal Year End (FYE)

Part VI–Manual Payment Entry

	(a) PMT No.	(b) Scheduled Pay Date	(c) Total Scheduled Payment	(d) Scheduled Payment PGM Code	(e) Scheduled Payment PGM Code	(f) Scheduled Payment PGM Code
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
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HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.						
HUD Modif.						
PHA Req.		**Total/Subtotal**				
HUD Modif.		**Total/Subtotal**				

Project No.	Fiscal Year End (FYE)

Part VII–Certification of Public Housing Agency

I certify that all applicable provisions of the Annual Contributions Contract covering the above numbered project(s) have been complied with by this PHA and that this form HUD-52721 and all supporting forms and documentation have been examined by me and to the best of my knowledge and belief are true, correct and complete and in accordance with all applicable HUD regulations and requirements including those relating to cash management.

False Claims statement: Warning: U.S. Code, Title 31, Section 3729, False Claims, provides a civil penalty of not less than $5,000 and not more than $10,000, plus 3 times the amount of damages for any person who knowingly presents, or causes to be presented, a false or fraudulent claim; or who knowingly makes, uses or causes to be used, a false record or statement; or conspires to defraud the Government by getting a false or fraudulent claim allowed or paid.

Name of PHA

Signature and Title of Official Authorized to Certify	Date

PHA Comments

HUD Use Only

Field Office Approval

Field Office Name	Signature and Title of Field Office Official	Date

Field Office Comments

Entered Into LOCCS	By	Date	Time

Instructions

Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gatherin and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. This information is required by Section 9(a) of the U.S. Housing Act of l937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level (AEL), Allowable Utilities Expense Level (AUEL) and Other Costs for the major Operating Fund components. HUD reviews the information (Operating subsidy calculation) to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual approprations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

1. General

a. Purpose. Form HUD-52721, Direct Disbursement Payment Schedule Data, is used as follows:

(1) By a public housing agency (PHA) to indicate to HUD how operating subsidies requested or obligated in an appropriate obligating document, for a fiscal year are to be scheduled for payment during the fiscal year pursuant to HUD cash management requirements.

(2) By a PHA to request revisions of a current Payment Schedule based upon changes in cash requirements or changes in the amount of operating subsidy requested or obligated for a fiscal year;

(3) By HUD Field Offices to review, modify and/or approve a PHA request;

(4) By the HUD Regional Accounting Division (RAD) as the source document for entry of the approved Payment Schedule data into LOCCS, which is the HUD automated system that controls program payments made through Direct Disbursement and Letters of Credit.

b. Applicability. Form HUD-52721 is used for all PHA-owned public housing rental and homeownership projects when operating subsidy is approved by HUD for a project under Section 9 of the United States Housing Act of 1937, as amended. It is not used for Section 23 or 10(c) leased projects or for the Section 8 Housing Assistant Payments (HAP) program.

c. Submission.

(1) Form HUD-52721 is prepared and submitted with the appropriate obligating document, when operating subsidy is requested. It also may be submitted separately to request a revision of a current Payment Schedule and to schedule payment of approved funds which were not scheduled for payment previously.

(2) A separate form HUD-52721 must be submitted for each project or group of projects covered under a separate form HUD-52564, Operating Budget.

(3) Payments must be transmitted by HUD to the Treasury Department five working days in advance of the payment due date. Accordingly, allow sufficient time between submission of form HUD-52721 and the first Pay Date for HUD to review the data and enter it into LOCCS.

d. Completion.

(1) In completing form HUD-52721, PHAs must adhere to the applicable HUD cash management requirements and procedures covering the payment of public housing operating subsidies. The PHA Executive Director or other designated official must certify to this effect on Page 5 of the form.

(2) The form HUD-52721 is designed to both resemble as closely as possible the processing screens used by the RAD to enter the Payment Schedule data into LOCCS (HUD's automated payment system) and facilitate selection by PHAs of various options for calculating Payment Schedules.

(3) Certain blocks and areas of the form HUD-52721 are shaded. This identifies for RAD data entry personnel those items which are not entered on the LOCCS processing screens either because the information is calculated by LOCCS (e.g., column totals) or picked up by LOCCS from other HUD automated systems (e.g., information on obligations is picked up from the Program Accounting System). Completion of these items by PHAs is optional, but they should normally be filled in to facilitate preparation of the form and subsequent review by the HUD Field Office.

(4) Enter only **one** character per space provided. Where numbers or amounts are shorter than the number of spaces allocated, justify them to the right. Do **not** enter commas, dollar signs or other punctuation, but **do** enter decimal points and minus signs, if needed, in a separate block. Do not enter leading zeroes except where instructed specifically to do so. A maximum of twelve digits plus a decimal point may be entered for any dollar item (For example, $1,000,000.00 may be entered as:

|1|0|0|0|0|0|0|0|.|0|0| or |1|0|0|0|0|0|0|0| |0|0|

(5) Enter all dates numerically as follows, using leading zeroes where necessary: MM/DD/YY

For example, for March 31, enter: |0|3|3|1|8|6|

(6) All percentages must be **whole** numbers (no decimal points).

(7) Payments cannot be scheduled for a date which is prior to the beginning of a PHA fiscal year or the effective date of the Payment Schedule, whichever is later. Lump-sum payments should be scheduled to make up any payments missed when a Payment Schedule becomes effective after the beginning of a PHA's fiscal year.

e. Distribution of Payment Schedule

(1) After the RAD enters the data from the form HUD-52721 into LOCCS and verifies it, a computer printed Payment Schedule will be produced which will represent the official basis upon which payments will be made to the PHA until such time as the Payment Schedule is revised or expires.

(2) Two copies of the Payment Schedule will print out on a high speed printer located at each Field Office. The Chief, Assisted Housing Management Branch, will sign and date one copy and forward it to the PHA and retain the other copy for the Field Office files.

2. Heading

Line 01.

Project No.: Enter the number which identifies the project(s) covered by the form according to the following format:

XX 999 999 YYM, where:

XX = Standard alphabetic abbreviation for the State in which the PHA is located.

999 = Number of the specific project covered by the form or the first (lowest numbered) project if more than one project is covered by the form. (Precede numbers of less than three digits with zeroes.)

YY = Last two digits of the calendar year in which the subject PHA fiscal year ends.

M = First letter of the last month of the PHA fiscal year

For example, for PHA number NY50 with projects numbered 1, 2, 3, 4, 7, and 8 under one Operating Budget and fiscal year ending March 31, 1986, enter:

|N|Y|0|5|0|0|0|1|8|6|M|

PHA Name: Self-explanatory

Original: Check this box if the data being submitted is for a new Payment Schedule for a PHA fiscal year.

Line 02.

Fiscal Year End (FYE): Enter the month, day and year on which the subject PHA fiscal year will end.

PHA Address: Self-explanatory

Revision No.: Check this box if the data being submitted is for a revision of a current Payment Schedule and enter the number of the revision for the fiscal year. Number all revisions sequentially.

3. Part I. Eligibility Values

(Note: Lines 03,04, 05, and 06 are **not** edited by LOCCS and will not affect the calculation of the Payment Schedule. If operating subsidy eligibility has not been determined for the subject PHA fiscal year, do not make entries on these lines.

Line 03. Enter the amount of regular operating subsidy eligibility (e.g., as determined under the Operating Fund) for the subject project(s) for the subject PHA fiscal year.

Line 04. Enter the amount of any additional operating subsidy eligibility (e.g., additional funds for DIAP planning costs) for the subject project(s) for the subject PHA fiscal year.

Line 05. Enter the net amount of adjustments of prior years' operating subsidy eligibility which will be included in the amount of funds requested/obligated for the subject PHA fiscal year. Precede the amount by a minus sign ("-") if it negative (For example, for a net adjustment due HUD of $10,000, enter:

							-	1	0	0	0	0

Line 06. Enter sum of lines 03, 04, and 05.

Lines 07, 08 and 09. Entries are made for each type of operating subsidy requested/obligated for the subject fiscal year on the applicable Operating Budget, form HUD-52564. (Note: Lines 08 and 09 are used only in cases where more than one type of operating subsidy is requested/obligated in an Operating Budget.) Types of funds and the corresponding Program Codes are as follows:

Performance Funding System	PFS
Non-PFS (rental projects only)	NPF
Turnkey III Homeownership Projects	HTK
Mutual Help Homeownership Projects	MHP

(PHAs will be notified of other Program Codes to be used for special distributions of funds, as required.)

Column (a) PGM Code: Enter the Program Code corresponding to each type of operating subsidy requested/obligated.

Column (b) Obligated Amount: Enter the amount of operating subsidy requested/obligated. A corresponding amount, identified by the Program Code, must be shown on the applicable obligating document. (Note: LOCCS will automatically pick up this amount from PAS.)

Column (c) Retained Amount: Enter the amount of the operating subsidy requested/obligated that is to be retained and applied by the RAD to an amount owed HUD.

Column (d) Scheduled Amount: Enter the amount of operating subsidy requested/obligated to be scheduled for payment at this time.

Column (e) Funds Available But Not Scheduled: Normally, column (e) will equal column (b) minus the sum of columns (c) and (d), but it will also include any unpaid funds (i.e., Funds Available But Not Scheduled) carried over from the previous fiscal year's Payment Schedule. Such funds will not show up on the computer printed Payment Schedule produced by LOCCS for the new (subject) PHA fiscal year, and cannot be scheduled for payment during the new fiscal year, until after the end of the previous fiscal year. (It will automatically show up on any Payment Schedule printed after the beginning of the new fiscal year.)

Line 10. Enter the sums of lines 07, 08, and 09, columns (b), (c), (d) and (e), respectively.

4. Part II. Payment Entry Selection

This Part is used by the PHA to indicate how a Payment Schedule is to be established for each Scheduled Amount shown under column (d) of lines 07, 08 and 09. A **separate** Page 2 of the form must be used for each Program Code shown under column (a), lines 07, 08 and 09.

Line 11. Enter the Program Code corresponding to the Scheduled Amount for which a Payment Schedule is to be established.

Line 12.

a. Check the box corresponding to "Manual Entry" if each Pay Date and payment amount is to be entered manually, then go directly to Part VI and enter the dates and amounts.

b. Check the box corresponding to "System Calculation with Equal Monthly Payments" if you want LOCCS to calculate the Payment Schedule for you **and** the **total** amount to be paid during each month of the subject fiscal year will be the same.

c. Check the box corresponding to "System Calculation with Unequal Monthly Payments" if you want LOCCS to calculate the Payment Schedule for you **and** the **total** payments to be made during each month of the subject fiscal year will not be the same.

5. Part III. System Calculation of Payment Schedule

This Part is used, when "System Calculation' has been selected in Part II, to indicate how payments are to be made within each month of the subject fiscal year and how the Scheduled Amount shown under column (d), lines 07, 08, and 09, is to be distributed among the months of the subject fiscal year.

Payments Within Month.

Line 13. If all payments within any given month are to be equal, check "Y." Otherwise, check "N."

Line 14. Enter the dates, up to a maximum of four, on which payments are to be made during each month. (Note: Pay dates will be the same for **all** months of the subject fiscal year.) For example, if the following entry is made:

1	5		2	3		2	9

payments will be made on the 15th, 23rd, and 29th of each month.

Line 15. If "N" was checked on line 13, enter a percentage for each date entered on line 14. The percentages indicate how much of the total amount to be paid during each month is to be allocated among the specified Pay Dates. In determining these percentages, please make note of the following:

a. The percentages must total 100%.

b. If a Pay Date(s) for a month has already passed when the Payment Schedule becomes effective, the amount of the payment will be spread evenly over the remaining payments, if any, during that month.

Monthly Payment Allocation.

a. If "System Calculation with **Equal** Monthly Payments' was selected on line 12, LOCCS will allocate the Scheduled Amount equally among the months (or remaining months) of the subject fiscal year. Do **not** use lines 16-16b.

b. If "System Calculation with **Unequal** Monthly Payments' was selected on line 12, use lines 16-16b to indicate how you want LOCCS to allocate the Scheduled Amount among the months of the subject fiscal year.

Line 16. Use lines 16a-16b to specify the percentage of the Scheduled Amount to be paid during each individual month.

Line 16a. Enter abbreviations for all twelve months of the year beginning with the **first** month of the PHA's fiscal year. Abbreviations to be used are as follows:

January	JAN
February	FEB
March	MAR
April	APR
May	MAY
June	JUN
July	JUL
August	AUG
September	SEP
October	OCT
November	NOV
December	DEC

Line 16b. Enter the percentage of the Scheduled Amount you want to be paid during each month of the subject fiscal year. In determining these percentages, please make note of the following:

a. If a percentage is entered for **every** month, the percentages must total 100%.

b. If a percentage is **not** specified for **every** month and the percentages entered do **not** total 100%, the remainder of the Scheduled Amount will be distributed equally among the months for which no percentage has been specified. In this case, if you do not want operating subsidy to be paid in a particular month, a zero ("0") must be entered for that month.

For example, if you want 42% of the amount of operating subsidy requested to be allocated equally during the months of December, January, and February, when utility bills are highest, and the balance to be allocated equally over the remaining months of the fiscal year, enter 14% under DEC, JAN and FEB and leave the remaining months blank.

c. If the first Pay Date of a month has already passed when the Payment Schedule becomes effective, a percentage cannot be entered for this month; however, if the percentages entered for the remaining months total less than 100%, the month will be included in the allocation of the remainder of the Scheduled

Amount.

6. Revision of Payment Schedules
Page 3, Parts IV and V, of form HUD-52721 are used only when submitting data for revision of a current or pending Payment Schedule. When revising Payment Schedules, only payments not yet transmitted to the Treasury Department (generally five working days before the Pay Date) may be changed. Also, sufficient time must be allowed for HUD review and entry of the changes into LOCCS. Revisions involving only minor changes (e.g., revising the Pay Dates or payment amounts for only a few payments) may be made by telephoning the appropriate HUD Field Office and providing the Financial Analyst or other designated staff person with the information.

7. Part IV. Selection of Payment Schedule Revision Method
Part IV is used to select the method to be used to revise a Payment Schedule.
Line 17.

a. Check the box corresponding to "Manual Revision" if you wish to manually indicate new or revised Pay Dates and/or amounts. If you select this option, go to Part VI and indicate the revisions to be made.

b. Check the box corresponding to "System Assisted Revision" if you want LOCCS to transfer amounts between Payment Numbers, Pay Dates and/or Funds Available But Not Scheduled, or to delete Pay Dates or Payment Numbers. If you select this option, go to Part V.

c. Check the box corresponding to "Percent Distribution of Remaining Balance" if you want to redistribute that part of the Scheduled Amount that has not yet been paid (i.e., you want to change the allocation of the remaining funds among the remaining months and/or the distribution of payment amounts or Pay Dates within months). If you select this option, use Parts II and III to indicate the revised distribution of payments.

8. Part V. System Assisted Payment Schedule Revision
This Part is used, when "System Assisted Revision" was checked on line 17, to indicate the amount and type of revision to be made, if more than one revision is to be made, use a separate page 3, Part V, for each one.
Line 18.

a. Check the box corresponding to "Add/Change" if you want to add new payments and/or change the amount of an existing payment.

b. Check the box corresponding to "Delete" if you want to delete an existing payment.

Add/Change Revisions. Use Lines 19-20c only if "Add/Change" was check on line 18.
Line 19. If you want to transfer funds from an existing payment to either another existing payment or a new payment, check this box and enter the Program Code to which the change will apply, then use lines 19a and 19b.
Line 19a.
Transfer: Enter the amount of funds to be transferred between payments.
From Payment # to Payment #: If you want to transfer funds according to payment numbers, enter the existing payment number from which the funds are to be taken and the new or existing payment number to which they are to be added.
Line 19b.
From Pay Date to Pay Date: If you want to transfer funds according to Pay Dates, enter the existing Pay Date from which the funds are to be taken and the new or existing Pay Date to which they are to be added.
Line 20. If you want to transfer funds from Funds Available But Not Scheduled to either an existing payment or a new payment, check this box and enter the Program Code to which the change will apply, then use lines 20a-20c. (Note: In order to make this change, the change must first be reflected in the appropriate columns of lines 07-09 of Part I.
Line 20a.
Transfer: Enter the amount of funds to be transferred from Funds Available But Not Scheduled to a new or existing payment.
Line 20b.
Pay Date: If you want to transfer the funds to a particular Pay Date, enter that Pay Date.
Line 20c.
Payment #s (____ Thru ____); If you want to spread the funds equally over a series of payments, enter the numbers of the first and last payments in the series.
Delete Revisions: Use lines 21-22 only if "Delete" was checked on line 21. (Note: In order to make this change, the change must first be reflected in the appropriate columns of lines 07-09 of Part I.
Line 21. If you want to delete a payment number, enter that number and the Program Code(s) corresponding to the funds for which a payment is to be deleted.
Line 22. If you want to delete a Pay Date, enter the date and the Program Code(s) corresponding to the funds for which a payment is to be deleted.

9. Part VI. Manual Payment Entry
This Part is used to individually enter Pay Dates and payment amounts when LOCCS calculation of the Payment Schedule has **not** been selected and to manually revise a current or pending Payment Schedule. If more than twelve payments are to be scheduled, use additional copies of Page 4, as required. When revising Pay Dates or payment amounts of a current or pending Payment Schedule, you only need to enter the Payment Numbers to be revised and the new Pay Date and payment amount.
Column (a): Enter sequentially the number of each payment.
Column (b): Enter the date on which each payment is to be made.
Column (c): Enter the total of columns (d), (e) and (f).
Columns (d), (e) and (f): (Note: Use columns (e) and (f) only if the Payment Schedule will include more than one Program Code.) At the top of the column enter the Program Code corresponding to the funds to be scheduled and then enter the amount of each payment.
Total/Subtotal: Self-explanatory.

Calculation of Allowable Utilities Expense Level

PHA-Owned Rental Housing
Operating Fund

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029 (exp. 5/31/2001)

a) Public Housing Agency	b) Operating Fund Project Number	c) New Project Numbers	d) Fiscal Year Ending ____/____/____	f) Type of Submission: ☐ Original ☐ Revision No. ( )
			e) ACC Number	g) Energy Performance Contract ☐ h) Utility Rate Incentive ☐

Line No.	Description	Unit Months Available	Sewerage and Water Consumption	Electricity Consumption	Gas Consumption	Fuel (Specify type e.g., oil, coal, wood)		
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
01	UMA and actual consumption for old projects for 12 month period which ended 12 months before the Requested Budget Year.							
02	UMA and actual consumption for old projects for 12 month period which ended 24 months before the Requested Budget Year.							
03	UMA and actual consumption for old projects for 12 month period which ended 36 months before the Requested Budget Year.							
04	Accumulated UMA and actual consumption of old projects (sum of lines 01, 02, 03).							
05	Estimated Unit Months Available for old projects for Requested Budget Year.							
06	Ratio of Unit Months Available for old projects (line 04 divided by line 05 of column 3)	**3**						
07	Estimated UMA and consumption for old projects for Requested Budget Year (Each figure on line 04 divided by line 06).							
08	Estimated UMA and consumption for new projects.							
09	Total estimated UMA and consumption for old and new projects for Requested Budget Year (line 07 + line 08).							
10	Estimated cost of consumption on line 09 for Requested Budget Year(Line 13 times Line 09).	**Costs**						
11	Total estimated cost for Requested Budget Year (sum of all columns of line 10).							
12	Est. PUM cost of consumption for Requested Budget Year (Allowable Utilities Expense Level) (Line 11 divided by line 09, col. 3)							
13	Rate							
14	Unit of Consumption							

Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 9(a) of the U.S. Housing Act of I937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund Formula determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level (AEL), Allowable Utilities Expense Level and Other Costs for the major formula components. HUD reviews the information to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual appropratrions from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

Instructions

1. General. This form is used to calculate the Allowable Utilities Expense Level component of eligibility for operating subsidy in accordance with regulations at 24 CFR Part 990.107. It is used for PHA-owned rental housing projects and PHA units in mixed housing developments when operating subsidy is requested for such developments under the Operating Fund. A separate form shall be submitted for each Annual Contributions Contract (ACC) which includes one or more projects that have reached the End of Initial Operating Period (EIOP) and will be in management for all or any part of the PHA fiscal year for which the PHA requests operating subsidy. This form shall not be used for the Turnkey III and Mutual Help Homeownership programs, Section 23 and 10(c) leased housing programs, or the Housing Choice Voucher (Section 8) program.

2. Preparation and Submission of Form:

Heading information.

a) Public Housing Agency. Enter the name of the Public Housing Agency.

b) Operating Fund Project Number. Enter the Operating Fund Project Number for the corresponding Operating Budget, Form 52564.

c) New Project Numbers. Enter the project identification number of those projects classified as "New Projects" when there is data entered on line 08.

d) Fiscal Year Ending. Enter the fiscal year ending date for the year for which this form is being prepared.

e) ACC Number. Enter the number of the Annual Contributions Contract (ACC) covering the projects for which this form is submitted.

f) Type of Submission. Enter an "X" indicating an original submission or a revision and revision number.

g) Energy Performance Contract. Enter an "X" in the box if the PHA has an existing approved Energy Performance Contract(s) under 24 CFR 990.107(f)(1).

h) Utility Rate Incentive. Enter an "X" in the box if the PHA has an existing approved energy rate incentive under 24 CFR 107(b)(2).

Columnar Headings, Columns 7, 8, and 9. Specify the type(s) of fuel being consumed by inserting the type(s) in one or more of the columnar headings (e.g., oil, coal or wood).

Special Instructions Regarding Lines 01, 02 and 03:

Rolling Base Period. The Rolling Base Period allowable average utility consumption is computed by using data recorded on lines 01, 02 and 03. The Rolling Base Period is applicable for PHA fiscal years beginning January 1, 1983, and thereafter.

Rolling Base Period of Less Than 36 Months. If a PHA has not maintained or cannot recapture consumption data nor develop comparable consumption data regarding a particular utility or utilities from its records or from the records of a comparable project for the full Rolling Base Period, it may request HUD Field Office approval to utilize data for a period of at least 12 months. If HUD approves the use of data for a period of at least 12 months but less than 36 months, it shall be expanded to the full Rolling Base Period by use of the actual experience, plus estimated consumption for the period for which no record of experience is available. The estimated consumption may be based upon the actual experience. Take into account the relationship of the heating degree days of the periods of actual experience and the missing experience when considering utilities used for space heating. If consumption of a comparable project is utilized, that consumption must have taken place during the same periods of the PHA's Rolling Base.

Adjustment of the Consumption of the Rolling Base Period. To avoid a distortion of the average consumption for the three 12 month periods of the Rolling Base Period, the actual consumption or equivalent listed for each type of utility must reflect the same number of units and equivalent uses for all three years. For example, there must not be a switch in use of gas from heating and cooking to only cooking or vise-versa. **The unit months available (UMAs) must be the same for all three lines.** Needed adjustments to achieve this result are provided below in section 3.

Line 01. By type of utility, enter the actual or adjusted consumption, in the appropriate units of measurement, for the 12-month period which ended twelve months before the requested budget year. For example, a PHA with a fiscal year beginning 1/1/01 would report for the period from 1/1/99 through 12/31/99. Include only consumption for dwelling units which were in management for the entire Base Period or are not specifically excluded from line 01 by the instructions of section 3 below. In column 3, enter the number of UMAs for the requested budget year less any UMAs reflected on Line 08. The unit months would include those units where all utilities are resident-purchased.
Line 02. Refer to instructions for line 01 above, except the consumption to be recorded

on line 02 for a fiscal year beginning 1/1/01 would be for the 12-month period from 1/1/98 through 12/31/98, which is the period ended twenty-four months before the requested budget year. In column 3, enter the same number of UMAs as entered on Line 01.

Line 03. Refer to instructions for line 01 above, except the consumption to be recorded on line 03 for a fiscal year beginning 1/1/01 would be for the 12-month period from 1/1/97 through 12/31/97 , which is the period ended thirty-six months before the requested budget year. In column 3, enter the same number of UMAs as entered on Line 01.

Line 04. Enter the sum of lines 01, 02, and 03 in each column.

Line 05. Enter the number of UMAs during the requested budget year for Old Projects. **This number must be the same as the UMAs shown on lines 01, 02 and 03, column (3) of this form.** If the UMAs in the requested budget year are not the same as each period of the Rolling Base Period, see instructions contained in the second paragraph of section 3, below.

Line 06. Divide UMAs in column (3) of line 04 by UMAs in column (3) of line 05 to determine the ratio of UMAs available in the accumulated years to the UMAs available in the requested budget year. **If the ratio is different than 3, there has been an error in stating UMAs on lines 01, 02, 03, 04, and/or 05.**

Line 07. Divide each consumption amount and the UMAs on line 04 by the ratio in column (3) of line 06 (3) and enter each answer in the appropriate column of line 07.

Line 08. A "New Project" for the purpose of establishing the Rolling Base Period and the Allowable Utilities Expense Level is defined as either:

- A project which has not been in operation during at least 12 months of the Rolling Base Period, or a project which enters management after the Rolling Base Period and before the end of the Requested Budget Year.
- A project which during or after the Rolling Base Period has experienced: a conversion from one energy source to another; interruptible service sufficient to cause discernible variance from normal consumption patterns; a period in which the project is unoccupied; a switch from resident-purchased to PHA-supplied utilities; or a switch from PHA-supplied to resident-purchased . Specific instructions for establishing or adjusting utility consumption for each of these situations are outlined in section 3 below.

Line 09. Enter the sum of line 07 and line 08 for UMAs and all consumption columns. Even if the utilities for one or more units are all resident-purchased, the UMAs for such units must be included in column 3 of this line. The UMAs also will be included in the category of Old Projects (line 01, 02 and 03) or new projects (line 08), as appropriate. **In all cases, the total UMAs shown in column (3) of line 09 must be the same as the UMAs shown on form HUD-52723, "Operating Fund Calculation of Operating Subsidy."**

Line 10. Multiply the columns of line 09 (excluding column 3) by the columns of line 13 and enter the results in the appropriate columns of line 10.

Line 11. Enter in column (3) the sum of all columns of line 10.

Line 12. Divide the amount in column (3) of line 11 by UMAs shown in column (3) of line 09. Enter the resulting PUM amount rounded to the nearest two (2) decimal places on this line and on the line titled "Allowable Utilities Expense Level" of form HUD-52723.

Line 13. Enter for each type of utility or fuel the applicable rate. The current applicable rates in effect at the time the Operating Budget is submitted to HUD will be used as the utilities rates for the Requested Budget Year, except where prior to the date of submission of the budget to HUD, the appropriate utility commission has approved rate increases for future implementation. In these instances, the new rates may be used as the utility rates for the entire Requested Budget Year.

Line 14. Indicate for each type of utility or fuel the unit of measurement (e.g. therms, kilowatt hour, gallons, cubic feet, 100 cubic feet, tons) which relates to the consumption shown for each utility or fuel on lines 01 through 08.

3. Situations Requiring Special Adjustments to Lines 01 Through 08. Actual consumption of projects having the situations described in section 2, "Line 08", above, shall be established or adjusted in accordance with the instructions contained in this paragraph. The overriding consideration of all of the adjustments which are discussed here is that the consumption data shall not be distorted by including in lines 01, 02, 03, 05 or 07 of this form any UMAs or consumption for projects for only part of the Rolling Base Period or Requested Budget Year, and that the actual consumption or equivalent listed for each type of utility reflects the same number of units and equivalent uses for all three years. Where there is usage or a specific type of delivery or usage mix for only a part of the Rolling Base Period, either it will be eliminated from lines 01, 02, 03, 05 and 07 and, after appropriate adjustment, incorporated into line 08, or the total Rolling Base Period (lines 01, 02 and 03) will be adjusted to show a comparable situation as to usage mix for each unit in each twelve month period. Information supporting the special adjustments shall accompany this form.

New Project Not in Management During at Least 12 Months of the Rolling Base Period. The allowable consumption and UMAs for a project specified in section 2, the first subpart of "Line 08", above, shall not be included in lines 01, 02 or 03, but the allowable consumption levels and UMAs shall be entered in line 08 of this form. For a project in management for less than 12 months of the Rolling Base Period or one entering management after the Rolling Base Period but before the end of the Requested Budget Year, annual allowable consumption data shall be determined by using the consumption experience of a project (same PHA or other PHA) with comparable types of utilities and which is likely to have comparable per unit levels of consumption based on the physical characteristics of the buildings. Such experience must have occurred during the Rolling Base Period and must be for 12 months or more. If more than 12 months are used, the experience must be annualized. The annual consumption and UMAs shall then be adjusted to reflect the number of months the project is expected to be in management during the Requested Budget Year. The resulting allowable consumption levels and UMAs shall be entered on line 08. The HUD Field Office will provide these figures on request. Once this project has acquired 12 months experience, its allowable utilities consumption level for the next Requested Budget Year will be entered on this form in accordance with the instructions of "Rolling Base Period of Less Than 36 Months" in

section 2.

Switch of Utilities - Energy Conversions: If the PHA has converted the units of a project from one energy source to another (e.g., from oil to gas) during or after the Rolling Base Period, or will convert before the end of the Requested Budget Year, the following adjustments are required for the Rolling Base Period and/or line 08.

• **For Discontinued Utility.** Exclude actual consumption of these units in the column on lines 01, 02 and 03.

• **For New Utility:**

• **Between One and Three Years of Experience.** If there has been more than one, but less than three years of consumption experience during the Rolling Base Period, use such actual experience, plus estimated consumption for the time which had no experience, in the appropriate column on lines 01, 02 or 03. Line 08 is not to be used. Avoid overlapping estimated and actual consumption experience. As a means of estimating the missing consumption of the new space heating utility, the PHA's calculation could be based upon the old utility consumption for the missing period, using the relative BTU equivalent. If the PHA requires assistance to compute BTU equivalents, it should request it from the Field Office.

• **Less Than One Year of Experience.** If there is less than one year of consumption experience as to the new utility during the Rolling Base Period, estimate the annual consumption and include it in the appropriate column on each of lines 01, 02 and 03. Line 08 is not to be used. In estimating, use actual consumption experience available. Consider the consumption patterns of comparable projects if such information is available. Avoid overlapping estimated consumption and actual experience. The BTU equivalent system mentioned in the preceding paragraph could be utilized to compute the missing experience.

• **Switch After Rolling Base Period.** If the switch is between the Rolling Base Period and the start of the Requested Budget Year, estimate consumption for a full year for the new utility, as if for a "New Project," (see the second paragraph of part 3, above) and enter estimated consumption on line 08. If the date of the switch to the new utility will result in its use for a part of the Requested Budget Year, estimate the consumption of the discontinued utility for the number of months of the Requested Budget Year it will be used, and estimate the consumption of the new utility for the number of months it will be used, and include these estimates on line 08, in the appropriate columns. The estimate for the discontinued utility shall be based on historical data of the Rolling Base Period, and the estimate for the new utility shall be made as if for "New Project" (see the second paragraph of part 3, above). Once the PHA has experienced actual consumption of the new utility for some part of the Rolling Base Period, the new utility shall be considered in accordance with the instructions in the preceding paragraph, "Less Than One Year of experience.

• **Unit Months Available.** When a switch of utilities occurs, no adjustment of UMAs is required for lines 01, 02, or 03. Also do not enter UMAs on line 08, as this will duplicate the UMAs already shown on lines 01, 02 and 03.

Interruptible Service. If the PHA has a utilities combination which provides for interruptible service from one energy source to another, the HUD Field Office shall be contacted to determine a reasonable estimate of consumption to be used in calculating the allowable utility expense for the Requested Budget Year if the interruption is sufficient to cause discernible variance from normal consumption pattern. This adjustment would, of course, not be considered until after the interruption had occurred and, if possible, not until after the heating season has ended.

Unoccupied Projects. For a project that will be unoccupied for the entire Requested Budget Year, and no utility service is being provided, exclude the previous actual consumption of these units from the appropriate columns on lines 01, 02, and 03. For a project that will be unoccupied for a significant continuous period during the Requested Budget Year, for such reasons as extensive modernization or if the PHA is awaiting a decision on demolition, but some utility service is to be provided, the previous consumption shall be excluded from the appropriate columns on lines 01, 02, and 03, and the estimated consumption of utilities that may be furnished for the Requested Budget Year shall be included in line 08. The number of UMAs shown under column (3) will not be affected. When the reason for this adjustment has passed, then the Rolling Base Period consumption shall once again be entered on lines 01, 02 and 03 for this project in accordance with the instructions "For New Utility" in the third paragraph of this section. The PHA must submit documentation in support of any consumption entered on line 08 pursuant to this paragraph.

Switch of Utilities from Resident-purchased to PHA-supplied. If the PHA has switched from resident-purchased to PHA-supplied utilities during the Rolling Base Period or if it has or will do so after the Rolling Base Period but prior to the end of the Requested Budget Year, consumption data applicable to PHA-supplied utilities must be included on the form HUD-52722-A. The instructions contained in the third paragraph of this section, ("For New Utility") are appropriate for the adjustment necessary to reflect this switch. Keep in mind that where the instructions state "new utility" it will mean, for the purposes of this paragraph, the new PHA-supplied utility. In addition, where consumption experience is requested, it relates to experience under a PHA-supplied system and not to previous consumption charged directly to tenants.

Switch of Utilities from PHA-supplied to Resident-purchased. If the PHA has changed from PHA-supplied to resident-purchased utilities prior to the beginning of the Requested Budget Year, no data regarding PHA-supplied utilities shall be included in the Rolling Base Period (lines 01, 02 and 03) consumption data. If the switch is to be made in the Requested Budget Year, the amount of PHA-supplied consumption for the period from the beginning of the Requested Budget Year to the date of the switch shall be shown on line 08; do not show UMAs for such units on line 08 since they are already included in lines 01, 02 and 03. The estimate shall be based upon consumption experience of the Rolling Base Period. In the next fiscal year, the partial consumption should be deleted from line 08.

Submission of Form HUD-52722-A. Submit form HUD-52722-A to the Field Office for approval together with form HUD-52723, "Operating Fund Calculation of Operating Subsidy", and the Operating Budget, form HUD-52564, if applicable, for the Requested Budget Year.

Supporting Documentation. The PHA shall retain supporting documentation substantiating the data reported on this form until audited.

Adjustment for Utility Consumption and Rates

PHA-Owned Rental Housing
Operating Fund

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029 (exp. 5/31/2001)

Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. This information is required by Section 9(a) of the U.S. Housing Act of 1937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operation of low-income housing projects to PHAs. The Operating Fund Formula determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level (AEL), Allowable Utilities Expense Level and Other Costs for the major formula components. HUD reviews the information to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual approprations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

a) Public Housing Agency	b) Operating Fund Project Number	c) Fiscal Year Ending ____/____/____	e) Type of Submission: ☐ Original ☐ Revision No. ( )
		d) ACC Number	f) Energy Performance Contract ☐ g) Utility Rate Incentive ☐

Line No.	Description	Line Totals	Sewerage and Water Cost and Consumption	Electricity Costs and Consumption	Gas Costs and Consumption	Fuel Costs & Consumption (Specify type e.g., oil, coal, wood)		
	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
01	Actual utility costs for the fiscal year for which adjustment is requested.							
02	Actual consumption for the fiscal year for which adjustment is requested.							
03	Actual average rate (line 01 divided by line 02).							
04	Estimated consumption for old and new projects for the fiscal year for which adjustment is required.							
05	Costs of estimated consumption at average rate (line 03 times line 04; enter total in column 3).							
06	Line 05, column (3) times 0.75; enter the amount in column 3.							
07	Line 01, column (3) times 0.25; enter the amount in column 3.							
08	Total utility costs includable in Operating Subsidy Calculation (line 06 plus line 07).							
09	Total estimated cost for the fiscal year for which adjustment is requested (line11, form HUD-52722-A).							
10	Utility adjustment (line 08 minus line 09)							

Previous editions are obsolete for PHA fiscal years ending 12/31/99 and after

form **HUD-52722-B** (01/23/01)

Instructions. Note: These instructions apply to PHA fiscal years ending December 31, 1999 and thereafter.

1. General. This form is used to adjust the estimated PUM cost of consumption for actual rates and consumption experienced for the fiscal year for which the form HUD-52722-A, "Calculation of Allowable Utilities Expense Level," was prepared. A copy of this form must be prepared and submitted by each PHA, by ACC, for each PHA fiscal year for which the PHA received approval of an operating subsidy, except where the subsidy was solely for the cost of an independent audit. A variance of actual rates or consumption from estimates will increase or decrease subsidy eligibility. A revised form HUD-52723, "Operating Fund Calculation of Operating Subsidy," for the same fiscal year for which the form HUD-52722-A was prepared, is required in conjunction with this form.

2. Preparation and Submission of this Form.

Heading information:

a) Public Housing Agency. Enter the name of Public Housing Agency.

b) Operating Fund Project Number: Enter the Operating Fund Project Number from the heading of the form HUD-52722-A for the fiscal year for which this adjustment is being made.

c) Fiscal Year Ending. Enter the fiscal year ending date for which the requested adjustment is being submitted.

d) ACC Number. Enter the number of the Annual Contributions Contract (ACC) covering the projects for which this form is submitted.

e) Type of Submission. Enter an "X" indicating an original submission or a revision and a revision number.

f) Energy Performance Contract. Enter an "X" in the box if the PHA has an existing approved Energy Performance Contract(s) under 24 CFR 990.107(f)(1).

g) Utility Rate Incentive. Enter an "X" in the box if the PHA has an existing approved utility rate incentive under 24 CFR 107(b)(2).

Columnar Headings, Columns 7, 8, 9. Insert in the columnar headings the same information included on the last HUD-approved form HUD-52722-A for the fiscal year for which the adjustment is requested.

Note: For lines 01, 05, 06, 07, 08, 09 and 10, enter amounts in whole dollars.

Line 01. By type of utility, enter the actual total utility costs, in the appropriate columns, for the fiscal year for which the adjustment is requested. The source of the cost data is the form HUD-52599, "Statement of Operating Receipts and Expenditures," prepared for the fiscal year for which the adjustment is requested. The PHA shall consider the following points prior to entering the costs on this line.

When all projects have been in management for a full 12-month fiscal year, whether the PHA is on a cash or an accrual basis, the costs entered on line 01 must be for a 12-month period to correspond with the estimates originally made on the form HUD-52722-A. If any utility costs reported on the form HUD-52599 are not for a 12-month period, adjustment of costs to a 12-month period must be made and documentation must be submitted supporting the adjustment.

When all or some of the projects have been in management for less than or more than 12 months, the costs entered on this line shall be those costs incurred for the projects for the number of unit months available (UMAs) reported on the form HUD-52599, which must be the same as the UMAs entered on line 09, column 3 of form HUD-52722- A. If the UMAs are different from what was used on the original approved form HUD-52722-A, all documents relative to the calculation of operating subsidy must have been recalculated and resubmitted using the correct UMAs during that fiscal year.

Line 02. Enter the actual consumption for the fiscal year for which the adjustment is requested. This will be the consumption relative to the actual total utility costs entered on line 01 above. Refer to the instructions for adjustments of utilities rates, consumption and costs which may be required in the instructions for line 01 above.

Line 03. Enter the results of dividing each column of line 01 by the corresponding column of line 02.

Line 04. Enter the estimated consumption for old and new projects for the fiscal year for which the adjustment is requested. These amounts will be the same as those on line 09 of the form HUD-52722-A for the fiscal year for which the adjustment is requested.

Line 05. Multiply the columns of line 03 by the columns of line 04 and enter the results in the appropriate columns of line 05. (Note: For utilities with flat rates only, enter the amount from line 01 for the applicable utility in the column for the same utility on line 05.) Sum the amounts of columns 4 through 9 and enter the total in column 3.

Line 06. Multiply the amount on line 05, column 3 by 0.75 .

Line 07. Multiply the amount on line 01, column 3 by 0.25 .

Line 08. Line 06 plus line 07. This is the amount that will be allowed for utilities costs instead of the utilities costs previously computed on form HUD-52722-A for the fiscal year for which the adjustment is requested.

Line 09. Enter the total cost that was estimated for the fiscal year for which the adjustment is requested from line 11 of the latest HUD approved form HUD-52722-A for that fiscal year

Line 10. Line 08 minus line 09. If line 09 is greater than line 08, enter the difference in brackets. Enter the amount here and on the line titled "Utility adjustment" in Part H of the revised form HUD-52723 for the fiscal year for which the adjustment is requested.

Submission. Submission of this form to the HUD Field Office shall be within 45 days of the end of the PHA's fiscal year to which the adjustment applies.

Supporting Documentation. The PHA shall retain supporting documentation substantiating the data reported on this form and retain the detailed records of consumption until audited.

Operating Fund Calculation of Operating Subsidy

PHA-Owned Rental Housing

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0029 (exp. 5/30/2001)

Section 1

a) Name and Address of Public Housing Agency	b) Budget Submission to HUD required ☐ Yes ☐ No c) Type of Submission ☐ Original ☐ Revision No.

d) No. of HA Units	e) Unit Months Available (UMAs)	f) Subject FYE / /	g) ACC Number	h) Operating Fund Project Number	i) (Reserved - see instructions)

Section 2

Line No.	Description		Requested by PHA (PUM)	HUD Modifications (PUM)
Part A. Allowable Expenses and Additions				
01	Previous allowable expense level (Part A, Line 08 of form HUD-52723 for previous year)			
02	Part A, Line 01 multiplied by .005			
03	Delta from form HUD-52720-B, if applicable (see instructions)			
04	"Requested" year units from latest form HUD-52720-A (see instructions)			
05	Add-ons to allowable expense level from previous fiscal year (see instructions)			
06	Total of Part A, Lines 01, 02, 03 and 05			
07	Inflation factor			
08	Revised allowable expense level (AEL) (Part A, Line 06 times Line 07)			
09	Transition Funding			
10	Increase to AEL			
11	Allowable utilities expense level from form HUD-52722-A			
12	Actual PUM cost of Independent Audit (IA) (Through FYE)			
13	Costs attributable to deprogrammed units			
14	**Total Allowable Expenses and Additions** (Sum of Part A, Lines 08 thru 13)			
Part B. Dwelling Rental Income				
01	Total rent roll (as of / /)	$		
02	Number of occupied units as of rent roll date			
03	Average monthly dwelling rental charge per unit for current budget year (Part B, Line 01 ÷ Line 02)			
04	Average monthly dwelling rental charge per unit for prior budget year			
05	Average monthly dwelling rental charge per unit for budget year 2 years ago			
06	Three-year average monthly dwelling rental charge per unit ([Part B, Line 03+Line 04+Line 05]÷ 3)			
07	50/50 Income split ([Part B, Line 03 + Line 06] ÷ 2)			
08	Average monthly dwelling rental charge per unit (lesser of Part B, Line 03 or Line 07)			
09	Rental income adjustment factor		1.	1.
10	Projected average monthly dwelling rental charge per unit (Part B, Line 08 times Line 09)			
11	Projected occupancy percentage from form HUD-52728		%	%
12	**Projected average monthly dwelling rental income per unit** (Part B, Line 10 times Line 11)			
Part C. Non-dwelling Income				
01	Other income			
02	**Total operating receipts** (Part B, Line 12 plus Part C, Line 01)			
03	**PUM deficit or (Income)** (Part A, Line14 minus Part C, Line 02)			
			Requested by PHA (Whole dollars)	HUD Modifications (Whole dollars)
04	Deficit or (Income) before add-ons (Part C, Line 03 times Section 1, e)			

Line No.	Description		Requested by PHA (Whole Dollars)	HUD Modifications (Whole Dollars)
Part D. Add-ons for changes in Federal law or regulation and other eligibility				
01	FICA contributions			
02	Unemployment compensation			
03	Family Self Sufficiency Program			
04	Energy Add-On for loan amortization			
05	Unit reconfiguration			
06	Non-dwelling units approved for subsidy			
07	Long-term vacant units			
08	Phase Down for Demolitions			
09	Units Eligible for Resident Participation: Occupied Units (Part B, Line 02)			
10	Employee Units			
11	Police Units			
12	Total Units Eligible for Resident participation (Sum of Part D, Lines 09 thru 11)			
13	Funding for Resident participation (Part D, Line 12 x $25)			
14	Other approved funding, not listed (Specify in Section 3)			
15	**Total add-ons** (sum of Part D, Lines 01, 02, 03, 04, 05, 06, 07, 08, 13 and 14)			
Part E. Calculation of Operating Subsidy Eligibility Before Adjustments				
01	Deficit or (Income) before adjustments (Total of Part C, Line 04 and Part D, Line 15)			
02	Actual cost of Independent Audit (IA)			
03	**Operating subsidy eligibility before adjustments** (greater of Part E, Line 01 or Line 02) (If less than zero, enter zero (0))			
Part F. Calculation of Operating Subsidy Approvable for Subject Fiscal Year (Note: Do not revise after the end of the subject FY)				
01	Utility Adjustment for Prior years (Identify individual FYs and amounts under Section 3)			
02	Additional subject fiscal year operating subsidy eligibility (specify)			
03	Unfunded eligibility in prior fiscal years to be obligated in subject fiscal year			
04	HUD discretionary adjustments			
05	Other (specify)			
06	Other (specify)			
07	Unfunded portion due to proration		( )	( )
08	Net adjustments to operating subsidy (total of Part F, Lines 01 thru 07)			
09	**Operating subsidy approvable for subject fiscal year** (total of Part E, Line 03 and Part F, Line 08)			
HUD Use Only (Note: Do not revise after the end of the subject FY)				
10	Amount of operating subsidy approvable for subject fiscal year not funded			( )
11	Amount of funds obligated in excess of operating subsidy approvable for subject fiscal year			
12	**Funds obligated in subject fiscal year** (sum of Part F, Lines 09 thru 11) (Must be the same as line 690 of the Operating Budget, form HUD-52564, for the subject fiscal year) Appropriation symbol(s):			
Part G. Memorandum of Amounts Due HUD, Including Amounts on Repayment Schedules				
01	Total amount due in previous fiscal year (Part G, Line 04 of form HUD-52723 for previous fiscal year)			
02	Total amount to be collected in subject fiscal year (Identify individual amounts under Section 3)		( )	( )
03	Total additional amount due HUD (include any amount entered on Part F, Line 11) (Identify individual amounts under Section 3)			
04	**Total amount due HUD to be collected in future fiscal year(s)** (Total of Part G, Lines 01 thru 03) (Identify individual amounts under Section 3)			

Line No.	Description	Requested by PHA (Whole Dollars)	HUD Modifications (Whole Dollars)
Part H. Calculation of Adjustments for Subject Fiscal Year **This part is to be completed only after the subject fiscal year has ended**			
01	Indicate the types of adjustments that have been reflected on this form: ☐ Utility Adjustment ☐ HUD discretionary adjustment (Specify under Section 3)		
02	Utility adjustment from form HUD-52722-B		
03	Deficit or (Income) after adjustments (total of Part E, Line 01 and Part H, Line 02)		
04	Operating subsidy eligibility after year-end adjustments (greater of Part E, Line 02 or Part H, Line 03)		
05	Part E, Line 03 of latest form HUD-52723 approved **during** subject FY **(Do not use Part E, Line 03 of this revision)**		
06	Net adjustments for subject fiscal year (Part H, Line 04 minus Part H, Line 05)		
07	Utility adjustment (enter same amount as Part H, Line 02)		
08	Total HUD discretionary adjustments (Part H, Line 06 minus Line 07)		
09	Unfunded portion of utility adjustment due to proration		
10	Unfunded portion of HUD discretionary adjustment due to proration		
11	Prorated utility adjustment (Part H, Line 07 plus Line 09)		
12	Prorated HUD discretionary adjustment (Part H, Line 08 plus Line 10)		

Section 3

Remarks (provide part and line numbers)

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Signature of Authorized HA Representative & Date:	Signature of Authorized Field Office Representative & Date:
X	X

Public Reporting Burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information is required by Section 9(a) of the U.S. Housing Act of 1937, as amended, and by 24 CFR Part 990 HUD regulations. HUD makes payments for operating of low-income housing projects to PHAs. The Operating Fund determines the amount of operating subsidy to be paid to PHAs. PHAs provide information on the Allowable Expense Level (AEL), Allowable Utilities Expense Level and Other Costs for the major Operating Fund components. HUD reviews the information to determine each PHA's share of the total operating subsidy funds appropriated by Congress each fiscal year. HUD also uses the information as a means of estimating the annual aggregage operating subsidy eligibility of PHAs which serves as the basis for requesting annual appropriations from Congress. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

Instructions

This form is used by Public Housing Agencies (PHAs) to calculate eligibility for operating subsidy from the Operating Fund, in accordance with regulations at 24 CFR Part 990.

It is used for PHA-owned rental public housing developments and PHA units in mixed housing developments when operating subsidy is requested for such developments under the Operating Fund.

It is **not** used for Turnkey III and Mutual Help Homeownership Opportunity programs, Sections 23 and 10(c) leased housing programs, or the Housing Choice Vouchers (Section 8) program.

Unless directed otherwise, a PHA that is eligible to receive operating subsidy will send this form to its local Field Office. This form must be submitted for each PHA fiscal year in which operating subsidy is requested as required by 24 CFR 990.111. A separate form must be prepared for each project or group of projects under a separate Annual Contributions Contract (ACC).

When a PHA requests operating subsidy solely to cover the cost of an Independent Audit (IA), only the heading, Section E, Lines 02 and 03, and Part F need be completed.

SECTION 1

Heading Information:

d) Number of PHA Units. Enter the total number of dwelling units in the developments covered. In the case of an HA development involving the acquisition of scattered site housing, see also 990.104(b). A unit that meets the definition of being a long term vacant unit (see 990.102) will be included in the number of dwelling units.

e) Unit Months Available (UMAs). Enter the product of PHA Project Units multiplied by the number of months the units will be available for occupancy during the subject fiscal year. Do not include units defined as long term vacant units or units approved for nondwelling use in this calculation; See 24 CFR 990.102, Unit months available. (Note: The number of UMAs shown on all forms used to calculate Operating Subsidy, as well as the Operating Budget, form HUD-52564, must be the same.)

f) Subject Fiscal Year. Enter the ending date of the subject fiscal year. The subject fiscal year is the PHA's fiscal year or requested budget year for which this form is submitted.

g) ACC Number. Enter the number of the Annual Contributions Contract (ACC) covering the projects for which this form is submitted.

h) Operating Fund Project No. Enter the Operating Fund Project Number for the corresponding Operating Budget, form HUD-52564.

i) Reserved. If the PHA operating subsidy is to be remitted to a consortia on behalf of the PHA, enter the primary project number of the lead PHA for the consortia.

SECTION 2

Part A. Allowable Expenses and Additions

Note. Except where otherwise indicated, all entries in Part A must be Per Unit Per Month (PUM) amounts, rounded to the nearest two (2) decimal places. A PUM amount is derived by dividing the corresponding dollar amount by the UMAs shown in the heading.

Line 01. Enter the Allowable Expense Level (AEL) for the previous fiscal year (i.e., the PHA fiscal year immediately preceding the subject fiscal year) as shown on Part A, Line 08 of the latest approved form HUD-52723 for the previous fiscal year.

Line 02. Always enter the product of Part A, Line 01 multiplied by .005. This adjusts the AEL for the aging of units.

Line 03. Enter the Delta from form HUD-52720-B if a PHA has experienced a change in the number of its units in excess of 5 percent or 1,000 units, whichever is less, since the last adjustment was made to the Allowable Expense Level using form HUD-52720-B.

Line 04. Enter the number of Requested Year "Total Dwelling Units" from the latest form HUD-52720-A. This maintains a record of the number of units used the last time an adjustment was made to the Allowable Expense Level using form HUD-52720-A, for the purpose of determining, in future years, when these forms must be used again in computing the amount on Part A, Line 03.

Line 05. Leave blank unless specific instructions have been issued by HUD for add-on costs previously entered in Part D of this form to be permanently incorporated into the AEL by an entry to Part A, Line 05.

Line 07. Enter the applicable inflation factor from the "Inflation Factor" table. **(Do not round.)**

Line 09. Transition Funding (See 24 CFR 990.106.)

Line 10. Reserved. Leave blank unless specific instructions are provided by HUD.

Line 11. Enter the Allowable Utilities Expense Level for the subject fiscal year using form HUD-52722-A.

Line 12. Enter actual costs (not estimated cost) of audits that have been charged to the management phase of the PHA's owned rental housing projects and that have not yet been funded.

Line 13. Enter the estimated costs attributable to deprogrammed units (see 24 CFR Part 990.108(b)(1)) which have been excluded from the UMAs shown in the heading of this form. Documentation of the estimated costs must be attached. The costs entered on Part A, Line 13 must not be included in any other element of the calculation of operating subsidy.

Part B. Dwelling Rental Income

Note: Except where otherwise indicated, round all entries in Part B to the nearest two (2) decimal places.

Line 01. Enter the total net dwelling rental charges (recurring monthly dwelling rent less the utility reimbursements) for units occupied by eligible lower-income families, rounded to the nearest dollar, from the Rent Roll for the first day of the month immediately preceding the month in which the corresponding operating budget or subsidy calculation forms are submitted to HUD; however, the date of the Rent Roll must not be earlier than the first day of the month which is six months prior to the subject fiscal year or

later than the first day of the month immediately preceding the subject fiscal year. In the space provided, indicate the date of the Rent Roll used. The rent roll will not reflect decreases resulting from the PHA's implementation of optional earned income exclusions; see 24 CFR 990.109(b)(2)(iii) and 24 CFR 5.609. The PHA must reflect changes in the rent roll due to changes in supply of utilities; see 24 CFR 990.109(b)(4).

Line 02. Enter the number of units occupied by eligible lower-income families as of the date of the Rent Roll used in Part B, Line 01.

Line 03. Enter the quotient of dividing Part B, Line 01 by Line 02. The PHA must reflect changes in the rent roll due to changes in supply of utilities; see 24 CFR 990.109(b)(4).

Line 04. Enter Part B, Line 03 from the last approved form HUD-52723 for the year prior to the Requested Budget Year. i.e., if the Calculation of Operating Subsidy is being prepared for a PHA fiscal year that ends June 30, 2003, the amount on Part B, Line 03 from the latest approved form HUD-52723 for the PHA fiscal year that ends June 30, 2002, would be entered on this line. The PHA must reflect changes in the rent roll due to changes in supply of utilities; see 24 CFR 990.109(b)(4).

Line 05. Enter Part B, Line 04 from the last approved form HUD-52723 for the year prior to the Requested Budget Year. The PHA must reflect changes in the rent roll due to changes in supply of utilities; see 24 CFR 990.109(b)(4).

Line 06. Enter the average for three years of the Average monthly dwelling rental charge per unit. This amount is the sum of (Part B, Line 03, Line 04, and Line 05) divided by three.

Line 08. Enter the lesser of Part B, Line 03 and Line 07. **Note:** The difference between Part B, Line 03 and Line 08 multiplied by the number of unit months available, the rental income change factor and the projected occupancy percentage is retained rental income that must be reflected in the PHA plan for resident related improvements and services.

Line 09. After the preprinted "1." enter, as a decimal, the rental income adjustment factor percentage for the subject fiscal year. (See 24 CFR 990.109). For example, 3 percent would be entered as .03 and would result in a rental income adjustment factor of 1.03.

Line 10. Enter the product of Part B, Line 08 multiplied by Line 09. If the PHA has a new project that will reach EIOP during the subject fiscal year refer to 24 CFR 990.109(c).

Line 11. Enter the Projected Occupancy Percentage determined in accordance with 24 CFR Part 990.109(b)(6) and the instructions of form HUD-52728, PHA Occupancy Percentage for a Requested Budget Year.

Part C. Non-dwelling Income

Note: Except where otherwise indicated, all entries in Part C must be Per Unit Per Month (PUM) amounts, rounded to the nearest two (2) decimal places, derived by dividing the corresponding dollar amounts by the UMAs shown in the heading.

Line 01. Enter an estimate of other income for the subject fiscal year as defined in 990.102.

Line 03. Subtract Part C, Line 02 from Part A, Line 14 and enter the difference. Enter a negative amount in brackets.

Note: All remaining entries (Part C, Line 04 thru Part H, Line 12) must be whole dollar amounts rounded to the nearest dollar.

Line 04. Enter the product of Part C, Line 03 multiplied by the UMAs shown in the heading, Section 1, e.

Part D. Add-ons for Costs Attributable to Changes in Federal Law or Regulation.

Lines 03-08. Enter the amounts, if any, of additional costs resulting from changes in Federal law or regulation, as provided in 24 CFR Part 990.108(c). Do not duplicate amounts previously incorporated in the Allowable Expense Level or to be incorporated in the Allowable Expense Level in the subject fiscal year (i.e., amounts entered on Part A, Line 05 of a form HUD-52723). **Complete documentation must be submitted to support all amounts claimed on Part D, Lines 03 thru 08.** Line 03, Family Self Sufficiency Program, FSS costs incurred under 24 CFR 984 are entered as authorized in the annual inflation factor notice. Line 04, Energy add-on for loan amortization, see 24 CFR 990.107(f)(2). Line 05, Unit Reconfiguration, see 24 CFR 990.108(d). Line 06, Non-Dwelling Units, see 24 CFR 990.108(b)(2) and 990.108(e)(2). Line 07 Long-term Vacant Units, see 24 CFR 990.108(b)(3). Line 08 Phase Down for Demolitions, see 24 CFR 990.114.

Line 09. Enter the number of occupied units as of the rent roll date from Part B, Line 02.

Line 10. Enter the number of units occupied by PHA employees who are not otherwise eligible for such housing and therefore are not included in the units on Part D, Line 09.

Line 11. Enter the number of units occupied by police officers and other security personnel who are not otherwise eligible for such housing and therefore are not included in the occupied units on Part D, Line 09.

Line 14. Leave blank unless specific instructions are provided by HUD.

Part E. Calculation of Operating Subsidy Eligibility Before Year-End Adjustments.

Line 01. Enter the total of Part C, Lines 04 and Part D, Line 15. (Add amounts shown **without** brackets and subtract amounts shown **with** brackets.)

Line 02. Enter the actual costs chargeable to the management phase of the PHA's owned rental housing projects for all audits performed by an Independent Auditor not funded in a prior fiscal year. If an amount is entered on Part A, Line 12, enter Part A, Line 12 times the number of unit months available, Section 1, e.

Part F. Calculation of Operating Subsidy Approvable for Subject Fiscal Year.

This part is used to make various adjustments to the operating subsidy eligibility determined in Part E, including adjustments to prior years' operating subsidy to be effected or funded during the subject fiscal year and additional operating subsidy eligibility (e.g., periodic set-asides for specific purposes) approvable during the subject fiscal year. Lines 10 thru 12 are used by the HUD Field Office to reconcile the total amount of operating subsidy approvable in the subject fiscal year (Line 09) with the amount of operating subsidy that is obligated.

Note: Never revise the lines in Part F (Lines 01 thru 12) after the end of the subject fiscal year.

Line 01. Enter the total of prior years' utility adjustments which will be included in the amount of operating subsidy approved during the subject fiscal year. The amount and fiscal year of each individual adjustment must be shown under Section 3. Enter a net amount owed HUD in brackets.

Line 02. Enter the amount of any additional operating subsidy eligibility (e.g., periodic set-asides for specific purposes or special funding distributions for the subject fiscal year). Identify all such amounts here or under Section 3.

Line 03. Enter any amount of operating subsidy eligibility for a prior fiscal year that was not funded (obligated) by HUD and will be obligated in the

subject fiscal year. Identify under Section 3 the fiscal year not fully funded and the reason.

Line 04. Enter any HUD discretionary adjustments that will be effected during the subject fiscal year.

Lines 05 and 06. Enter any other adjustments to operating subsidy eligibility as directed by HUD not reflected in Part F, Line 01 or Line 04, that will be effected during the subject fiscal year. Enter an adjustment owed HUD (downward adjustment) in brackets.

Line 07. Enter the unfunded portion (100 percent minus the applicable percentage) of the subject year's eligibility (Part E, Line 03) in brackets. If, however, Part E, Line 03 is operating subsidy eligibility for IA costs only, do not make an entry on this line.

Line 08. Enter the total of Part F, Lines 01 thru 07. (Add amounts shown without brackets and subtract amounts with brackets.)

Lines 10 thru 12 are to be used by the HUD Field Office only.

Line 10. Enter the amount, if any, of operating subsidy approvable for the subject fiscal year (Part F, Line 08) which is not being funded (obligated) at this time (e.g., because sufficient funds have not been subassigned to the Field Office).

Line 11. Enter the amount, if any, of operating subsidy funds obligated in excess of the amount approvable for the subject fiscal year (Part F, Line 09) which cannot be deobligated at this time .

Line 12. Total of Part F, Lines 09 thru 11. (Add amounts shown without brackets and subtract amounts shown with brackets.) The amount entered on this line must be the same as the amount obligated in the corresponding Operating Budget, form HUD-52564 (or a letter of intent, when authorized by HUD Headquarters). Enter the appropriation symbol from which this subsidy will be paid. If this amount is being paid from more than one appropriation enter each appropriation and the dollar amount.

Part G. Memorandum of Amounts Due HUD, Including Amounts on Repayment Schedules.

This part is used to maintain an ongoing record of all amounts owed to HUD by a PHA which are related to operating subsidy payments for the projects covered by this form. All amounts owed HUD must be identified under "Remarks". In most cases, a formal repayment (recovery) schedule should be established and maintained on file with this form.

Line 01. Enter the total amount owed HUD at the end of the previous fiscal year, as shown on Part G, Line 04 of the latest approval for the previous fiscal year.

Line 02. Enter any part of the amount shown on Part G, Line 01 that has been collected or is reflected as a reduction in the amount of operating subsidy approvable in Part F. Identify individual amounts under Section 3.

Line 03. Enter the total of any additional amounts determined to be due HUD, including any amount entered on Part F, Line 11. (Do not duplicate amounts already included in the amount shown on Part G, Line 01.) Identify the individual amounts making up the total under Section 3.

Line 04. Enter the total of Part G, Lines 01 thru 03. (Add amounts shown **without** brackets and subtract amounts shown **with** brackets.) Identify the individual amounts making up the total under Section 3.

Adjustments

Mandatory Utility Adjustment. (Reference: 24 CFR Part 990.110(c)) Except when operating subsidy was approved solely for the cost of an audit, the utility adjustment is mandatory. The Mandatory Utility Adjustment for rates and consumption, based on actual experience for a fiscal year, is calculated on form HUD-52722-B, Adjustment for Utilities Consumption and Rates. The dollar amount of the utility adjustment calculated on form HUD-52722-B is entered on Part H, Line 02 of the revised copy of this form for the fiscal year to which the utility adjustment applies (i.e., the subject fiscal year). Copies of form HUD-52722-B and the revised form HUD-52723 must be submitted **within 45 calendar days after the end of the PHA fiscal year.**

Part H. Calculation of Adjustments for Subject Fiscal Year.

Note: This part is completed only after the subject fiscal year has ended. It is used to recalculate the operating subsidy eligibility for the subject fiscal year in order to reflect the mandatory utility and HUD discretionary adjustments. It is important to note that all individual adjustments relating to a particular PHA fiscal year are reflected in Part H of the copy of this form covering the same fiscal year; not in Part H of the form submitted for a subsequent fiscal year. However, the Utility adjustment calculated on Part H, Line 07, or Line 11 if it is a prorated year, must be included in Part F, Line 01 of the copy of this form prepared for the PHA fiscal year in which the adjustment is actually effected (i.e., reflected in the amount of operating subsidy approved in an operating budget or letter of intent). HUD discretionary adjustments previously authorized for Part A, Line 01 thru Part E, Line 03 and calculated on Part H, Line 08, or Line 12 if it is a prorated year, must be included in Part F, Line 04 of the copy of this form prepared for the PHA fiscal year in which the adjustment is actually effected.

Utility Adjustments are entered using Line 02 of this part. No other adjustments are to be made unless specific instructions are provided by HUD.

Line 01. Indicate the types of adjustments that are reflected on this form and will be included in the net adjustment shown on Part H, Line 06.

Line 02. Enter the amount of the utility adjustment calculated on form HUD-52722-B, Adjustment for Utility Consumption and Rates, covering the subject fiscal year.

Line 03. Enter the total of Part E, Lines 01 and Part H, Line 02. (Add amounts shown **without** brackets and subtract amounts shown **with** brackets.)

Line 04. Enter the greater of Part E, Line 02 or Part H, Line 03. If less than zero, enter zero (0).

Line 05. Enter the amount shown on Part E, Line 03 of the latest submission of this form for the subject fiscal year **that was approved during the subject fiscal year. Do not use the amount shown on Part E, Line 03 of this revision.**

Line 06. Subtract Part H, Line 05 from Line 04 and enter the difference. Enter a negative amount in brackets.

The following lines are to be completed only if the subject year is prorated.

Line 09. Enter the unfunded portion (100 percent eligibility adjusted by the applicable proration percentage) of Part H, Line 07 in brackets if Part H, Line 07 is positive. If Part H, Line 07 is in brackets, enter the unfunded portion as a positive number.

Line 10. Enter the unfunded portion (100 percent eligibility adjusted by the applicable proration percentage) of Part H, Line 08 in brackets if Part H, Line 08 is positive. If Part H, Line 08 is in brackets, enter the unfunded portion as a positive number.

Calculation of Subsidies for Operations

Non-Rental Housing

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No. 2577-0074 (exp. 5/30/2001)

1. Name and Address of Public Housing Agency (PHA)

2. Type of HUD-Assisted Project(s)
☐ PHA-Owned Turnkey III ☐ PHA-Owned Mutual Help Homeownership

3. Type of Submission
☐ Original
☐ Revision No.

4. ACC Number	5. Operating Fund Project No.(11 Digits)	6. No. of Dwelling Units	7. Unit Months Available (UMA)	Fiscal Year ending:	9. HUD Regional Office	10. HUD Field Office

Line No.	Description	PHA Request	Modified by HUD
Part I. PHA-Owned Turnkey III Homeownership		(In whole dollars)	
01	Enter Break-even amount deficit (line 050 of form HUD-52564; if line 050 is not a deficit, do not submit this form; the HA is not entitled to an operating subsidy)		
02	Enter operating expense amount (line 010 of form HUD-52564)		
03	Enter the lesser of line 01 or line 02 disregarding parentheses		
04	Excess Utilities (line 080 of form HUD-52564)		
05	Nondwelling Rentals (line 090 of form HUD-52564)		
06	Interest on General Fund Investments (line 110 of form HUD-52564)		
07	Other Operating Receipts (line 120 of form HUD-52564)		
08	Total Other Income (sum of lines 04 thru 07)		
09	Operating Subsidy Eligibility before adjustments (line 03 minus line 08). If line 08 is greater than line 03, enter 0 and do not submit this form)		
10	Unfunded eligibility due to proration, if applicable		
11	Other adjustments to eligibility (specify)		
12	Operating subsidy approvable for subject fiscal year (total of lines 09 thru 11)		
HUD Use Only			
13	Amount of operating subsidy approvable for subject fiscal year not funded		
14	Amount of funds obligated in excess of operating subsidy approvable for subject fiscal year		
15	Funds obligated in subject fiscal year (total of lines 12 thru 14; Must be the same as line 690 of form HUD-52564 for the subject fiscal year)		
Part II. PHA-Owned Mutual Help Homeownership			
01	Actual cost of Independent Audit (IA)		
02	Administration charge for vacant units		
03	Collection losses for vacated homebuyers with terminated MHO Agreements		
04	Cost of homebuyer counseling program		
05	Cost of training and related travel of PHA staff and commissioners		
06	Cost of professional management contract		
07	Operating costs-unusual circumstances		
08	Operating subsidy eligibility before adjustments (total of lines 01 thru 07)		
09	Unfunded eligibility due to proration, if applicable		
10	Other adjustments to eligibility (specify)		
11	Operating subsidy approvable for subject fiscal year (total of lines 08 thru 10)		
HUD Use Only			
12	Amount of operating subsidy approvable for subject fiscal year not funded		
13	Amount of funds obligated in excess of operating subsidy approvable for subject fiscal year		
14	Funds obligated in subject fiscal year (total of lines 11 thru 13; Must be the same as line 690 of form HUD-52564 for the subject fiscal year)		

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate.
Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of PHA:	Signature & Title of Authorized Certifying Officer & Date:
	X

Public Reporting Burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Reports Management Officer, Office of Information Policies and Systems, U.S. Department of Housing and Urban Development, Washington, D.C. 20410-3600 and to the Office of Management and Budget, Paperwork Reduction Project (2577-0074), Washington, D.C. 20503. Do not send this completed form to either of the above addresses.

Instructions

Form HUD-53087, Calculation of Subsidies for Operations, Non-Rental Projects, must be used for the following public housing programs: (1) PHA-owned Turnkey III Homeownership Opportunity Program; and (2) Public Housing Authority (PHA)-Owned Mutual Help Homeownership Opportunity Program. A separate form must be submitted for each of the above programs and for each Annual Contributions Contract (ACC) which includes one or more projects under one of the above programs which will be in operation for all or part of the requested budget year. This form must be prepared and submitted to the appropriate HUD Field Office with the form HUD-52564, Operating Budget, and will represent the source document authorizing payment of Operating Subsidy.

Heading. In the spaces provided, enter the following information: (1) the name and address of the PHA, (2) type of HUD-assisted project; (3) type of submission, original or revision; (4) the ACC number; (5) the project number applicable to the corresponding Operating Budget, form HUD-52564. (See paragraph 2 of the Instructions for form HUD-52721, Direct Disbursement Payment Schedule Data.); (6) the total number of units in the project(s); (7) the number of unit months of availability during the requested budget year; (8) the fiscal year ending date of the requested budget year; and the two-digit numeric code for (9) the HUD Regional Office and (10) the Field Office serving the area in which the PHA is located.

Part I - PHA-Owned Turnkey III Homeownership. Complete Part I only if the form is being submitted for PHA-Owned Turnkey III Homeownership Opportunity Projects.

Line 01 thru 09. Self explanatory.

Line 10. Use only when operating subsidy eligibility is prorated. Enter the unfunded portion (100 percent minus the applicable percentage) of the subject year's eligibility (line 09).

Line 11. Enter other adjustments that will be effected during the subject fiscal year and specify the purpose of each adjustment. Enter an adjustment owed HUD (downward adjustment) in brackets.

Line 12. Enter the total of lines 09 thru 11. (Add amounts shown without brackets and subtract amounts shown with brackets.)

Line 13. Enter the amount, if any, of operating subsidy approvable for the subject fiscal year (line 12), which is not being funded (obligated) at the time (e.g., because sufficient funds have not been assigned to the Field Office).

Line 14. Enter the amount, if any, of operating subsidy funds obligated in an Operating Budget or letter of intent in excess of the amount approvable for the subject fiscal year (line 12) which cannot be deobligated at this time (e.g., because they have already been paid).

Line 15. Total of lines 12 thru 14. (Add amounts shown without brackets and subtract amounts shown with brackets.) The amount entered on this line must be the same as the amount obligated in the corresponding Operating Budget form HUD-52564 (or letter of intent, when approved by HUD Headquarters).

Part II - PHA-Owned Mutual Help Homeownership. Complete Part II only if the form is being submitted for PHA-Owned Mutual Help Homeownership Opportunity Projects.

Line 01 thru 07. Enter eligible costs for which operating subsidy is being requested. Operating subsidy for Collection Losses (line 03) is available only after the PHA has used all available homebuyer credits of the terminated homebuyer. Operating costs resulting from unusual circumstances (line 07) must be approved in advance by HUD prior to payment of operating subsidy.

Line 08. Self explanatory.

Line 09. Use only when operating subsidy eligibility is prorated. Enter the unfunded portion (100 percent minus the applicable percentage) of the subject year's eligibility, line 08. If, however, line 08 is operating subsidy eligibility for IA costs only, do not make an entry on this line.

Line 10. Enter any other adjustments that will be effected during the subject fiscal year and specify the purpose of each adjustment. Enter an adjustment owed HUD (downward adjustment) in brackets.

Line 11. Enter the total of lines 08 thru 10. (Add amounts shown without brackets and subtract amounts shown with brackets).

Line 12. Enter the amount, if any, of operating subsidy approvable for the subject fiscal year (line 11) which is not funded (obligated) at this time (e.g., because sufficient funds have not been subassigned to the Field Office).

Line 13. Enter the amount, if any, of operating subsidy funds obligated in an Operating Budget or letter of intent in excess of the amount approvable for the subject fiscal year (line 11) which cannot be deobligated at this time (e.g., because they have already been paid).

Line 14. Total of lines 11 thru 13. (Add amounts shown without brackets and subtract amounts shown with brackets.) The amount entered on this line must be the same as the amount obligated in the corresponding Operating Budget form HUD-52564 (or letter of intent, when approved by HUD Headquarters).

Signature & Submission of Form HUD-53087. Sign the original form and submit to the Field Office for approval in conjunction with the form HUD-52564.

[FR Doc. 01–3905 Filed 2–15–01; 8:45 am]
BILLING CODE 4210–33–C

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4650–N–09]

Notice of Submission of Proposed Information Collection to OMB; Application for Insurance of Advance of Mortgage Proceeds

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments Due Date:* March 19, 2001.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval number (2502–0097) and should be sent to: Joseph F. Lackey, Jr., OMB Desk Officer, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Wayne Eddins, Reports Management Officer, Q, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410; e-mail Wayne_Eddins@HUD.gov; telephone (202) 708–2374. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Eddins.

SUPPLEMENTARY INFORMATION: The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the OMB approval number, if applicable; (4) the description of the need for the information and its proposed use; (5) the agency form number, if applicable; (6) what members of the public will be affected by the proposal; (7) how frequently information submissions will be required; (8) an estimate of the total number of hours needed to prepare the information submission including number of respondents, frequency of response, and hours of response; (9) whether the proposal is new, an extension, reinstatement, or revision of an information collection requirement; and (10) the name and telephone number of an agency official familiar with the proposal and of the OMB Desk Officer for the Department.

This Notice also lists the following information:

Title of Proposal: Application for Insurance of Advance of Mortgage Proceeds.

OMB Approval Number: 2502–0097.

Form Numbers: HUD–92403.

Description of the Need for the Information and Its Proposed Use: Mortgagors will use the HUD–92403 to request the advance of mortgage proceeds to reimburse the mortgagor for funds expended or obligated for construction related items.

Respondents: Business or other for-profit, Not-for-profit institutions.

Frequency of Submission: On occasion.

Reporting Burden:

Number of respondents	×	Frequency of response	×	Hours per response	=	Burden hours
5,000		1		0.2		1,000

Total Estimated Burden Hours: 1000.

Status: Reinstatement, without change.

Authority: Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: February 9, 2001.

Wayne Eddins,

Department Reports Management Officer, Office of the Chief Information Officer.

[FR Doc. 01–3902 Filed 2–15–01; 8:45 am]
BILLING CODE 4210–01–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Coastal Barrier Improvement Act of 1990; Amendments to the Coastal Barrier Resources System and Otherwise Protected Areas

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the Fish and Wildlife Service, have replaced one map depicting an otherwise protected area (OPA) in Florida, as directed by Congress. We are using this notice to inform the public about the distribution and availability of the revised map.

DATES: The boundary revisions for this OPA became effective on October 27, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Benjamin N. Tuggle, Department of the Interior, U.S. Fish and Wildlife Service, Division of Federal Program Activities, (703) 358–2161.

SUPPLEMENTARY INFORMATION:

Background

In 1982, Congress passed the Coastal Barrier Resources Act (Pub. L. 97–348) to restrict Federal spending that could foster development of undeveloped coastal barriers along the Atlantic and Gulf of Mexico coasts. In the Coastal Barrier Improvement Act of 1990 (Pub. L. 101–591), Congress amended the 1982 Act to broaden the definition of a coastal barrier, and approved a series of maps entitled ''Coastal Barrier Resources System'' dated October 24, 1990. These maps identify and depict those coastal barriers located on the coasts of the Atlantic Ocean, Gulf of Mexico, and the Great Lakes, and in Puerto Rico and the Virgin Islands that are subject to the Federal funding limitations outlined in the Act. The 1990 Act also approved a related series of maps depicting OPAs along the same coastlines. Unlike full System units, only Federal flood insurance is prohibited in OPAs.

The Act also defines our responsibilities regarding System and OPA maps. We have official custody of these maps, and prepare and distribute copies of the maps. We published a notice of the filing, distribution, and availability of the maps dated October 24, 1990, in the **Federal Register** on June 6, 1991 (56 FR 26304–26312). We have announced all subsequent map revisions in the **Federal Register.**

Revisions to an Otherwise Protected Area in Florida

Section 1 of Public Law 106–360, enacted on October 27, 2000, requires us to replace one OPA map. The changes affect OPA P–19P in Lee County,

Florida. The changes to P–19P are designed to coincide the OPA with lands held for conservation purposes on North Captiva Island.

How To Get Copies of the Maps

The Service has given copies of the revised map to the House of Representatives Committee on Resources and the Senate Committee on Environment and Public Works, and is sending maps to the House of Representatives Committee on Banking and Financial Services and each appropriate Federal, State, and local agency having jurisdiction over the areas in which the modified units are located.

You can purchase copies of System and OPA maps from the U.S. Geological Survey, Earth Science Information Center, P.O. Box 25286, Denver, Colorado 80225. The cost is $10.00 per map, plus a $5.00 shipping and handling fee for the entire order. Maps can also be viewed at the following Fish and Wildlife Service offices:

Washington Office—all System and OPA maps, U.S. Fish and Wildlife Service, Division of Federal Program Activities, 4401 N. Fairfax Drive Room 400, Arlington, Virginia 22203, (703) 358–2183

Southeast Regional Office—all System and OPA maps for NC, SC, GA, FL, AL, MS and LA, Region 4, U.S. Fish and Wildlife Service, 1875 Century Blvd., Atlanta, Georgia 30345, (404) 679–7125

Field Office—System and OPA maps for south Florida, Field Supervisor, U. S. Fish and Wildlife Service, 360 U.S. 1, Suite 5, Vero Beach, Florida 32960, (561) 562–3909

Dated: January 22, 2001.

Marshall P. Jones, Jr.,

Acting Director, Fish and Wildlife Service.

[FR Doc. 01–4031 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Coastal Barrier Improvement Act of 1990; Amendments to the Coastal Barrier Resources System

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: We, the Fish and Wildlife Service, have replaced one Coastal Barrier Resources System map in North Carolina, as directed by Congress. We are using this notice to inform the public about the distribution and availability of the revised map.

DATES: The boundary revisions for these units became effective on October 19, 2000.

FOR FURTHER INFORMATION CONTACT: Dr. Benjamin N. Tuggle, Department of the Interior, U.S. Fish and Wildlife Service, Division of Federal Program Activities, (703) 358–2161.

SUPPLEMENTARY INFORMATION:

Background

In 1982, Congress passed the Coastal Barrier Resources Act (Pub L. 97–348) to restrict Federal spending that could foster development of undeveloped coastal barriers along the Atlantic and Gulf of Mexico coasts. In the Coastal Barrier Improvement Act of 1990 (Pub L. 101–591), Congress amended the 1982 Act to broaden the definition of a coastal barrier, and approved a series of maps entitled ''Coastal Barrier Resources System'' dated October 24, 1990. These maps identify and depict those coastal barriers located on the coasts of the Atlantic Ocean, Gulf of Mexico, and the Great Lakes, and in Puerto Rico and the Virgin Islands that are subject to the Federal funding limitations outlined in the Act.

The Act also defines our responsibilities regarding the System maps. We have official custody of these maps, and prepare and distribute copies of the maps. We published a notice of the filing, distribution, and availability of the maps entitled ''Coastal Barrier Resources System'' dated October 24, 1990, in the **Federal Register** on June 6, 1991 (56 FR 26304–26312). We have announced all subsequent map revisions in the **Federal Register**.

Revisions to the Coastal Barrier Resources System in North Carolina

Section 1 of Public Law 106–332, enacted on October 19, 2000, requires us to revise the map of Coastal Barrier Resources System Unit NC–01 in Dare and Currituck Counties, North Carolina. The changes to Pine Island Unit NC–01 will conform the boundary of the unit to the National Audubon Society's Pine Island Sanctuary property boundary. The changes will also include ''associated aquatic habitat'' as defined by Service guidelines.

How To Get Copies of the Maps

The Service has given copies of the revised System maps to the House of Representatives Committee on Resources and the Committee on Banking and Financial Services, the Senate Committee on Environment and Public Works, and to each appropriate Federal, State, or local agency having jurisdiction over the areas in which the modified units are located.

You can purchase copies of System maps from the U.S. Geological Survey, Earth Science Information Center, P.O. Box 25286, Mail Stop 517, Denver, Colorado 80225. The cost is $10.00 per map, plus a $5.00 shipping and handling fee for the entire order. Maps can also be viewed at the following Service offices:

Washington Office—all System maps, U.S. Fish and Wildlife Service, Division of Federal Program Activities, 4401 N. Fairfax Drive Room 400, Arlington, Virginia 22203, (703) 358–2183

Southeast Regional Office—all System maps for NC, SC, GA, FL, AL, MS and LA Region 4, U.S. Fish and Wildlife Service, 1875 Century Blvd., Atlanta, Georgia 30345, (404) 679–7125

Field Office—System maps for North Carolina, Field Supervisor, U.S. Fish and Wildlife Service, Raleigh Field Office 551–F Pylon Drive, P.O. Box 33726, Raleigh, NC 27636–3726, (919) 856–4520

Dated: January 22, 2001.

Marshall P. Jones, Jr.,

Acting Director, Fish and Wildlife Service.

[FR Doc. 01–4032 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Availability of Draft Comprehensive Conservation Plan and Environmental Assessment for Shiawassee National Wildlife Refuge, Saginaw, MI and Michigan Wetland Management District, East Lansing, MI

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of availability.

SUMMARY: Pursuant to the Refuge Improvement Act of 1997, the U.S. Fish and Wildlife Service has published the Shiawassee National Wildlife Refuge Draft Comprehensive Conservation Plan and Environmental Assessment. The Plan describes how the Service intends to manage the Refuge for the next 15 years. The document includes the Michigan Wetland Management District (WMD).

DATES: Submit written comments by April 11, 2001. All comments should be addressed to Doug Spencer, Shiawassee National Wildlife Refuge, 6975 Mower Road, Saginaw, MI 48601. Comments may also be submitted through the Service's regional website at: http://

www.fws.gov/r3pao/planning/shiawasstop.htm

ADDRESSES: A copy of the Plan or a summary may be obtained by writing to Doug Spencer at the address above or by placing a request through the website.

FOR FURTHER INFORMATION CONTACT: For additional information contact Doug Spencer, Shiawassee National Wildlife Refuge, 6975 Mower Road, Saginaw, MI 48601. Phone (517) 777–5930 or E-mail doug_spencer@fws.gov.

SUPPLEMENTARY INFORMATION: Shiawassee National Wildlife Refuge includes a large area of wetlands and forests within the agricultural and urban landscape of Michigan's Saginaw County. Established in 1953, the Refuge now includes 9,226 acres and is recognized as globally significant to migratory waterfowl. It was authorized to be a sanctuary for migratory birds, fish and wildlife-oriented recreation, protection of natural resources, and the conservation of endangered and threatened species. The Michigan WMD consists of two waterfowl production areas, which are cooperatively managed with the Michigan Department of Natural Resources.

The Draft Comprehensive Conservation Plan emphasizes the habitat needs of fish and wildlife and expanded opportunities for wildlife-dependent recreation.

Dated: February 8, 2001.

William F. Hartwig,

[FR Doc. 01–3988 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Klamath Fishery Management Council Meeting

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), this notice announces a meeting of the Klamath Fishery Management Council, established under the authority of the Klamath River Basin Fishery Resources Restoration Act (16 U.S.C. 460ss *et seq.*). The Klamath Fishery Management Council makes recommendations to agencies that regulate harvest of anadromous fish in the Klamath River Basin. The objectives of this meeting are to hear technical reports (including the ocean stock projection for Klamath River fall chinook in 2001), review the 2000 fishery season, and discuss and plan management of the 2001 season. The meeting is open to the public.

DATES: The Klamath Fishery Management Council will meet from 8:30 a.m. to 5 p.m. on Thursday, February 22, 2001; and from 8 a.m. to 12 p.m. on Friday, February 23, 2001.

Place: The meeting will be held at the Yurok Tribal Office, Highway 96, Weitchpec, California.

FOR FURTHER INFORMATION CONTACT: Dr. Ronald A. Iverson, Project Leader, Fish and Wildlife Service, 1829 South Oregon Street, Yreka, California 96097, telephone (530) 842–5763.

SUPPLEMENTARY INFORMATION: For background information on the Klamath Council, please refer to the notice of their initial meeting that appeared in the **Federal Register** on July 8, 1987 (52 FR 25639).

Dated: February 7, 2001.

Elizabeth H. Stevens,

Acting California/Nevada Operations Manager, California/Nevada Office, Fish and Wildlife Service.

[FR Doc. 01–3991 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–55–P

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

2001 Migratory Bird Hunting and Conservation Stamp (Federal Duck Stamp) Contest

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: The Fish and Wildlife Service announces the dates and locations of the 2001 Federal Duck Stamp contest; the public is invited to enter and to attend.

DATES: 1. The official date to begin submission of entries to the 2001 contest is July 1, 2001. All entries must be postmarked no later than midnight, Saturday, September 15, 2001.

2. The public may view the 2001 Federal Duck Stamp Contest entries on Monday, November 5, 2001, from 10 a.m. to 2 p.m.

ADDRESSES: Requests for complete copies of the regulations, reproduction rights agreement, and display and participation agreement may be requested by calling 1–877–887–5508, or requests may be addressed to: Federal Duck Stamp Contest, U.S. Fish and Wildlife Service, Department of the Interior, 1849 C Street, NW., Suite 2058, Washington, DC 20240. You may also download the information from the Federal Duck Stamp Home Page at *duckstamps.fws.gov.*

FOR FURTHER INFORMATION CONTACT: Ms. Terry Bell, telephone (202) 208–4354, or fax: (202) 208–6296.

SUPPLEMENTARY INFORMATION:

Background

On March 16, 1934, Congress passed and President Roosevelt signed the Migratory Bird Hunting Stamp Act. Popularly known as the Duck Stamp Act, it required all waterfowl hunters 16 years or older to buy a stamp annually. The revenue generated was originally earmarked for the Department of Agriculture, but 5 years later was transferred to the Department of the Interior and the U.S. Fish and Wildlife Service to buy or lease waterfowl sanctuaries.

In the years since its enactment, the Federal Duck Stamp Program has become one of the most popular and successful conservation programs ever initiated. Today, some 1.5 million stamps are sold each year, and, as of 1995, Federal Duck Stamps have generated $501 million for the preservation of 4,389,792.86 acres of waterfowl habitat in the United States. Numerous other birds, mammals, fish, reptiles and amphibians have similarly prospered because of habitat protection made possible by the program. An estimated one third of the nation's endangered and threatened species find food or shelter in refuges preserved by Duck Stamp funds. Moreover, the protected wetlands help dissipate storms, purify water supplies, store flood water, and nourish fish hatchlings important for sport and commercial fishermen.

The Contest

The first Federal Duck Stamp was designed, at President Roosevelt's request, by Jay N. ''Ding'' Darling, a nationally known political cartoonist for the *Des Moines Register* and a noted hunter and wildlife conservationist. In subsequent years, noted wildlife artists were asked to submit designs. The first contest was opened in 1949 to any U.S. artist who wished to enter, and 65 artists submitted a total of 88 design entries. The number of entries rose to 2,099 in 1981 in the only art competition of its kind sponsored by the U.S. Government. To select each year's design, a panel of noted art, waterfowl, and philatelic authorities are appointed by the Secretary of the Interior. Winners receive no compensation for the work, except a pane of their stamps, but winners may sell prints of their designs,

which are sought by hunters, conservationists, and art collectors.

The public may view the 2001 Federal Duck Stamp Contest entries on Monday, November 5, 2001, from 10 a.m. to 2 p.m. in Department of the Interior Auditorium (''C'' Street entrance), 1849 C Street, N.W., Washington, D.C. This year's judging will be held November 6–7, 2001, beginning at 10:30 a.m. on Tuesday, November 6, and continuing at 9 a.m. on Wednesday, November 7, if needed. In the event of a smaller than usual number of entries, all of the judging will take place on Tuesday, November 6.

Dated: January 30, 2001.

Marshall Jones,

Acting Director.

[FR Doc. 01–3888 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–55–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

(NV–030–1430–ES; N–65834)

Realty Action: Recreation and Public Purposes Act Classification; Churchill County, NV

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The following federal land in Churchill County, Nevada has been examined and found suitable for classification for lease/conveyance to the Churchill County under the provisions of the Recreation and Public Purposes (R&PP) Act, as amended (43 U.S.C. 869 *et seq.*):

Mt. Diablo Meridian

T. 18 N., R. 29 E.
Sec. 21, SE¼SE¼SE¼.

(containing 10 acres, more or less)

Churchill County proposes to use the land for an animal protection facility. The land is located near the intersection of Berney and Pasture Roads, near the Fallon Naval Air Station. The land is not needed for federal purposes. Lease/conveyance is consistent with current BLM land use planning and would be in the public interest. Issuance of a 5-year lease with a purchase option is proposed. The lease/patent when issued, will be subject to the provisions of the R&PP Act and to all applicable regulations of the Secretary of the Interior, and will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890 (43 U.S.C. 945).

2. All mineral deposits in the land so patented, and to it, or persons authorized by it, the right to prospect, mine and remove such deposits from the same under applicable law and regulations to be established by the Secretary of the Interior.

Upon publication of this notice in the **Federal Register**, the land will be segregated from all forms of appropriation under the public land laws, including the general mining laws, except for lease or conveyance under the Recreation and Public Purposes Act and leasing under the mineral leasing laws. For a period of 45 days after publication of this notice, interested parties may submit comments regarding the proposed lease/conveyance or classification to the Acting Assistant Manager, Non-Renewable Resources, Bureau of Land Management, Carson City Field Office, 5665 Morgan Mill Road, Carson City, NV 89701.

Classification Comments: Interested parties may submit comments involving the suitability of the land for an animal protection facility. Comments on the classification are restricted to whether the land is physically suited for the proposal, whether the use will maximize the future use or uses of the land, whether the use is consistent with local planning and zoning, or if the use is consistent with State and Federal programs.

Application Comments: Interested parties may submit comments regarding the specific use proposed in the application and plan of development, whether the BLM followed proper administrative procedures in reaching the decision, or any other factor not directly related to the suitability of the land for an animal protection facility. 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 in the **Federal Register**. The land will not be offered for lease/conveyance until after the classification becomes final.

SUPPLEMENTARY INFORMATION: Comments, including names and street addresses of respondents will be available for public review at the Carson City Field Office during regular business hours. Individual respondents may request confidentiality. If you wish to withhold your name or address from public review or from disclosure under the Freedom of Information Act, you must state this prominently at the beginning of your comments. Such requests will be honored to the extent allowed by law. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

Dated this 2nd day of February, 2001.

Richard Conrad,

Assistant Manager, Non-Renewable Resources, Carson City Field Office.

[FR Doc. 01–3894 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–HC–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AZ–010–1210–ET; AZA–31344]

Cancellation of Proposed Withdrawal; Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This notice terminates the segregative effect of a proposed withdrawal of 299,952.41 acres of lands requested by the Bureau of Land Management at the Paria Plateau. On November 9, 2000, the Vermilion Cliffs National Monument was established by Presidential Proclamation No. 7374, so the withdrawal is not needed. This notice opens the lands, that are not located within the Vermilion Cliffs National Monument, to surface entry and mining.

EFFECTIVE DATE: March 19, 2001.

FOR FURTHER INFORMATION CONTACT: Laurie Ford, BLM Arizona Strip Field Office, 345 East Riverside Drive, St. George, Utah 84790, 435–688–3200.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Withdrawal was published in the **Federal Register**, FR 00–20678, August 15, 2000, which temporarily segregated the lands described therein from location and entry under the general land laws, including the mining laws, subject to valid existing rights. The new Vermilion Cliffs National Monument includes most of the lands proposed for withdrawal, so the Bureau of Land Management has determined that the proposed withdrawal is not needed and has cancelled its application.

At 9 a.m. on March 19, 2001, the lands that were described in the Notice of Proposed Withdrawal in the **Federal Register**, FR 00–20678, August 15, 2000, that are not located within the Vermilion Cliffs National Monument, will be opened to operation of the public land laws generally, subject to valid existing rights, the provision of

existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 9 a.m. on March 19, 2001, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

At 9 a.m. on March 19, 2001, the lands that were described in the Notice of Proposed Withdrawal in the **Federal Register**, FR 00–20678, August 15, 2000, that are not located within the Vermilion Cliffs National Monument will be opened to location and entry under the United States mining laws, subject to valid existing rights, the provision of existing withdrawals, and other segregations of record. Appropriation of any of the lands referenced in this order under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38 (1994), shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: February 5, 2001.

Michael A. Ferguson,

Deputy State Director, Resources Division.

[FR Doc. 01–3893 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–32–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Outer Continental Shelf (OCS), Alaska OCS Region, Beaufort Sea, Proposed Liberty Development and Production Plan (DPP)

AGENCY: Minerals Management Service, Interior.

ACTION: Reschedule of dates and times of public hearings for the draft environmental impact statement (EIS) and extension of comment period to April 13, 2001.

SUMMARY: We are changing some of the public hearing dates on the draft EIS for the Liberty DPP and extending the public comment period to accommodate the change of dates.

SUPPLEMENTARY INFORMATION: On January 8, 2001, we announced in the **Federal Register** (Vol. 66, No 5, Pages 1365–6) the availability of the draft EIS for the Liberty DPP; the locations, dates, and times of the public hearings; and the end of the public comment period.

In response to a letter from the North Slope Borough and comments from the community leaders in Barrow and Nuiqsut, Alaska, some of the hearings have been rescheduled to the following dates, times, and locations:

March 19, 2001, 7–10 p.m., Kisik Community Center, Nuiqsut;

March 20, 2001, 7–10 p.m., Kaktovik Community Center, Kaktovik; and

March 21, 2001, 7–10 p.m., Inupiaq Heritage Center, Barrow.

The dates and times for the scheduled hearings in Anchorage and Fairbanks, Alaska remain unchanged.

If you wish to testify at one of the public hearings, please register by contacting the Alaska OCS Region at the address below or Mr. Fred King at (907) 271–6696 or toll free 1–800–764–2627 no later than 3 days prior to the hearing date. When you register, you may also request a preferred time to testify. Every effort will be made to accommodate individuals who have not pre-registered to testify. Time limitations may require limiting the length of oral statements to 10 minutes. You may supplement an oral statement with a more complete written statement and submit it to the hearing officer at the hearing or by mail until April 13, 2001. Written statements submitted at the hearing will be considered part of the hearing record. If you are unable to attend the hearings, you may submit written statements at the address below.

To accommodate the later dates for the above three public hearings, we have extended the comment period on the draft EIS until April 13, 2001. Please mark your comments ''Liberty Draft EIS'' and address them to the Regional Director, Minerals Management Service, Alaska OCS Region, 949 East 36th Avenue, Room 308, Anchorage, Alaska 99508–4363.

Dated: February 12, 2001.

Richard Wildermann,

Chief, Environmental Assessment Branch.

[FR Doc. 01–4034 Filed 2–13–01; 3:51 pm]

BILLING CODE 4310–MR–U

DEPARTMENT OF THE INTERIOR

National Park Service

30-Day Notice of Submission to OMB—Opportunity for Public Comment

AGENCY: Department of the Interior, National Park Service, Land and Water Conservation Fund State Assistance and Urban Park and Recreation Recovery Programs.

ACTION: Notice of submission to OMB and request for comments.

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. 3507) and 5 CFR 1320, Reporting and Recordkeeping Requirements, the National Park Service invites public comments on eight information collection requests (ICR) for the Land and Water Conservation Fund (LWCF) and Urban Park and Recreation Recovery (UPARRR) grant programs as describes below. Comments are invited on: (1) The need for the information including whether the information has practical utility; (2) the accuracy of the reporting burden estimate; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the information collection on respondents, including use of automated collection techniques or other forms of information technology.

1. *LWCF Description and Notification (DNF, NPS 10–903, OMB 1024–0031).* The DNF is necessary to provide data input into the NPS automated project information system which provides timely data on projects funded over the life of the IWCF program. *Respondents:* 56 State governments, DC and territories. *Estimated Annual Reporting burden:* 115 hours. *Estimated Average Burden Hours Per Response:* 0.25 hours. *Estimated Frequency of Response:* 450 nationwide.

2. *LWCF Program Performance Report (OMB 1024–0032).* As required by OMB Circular A–102, grantee must submit performance reports which describe the status of the work required under the project scope. *Respondents:* 56 State governments, DC and territories. *Estimated Annual Reporting Burden:* 700 hours. *Estimated Average Burden Hours Per Response:* 1.0 hours. *Estimated Frequency of Response:* 700 nationwide.

3. *LWCF Project Agreement and Amendment Form (NPS 10–902 and 10–902a, respectively, OMB 1024–0033).* The Project Agreement and Amendment Forms set forth the obligations assumed by the State through its acceptance of federal assistance under the LWCF Act and any special terms and conditions. *Respondents:* 56 State governments, DC and territories. *Estimated Annual Reporting Burden:* 450 hours. *Estimated Average Burden Hours Per Response:* 1.0 hours. *Estimated Frequency of Response:* 450 nationwide.

4. *LWCF On-Site Inspection Report (OMB 1024–0034).* The On-site Inspection Reports are used to insure compliance by grantees with applicable Federal laws and program guidelines,

and to insure the continued viability of the funded site. *Respondents:* 56 State governments, DC and territories. *Estimated Annual Reporting Burden: 3,700 hours. Estimated Average Burden Hours Per Response:* 0.5 hours. *Estimated Frequency of Response:* 7,400 nationwide.

5. *LWCF Conversion of Use Provision (OMB 1024–0047).* To convert assisted sites to other than public outdoor recreation, LWCF project sponsors must provide relevant information necessary to comply with section 6(f)(3) of the LWCF Act of 1965. *Respondents:* 56 State governments, DC and territories. *Estimated Annual Reporting Burden:* 1,750 hours. *Estimated Average Burden Hours Per Response:* 35 hours. *Estimated Frequency of Response:* 50 nationwide.

6. *UPARR Project Performance Report (OMB 1024–0028).* As required by OMB Circular A–102, grant recipients must submit performance reports which describe the status of the work required under the project scope. *Respondents:* Urban cities and counties. *Estimated Annual Reporting Burden:* 248 hours. *Estimated Average Burden Hours Per Response:* 1.5 hours. *Estimated Frequency of Response:* 164 nationwide.

7. *UPARR Conversion of Use Provisions (OMB 1024–0048).* To convert assisted sites to other than public outdoor recreation, UPARR project sponsors must provide relevant information necessary to comply with section 1010 of the UPARR Act of 1978. *Respondents:* Urban Cities and counties. *Estimated Annual Reporting Burden:* 75 hours. *Estimated Average Burden Hours Per Response:* 25 hours. *Estimated Frequency of Response:* 3 nationwide.

8. *UPARR Project Agreement and Amendment Form (NPS 10–912 and 10–915, respectively, OMB 1024–0089).* The Project Agreement and Amendment forms set forth the obligations assumed by grant recipients through their acceptance of federal assistance under the UPARR Act and any special terms and conditions. *Respondents:* Urban cities and counties. *Estimated Annual Reporting Burden:* 20 hours. *Estimated Average Burden Hours Per Response:* 1.0 hours. *Estimated Frequency of Response:* 20 nationwide.

There were no public comments received as a result of publishing on September 27, 2000, in the **Federal Register** a 60-day notice of intention to request clearance for this ICR.

DATES: Public comments on these eight proposed ICRs will be accepted on or before March 17, 2001.

ADDRESSES: Send comments to: Office of Information and Regulatory Affairs of OMB, Attention Desk Officer for the Interior Department, Office of Management and Budget, Washington, DC 20503; and also to Mr. Wayne T. Strum, Chief, Recreation Programs Division, National Park Service (225), P.O. Box 37127, Washington, DC 20013–7127.

Dated: January 24, 2001.

Leonard E. Stowe,

Acting Information Collection Clearance Officer, National Park Service.

[FR Doc. 01–4012 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–M

DEPARTMENT OF THE INTERIOR

National Park Service

Rocky Mountain National Park, Colorado; Order Adjusting the Boundary of Rocky Mountain National Park To Include Certain Lands

SUMMARY: Pursuant to the authority contained in the Act of November 29, 1989, 103 Stat. 1700, 16 U.S.C. Sec. 192b–10, and as certain lands authorized for acquisition by the Secretary of the Interior have now been acquired, the boundaries of Rocky Mountain National Park are being adjusted accordingly.

DATES: Effective February 15, 2001.

SUPPLEMENTARY INFORMATION: The above cited Act authorizes the Secretary of the Interior to acquire certain lands adjacent to Rocky Mountain National Park and, upon acquisition, to adjust the park boundary to include such lands within the park. The total acreage of Rocky Mountain National Park will be increased by 5.14 acres by this boundary adjustment.

Subject to valid existing rights, the following described lands are hereby added to Rocky Mountain National Park to be administered in accordance with the laws and regulations applicable thereto:

Township 4 North, Range 73 West, 6th Principal Meridian, Larimer County, Colorado;

Lot 4, Baldpate Estates, according to the plat thereof recorded April 3, 1986, at Reception No. 86016631;

Contains 5.14 acres, more or less.

FOR FURTHER INFORMATION CONTACT: Chief, Land Resources Program Center, Intermountain Region, P.O. Box 728, Santa Fe, New Mexico 87504–0728.

Dated: December 20, 2000.

Karen P. Wade,

Regional Director, Intermountain Region, National Park Service.

[FR Doc. 01–4011 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

National Park Service

Previously Announced Roads and Trails Management Plan/Environmental Impact Statement To Be Combined With Ongoing Effort on General Management Plan/Environmental Impact Statement for Big South Fork National River and Recreation Area, Kentucky and Tennessee

SUMMARY: Public comment received on the Draft General Management Plan/Environmental Impact Statement (GMP/EIS) indicated additional detail was needed to adequately understand National Park Service management proposals for the national area. In order to include more detail, it is necessary to consider management options for the national area's roads and trails.

Anticipating a separate, concurrent effort to prepare a Roads and Trails Management Plan (RTMP)/EIS for the national area, a Notice of Intent was previously published in the **Federal Register**. Since planning for roads and trails will now be incorporated into the GMP/EIS, a separate RTMP/EIS will not be prepared. The GMP/EIS will now cover management actions concerning roads and trails. Because substantial revision of parts of the previous draft is anticipated, the National Park Service will be prepared and distributing a Supplemental Draft GMP/EIS. A Notice of Availability of the Supplemental Draft GMP/EIS will be published at the appropriate time.

DATES: The planning process is expected to extend through September 2001, with the primary proposal formulation stage expected to end by May 2001.

FOR FURTHER INFORMATION CONTACT: Superintendent, Big South Fork National River and Recreation Area, 4564 Leatherwood Ford Road, Oneida, Tennessee, 37841. Telephone: 423–569–9778.

SUPPLEMENTARY INFORMATION: Our practice is to make comments, including names and home addresses of respondents, available for public review during business hours. If you wish for us to withhold your name and/or address, you must state this prominently at the beginning of your comment. However, we will not consider anonymous comments. We will make all submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials or organizations or businesses, available for public inspection in their entirety.

Comments on roads and trails that were received during the scoping period

for the RTMP/EIS will continue to be considered, and comments need not be resubmitted. Any new comments on the combined planning effort are welcome and will be accepted anytime during the planning process. Comments should be submitted to the address below.

Dated: January 25, 2001.

W. Thomas Brown,

Acting Regional Director, Southeast Region.

[FR Doc. 01–4013 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–M

DEPARTMENT OF THE INTERIOR

National Park Service

Draft Environmental Impact Statement General Management Plan; Santa Monica Mountains National Recreation Area; Notice of Extension of Public Comment Period

SUMMARY: Pursuant to § 102(2)(C) of the National Environmental Policy Act of 1969 (P.L. 91–190 as amended), the National Park Service, Department of the Interior, has prepared a Draft Environmental Impact Statement assessing potential impacts of alternative approaches for future management of the Santa Monica Mountains National Recreation Area, in southern California. The original 60-day public comment period has been extended an additional month from the original February 28, 2001 deadline.

SUPPLEMENTARY INFORMATION: Interested individuals, organizations, and agencies are encouraged to provide written comments—to be considered any response must now be postmarked no later than May 31, 2000.

All responses should be addressed to the Superintendent, Santa Monica Mountains National Recreation Area, 401 West Hillcrest Dr., Thousand Oaks, California 91360–4207. If individuals submitting comments request that their name or/and address be withheld from public disclosure, it will be honored to the extent allowable by law. Such requests must be stated prominently in the beginning of the comments. There also may be circumstances wherein the NPS will withhold a respondent's identity as allowable by law. As always: NPS will make available to public inspection all submissions from organizations or businesses and from persons identifying themselves as representatives or officials of organizations and businesses; and, anonymous comments may not be considered.

To obtain a copy of the DEIS please contact the park at (805) 370–2341. Five public meetings will be held in the area during February 5–9, 2001; full details are available by phone or via the internet at www.nps.gov/samo.

Dated: January 23, 2001.

William C. Walters,

Deputy Regional Director, Pacific West Region.

[FR Doc. 01–4008 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

National Park Service

Urban Park and Recreation Recovery Program

AGENCY: National Park Service.

ACTION: Notice of FY 2001 grant round—UPARR rehabilitation grants.

SUMMARY: This notice announces the availability of grant funds under the Rehabilitation phase of the Urban Park and Recreation Recovery (UPARR) Program and provides information on the application process including eligible recipients and deadlines for submission of proposals.

DATES: NPS will accept preapplications on or before June 18, 2001.

ADDRESSES: See Supplementary Information section for NPS addresses.

FOR FURTHER INFORMATION CONTACT: Wayne Strum, Chief, Recreation Programs Division, National Park Service, Department of the Interior, 1849 ''C'' Street, NW., Washington, DC 20240; (202) 565–1200 or 1129.

SUPPLEMENTARY INFORMATION: For Fiscal Year 2001, $28,836,000 is available for funding of Rehabilitation projects under the Urban Park and Recreation Recovery Act of 1978 (Pub. L. 95–625). NPS will consider proposals for funding projects with a dollar limit of $500,000 (Federal share of total project cost). Grants made in any one State shall not exceed in the aggregate 15 percent of the total available ($4,325,400). Preapplications must be received by the appropriate NPS field office by no later than (120 days from date of publication), 2001.

Rehabilitation grants will be targeted to rehabilitate existing neighborhood recreation areas and facilities which have deteriorated to the point where health and safety are endangered or the community's range of quality recreation service is impaired. Proposals must be designed to provide recreation services within a specified area identified by the applicant. Proposals may identify improvements at multiple sites or facilities, each of which must be individually addressed. Grants may be used to remodel, rebuild, or develop existing outdoor or indoor recreation areas and facilities.

Eligible Jurisdictions: Eligible urban jurisdictions which have an approved Recovery Action Program (RAP) on file with and approved by NPS will be eligible to compete for Rehabilitation grant funds. If a jurisdiction's RAP plan expired since FY 1995, the chief elected official of that jurisdiction may submit either (1) a new or updated RAP for NPS review and approval, or (2) a letter of recertification. A letter of recertification must state that no significant changes have occurred in its assessment and action plan, and that the RAP remains current as a guide to community action and decision-making. In those cases where a jurisdiction has never submitted a RAP for participation in the UPARR program or its previously approved RAP plan expired prior to FY 1995, the chief elected official of that jurisdiction may submit either (1) a new or updated RAP for NPS review and approval, or (2) copies of current budget, planning or other documents that reflect the jurisdiction's recreation priorities, policies, actions and decision-making processes; which when taken together, either satisfactorily update the pre-1995 RAP for the purposes of recertification or otherwise satisfies the RAP planning requirements for participation in the FY 2001 grant round. NPS may accept a recertification or approve the alternative RAP documentation through December 31, 2002, after which a new RAP is required. Additional urban jurisdictions meeting the criteria described in 36 CFR Part 72, Appendix A, and having been approved as discretionary applicants by NPS, may also compete. All projects must be in accord with the priorities outlined in the recertified or approved RAP document.

Grant Implementation and Timing: Grantees must comply with all applicable Federal laws and regulations for the UPARR program, which includes completion of a final grant agreement within 120 days of a grant offer based on NPS evaluation of preapplications submitted for consideration.

Preapplication Requirements: The chief elected officials applying for UPARR grants will be required to certify, in the preapplication, that the grantee will comply with all requirements of the UPARR program. Applicants must certify that they have adequate control and tenure over properties to be assisted through UPARR and must identify in their applications the type of control they have over those properties. Additional requirements are outlined in the ''UPARR Preappplication Handbook''

available from the NPS field offices (or on the internet at http://www.ncrc.nps.gov/uparr).

Matching Requirements: UPARR Rehabilitation grants are awarded on a 70/30 (Federal/local) matching basis. As an incentive for state involvement in the program, the Federal Government will match, dollar for dollar, state contributions to the local share of the total project cost, up to 15 percent of the approved grant. The Federal share is limited to no more than 85 percent of the approved grant cost and the overall dollar limitations established above for Rehabilitation grants.

Pass-Through Funding: At the discretion of the applicant jurisdiction, grants may be transferred, in whole or in part, to independent general or special purpose local governments, private nonprofit agencies or community groups, and county or regional park authorities that provide recreation opportunities to the general population within the jurisdictional boundaries of the applicant jurisdiction. In such situations, the applicant jurisdiction will bear full legal responsibility and liability for passed-through funds.

Post-Completion Requirements: In accordance with Section 1010 of the UPARR Act of 1978, assisted properties may not be converted to other than public recreation use without the prior approval of NPS and the replacement of the converted site or facility with one of reasonably equivalent usefulness and location. This provision applies to all Rehabilitation projects.

FOR FURTHER INFORMATION CONTACT: Interested jurisdictions should consult their NPS field office for further information including grant round schedule and for technical assistance in applying for funding. The NPS field offices are listed below:

Northeast (CT, DC, DE, MA, MD, ME, NH, NJ, NY, PA, RI, VA, VT, WV)
Stewardship and Partnerships Team, Philadelphia Support Office, National Park Service, 200 Chestnut Street, 3rd Floor, Philadelphia, PA 19106, Tele: (215) 597–9195

Southeast (AL, FL, GA, KY, LA, MS, NC, PR, SC, TN, VI)
Recreation Programs, Southeast Regional Office, National Park Service, Atlanta Federal Center, 1924 Building, 100 Alabama Street, S.W., Atlanta, GA 30303, Tele: (404) 562–3175

Midwest (AR, AZ, CO, IA, IL, IN, KS, MI, MN, MO, MT, ND, NE, NM, OH, OK, SD, TX, UT, WI, WY)
Partnerships—Grants, Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, NE 68102–2571, Tele: (402) 221–3358, 3292, 3205

Pacific West (AS, CA, CM, GU, HI, NV)
Planning and Partnerships Team, Pacific Great Basin Support Office, National Park Service, Suite 600, 600 Harrison Street, San Francisco, CA 94107–1372, Tele: (415) 427–1445 or 1324

(AK, ID, OR, WA)
Partnerships Programs, Columbia Cascades Support Office, National Park Service, 909 First Avenue, Seattle, WA 98104–1060, Tele: (206) 220–4126

Dated: January 25, 2001.

D. Thomas Ross,

Assistant Director, Recreation and Conservation.

[FR Doc. 01–4007 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–M

DEPARTMENT OF THE INTERIOR

National Park Service

Boston Harbor Islands Advisory Council; Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (PL 92–463) that the Boston Harbor Islands Advisory Council will meet on Wednesday, March 7th, 2001. The meeting will convene at 6 pm at the Children's Museum, 300 Congress Street, Auditorium, Boston, Massachusetts.

The Advisory Council was appointed by the Director of National Park Service pursuant to Public Law 104–333. The 28 members represent business, educational/cultural, community and environmental entities; municipalities surrounding Boston Harbor; Boston Harbor advocates; and Native American interests. The purpose of the Council is to advise and make recommendations to the Boston Harbor Islands Partnership with respect to the development and implementation of a management plan and the operation of the Boston Harbor Islands National Recreation Area.

The Agenda for this meeting is as follows:

1. Approval of minutes from December 6, 2000.
2. Nomination and Election Process.
3. Annual Report.
4. Speaker series.
5. Guest Speaker.
6. Other business.

The meeting is open to the public. Further information concerning Council meetings may be obtained from the Superintendent, Boston Harbor Islands. Interested persons may make oral/written presentations to the Council or file written statements. Such requests should be made at least seven days prior to the meeting to: Superintendent, Boston Harbor Islands NRA, 408 Atlantic Ave., Boston, MA, 02110, telephone (617) 223–8667.

Dated: January 26, 2001.

George E. Price, Jr.,

Superintendent, Boston Harbor Islands NRA.

[FR Doc. 01–4006 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–P

DEPARTMENT OF THE INTERIOR

National Park Service

CORRECTION-CORRECTION-Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the Anthropological Studies Center, Archaeological Collections Facility, Sonoma State University, Rohnert Park, CA; and in the Control of the California Department of Transportation, Sacramento, CA

AGENCY: National Park Service.

ACTION: Notice.

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the Anthropological Studies Center (ASC), Archaeological Collections Facility, Sonoma State University, Rohnert Park, CA; and in the control of the California Department of Transportation (CALTRANS), Sacramento, CA. **This notice corrects the contact address of the Correction to the Notice of Inventory Completion published December 5, 2000. The correction paragraph of the December 5, 2000 notice is corrected as follows:** This notice has been sent to the officials of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Tina Biorn, Environmental Program, Department of Transportation, **P. O. Box 942874 (M.S. 27)**, Sacramento, CA 94274-0001, telephone (916) 653-0013, before August 16, 2000. Repatriation of the human remains to the Santa Rosa Indian Community of the Santa Rosa Rancheria, California may begin after that date if no additional claimants come forward.

Dated: January 19, 2001.

John Robbins,

Assistant Director, Cultural Resources Stewardship and Partnerships.

[FR Doc. 01–4009 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–F

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Possession of the Kootenai National Forest, USDA-Forest Service, Libby, MT.

AGENCY: National Park Service

ACTION: Notice

Notice is hereby given in accordance with provisions of the Native American Graves Protection and Repatriation Act (NAGPRA), 43 CFR 10.9, of the completion of an inventory of human remains and associated funerary objects in the possession of the Kootenai National Forest, USDA-Forest Service, Libby, MT.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 43 CFR 10.2 (c). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of these Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice.

A detailed assessment of the human remains was made by the University of Montana, Department of Anthropology and the Kootenai National Forest professional staff in consultation with representatives of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

In 1998, human remains representing one individual were recovered from a draw-down zone of the Koocanusa Reservoir located north of Murray Creek in the Rexford District of the Kootenai National Forest, Lincoln County, MT, by an unknown individual. The remains eroded out of the cut-bank of the reservoir. No known individual was identified. No associated funerary objects are present.

Based on ethnographic, historical and geographic information, the individual has been identified as Native American. The remains were determined to date to the historic period. Oral history of the Confederated Salish and Kootenai Tribes indicates that the area from where the remains were removed was once inhabited by the Kootenai people. The Kootenai people have a place name for this specific area, which has been handed down orally throughout Kootenai history. The Hellgate Treaty of 1855 also recognizes this area as the aboriginal territory of the Kootenai people.

Based on the above-mentioned information, officials of the Kootenai National Forest, USDA-Forest Service have determined that, pursuant to 43 CFR 10.2 (d)(1), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of the Kootenai National Forest, USDA-Forest Service also have determined that, pursuant to 43 CFR 10.2 (e), there is a relationship of shared group identity that can be reasonably traced between these Native American human remains and the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana.

This notice has been sent to officials of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana. Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Rebecca S. Timmons, Forest Archaeologist, Kootenai National Forest, 1101 US Highway 2 West, Libby, MT 59923, telephone (406) 293-6211, before March 17, 2001. Repatriation of the human remains to the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana may begin after that date if no additional claimants come forward.

Dated: January 10, 2001.

John Robbins,

Assistant Director, Cultural Resources Stewardship and Partnerships

[FR Doc. 01–4010 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–70–F

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

Notice of Proposed Information Collection

AGENCY: Office of Surface Mining Reclamation and Enforcement.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intention to request approval for the collection of information for the permanent program performance standards—underground mining activities at 30 CFR Part 817.

DATES: Comments on the proposed information collection must be received by April 17, 2001 to be assured of consideration.

ADDRESSES: Comments may be mailed to John A. Trelease, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW., Room 210—SIB, Washington, DC 20240. Comments may also be submitted electronically to jtreleas@osmre.gov.

FOR FURTHER INFORMATION CONTACT: To request a copy of the information collection request, explanatory information and related form, contact John A. Trelease, at (202) 208–2783.

SUPPLEMENTARY INFORMATION: The Office of Management and Budget (OMB) regulations at 5 CFR 1320, which implementing provisions of the Paperwork Reduction Act of 1995 (Pub. L. 104–13), require that interested members of the public and affected agencies have an opportunity to comment on information collection and recordkeeping activities (see 5 CFR 1320.8(d)). This notice identifies information collections that OSM will be submitting to OMB for extension. These collections are contained in 30 CFR 817.

OSM has revised burden estimates, where appropriate, to reflect current reporting levels or adjustments based on reestimates of burden or respondents. OSM will request a 3-year term of approval for this information collection activity.

Comments are invited on: (1) The need for the collection of information for the performance of the functions of the agency; (2) the accuracy of the agency's burden estimates; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the information collection burden on respondents, such as use of automated means of collection of the information. A summary of the public comments will accompany OSM's submission of the information collection request to OMB.

This notice provides the public with 60 days in which to comment on the following information collection activity:

Title: Permanent Program Performance Standards—Underground Mining Activities, 30 CFR Part 817.

OMB Control Number: 1029–0048.

Summary: Sections 515 and 516 of the Surface Mining Control and Reclamation Act of 1977 provide that permittees conducting surface coal mining operations with underground mining activities shall meet all applicable performance standards of the Act. The information collected is used by the regulatory authority in monitoring and inspecting surface coal mining activities to ensure that they are conducted in compliance with the requirements of the Act.

Bureau Form Number: None.
Frequency of Collection: On occasion, quarterly and annually.
Description of Respondents: Underground coal mining operators.
Total Annual Responses: 20,745.
Total Annual Burden Hours: 95,443.

Dated: February 9, 2001.

Richard G. Bryson,

Chief, Division of Regulatory Support.

[FR Doc. 01–3945 Filed 2–15–01; 8:45 am]

BILLING CODE 4310–05–M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 1205–5]

Proposed Modifications to the Harmonized Tariff Schedule of the United States

AGENCY: United States International Trade Commission.

ACTION: Additional proposed amendments.

SUMMARY: On November 18, 1999, the Commission instituted investigation No. 1205–5, Proposed Modifications to the Harmonized Tariff Schedule of the United States, pursuant to section 1205 of the Omnibus Trade and Competitiveness Act of 1988. Section 1205 directs the Commission to keep the Harmonized Tariff Schedule of the United States (HTS) under continuous review and to recommend modifications to the HTS (1) when amendments to the International Convention on the Harmonized Commodity Description and Coding System (Harmonized System), and the Protocol thereto, are recommended by the World Customs Organization (WCO) (formerly known as the Customs Cooperation Council) for adoption, and (2) as other circumstances warrant. The Commission's final report will set forth the proposed changes and indicate the necessary changes in the HTS that would be needed to conform the HTS to the international nomenclature structure; the report will also include other appropriate explanatory information on the proposed changes. A preliminary report was submitted to the Office of the United States Trade Representative in March 2000. Since that time, the Commission has been informed of additional proposed amendments to the HTS that should be included in the final report.

EFFECTIVE DATE: February 9, 2001.

FOR FURTHER INFORMATION CONTACT: Eugene A. Rosengarden, Director (202–205–2592), Office of Tariff Affairs and Trade Agreements, U.S. International Trade Commission, Washington, DC 20436. Hearing impaired individuals are advised that information on this investigation can be obtained by contacting the TDD terminal on (202) 205–1810.

Background

The majority of the changes proposed in the Commission's preliminary report are the result of the work of the WCO and its Harmonized System Committee (HSC) to update and clarify the Harmonized System nomenclature, as part of the WCO's long-term program to review the nomenclature structure on a formal basis. These proposed changes, which are to become effective in January 2002, are available in the Office of the Secretary, Room 112, United States International Trade Commission, 500 E Street SW, Washington, DC 20436 (telephone 202–205–2000) and are posted on the Commission's website (*http://www.usitc.gov*). These changes encompass all decisions taken by the HSC since the implementation of the last set of WCO modifications to the Harmonized System, which were effective as of January 1, 1996. Future notices will be issued in this investigation indicating the final resolution of all matters and decisions taken by the HSC during the course of Commission consideration.

Other proposed changes included in this investigation are requested by the U.S. Customs Service, in order to clarify the proper tariff classification and duty treatment of particular goods due to decisions of the Court of International Trade, the HSC, or the US Customs Service. These changes, including those which are the subject of this notice, will be treated separately in the Commission's final report.

The Commission has prepared non-authoritative cross-reference tables in its preliminary report to provide guidance to potentially affected parties and to show the likely existing and future tariff classifications of the goods concerned. The Customs Service has domestic legal authority for tariff classification and may provide information, both during the course of the investigation and after the Commission's report is submitted, that indicates different or additional tariff classifications of some goods. Moreover, the WCO will eventually issue a cross-reference table under Article 16 of the Harmonized System Convention, indicating the agreed international classifications (existing and future) of the goods affected by the proposed changes. The latter table may be released later in the Commission's investigation, and differences between international and domestic classification of a few goods may be suggested (in some cases due to reservations filed by WCO member countries or to theoretical or asserted classifications for some goods). Thus, the classifications shown in the Commission's cross-reference tables may be subject to change in the final report.

Additional Proposed Amendments to the HTS

In addition to the changes to the HTS already proposed in the Commission's preliminary report and in the **Federal Register** of December 29, 2001 (65 FR 83032), the following changes are also proposed, in order to correct an error made during the conversion of the former Tariff Schedules of the United States (TSUS) to the format of the Harmonized System. These new proposed changes are set out below.

(1) Subheading 4015.11.00: Delete the expression ''and medical'' from the Article Description. Renumber the subheading as 4015.11.01 to reflect a change in its scope.

(2) Subheadings 4015.19.10 and 4015.19.50: Delete and substitute the following:

	[Articles of apparel and clothing. . .]			
	[Gloves]:			
	[Other]:.			
''4015.19.05	Medical	Free		25%
	Other:.			
4015.19.10	Seamless	3%	Free (A,CA,E,IL,J,MX)	25%
4015.19.50	Other	14%	Free (A+,CA,D,E,IL,J,MX)''	75%

Written Submissions

Interested parties are invited to submit written statements concerning the proposed changes outlined above. Commercial or financial information that a submitter desires to treat as confidential must be submitted on separate sheets of paper, each clearly marked ''Confidential Business Information'' at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's rules of practice and procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the proposed changes above should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on March 2, 2001. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or by electronic means.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet site (*http://www.usitc.gov*).

List of Subjects

Tariffs/HTS, Harmonized system, WCO, and Imports.

Issued: February 13, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–4015 Filed 2–15–01; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–434]

In the matter of Certain Magnetic Resonance Injection Systems and Components Thereof; Notice of a Decision Not To Review an Initial Determination Granting a Motion for Summary Determination of Invalidity; Termination of the Investigation With a Finding of No Violation; Denial as Moot of Complainant's Motion To Suspend Investigation and Related Motions Filed by Respondents

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) (Order No. 16) issued by the presiding administrative law judge (ALJ) in the above-captioned investigation finding the only patent at issue in the investigation to be invalid. The determination not to review the summary determination ID results in termination of the investigation with a finding of no violation of section 337. Complainant's motion to suspend the investigation and related motions by respondents are denied as moot.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–3104. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. General information concerning the Commission may also be obtained by accessing its Internet server (*http://www.usitc.gov*).

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 26, 2000, based on a complaint filed by Medrad, Inc. of Indianola, Pennsylvania. The complaint alleged a violation of section 337 of the Tariff Act of 1930, 337 U.S.C. 1337, based on infringement of U.S. Letters Patent Re. 36,648, (the '648 patent) owned by complainant. The respondents named in the investigation are Nemoto Kyorindo Co., Ltd. of Tokyo, Japan; Liebel-Flarshiem Co. of Cincinnati, Ohio; and Mallinckrodt Inc. (New York Corp) and Mallinckrodt Inc. (Delaware Corp), both of Hazelwood, Missouri. 65 FR 34231.

On September 26, 2000, the ALJ issued an ID finding the '648 patent invalid due to certain omissions that occurred during patent reissue proceedings at the U.S. Patent and Trademark Office. The ALJ suspended the investigation during the pendency of the ID before the Commission. Petitions for review of the ID were filed on October 6, 2000, by complainant and by the Commission investigative attorney. Responses were filed on October 19, 2000. On October 16, 2000, the Commission determined to extend the date for determining whether to review the ID until December 6, 2000. 65 FR 63096 (October 20, 2000). On November 17, 2000, complainant Medrad filed a motion to suspend the investigation pending the outcome of a petition for reissue of the '648 patent that it had filed on November 16, 2000, with the U.S. Patent and Trademark Office. Respondents opposed the motion and the IA supported it. Respondents filed a motion to file a reply to the IA's response on December 4, 2000.

On November 27, 2000, the Commission extended the date for determining whether to review the summary determination ID until 30 days after it decides the motion to suspend the investigation. 65 FR 75303 (December 1, 2000). On January 16, 2001, respondent Nemoto filed a motion to compel the Commission to remand complainant's motion for suspension of the investigation to the presiding ALJ for determination. On January 18, 2000, the remaining respondents joined Nemoto's motion.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and section 210. 42(h)(3) of the Commission of Practice and Procedure, 19 CFR 210.42(h)(3).

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202–205–2000. Copies of these documents may also be downloaded from the Commission's Internet server at *http://www.usitc.gov.* Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on 202–205–1810.

By order of the Commission.

Issued: February 12, 2001.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–3892 Filed 2–15–01; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation 332–426]

Natural Gas Services: Recent Reforms in Selected Markets

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation.

EFFECTIVE DATE: February 8, 2001.

SUMMARY: Following receipt of a request on January 16, 2001, from the United States Trade Representative (USTR), the Commission instituted investigation No. 332–426, Natural Gas Services: Recent Reforms in Selected Markets, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).

FOR FURTHER INFORMATION CONTACT: Information specific to this investigation may be obtained from Mr. Christopher Melly, Project Leader (202–205–3461; cmelly@usitc.gov), Ms. Joann Tortorice, Deputy Project Leader (202–205–3032; jtortorice@usitc.gov), or Mr. Richard Brown, Chief, Services and Investment Division (202–205–3438; rbrown@usitc.gov), Office of Industries, U.S. International Trade Commission, Washington, DC, 20436. For information on the legal aspects of this investigation, contact William Gearhart of the Office of the General Counsel (202–205–3091; wgearhart@usitc.gov). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205–1810.

Background

In a letter dated January 16, 2001, the USTR requested that the Commission, pursuant to section 332(g) of the Tariff Act of 1930, conduct an investigation of the natural gas services markets in countries where significant market reform, privatization, and liberalization has occurred or is ongoing. The foreign markets to be examined are: Argentina, Australia, Brazil, Canada, Korea, Japan, Mexico, Spain, and the United Kingdom. As requested, in its report, the Commission will (1) describe the nature of reform, including, but not limited to the extent of privatization, vertical and horizontal restructuring, and consumer choice, as applicable; (2) examine current market access conditions, including, but not limited to measures affecting network access, investment, and trading (i.e., the exchange of natural gas contracts through financial markets), as applicable; and (3) identify common regulatory practices adopted by multiple countries, insofar as they exist. For the purpose of this study, natural gas services will focus on the downstream natural gas market, including the following segments: transmission (including transport and storage); distribution; wholesale and retail supply; and trading.

This letter follows a similar request made by the USTR in November 1999 for the Commission to conduct an investigation of the electric power services markets in Argentina, Australia, Brazil, Canada, Chile, the European Union, Japan, New Zealand, and Venezuela. The Commission submitted its report to the USTR on November 23, 2000, copies of which may be obtained by contacting the Office of the Secretary at 202–205–2000 or by accessing the USITC Internet server (http://www.usitc.gov). The USTR asked that the Commission furnish the natural gas report by October 16, 2001, and that the Commission make the report available to the public in its entirety.

Public Hearing

A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m. on April 3, 2001. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436, no later than 5:15 p.m., March 20, 2001. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., March 22, 2001; the deadline for filing post-hearing briefs or statements is 5:15 p.m., April 25, 2001. In the event that, as of the close of business on March 20, 2001, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202–205–1806) after March 20, 2001, to determine whether the hearing will be held.

Written Submissions

In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements (original and 14 copies) concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked ''Confidential Business Information'' at the top. All submissions requesting confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than the close of business on April 25, 2001. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov).

List of Subjects

WTO, GATS, Energy services, Market access, Natural gas, Trade in services.

Issued: February 9, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–3891 Filed 2–15–01; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–436]

In the Matter of Certain WAP-Compatible Wireless Communication Devices, Components Thereof, and Products Containing Same; Notice of Commission Decision Not to Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement and Withdrawal of the Complaint

AGENCY: International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (''ALJ's'') initial determination (''ID'') terminating the above-captioned

investigation in its entirety based on a settlement agreement and withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT: Mary Beth Jones, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–3106. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810. General information concerning the Commission may also be obtained by accessing its Internet server at *http://www.usitc.gov.*

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on October 11, 2000, based on a complaint filed by Geoworks Corporation of California (''complainant''). The complaint named three respondents, Phone.com, Inc., of California, Sanyo Electric Co., Ltd., of Japan, and Sanyo North America Corporation of California (''respondents''). Since the filing of the complaint, respondent Phone.com changed its name to Openwave Systems Inc.

On December 28, 2000, complainant and respondents filed a joint motion to terminate the investigation on the basis of a settlement agreement under Commission rule 210.21(b) and the withdrawal of the complaint under Commission rule 210.21(a). On January 8, 2001, the Commission investigative attorney filed a response supporting the joint motion. On January 9, 2001, the ALJ issued an ID (Order No. 9) granting the joint motion. No party petitioned for review of the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42 of the Commission's rules of practice and procedure (19 CFR 210.42). Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–2000.

Issued: February 13, 2001.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 01–4016 Filed 2–15–01; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Justice Management Division; Office of Attorney Personnel Management; Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: Notice of Information Collection Under Review: Extension of a Currently Approved Collection: Application Booklets—Attorney General's Honor Program and Summer Law Intern Program.

The Department of Justice, Justice Management Division, Office of Attorney Personal Management, has submitted the following information collection request to the Office of Management and Budget for review and clearance in accordance with the Paperwork Reduction Act of 1995. This proposed information collection is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until April 17, 2001.

If you have comments, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Eleanor Barry, 202–514–8902, Office of Attorney Personnel Management, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530. Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information address one or more of the following four points:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses.

Overview of this Information Collection

(1) *Type of information collection:* Extension of currently approved information collection.

(2) *The title of the Form/Collection:* Application Booklets—Attorney General's Honor Program and Summer Law Intern Program.

(3) *The agency form number and the applicable component of the Department sponsoring the collection:* None. Office of Attorney Personnel Management, Justice Management Division, U.S. Department of Justice.

(4) *Affected public who will be asked to respond, as well as a brief abstract: Primary:* Law students and Judicial Law Clerks: Pursuant to 28 CFR 0.15(b)(2), the Deputy Attorney General of the United States Department of Justice has the responsibility of administering the ''Attorney General's recruitment program for honor law graduates and judicial law clerks.'' This includes the hiring of third-year law students and judicial law clerks for full-time employment following graduation or completion of a clerkship, and primarily second-year law students for summer employment. This program has been in existence for 47 years, and is considered the Federal Government's premier legal recruitment program. The Department of Justice currently hires approximately 145 third-year law students/judicial law clerks and 130 second-year law students each year under these programs. The Department of Justice is the largest legal employer in the country. Approximately 4,500 applications are received for these positions annually. The responsibility for running these programs has been delegated by the Deputy Attorney General to the Director, Office of Attorney Personnel Management (OAPM) pursuant to 28 CFR 0.15(c). OAPM together with other Department of Justice representatives who make the ultimate hiring determinations have developed these application booklets to distribute information on the programs and in turn collect the information they consider essential to make an informed hiring decision on legal applicants.

This data collection is the only vehicle for the Department of Justice (DOJ) to hire graduating law students. This application form is submitted voluntarily, submitted only once a year by students/judicial law clerks; and the information sought only relates to the hiring criteria established as an internal matter by DOJ personnel.

(5) *An estimate of the total number of responses and the amount of time estimated for an average response:* 4500 respondents at 1 hour per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* 4500 annual burden hours.

If additional information is required contact: Robert B. Briggs, Department Clearance Officer, United States

Department of Justice, Information Management and Security Staff, Justice Management Division, Suite 1220, 1331 Pennsylvania Avenue, NW, National Place Building, Washington, DC 20530.

Dated: February 12, 2001.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 01–3939 Filed 2–15–01; 8:45 am]

BILLING CODE 4410–26–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Agency Information Collection Activities: Proposed Collection; Comment Requested

ACTION: Notice of Information Collection Under Review; Extension of a currently approved collection; Application for Permit to Import Controlled Substances for Domestic and/or Scientific Purposes pursuant to 21 U.S.C. 952 (DEA Form 357).

The Department of Justice, Drug Enforcement Administration (DEA), has submitted the following information collection request for review and clearance in accordance with the Paperwork Reduction Act of 1995. This proposed information is published to obtain comments from the public and affected agencies. Comments are encouraged and will be accepted until April 17, 2001.

If you have additional comments, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Mr. Michael E. Moy, Chief, Drug Operations Section, Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice, Washington, DC 20537, telephone 202–307–7194.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information should address one or more of the following four points:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the function of the agency, including whether the information will have practical utility;

2. Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

3. Enhance the quality, utility, and clarity of the information to be collected; and

4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information

1. *Type of information collection:* Extension of a currently approved collection.

2. *The title of the form/collection:* Application for Permit to Import Controlled Substances for Domestic and/or Scientific Purposes pursuant to 21 U.S.C. 952.

3. *The agency form number, if any, and the applicable component of the Department sponsoring the collection: Form number:* DEA Form 357. *Applicable component of the Department sponsoring the collection:* Office of Diversion Control, Drug Enforcement Administration, U.S. Department of Justice.

4. *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. *Other:* None.

Abstract: Title 21, CFR, Section 1312.11, requires any registrant who desires to import certain controlled substances into the United States to have an import permit. In order to obtain the permit, an application must be made to the Drug Enforcement Administration (DEA) on DEA Form 357.

5. *An estimate of the total number of respondents, responses and the amount of time estimated for an average respondent to respond/reply annually:* 80 respondents, 320 responses, .25 hour per response. A respondent may submit multiple responses. A respondent will take an estimate of 15 minutes to complete each form.

6. *An estimate of the total public burden (in hours) associated with the collection:* 80 annual burden hours.

Public comments on this proposed information collection are strongly encouraged.

If additional information is required contact: Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information Management and Security Staff, Justice Management Division, National Place Building, Suite 1220, NW, Washington, DC 20530.

Dated: February 12, 2001.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 01–3941 Filed 2–15–01; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the prescribed work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon And Related Acts,'' shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determination, 200 Constitution Avenue, N.W., Room S–3014, Washington, D.C. 20210.

Modifications to General Wage Determination Decisions

The number of decisions listed in the Government Printing Office document entitled ''General Wage Determinations Issued Under the Davis-Bacon and related Acts'' being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decision being modified.

Volume I

None

Volume II

None

Volume III

None

Volume IV

None

Volume V

None

Volume VI

None

Volume VII

None

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and Related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled ''General Wage Determinations Issued Under The Davis-Bacon and Related Acts.'' This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

The general wage determination issued under the Davis-Bacon and related Acts are available electronically by subscription to the FedWorld Bulletin Board System of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1–800–363–2068.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 512–1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the seven separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates are distributed to subscribers.

Dated: Signed at Washington, D.C. this 7 day of February 2001.

Carl J. Poleskey,

Chief, Branch of Construction Wage Determinations.

[FR Doc. 01–3499 Filed 2–15–01; 8:45 am]

BILLING CODE 4510–27–M

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c) (2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed revision of the ''Report on Occupational Employment.'' A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before April 17, 2001.

ADDRESSES: Send comments to Ausie B. Grigg, Jr., BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 3255, 2 Massachusetts Avenue, NE., Washington, DC 20212, telephone number 202–691–7628 (this is not a toll free number).

FOR FURTHER INFORMATION CONTACT: Ausie B. Grigg, Jr., BLS Clearance Officer, telephone number 202–691–7628. (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The Occupational Employment Statistics (OES) survey is a Federal/State establishment survey of wage and salary workers designed to produce data on current occupational employment and wages. OES survey data assist in the development of employment and training programs established by the Workforce Investment Act of 1998, the Job Training Partnership Act (JTPA) of 1982, and the Perkins Vocational Education Act of 1984.

The OES program operates a periodic mail survey of a sample of non-farm establishments conducted by all fifty States, Guam, Puerto Rico, the District of Columbia, and the Virgin Islands. Over three-year periods, data on occupational employment and wages are collected by industry at the two- and three-digit Standard Industrial Classification (SIC) levels. The U.S. Department of Labor also uses OES data in the administration of the Alien Labor Certification process under the Immigration Act of 1990.

II. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments which:

• Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

• Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

• Enhance the quality, utility, and clarity of the information to be collected; and

• Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

III. Current Actions

The BLS plans to make several changes to the processes and procedures used to collect data in the OES program.

We plan to evaluate whether the number of different survey forms used in the OES survey (currently 82 different forms) can be reduced when the North American Industry Classification System (NAICS) is introduced in the 2002 OES program (October 12, November 12, and December 12, 2002 reference dates). The evaluation will take place after the results of the 2002 survey staffing patterns have been examined.

The current survey reference period is a single quarter. In order to more properly reflect the annual average employment and wages, consideration is being given to using two or more quarters as reference periods. (The OES sample size would not be increased with a change to multiple reference periods.)

Together with our State partners, the BLS is exploring tailoring the mail questionnaire to specific respondents in order to reduce respondent burden. This customization could include using a reduced occupation list on the form to make the list specific for the intended establishment.

Currently, the front of the survey form solicits information on industry, operating status, total number of workers, and contact person for the establishment. In the past, the OES program asked for the total number of employees working in Research and Development. In this proposed revision, the BLS is requesting the flexibility to replace such questions with question(s) that may assist in the evaluation of changes in workforce dynamics, such as the introduction of new technologies (e.g., e-commerce).

The BLS and the States plan to test, and implement if the test is successful, collection of OES data by electronic means, including using the Internet.

Type of Review: Revision of a currently approved collection.

Agency: Bureau of Labor Statistics.

Title: Report on Occupational Employment.

OMB Number: 1220–0042.

Affected Public: Business or other for-profit; not-for-profit institutions; and State, Local or Tribal Government.

Frequency: Annual.

Total Responses: 317,492.

Average Time Per Response: 45 minutes.

Estimated Total Burden Hours: 238,119.

Total Burden Cost (capital/startup): $0.

Total Burden Cost (operating/maintenance): $0.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, this 12th day of February 2001.

W. Stuart Rust, Jr.,

Chief, Division of Management Systems, Bureau of Labor Statistics.

[FR Doc. 01–3992 Filed 2–15–01; 8:45 am]

BILLING CODE 4510–24–P

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

113th Full Meeting of the Advisory Council on Employee Welfare and Pension Benefits Plans; Notice of Meeting

Pursuant to the authority contained in section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 29 U.S.C. 1142, the 113th open meeting of the full Advisory Council on Employee Welfare and Pension Benefit Plans will be held Tuesday, March 6, 2001, in Room S–2508, U.S. Department of Labor Building, 200 Constitution Avenue, NW, Washington, DC 20210.

The purpose of the meeting, which will begin at 1:30 p.m. and end at approximately 3:30 p.m., is to consider the items listed below:

I. Welcome and Introduction and Swearing In of New Council Members
II. Report from the Acting Assistant Secretary of Labor for the Pension and Welfare Benefits Administration (PWBA)
III. Introduction of PWBA Senior Staff
IV. Summary of the 2000 Final Reports Made by Advisory Council Working Groups
V. Determination of Topics to Be Addressed by Council Working Groups for 2001
VI. Statements from the General Public
VII. Adjournment

Members of the public are encouraged to file a written statement pertaining to any topics the Council may wish to study for the year concerning ERISA by submitting 20 copies on or before February 28, 2001 to Sharon Morrissey, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N–5677, 200 Constitution Avenue, NW, Washington, DC 20210. Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 219–8921. Oral presentations will be limited to ten minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Sharon Morrissey by February 28 at the address indicated.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statements should be sent to the Executive Secretary of the Advisory Council at the above address. papers will be accepted and included in the record of the meeting if received on or before February 28, 2001.

Signed at Washington, DC this 12th day of February, 2001.

Alan D. Lebowitz,

Acting Assistant Secretary, Pension and Welfare Benefits Administration.

[FR Doc. 01–3966 Filed 2–15–01; 8:45 am]

BILLING CODE 4510–29–M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (01–026)]

NASA Advisory Council, Minority Business Resource Advisory Committee 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 announce a forthcoming meeting of the

NASA Advisory Council, Minority Business Resource Advisory Committee.

DATES: Tuesday, March 20, 2001, 9 a.m. to 4 p.m., and Wednesday, March 21, 2001, 9 a.m. to 12 noon.

ADDRESSES: Johnson Space Center, Houston, TX 77058–3696. Meeting held on Tuesday, March 20, 2001, will be in Building 111, Room 108 and the meeting held on Wednesday, March 21, 2001, will be in Building 1, Room 966.

FOR FURTHER INFORMATION CONTACT: Mr. Ralph C. Thomas III, Code K, National Aeronautics and Space Administration, Room 9K70, 300 E Street, SW., Washington, DC 20546–0001, (202) 358–2088.

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:

—Overview of NASA
—Small Disadvantaged Business Participation in Major NASA Contracts
—Report on JPL/NASA High-Tech Small Business Conference
—Action Items
—NASA Small Disadvantaged Business (SDB) Program Update
—Report of Chair
—Public Comment
—Report from MBRAC Sub Panels
—Review of NASA's Top 10 Small Business Stories for 2000
—Status of Open Committee Recommendations

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 13, 2001.

Beth M. McCormick,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

[FR Doc. 01–3968 Filed 2–15–01; 8:45 am]

BILLING CODE 7510–01–P

NATIONAL CREDIT UNION ADMINISTRATION

Notice of Change in Subject of Meeting

The National Credit Union Administration Board determined that its business requires the deletion of the following item from the previously announced closed meeting (Federal Register, Vol. 66, No. 29, page 9884, February 12, 2001) scheduled for Thursday, February 15, 2001.

2. One (1) Personnel Matter. Closed pursuant to exemption (2).

The Board voted unanimously that agency business requires that this item be removed from the closed agenda. Earlier announcement of this change was not possible.

The previously announced items are:

1. Special Assistance Program. Closed pursuant to exemption (8).

2. Four (4) Personnel Matters. Closed pursuant to exemptions (2) and (6).

FOR FURTHER INFORMATION CONTACT: Becky Baker, Secretary of the Board, Telephone (703) 518–6304.

Becky Baker,

Secretary of the Board.

[FR Doc. 01–4073 Filed 2–13–01; 4:40 pm]

BILLING CODE 7535–01–M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for Computer and Information Science and Engineering; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for Computer and Information Science and Engineering—(1115).

Date and Time: April 4, 2001: 8:30 a.m. to 5 p.m. April 5, 2001: 8:30 a.m. to 2 p.m.

Place: Stafford II, 4121 Wilson Blvd., Room 595, Arlington, VA.

Type of Meeting: Open.

Contact Person: Gwen Barber-Blount, Office of the Assistant Director, Directorate for Computer and Information Science and Engineering, National Science Foundation, 4201 Wilson Blvd., Suite 1105, Arlington, VA 22230. Telephone: (703) 292–8900.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To advise NSF on the impact of its policies, programs and activities on the CISE community; to provide advice to the Assistant Director/CISE on issues related to long range planning, and to form ad hoc subcommittees to carry out needed studies and tasks.

Agenda: Day 1—Discussion of Information Technology Research and CISE FY2002 Budget. Day 2—Report from the Assistant Director and complete writing assignments on recommendations to the Director and Assistant Director.

Dated: February 13, 2001.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 01–3980 Filed 2–15–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Computer-Communications Research Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Computer-Communications Research (1192).

Date/Time: March 15–16 and March 22–23, 2001; 8:30 a.m.–6 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Robert Sloan, National Science Foundation, 4201 Wilson Boulevard, Room 1145, Arlington, VA 22230. Telephone: (703) 292–8911.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals as a 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 13, 2001.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 01–3983 Filed 2–15–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Experimental and Integrative Activities; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Experimental & Integrative Activities (1193).

Date & Time: February 27, 2001, 8:30 a.m.–5:30 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Rm. 1150, Arlington, VA.

Type of Meeting: Closed.

Contact Person: Dr. Anthony Maddox, CISE Postdoctoral Research Associates in Experimental Computer Science, Experimental and Integrative Activities, Room 1160, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Telephone: 703–292–8980.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to the National Science Foundation for financial support.

Agenda: To review and evaluate CISE Postdoctoral Research Associates in Experimental Computer Science proposals submitted in response to the program announcement (NSF 97–169).

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.

Reason for Late Notice: Conflicting schedules of members and the necessity to proceed with review of proposals.

Dated: February 13, 2001.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 01–3982 Filed 2–15–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Physics (1208).

Date/Time: March 21–22, 2001 from 8 a.m. to 5 p.m.; March 23 from 8 a.m. to 1 p.m.

Place: National Superconducting Cyclotron Laboratory at Michigan State University.

Type of Meeting: Closed.

Contact Person: Dr. Bradley D. Keister, Program Director for Nuclear Physics, Room 1015N, National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Telephone: 703–292–7377.

Purpose of Meeting: To conduct a Scientific Review and an Operations Review of the Coupled Cyclotro Facility.

Agenda: To hear presentations and write recommendations concerning the Coupled Cyclotron Facility.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; information or personnel and proprietary data for present and future subcontracts. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: February 13, 2001.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 01–3979 Filed 2–15–01; 8:45 am]

BILLING CODE 7555–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Research Evaluation and Communication; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Name: Research Evaluation and Communication (1210).

Date/Time: March 26—Rooms 565, 585, 595 (Stafford II) 8:30 a.m.–5 p.m., March 27—Rooms 565, 585, 595 (Stafford II) 8:30 a.m.–5 p.m.

Place: National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

Type of Meeting: Closed.

Contact Person: Finbarr Sloane, Program Director, Research Evaluation and Communication Division, National Science Foundation, Room 855, 4201 Wilson Boulevard, Arlington, VA 22230, (703) 292–8650.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate IERI 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 13, 2001.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 01–3981 Filed 2–15–01; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–254 and 50–265]

Exelon Generation Company, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–29 and DPR–30, issued to Exelon Generation Company, LLC, (EGC, or the licensee, formerly Commonwealth Edison Company), for operation of the Quad Cities Nuclear Power Station, Units 1 and 2 (Quad Cities), respectively, located in Rock Island County, Illinois.

The proposed amendment, requested by application dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, would be a full conversion from the current Technical Specifications (CTS) to a set of improved Technical Specifications (ITS) based on NUREG–1433, ''Standard Technical Specifications—General Electric Plants, BWR/4,'' Revision 1, dated April 1995. NUREG–1433 has been developed by the Commission's staff through working groups composed of both Nuclear Regulatory Commission (NRC) staff members and industry representatives, and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the Technical Specifications (TS) for nuclear power plants. As part of this submittal, the licensee has applied the criteria contained in the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement),'' published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the CTS, and, using NUREG–1433 as a basis, proposed a conversion to ITS for Quad Cities. The criteria in the Final Policy Statement were subsequently added to 10 CFR 50.36, ''Technical Specifications,'' in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953). The rule change became effective on August 18, 1995.

The March 3, 2000, application, as supplemented, requested the conversion to ITS of six EGC stations, Dresden Nuclear Power Station, Units 2 and 3, LaSalle County Station, Units 1 and 2, and Quad Cities Nuclear Power Station, Units 1 and 2. Attachment 1 to the March 3, 2000, application, describes the structure of the application, and Enclosure C contains the Quad Cities-specific changes.

The licensee has categorized the proposed changes to the CTS into four general groupings. These groupings are characterized as administrative changes, relocation changes, more restrictive changes, and less restrictive changes.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation, and complex rearranging of requirements and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG–1433 and does not involve technical changes to the existing TS. The proposed changes include: (a) Identifying plant-specific wording for system names, etc., (b) changing the wording of

specification titles in the CTS to conform to STS, (c) splitting up requirements that are currently grouped, or combining requirements that are currently in separate specifications, (d) deleting specifications whose applicability has expired, and (e) wording changes that are consistent with the CTS but that more clearly or explicitly state existing requirements. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocation changes are those involving relocation of requirements and surveillances for structures, systems, components, or variables that do not meet the criteria for inclusion in TS. Relocated changes are those CTS requirements that do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria to Quad Cities is described in Volume 1 of Enclosure C to the March 3, 2000, submittal. The affected structures, systems, components, or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the TS to administratively controlled documents such as the Quality Assurance Program, the Updated Final Safety Analysis Report (UFSAR), the ITS Bases, the Technical Requirements Manual (TRM) (that is incorporated by reference in the UFSAR), the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), the Inservice Testing (IST) Program, the Inservice Inspection (ISI) Program, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms, and may be made without prior NRC review and approval. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures that are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements compared to the CTS for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to the mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems, and components described in the safety analyses.

Less restrictive changes are those where CTS requirements are relaxed, relocated or eliminated, or new plant operational flexibility is provided. The more significant ''less restrictive'' requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TS may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the Improved Standard Technical Specifications. Generic relaxations contained in NUREG–1433 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG–1433, thus, providing a basis for these revised TS, or if relaxation of the requirements in the CTS is warranted based on the justification provided by the licensee.

These administrative, relocation, more restrictive, and less restrictive changes to the requirements of the CTS do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the proposed changes solely involving the conversion, there are also changes proposed that are differences to the requirements in both the CTS and the Standard Technical Specifications (NUREG–1433), and changes that are in addition to those changes that are needed to meet the overall purpose of the conversion. These proposed changes are as follows:

1. The test interval of certain surveillance requirements is changed from 18 months to 24 months to permit a longer fuel cycle. Justification for the proposed change follows the guidance of Generic Letter 91–04, ''Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle,'' and includes a revision to the instrument setpoint methodology.

2. The requirements in CTS 4.2.F are changed to allow 6 hours to perform surveillance testing of the post-accident monitoring instrumentation channels prior to entering action statements.

3. The requirements (CTS 3.9.G) for the Reactor Protection System Electric Power Monitoring System assemblies to be operable in Modes 1, 2, 3, and also Modes 4 and 5 with any control rod withdrawn, are changed to only include Modes 1 and 2, and also Mode 5 with any control rod withdrawn from a core cell containing one of more fuel assemblies, to coincide with the conditions where the safety function is required.

4. The requirement (CTS 3.6.C Action 2) to trip one of the recirculation pumps when the speed mismatch is not within limits is replaced with a requirement to declare the loop with the low flow ''not in operation'' and take the required actions for that condition (e.g., use the more restrictive core power limits that are required for single-loop operation).

5. The frequency for monitoring primary containment sump flow rate (CTS 4.6.H.2) is changed from 8 to 12 hours, which is consistent with the Generic Letter 88–01, Supplement 1, requirements to perform the surveillance once every shift, not to exceed 12 hours.

6. The requirements in CTS 4.6.G are changed to allow a channel of leakage detection system to be inoperable for up to 6 hours for performance of required surveillances provided the other Leakage Detection System instrumentation is operable.

7. The CTS 3.5.A requirement to shutdown within 7 days when both low-pressure coolant injection (LPCI) subsystems are inoperable is being changed to require a shutdown in 72 hours.

8. The required number of operable automatic depressurization system valves (CTS 3.5.A.4) is reduced from five to four, consistent with the safety analysis assumptions.

9. The required volume of water in the condensate storage tank in Modes 4 and 5 (CTS 3.5.B.1.a.2, 3.5.B.2.b.2, and 3.5.C.2.c) is reduced from 140,000 gallons to 50,000 gallons.

10. The CTS 4.7.D.4 requirement that the excess flow check valves must ''check flow'' is changed to require that the valves ''actuate to their isolation position.''

11. The required spent fuel storage pool water level (CTS 3.10.H) is increased approximately 9 inches.

12. The required load during the diesel generator surveillance tests (CTS 4.9.A.2.d, 4.9.A.8.c, and 4.9.A.8.h) is changed to permit the diesel generator to run from 90–100 percent of the continuous load rating instead of 95–100 percent of the continuous load rating.

13. The required voltage during the diesel generator surveillance tests (CTS 4.9.A.2.c, 4.9.A.7, 4.9.A.8.b.2, 4.9.A.8.d.2, 4.9.A.8.e, 4.9.A.8.f.2, and 4.9.A.8.h) is changed from 4160 plus or minus 420 volts to 4160 plus or minus 208 volts.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By March 19, 2001, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Mr. Edward J. Cullen, Vice President, General Counsel, 300 Exelon Way, Kennett Square, Pennsylvania 19348, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, which is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*).

Dated at Rockville, Maryland, this 13th day of February, 2001.

For the Nuclear Regulatory Commission.

Stewart N. Bailey,

Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management; Office of Nuclear Reactor Regulation.

[FR Doc. 01–3949 Filed 2–15–01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–373 and 50–374]

Exelon Generation Company, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–11 and DPR–18, issued to Exelon Generation Company, LLC, (EGC, or the licensee, formerly Commonwealth Edison Company), for operation of the

LaSalle County Station, Units 1 and 2 (LaSalle), respectively, located in LaSalle County, Illinois.

The proposed amendment, requested by application dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, would be a full conversion from the current Technical Specifications (CTS) to a set of improved Technical Specifications (ITS) based on NUREG–1434, ''Standard Technical Specifications—General Electric Plants, BWR/6,'' Revision 1, dated April 1995, and NUREG–1433, ''Standard Technical Specifications—General Electric Plants, BWR/4,'' Revision 1, dated April 1995. NUREG–1434 and NUREG–1433 have been developed by the Commission's staff through working groups composed of both Nuclear Regulatory Commission (NRC) staff members and industry representatives, and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the Technical Specifications (TS) for nuclear power plants. As part of this submittal, the licensee has applied the criteria contained in the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement),'' published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the CTS, and, using NUREG–1434 and NUREG–1433 as a basis, proposed a conversion to ITS for LaSalle. The criteria in the Final Policy Statement were subsequently added to 10 CFR 50.36, ''Technical Specifications,'' in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953). The rule change became effective on August 18, 1995.

The March 3, 2000, application, as supplemented, requested the conversion to ITS of six EGC stations, Dresden Nuclear Power Station, Units 2 and 3, LaSalle County Station, Units 1 and 2, and Quad Cities Nuclear Power Station, Units 1 and 2. Attachment 1 to the March 3, 2000, application describes the structure of the application, and Enclosure B contains the LaSalle-specific changes.

The licensee has categorized the proposed changes to the CTS into four general groupings. These groupings are characterized as administrative changes, relocation changes, more restrictive changes, and less restrictive changes.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation, and complex rearranging of requirements and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG–1434 and NUREG–1433 and does not involve technical changes to the existing TS. The proposed changes include: (a) Identifying plant-specific wording for system names, etc., (b) changing the wording of specification titles in the CTS to conform to STS, (c) splitting up requirements that are currently grouped, or combining requirements that are currently in separate specifications, (d) deleting specifications whose applicability has expired, and (e) wording changes that are consistent with the CTS but that more clearly or explicitly state existing requirements. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocation changes are those involving relocation of requirements and surveillances for structures, systems, components, or variables that do not meet the criteria for inclusion in TS. Relocated changes are those CTS requirements that do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria to LaSalle is described in Volume 1 of Enclosure B to the March 3, 2000, submittal. The affected structures, systems, components, or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the TS to administratively controlled documents such as the Quality Assurance Program, the Updated Final Safety Analysis Report (UFSAR), the ITS Bases, the Technical Requirements Manual (TRM) (that is incorporated by reference in the UFSAR), the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), the Inservice Testing (IST) Program, the Inservice Inspection (ISI) Program, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms, and may be made without prior NRC review and approval. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures that are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements compared to the CTS for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to the mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems, and components described in the safety analyses.

Less restrictive changes are those where CTS requirements are relaxed, relocated or eliminated, or new plant operational flexibility is provided. The more significant ''less restrictive'' requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TS may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the Improved Standard Technical Specifications. Generic relaxations contained in NUREG–1434 and NUREG–1433 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG–1434 and NUREG–1433, thus, providing a basis for these revised TS, or if relaxation of the requirements in the CTS is warranted based on the justification provided by the licensee.

These administrative, relocation, more restrictive, and less restrictive changes to the requirements of the CTS do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the proposed changes solely involving the conversion, there are also changes proposed that are differences to the requirements in both the CTS and the Standard Technical Specifications (NUREG–1434 and NUREG–1433), and changes that are in addition to those changes that are needed to meet the overall purpose of the conversion. These proposed changes are as follows:

1. The test interval of certain surveillance requirements is changed from 18 months to 24 months to permit

a longer fuel cycle. Justification for the proposed change follows the guidance of Generic Letter 91–04, ''Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle,'' and includes a revision to the instrument setpoint methodology.

2. The required minimum temperature of the standby liquid control system pump suction piping (CTS 4.1.5.1.2) is increased from 60 °F to 68 °F, which is consistent with the temperature/concentration limits (in CTS Figure 3.1.5–2) at the maximum allowed sodium pentaborate concentration.

3. The requirements in CTS 4.3.7.5 are changed to allow 6 hours to perform surveillance testing of the post-accident monitoring instrumentation channels prior to entering action statements.

4. The requirements in CTS 4.3.7.4 are changed to allow 6 hours to perform surveillance testing of the remote shutdown monitoring system instrumentation channels prior to entering action statements.

5. The detailed list of the remote shutdown monitoring system instrumentation that is required to be operable (CTS 3.3.7.4) is relocated to the TRM.

6. The frequency for determining reactor coolant system leakage (CTS 4.4.3.2.1) is changed from 8 to 12 hours, which is consistent with the Generic Letter 88–01, Supplement 1, requirements to perform the surveillance once every shift, not to exceed 12 hours.

7. The requirements in CTS 4.4.3.1 are changed to allow a channel of leakage detection system to be inoperable for up to 6 hours for the performance of required surveillances provided the other leakage detection system instrumentation is operable.

8. The minimum pressure at which the automatic depressurization system is required to be operable (CTS 3.5.1) is increased from 122 psig to 150 psig.

9. The requirements (CTS 4.6.1.1) are changed to allow administrative means of verifying air lock door position in areas that are inaccessible due to high radiation or inerting.

10. The CTS 4.6.1.1 requirement that the excess flow check valves must ''check flow'' is changed to require that the valves ''actuate to their isolation position.''

11. The requirements in CTS 3.8.1.1 are changed to impose a maximum restoration time of ''10 days from discovery of failure to meet LCO'' for multiple concurrent inoperable AC sources.

12. The required frequency for performing diesel generator fuel oil transfer pump testing (CTS 4.8.1.1.2.a.3) is changed from 31 days to 92 days, consistent with the American Society of Mechanical Engineers Boiler and Pressure Vessel Code, Section XI, requirements for similar pumps.

13. The required battery voltage for the 250 volt battery (CTS 4.7.3.d.1.d) is increased from 250 volts to 256 volts, which is consistent with the 2.2 volts/cell requirement for the 125-volt battery.

14. The CTS 4.8.2.3.2 requirements will be modified to allow a modified performance discharge test to be used instead of a service test or a performance discharge test, which is consistent with IEEE–450.

15. The duration of the battery charger capacity test (CTS 4.8.2.3.2.c.4) is reduced from 8 hours to 4 hours.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By March 19, 2001, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR Part 2.714 which is available at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR Part 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission,

Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Mr. Edward J. Cullen, Vice President, General Council, 300 Exelon Way, Kennett Square, Pennsylvania 19348, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR Parts 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, which is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (*http://www.nrc.gov*).

Dated at Rockville, Maryland, this 13th day of February, 2001.

For the Nuclear Regulatory Commission.

Jon B. Hopkins,

Senior Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01–3950 Filed 2–15–01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50–237 and 50–249]

Exelon Generation Company, LLC; Notice of Consideration of Issuance of Amendment to Facility Operating License and Opportunity for a Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–19 and DPR–25, issued to Exelon Generation Company, LLC, (EGC, or the licensee, formerly Commonwealth Edison Company), for operation of the Dresden Nuclear Power Station, Units 2 and 3 (Dresden), respectively, located in Grundy County, Illinois.

The proposed amendment, requested by application dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, would be a full conversion from the current Technical Specifications (CTS) to a set of improved Technical Specifications (ITS) based on NUREG–1433, ''Standard Technical Specifications—General Electric Plants, BWR/4,'' Revision 1, dated April 1995. NUREG–1433 has been developed by the Commission's staff through working groups composed of both Nuclear Regulatory Commission (NRC) staff members and industry representatives, and has been endorsed by the staff as part of an industry-wide initiative to standardize and improve the Technical Specifications (TS) for nuclear power plants. As part of this submittal, the licensee has applied the criteria contained in the Commission's ''Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors (Final Policy Statement),'' published in the **Federal Register** on July 22, 1993 (58 FR 39132), to the CTS, and, using NUREG–1433 as a basis, proposed a conversion to ITS for Dresden. The criteria in the Final Policy Statement were subsequently added to 10 CFR 50.36, ''Technical Specifications,'' in a rule change that was published in the **Federal Register** on July 19, 1995 (60 FR 36953). The rule change became effective on August 18, 1995.

The March 3, 2000, application, as supplemented, requested the conversion to ITS of six EGC stations, Dresden Nuclear Power Station, Units 2 and 3, LaSalle County Station, Units 1 and 2, and Quad Cities Nuclear Power Station, Units 1 and 2. Attachment 1 to the March 3, 2000, application describes the structure of the application, and Enclosure A contains the Dresden-specific changes.

The licensee has categorized the proposed changes to the CTS into four general groupings. These groupings are characterized as administrative changes, relocation changes, more restrictive changes, and less restrictive changes.

Administrative changes are those that involve restructuring, renumbering, rewording, interpretation, and complex rearranging of requirements and other changes not affecting technical content or substantially revising an operating requirement. The reformatting, renumbering and rewording process reflects the attributes of NUREG–1433 and does not involve technical changes to the existing TS. The proposed changes include: (a) identifying plant-specific wording for system names, etc., (b) changing the wording of specification titles in the CTS to conform to STS, (c) splitting up requirements that are currently grouped, or combining requirements that are currently in separate specifications, (d) deleting specifications whose applicability has expired, and (e) wording changes that are consistent with the CTS but that more clearly or explicitly state existing requirements. Such changes are administrative in nature and do not impact initiators of analyzed events or assumed mitigation of accident or transient events.

Relocation changes are those involving relocation of requirements and surveillances for structures, systems, components, or variables that do not meet the criteria for inclusion in TS. Relocated changes are those CTS requirements that do not satisfy or fall within any of the four criteria specified in the Commission's policy statement and may be relocated to appropriate licensee-controlled documents.

The licensee's application of the screening criteria to Dresden is described in Volume 1 of Enclosure A to the March 3, 2000, submittal. The affected structures, systems, components, or variables are not assumed to be initiators of analyzed events and are not assumed to mitigate accident or transient events. The requirements and surveillances for these affected structures, systems, components, or variables will be relocated from the TS to administratively controlled documents such as the Quality Assurance Program, the Updated Final Safety Analysis Report (UFSAR), the ITS Bases, the Technical Requirements Manual (TRM) (that is incorporated by reference in the UFSAR), the Core Operating Limits Report (COLR), the Offsite Dose Calculation Manual (ODCM), the

Inservice Testing (IST) Program, the Inservice Inspection (ISI) Program, or other licensee-controlled documents. Changes made to these documents will be made pursuant to 10 CFR 50.59 or other appropriate control mechanisms, and may be made without prior NRC review and approval. In addition, the affected structures, systems, components, or variables are addressed in existing surveillance procedures that are also subject to 10 CFR 50.59. These proposed changes will not impose or eliminate any requirements.

More restrictive changes are those involving more stringent requirements compared to the CTS for operation of the facility. These more stringent requirements do not result in operation that will alter assumptions relative to the mitigation of an accident or transient event. The more restrictive requirements will not alter the operation of process variables, structures, systems, and components described in the safety analyses.

Less restrictive changes are those where CTS requirements are relaxed, relocated or eliminated, or new plant operational flexibility is provided. The more significant ''less restrictive'' requirements are justified on a case-by-case basis. When requirements have been shown to provide little or no safety benefit, their removal from the TS may be appropriate. In most cases, relaxations previously granted to individual plants on a plant-specific basis were the result of (a) generic NRC actions, (b) new NRC staff positions that have evolved from technological advancements and operating experience, or (c) resolution of the Owners Groups' comments on the Improved Standard Technical Specifications. Generic relaxations contained in NUREG–1433 were reviewed by the staff and found to be acceptable because they are consistent with current licensing practices and NRC regulations. The licensee's design will be reviewed to determine if the specific design basis and licensing basis are consistent with the technical basis for the model requirements in NUREG–1433, thus, providing a basis for these revised TS, or if relaxation of the requirements in the CTS is warranted based on the justification provided by the licensee.

These administrative, relocation, more restrictive, and less restrictive changes to the requirements of the CTS do not result in operations that will alter assumptions relative to mitigation of an analyzed accident or transient event.

In addition to the proposed changes solely involving the conversion, there are also changes proposed that are differences to the requirements in both the CTS and the Standard Technical Specifications (NUREG–1433), and changes that are in addition to those changes that are needed to meet the overall purpose of the conversion. These proposed changes are as follows:

1. The test interval of certain surveillance requirements is changed from 18 months to 24 months to permit a longer fuel cycle. Justification for the proposed change follows the guidance of Generic Letter 91–04, ''Changes in Technical Specification Surveillance Intervals to Accommodate a 24-Month Fuel Cycle,'' and includes a revision to the instrument setpoint methodology.

2. The requirements in CTS 4.2.F are changed to allow 6 hours to perform surveillance testing of the post-accident monitoring instrumentation channels prior to entering action statements.

3. The reactor power level at which the rod worth minimizer is required to be operable (CTS 3.3.L) is reduced from 20 percent to 10 percent of rated thermal power.

4. The requirements (CTS 3.9.G) for the reactor protection system electric power monitoring system assemblies to be operable in Modes 1, 2, 3, and also Modes 4 and 5 with any control rod withdrawn, are changed to only include Modes 1 and 2, and also Mode 5 with any control rod withdrawn from a core cell containing one of more fuel assemblies, to coincide with the conditions where the safety function is required.

5. The requirement (CTS 3.6.C Action 2) to trip one of the recirculation pumps when the speed mismatch is not within limits is replaced with a requirement to declare the loop with the low flow ''not in operation'' and take the required actions for that condition (e.g., use the more restrictive core power limits that are required for single loop operation).

6. The frequency for monitoring primary containment sump flow rate (CTS 4.6.H.2) is changed from 8 to 12 hours, which is consistent with the Generic Letter 88–01, Supplement 1, requirements to perform the surveillance once every shift, not to exceed 12 hours.

7. The CTS 3.5.A requirement to shutdown within 7 days when both low-pressure coolant injection subsystems are inoperable is being changed to require a shutdown in 72 hours.

8. The required number of operable automatic depressurization system valves (CTS 3.5.A.4) is reduced from five to four, consistent with the safety analysis assumptions.

9. The required volume of water in the condensate storage tank in Modes 4 and 5 (CTS 3.5.B.1.a.2, 3.5.B.2.b.2, and 3.5.C.2.c) is reduced from 140,000 gallons to 50,000 gallons.

10. The CTS 4.7.D.4 requirement that the excess flow check valves must ''check flow'' is changed to require that the valves ''actuate to their isolation position.''

11. The required spent fuel storage pool water level (CTS 3.10.H) is increased approximately 9 inches.

12. The required load during the diesel generator surveillance tests (CTS 4.9.A.2.d, 4.9.A.8.c, and 4.9.A.8.h) is changed to permit the diesel generator to run from 90–100 percent of the continuous load rating instead of 95–100 percent of the continuous load rating.

13. The required voltage during the diesel generator surveillance tests (CTS 4.9.A.2.c, 4.9.A.7, 4.9.A.8.b, 4.9.A.8.d.2, 4.9.A.8.e, 4.9.A.8.f.2, and 4.9.A.8.h) is changed from 4160 plus or minus 420 volts to 4160 plus or minus 208 volts.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By March 19, 2001, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's ''Rules of Practice for Domestic Licensing Proceedings'' in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR Part 2.714 which is available at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (http://www.nrc.gov). If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR Part 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and

how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemakings and Adjudications Staff, or may be delivered to the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, by the above date. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and to Mr. Edward J. Cullen, Vice President, General Council, 300 Exelon Way, Kennett Square, Pennsylvania 19348, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR Parts 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for a hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR Parts 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated March 3, 2000, as supplemented by letters dated March 24, June 5, July 18, July 31, September 1, September 22, October 5, October 9, November 20, November 30, and December 18, 2000, which is available for public inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, and accessible electronically through the ADAMS Public Electronic Reading Room link at the NRC Web site (http://www.nrc.gov).

Dated at Rockville, Maryland, this 13th day of February, 2001.

For the Nuclear Regulatory Commission.

Lawrence W. Rossbach,

Project Manager, Section 2, Project Directorate III, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01–3951 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 72–35]

Energy Northwest Issuance of Environmental Assessment and Finding of No Significant Impact Regarding the Proposed Exemption

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption, pursuant to 10 CFR 72.7, from the provisions of 10 CFR 72.72(d) to Energy Northwest (applicant). The requested exemption would allow Energy Northwest to maintain a single set of spent fuel records at a records storage facility, qualified in accordance with ANSI N45.2.9–1974, for the Independent Spent Fuel Storage Installation (ISFSI) at the Columbia Generating Station (formerly known as Washington Nuclear Plant 2) (Docket No. 72–35) in Benton County, WA.

Environmental Assessment (EA)

Identification of Proposed Action: By letter dated December 12, 2000, Energy Northwest requested an exemption from the requirement in 10 CFR 72.72(d) which states in part that, ''Records of spent fuel and high level radioactive waste in storage must be kept in duplicate. The duplicate set of records must be kept at a separate location sufficiently remote from the original records that a single event would not destroy both sets of records.'' The applicant proposes to store a single set of spent fuel records at a records storage facility that satisfies the requirements set forth in ANSI N45.2.9–1974.

The proposed action before the Commission is whether to grant this exemption pursuant to 10 CFR 72.7.

Need for the Proposed Action: The applicant stated that, pursuant to 10 CFR 72.140(d), the Energy Northwest Operational Quality Assurance (QA) Program Description will be used to satisfy the QA requirements for the ISFSI. The QA Program states that QA records are maintained in accordance with commitments to ANSI N45.2.9–1974. ANSI 45.2.9–1974 allows for the storage of a single set of QA records in a records storage facility subject to certain provisions designed to protect the records from fire and other adverse conditions. The applicant seeks to provide uniform and consistent recordkeeping procedures and processes for the Columbia Generating Station and ISFSI spent fuel records. The applicant states that requiring a separate method of record storage for ISFSI records diverts resources unnecessarily.

ANSI N45.2.9–1974 provides requirements for the protection of nuclear power plant QA records against degradation. It specifies design requirements for use in the construction of record storage facilities when use of a single storage facility is desired. It includes specific requirements for protection against degradation mechanisms such as fire, humidity, and condensation. The requirements in ANSI N45.2.9–1974 have been endorsed by the NRC in Regulatory Guide 1.88, ''Collection, Storage and Maintenance of Nuclear Power Plant Quality Assurance Records,'' as adequate for satisfying the recordkeeping requirements of 10 CFR Part 50, Appendix B. ANSI N45.2.9–1974 also satisfies the requirements of 10 CFR 72.72 by providing for adequate maintenance of records regarding the identity and history of the spent fuel in storage. Such records would be subject to and need to be protected from the same types of degradation mechanisms as nuclear power plant QA records.

Environmental Impacts of the Proposed Action: Elimination of the requirement to store ISFSI records at a duplicate facility has no impact on the environment. Storage of records does not change the methods by which spent fuel will be handled and stored at the Columbia Generating Station and ISFSI and does not change the amount of any effluents, radiological or non-radiological, associated with the ISFSI.

Alternative to the Proposed Action: Since there are no environmental impacts associated with the proposed action, alternatives are not evaluated other than the no-action alternative. The alternative to the proposed action would be to deny approval of the exemption and, therefore, not allow storage of ISFSI spent fuel records at a single qualified record storage facility. However, the environmental impacts of the proposed action and the alternative would be the same.

Agencies and Persons Consulted: On January 16, 2001, Mr. Richard Crowley of the Washington State Division of Radiation Protection, was contacted regarding the environmental assessment for the proposed action and had no comments.

Finding of No Significant Impact

The environmental impacts of the proposed action have been reviewed in accordance with the requirements set forth in 10 CFR Part 51. Based upon the foregoing EA, the Commission finds that the proposed action of granting an exemption from 10 CFR 72.72(d), so that Energy Northwest may store spent fuel records at the ISFSI in a single record storage facility which meets the requirements of ANSI N45.2.9–1974, will not significantly impact the quality of the human environment. Accordingly, the Commission has determined that an environmental impact statement for the proposed exemption is not necessary.

The request for exemption was docketed under 10 CFR Part 72, Docket 72–35. For further details with respect to this action, see the exemption request dated December 12, 2000, which is available for public inspection at the Commission's Public Document Room, One White Flint North Building, 11555 Rockville Pike, Rockville Maryland 20852, or from the publicly available records component of NRC's agencywide documents access and management system (ADAMS). ADAMS is accessible from the NRC web site at *http://www.nrc.gov/NRC/ADAMS/index.html* (the Public Electronic Reading Room).

Dated at Rockville, Maryland, this 8th day of February 2001.

For the Nuclear Regulatory Commission.

E. William Brach,

Director, Spent Fuel Project Office, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 01–3953 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket No. 50–389]

Florida Power & Light Company, et al.; St. Lucie Unit 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10, Code of Federal Regulations (10 CFR), Part 54, Section 54.17(c), for Facility Operating License No. NPF–16, issued to Florida Power & Light Company, et al. (the licensee), for operation of the St. Lucie Unit 2, located in St. Lucie County, Florida.

Environmental Assessment

Identification of the Proposed Action

The proposed action would exempt the licensee from the requirement of 10 CFR 54.17(c), which specifies that an applicant (for the purposes of license renewal the licensee is the applicant) may apply for a renewed operating license no earlier than 20 years before the expiration of the operating license currently in effect.

The proposed action is in accordance with the licensee's application for an exemption dated October 30, 2000.

The Need for the Proposed Action

In accordance with 10 CFR 54.17(c), the earliest date that the applicant could apply for a renewed operating license for St. Lucie Unit 2 would be April 6, 2003. The proposed action would allow the applicant to file a license renewal application for St. Lucie Unit 2 earlier, and concurrent with the renewal application for St. Lucie Unit 1 which has less than 20 years before expiration of its current operating license on March 1, 2016. The request seeks only schedular relaxation without any other substantive reliefs.

Environmental Impacts of the Proposed Action

The NRC has completed its evaluation of the proposed action. The exemption, if granted, will permit the applicant to apply for renewal of the St. Lucie Unit 2 license sooner than the schedule specified by 10 CFR 54.17(c). When the applicant does apply for license renewal, the environmental impacts of operating the St. Lucie units under the renewed licenses will then be submitted by the applicant and evaluated by the staff. In short, granting of the exemption will not necessitate, or lead to, changes to the as-built plant design, or to existing procedures at the two St. Lucie units.

The staff evaluated potential radiological environmental impacts associated with granting the requested exemption. Since no plant design or procedure changes will be made, no new accident causal mechanisms would be introduced.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to the potential nonradiological impacts, the proposed action does not affect any historic sites. The proposed action involves no plant design or procedure changes, it does not increase or decrease nonradiological plant effluents, and has no other environmental impact from those previously evaluated by the staff in the Final Environmental Statement (FES) for the St. Lucie Plant (NUREG–0842). Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental

impacts associated with the proposed action.

Alternatives to the Proposed Action

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the ''no-action'' alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the FES.

Agencies and Persons Consulted

In accordance with its stated policy, on January 31, 2001, the staff consulted with Florida State official, William Passetti, Bureau of Radiation Control, regarding the environmental impact of the proposed action. The State official had no comments or objections.

Finding of No Significant Impact

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's request for exemption dated October 30, 2000. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the ADAMS Public Library component on the NRC Web site, *http://www.nrc.gov* (the Electronic Reading Room).

Dated at Rockville, Maryland, this 12th day of February 2001.

For the Nuclear Regulatory Commission.

Kahtan N. Jabbour,

Senior Project Manager, Section 2, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.

[FR Doc. 01–3952 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Reactor Oversight Process Initial Implementation Evaluation Panel; Meeting Notice

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 94–463, Stat. 770–776) the U.S. Nuclear Regulatory Commission (NRC), on October 2, 2000, announced the establishment of the Reactor Oversight Process Initial Implementation Evaluation Panel (IIEP). The IIEP functions as a cross-disciplinary oversight group to independently monitor and evaluate the results of the first year of implementation of the Reactor Oversight Process (ROP). A Charter governing the IIEP functions as a Federal Advisory Committee was filed with Congress on October 17, 2000, after consultation with the Committee Management Secretariat, General Services Administration. The IIEP will hold its fourth meeting on February 26–27, 2001, in the ACRS Conference Room T–2B3, located at the U.S. Nuclear Regulatory Commission, 11545 Rockville Pike, Rockville, Maryland.

The IIEP meeting participants are listed below along with their affiliation:

A. Randolph Blough—U.S. Nuclear Regulatory Commission
R. William Borchardt—U.S. Nuclear Regulatory Commission
Kenneth Brockman—U.S. Nuclear Regulatory Commission
Mary Ferdig—Ph. D. Candidate, Organization Development Program, Benedictine University; Ferdig Inc. Organizational Research and Development
Steve Floyd—Nuclear Energy Institute
David Garchow—PSEG Nuclear LLC
Richard Hill—Southern Nuclear Operating Company
Rod Krich—Commonwealth Edison Company
Robert Laurie—California Energy Commission
James Moorman, III—U.S. Nuclear Regulatory Commission
Loren Plisco—U.S. Nuclear Regulatory Commission
Steven Reynolds—U.S. Nuclear Regulatory Commission
A. Edward Scherer—Southern California Edison Company
James Setser—Georgia Department of Natural Resources
Raymond Shadis—New England Coalition on Nuclear Pollution
James Trapp—U.S. Nuclear Regulatory Commission

A tentative agenda of the meeting is outlined as follows:

February 26, 2001

8 a.m.—Introduction/Meeting Objectives and Goals/Review of Meeting Minutes from January 22–23, 2001 Meeting
8:30 a.m.—Initial Prioritization of Issues Identified Through the Panel
12 p.m.—Lunch
1 p.m.—Presentations by Invited Stakeholders:
—Steve Floyd of the Nuclear Energy Institute
—Rich Janati of the Pennsylvania Department of Environmental Protection
—David Lochbaum of the Union of Concerned Scientists
5 p.m.—Adjourn

February 27, 2001 Meeting

8 a.m.—Recap of Previous Day's Meeting/Meeting Objectives and Goals
8:30 a.m.—Presentations by Invited Stakeholders:
—Victor Dricks of the NRC Office of Public Affairs
—Scott Peterson of the Nuclear Energy Institute
—Jenny Weil of McGraw Hill's Inside NRC
12 p.m.—Lunch
1 p.m.—Initial Prioritization of Issues Identified Through the Panel (continued)
3 p.m.—Agenda Planning Session
4 p.m.—Public Comments/General Discussion
5 p.m.—Adjourn

Meetings of the IIEP are open to the members of the public. Oral or written views may be presented by the members of the public, including members of the nuclear industry. Persons desiring to make oral statements should notify Mr. Loren R. Plisco (Telephone 404/562–4501, e-mail LRP@nrc.gov) or Mr. John D. Monninger (Telephone 301/415–3495, e-mail JDM@nrc.gov) five days prior to the meeting date, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras will be permitted during this meeting.

Further information regarding topics of discussion; whether the meeting has been canceled, rescheduled, or relocated; and the Panel Chairman's ruling regarding requests to present oral statements and time allotted, may be obtained by contacting Mr. Loren R. Plisco or Mr. John D. Monninger between 8 a.m. and 4:30 p.m. EST.

IIEP meeting transcripts and meeting reports will be available from the Commission's Public Document Room. Transcripts will be placed on the agency's web page.

Dated: February 12, 2001.

Andrew Bates,

Advisory Committee Management Officer.

[FR Doc. 01–3947 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Meeting Notice

In accordance with the purposes of sections 29 and 182b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b), the Advisory Committee on Reactor Safeguards will hold a meeting on March 1–3, 2001, in Conference Room T–2B3, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Friday, November 17, 2000 (65 FR 69578).

Thursday, March 1, 2001

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman—(Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–10 a.m.: RETRAN–3D Thermal-Hydraulic Transient Analysis Code (Open/Closed)–The Committee will hear presentations by and hold discussions with representatives of the Electric Power Research Institute (EPRI) and the NRC staff regarding the EPRI RETRAN–3D thermal-hydraulic transient analysis code, associated staff's Safety Evaluation Report, and resolution of issues previously raised by the ACRS.

Note: A portion of this session may be closed to discuss EPRI proprietary information.

10:15 a.m.–11:45 a.m.: Interim Review of the License Renewal Application for Arkansas Nuclear One, Unit 1 (Open)—The Committee will hear presentations by and hold discussions with representatives of the Entergy Operations, Inc., and the NRC staff regarding the license renewal application for Arkansas Nuclear One, Unit 1 and the associated staff's Safety Evaluation Report.

12:45 p.m.–2:15 p.m.: Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding significant findings and recommendations of the final report on spent fuel pool accident risk at decommissioning plants, new developments, status of developing proposed options, and related matters.

2:30 p.m.–3:45 p.m.: Management Directive 6.4 Associated with the Revised Generic Issue Process (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding Management Directive 6.4 related to the Revised Generic Issue process, results of the case study performed to determine the effectiveness of using the Management Directive to implement the revised Generic Issue process, and related matters.

4 p.m.–7 p.m.: Discussion of Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports on the NRC Safety Research Program and on Regulatory Effectiveness of the Anticipated Transients Without Scram (ATWS) Rule.

Friday, March 2, 2001

8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

8:35 a.m.–9:45 a.m.: British Nuclear Powered Submarine Incident (Closed)—The Committee will hear presentations by and hold discussions with representatives of the DOD/DOE Naval Reactors regarding the recent incident on the British Nuclear Powered Submarine (HMS TIRELESS).

Note: This session will be closed to discuss information classified ''Confidential—Restricted Data—Government Sensitive''.

10 a.m.–11:30 a.m.: Operating Event at V.C. Summer Nuclear Station (Open)—The Committee will hear presentations by and hold discussions with representatives of the NRC staff regarding the October 7, 2000 incident at the V.C. Summer Nuclear Station, involving degraded reactor coolant system pressure boundary, findings and conclusions resulting from the staff's investigation of the incident, and corrective actions taken by the licensee and industry organizations.

11:30 a.m.–11:45 a.m.: Trip Report (Open)—The Committee will hear a trip report on the Nuclear Energy Institute (NEI) Fire Protection forum held in San Diego on February 5–7, 2001.

1 p.m.–1:30 p.m.: Subcommittee Report (Open)—Report by the Chairmen of the Plant Operations and Reliability and Probabilistic Assessment Subcommittees regarding the South Texas Project Exemption Request that was discussed during a meeting on February 21, 2001.

1:30 p.m.–2 p.m.: Future ACRS Activities/ Report of the Planning and Procedures Subcommittee (Open)—The Committee will discuss the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the full Committee during future meetings. Also, it will hear a report of the Planning and Procedures Subcommittee on matters related to the conduct of ACRS business, and organizational and personnel matters relating to the ACRS.

2 p.m.–2:15 p.m.: Reconciliation of ACRS Comments and Recommendations (Open)—The Committee will discuss the responses from the NRC Executive Director for Operations (EDO) to comments and recommendations included in recent ACRS reports and letters. The EDO responses are expected to be made available to the Committee prior to the meeting.

2:15 p.m.–3 p.m.: Break and Preparation of Draft ACRS Reports (Open)—Cognizant ACRS members will prepare draft reports, as needed, for consideration by the full Committee.

3 p.m.–7 p.m.: Discussion of Proposed ACRS Reports (Open)—The Committee will discuss proposed ACRS reports.

Saturday, March 3, 2001

8:30 a.m.–12:30 p.m.: Proposed ACRS Reports (Open)—The Committee will continue its discussion of proposed ACRS reports.

12:30 p.m.–1 p.m.: Miscellaneous (Open)—The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 11, 2000 (65 FR 60476). In accordance with these procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Mr. James E. Lyons, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Information regarding the time to be set aside for this purpose may be obtained by contacting Mr. James E. Lyons prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Mr. James E. Lyons if such rescheduling would result in major inconvenience.

In accordance with Subsection 10(d) P.L. 92–463, I have determined that it is necessary to close a portion of this meeting noted above to discuss proprietary information per 5 U.S.C. 552b(c)(4), and information classified ''Confidential—Restricted Data—Government Sensitive'' per 5 U.S.C. 552b(c)(1) and (4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefore can be obtained by contacting Mr. James E. Lyons (telephone 301–415–7371), between 7:30 a.m. and 4:15 p.m., EST.

ACRS meeting agenda, meeting transcripts, and letter reports are available for downloading or viewing on the internet at *http://www.nrc.gov/ACRSACNW.*

Videoteleconferencing service is available for observing open sessions of ACRS

meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301–415–8066), between 7:30 a.m. and 3:45 p.m., EST, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

Dated: February 12, 2001.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. 01–3946 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards, Subcommittee Meeting on Planning and Procedures; Notice of Meeting

The ACRS Subcommittee on Planning and Procedures will hold a meeting on February 28, 2001, Room T–2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c) (2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Wednesday, February 28, 2001—10 a.m. Until the Conclusion of Business

The Subcommittee will discuss proposed ACRS activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and to formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Electronic recordings will be permitted only during those portions of the meeting that are open to the public, and questions may be asked only by members of the Subcommittee, its consultants, and staff. Persons desiring to make oral statements should notify the cognizant ACRS staff person named below five days prior to the meeting, if possible, so that appropriate arrangements can be made.

Further information regarding topics to be discussed, the scheduling of sessions open to the public, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting the cognizant ACRS staff person, Dr. John T. Larkins (telephone: 301/415–7360) between 7:30 a.m. and 4:15 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual one or two working days prior to the meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: February 8, 2001.

James E. Lyons,

Associate Director for Technical Support, ACRS/ACNW.

[FR Doc. 01–3948 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

Public Workshop on Risk-Informed Regulation Implementation Plan (Reactor Safety Arena)

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of workshop.

SUMMARY: The Nuclear Regulatory Commission (NRC) will host a public workshop to provide an opportunity for a discussion of the NRC's Risk-Informed Regulation Implementation Plan (RIRIP). The NRC issued a notice of availability and request for public comment on the RIRIP in the **Federal Register** on December 21, 2000. This workshop will focus on activities associated with regulating nuclear reactors.

DATES: The workshop will be held on Thursday, March 15, 2001 from 1:30 p.m. to 4:30 p.m.

ADDRESSES: Capital Hilton Hotel, 16th and K Streets, NW., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Stewart Magruder, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone: (301) 415–3139, email: *slm1@nrc.gov.*

SUPPLEMENTARY INFORMATION: The NRC's 1995 policy statement on the use of probabilistic risk assessment provided the Commission's expectation on the use of risk information in its regulatory activities. The RIRIP provides guidance and describes the staff's plans for applying criteria to select regulatory requirements and practices to risk-inform, risk-informing those requirements and practices, and developing the necessary data, methods, guidance, and training. The RIRIP is also intended to explain the agency's activities, philosophy, and approach to risk-informed regulatory policy to internal and external stakeholders. The RIRIP is available on the NRC web site at *http://www.nrc.gov/RES/riskinfreg.htm.*

The purpose of this workshop is to discuss comments received in response to the December 21, 2000, notice in the **Federal Register** and to provide for an exchange of information with all stakeholders regarding the staff's efforts to risk-inform its regulatory requirements and practices. Although comments are welcome on the entire RIRIP, this workshop will focus on the implementation activities in the reactor safety arena portion of the RIRIP (Part 2, Chapter 1.)

As noted in the December 21, 2000, feedback is especially requested on the following specific questions—

1. Does the RIRIP include information activities that should not be undertaken? If so, why not?

2. Does the RIRIP omit implementation activities that should be undertaken? Describe such activities and why they should be undertaken.

3. How should the NRC measure its success in implementing risk-informed regulation?

4. Is the pace for implementing risk-informed regulation about right, or is it too fast or too slow?

5. Are there concerns about the agency's ability to maintain safety while implementing risk-informed regulation? If so, describe the concerns and, if possible, their basis.

6. How can risk-informed regulation increase public confidence?

7. Are the screening criteria clear and sufficient? If applied properly, would they result in identifying those activities amenable for transition to risk-informed regulation?

8. Will the implementation activities described in the RIRIP appropriately improve regulatory efficiency, effectiveness, and realism?

9. Other than requests such as this for written comment and a public workshop, how can stakeholder participation in risk-informed regulation be enhanced?

10. What communication activities would be desired to describe risk-informed regulation? What other interactions would be useful to provide

input to, and understanding of, risk-informed regulation?

Preliminary Agenda

1:30–2
Introduction—purpose, agenda: NRC
2–3
Presentations summarizing comments on RIRIP: Various Stakeholders
3–3:15
Break
3:15–4:15
Open discussion: All
4:15–4:30
Closing Remarks/Adjourn: NRC

Dated at Rockville, Maryland, this 7th day of February 2001.

For the Nuclear Regulatory Commission.

Cynthia A. Carpenter,

Chief, Generic Issues, Environmental, Financial and Rulemaking Branch, Division of Regulatory Improvement Programs, Office of Nuclear Reactor Regulation.

[FR Doc. 01–3825 Filed 2–15–01; 8:45 am]

BILLING CODE 7590–01–P

RAILROAD RETIREMENT BOARD

Agency Forms Submitted for OMB Review

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

(1) *Collection title:* Public Service Pension Questionnaires.

(2) *Form(s) submitted:* G–208, G–212.

(3) *OMB Number:* 3220–0136.

(4) *Expiration date of current OMB clearance:* 3/30/2001.

(5) *Type of request:* Revision of a currently approved collection.

(6) *Respondents:* Individuals or Households.

(7) *Estimated annual number of respondents:* 2,700.

(8) *Total annual responses:* 2,700.

(9) *Total annual reporting hours:* 475.

(10) *Collection description:* A spouse or survivor annuity under the Railroad Retirement Act may be subjected to a reduction for a public service pension. The questionnaires obtain information needed to determine if the reduction applies and the amount of such reduction.

ADDITIONAL INFORMATION OR COMMENTS: Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312–751–3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611–2092 and the OMB reviewer, Joe Lackey (202–395–7316), Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

Chuck Mierzwa,

Clearance Officer.

[FR Doc. 01–3974 Filed 2–15–01; 8:45 am]

BILLING CODE 7905–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 35–27343]

Filings Under the Public Utility Holding Company Act of 1935, as Amended (''Act'')

February 9, 2001.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by March 6, 2001, to the Secretary, Securities and Exchange Commission, Washington, DC 20549–0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After March 6, 2001, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

CMS Energy Corporation (70–9843)

CMS Energy Corporation (''CMS Energy''), Fairlane Plaza South, 330 Town Center Drive, Suite 1100, Dearborn, Michigan 48126, a Michigan public-utility holding company claiming exemption under section 3(a)(1) of the Act by rule 2, has filed an application under sections 9(a)(2) and 10 of the Act.

CMS Energy proposed to acquire indirectly, through Consumers Energy Company (''Consumers Energy''), its public utility subsidiary, all of the voting securities of Michigan Electric Transmission Company (''Michigan Transco''), a currently inactive Michigan corporation. In exchange for these voting securities, Consumers Energy intends to transfer its ownership interest in certain transmission facilities (''Transmission Assets'') to Michigan Transco (''Transfer''). The Transmission Assets, which will be transferred at their actual depreciated value, consist of: transmission lines (including towers, poles, and conductors); transformers with voltage ratings of 120kV and above; generation tie lines from the transmission grid to the point of connection to the generator step-up transformers; associated voltage control devices and power flow control devices; associated transmission substations; and spare transmission equipment. Upon acquiring the Transmission Assets, Michigan Transco will become a public-utility company within the meaning of the Act.

CMS Energy states that the Transfer is designed to allow Consumers Energy, in the future, either to sell its transmission system to an unaffiliated third-party or transfer control of it to a regional transmission organization. It is stated that the formation of Michigan Transco is expected to create synergies that result in better regional transmission service. Consumers Energy states that it intends to continue to provide electric generation and distribution services to retail customers.

After the Transfer, Consumers Energy will claim, and CMS Energy will continue to claim, exemption from registration by rule 2, under sections 3(a)(2) and 3(a)(1) of the Act, respectively.

Ameren Corporation, et al. (70–9805)

Ameren Corporation (''Ameren''), a registered holding company, and its two wholly owned combination gas and electric utility subsidiaries, Union Electric Company (''UE''), both located at 1901 Chouteau Avenue, St. Louis, Missouri 63103, and Central Illinois Public Service Company (''CIPS''), 607 East Adams Street, Springfield, Illinois 62739 (collectively, ''Applicants''), have filed an application-declaration under sections 6(a), 7, 9(a), 10, 12(b), 12(c), 12(d) and 12(f) of the Act and rules 43, 44, 45, 46 and 54 under the Act.

Ameren owns all of the issued and outstanding common stock of UE and

CIPS. Together, UE and CIPS provide retail and wholesale electric service to approximately 1.5 million customers and retail natural gas service to approximately 300,000 customers in Missouri and Illinois. UE owns and operates certain utility assets and provides electric service and natural gas service in both Missouri and Illinois. Authorization is sought for certain transactions (''Asset Transfer'') that would result in the acquisition by CIPS of UE's electric transmission assets in Illinois other than those associated with UE's Venice, Illinois generating plant and UE's electric distribution assets in Illinois (''T&D Assets''), and UE's retail gas distribution facilities in Illinois (''Gas Facilities'' and together with T&D Assets, ''Acquired Assets''). In connection with the Asset Transfer, CIPS would assume certain obligations of UE that are associated with the Acquired Assets.

Applicants propose to transfer approximately one-half of the Acquired Assets (''Transferred Assets'') from UE directly to CIPS in return for a promissory note to be issued by CIPS in an amount equal to approximately one-half of the total net book value of the Acquired Assets, net of liabilities.[1] The promissory note would have a market rate of interest based on interest rates charged for generally comparable unsecured five-year notes issued by companies whose credit quality and bond ratings are comparable to those of CIPS. Applicants state that the initial term of the promissory note would be five years.

The remaining balance (approximately one-half) of the Acquired Assets (''Dividend Assets'') and associated liabilities would be transferred by a dividend from UE to Ameren and the subsequent contribution of those assets and associated liabilities by Ameren to CIPS.[2] Upon the Asset Transfer, CIPS would assume responsibility for serving electric and gas customers in Illinois that are currently served by UE, and UE would no longer provide regulated utility services in Illinois. The result of the Asset Transfer would be to consolidate the utility operations of Ameren in Illinois in a single entity.

Specifically, Applicants request authorization for: (1) UE to transfer the Transferred Assets directly to CIPS; (2) UE to transfer the Dividend Assets to Ameren through an in-kind dividend on its common stock; (3) Ameren to contribute the Dividend Assets to CIPS by making a capital contributions to CIPS; (4) CIPS to acquire the Acquired Assets; (5) CIPS to assume certain liabilities of UE that are associated with the Acquired Assets,[3] and to issue a subordinated promissory note in an amount equal to the book value of the Transferred Assets to UE as payment for the Transferred Assets; and (6) UE to acquire and hold the promissory note to be issued by CIPS.

Applicants note that separate filings have been made with the Illinois Commerce Commission relating to transfer of the T&D Assets and to transfer of the Gas Facilities. As a result, it is possible that the transfer may not coincide. If this is the case, Applicants contemplate the Asset Transfer would take place in two stages with the exchange of two separate promissory notes. The promissory note associated with transfer of the T&D Assets only would be approximately $46 million and the dividend would be approximately $46 million. Conversely, the promissory note associated with transfer of the Gas Facilities only would be approximately $5 million and the related dividend would approximately $5 million.

Applicants state that the Asset Transfer would simply regulation of UE by eliminating regulatory jurisdiction of the Illinois Commerce Commission over its activities. Applicants further state that by transferring responsibility for serving certain retail electric service customers in Illinois from UE to CIPS, the Asset Transfer also would enable UE to meet its obligations to provide electric service in the next few years without acquiring additional generation facilities and alleviate UE's projected electric generation capacity deficit in a manner beneficial to its Missouri retail electric service customers. Applicants state that the combination of the utility assets of UE in Illinois with the utility assets of CIPS would result in efficiencies and economies through elimination of duplicative regulatory burdens, and would produce savings for the benefit of the public, consumers and investors of CIPS.

The Southern Company (70–8789)

The Southern Company (''Southern''), 270 Peachtree Street, N.W., Atlanta, Georgia 30303, a registered holding company, has filed a post-effective amendment under sections 6(a) and 7 of the Act and rules 53 and 54 under the Act, to a previously filed application-declaration.

By order dated March 13, 1996 (HCAR No. 26489), Southern was authorized to issue and sell, from time to time through April 1, 2001, short-term and/or term-loan notes (together, ''Notes'') and/or commercial paper (''Commercial Paper'') in an aggregate principal amount not to exceed $2 billion outstanding at any time. At December 31, 2000, Southern had Commercial Paper and Notes evidencing bank borrowings in an aggregate principal amount of $558,000,000. Southern now proposes to extend its authority to issue the Notes and/or Commercial Paper to April 1, 2008 (''Authorization Period''). The aggregate principal amount of Notes and Commercial Paper, including the amount presently outstanding, will not exceed $2 billion at any time during the Authorization Period. All Notes and Commercial Paper are unsecured.

Southern proposes to effect short-term and term-loan borrowings from one or more lending institutions (''Banks''). These borrowings will be evidenced by either Notes, dated as of the date of the borrowings, and maturing not more than seven years after the date of issue, or ''grid'' Notes, evidencing all outstanding borrowings from each lender, dated as of the date of the initial borrowings, and maturing in not more than seven years after the date of issue. Southern proposes that it may provide that Notes may not be prepayable, or that it may be prepaid with payment of a premium that is not in excess of the stated interest rate on the Note to be prepaid. Borrowings from Banks will be at: (1) The prevailing rate offered to corporate borrowers of similar quality, which will not exceed the prime rate, (2) the London Interbank Offered Rate plus up to three percent or (3) a rate not to exceed the prime rate to be established by bids obtained from lenders prior to a proposed borrowing.

Southern may pay a commitment fee based upon the unused portion of each Bank's commitment. The total fee is determined by multiplying the unused portion of the Bank's commitment by up to one-half of one percent. Compensating balances may be used in lieu of fees to compensate certain Banks.

Southern proposes to issue Commercial Paper in the form of promissory notes with varying maturities not to exceed one year. These maturities may be subject to extension to a final maturity not to exceed 390 days. Actual maturities will be determined by market conditions, the

[1] The estimated net book value of the Transferred Assets is approximately $51 million.

[2] The estimated net book value of the Dividend Assets is approximately $51 million.

[3] UE would also assign all related obligations to CIPS, including the certificates of public convenience and necessity granted by the Illinois Commerce Commission, environmental permits and obligations, all municipal and county franchises, labor agreements (as applicable), and any other relevant agreements that exist as of the transfer date.

effective interest costs and Southern's anticipated cash flow, including the proceeds of other borrowings, at the time of issuance. Commercial paper will be issued in denominations of not less than $50,000 and, by their terms, will not be prepayable prior to maturity.

Southern proposes to sell the Commercial Paper directly or through a dealer or dealers. The discount rate (or the interest rate), including any commissions, will not be in excess of the discount rate per annum (or equivalent interest rate) prevailing at the date of issuance for Commercial Paper of comparable quality and maturity sold to Commercial Paper dealers.

No commission or fee will be payable in connection with the issuance and sale of Commercial Paper, except for a commission, payable to the dealer, not to exceed one-eighth of one percent per annum in respect of Commercial Paper sold through the dealer as principal. The dealer will reoffer this Commercial Paper at a discount rate up to one-eighth of one percent per annum less than the prevailing discount rate to the issuer or at an equivalent cost if sold on an interest-bearing basis.

Southern proposes to use the proceeds of the Notes and Commercial Paper to (1) acquire the securities of companies in transactions either authorized in separate proceedings or exempt from the Act, (2) fund additional investments, directly or indirectly, in one or more exempt wholesale generators (''EWGs''), as defined in section 32 of the Act, foreign utility companies (''FUCOs''), as defined in section 33 of the Act, or exempt telecommunications companies, as defined in section 34 of the Act, (3) provide bridge financing for other equity investments in Southern's wholesale generation subsidiary or (4) to pay for environmental and other contingencies.

Any short-term borrowings outstanding after March 31, 2008 will be retired from internal sources of cash or the proceeds of financings approved in separate filings, refinancings of EWG and FUCO indebtedness on a non-recourse basis and other distributions from EWGs and FUCOs.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01–3916 Filed 2–15–01; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43949; File No. SR–NSCC–00–13]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and immediate Effectiveness of a Proposed Rule Change Revising NSCC Procedures

February 9, 2001.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on November 22, 2000, the National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') and on December 15, 2000, amended the proposed rule change as described in Items I, II, and III below, which Items have been prepared by NSCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The proposed rule change revises NSCC's Procedures to provide that locked-in trade data for fixed income securities will be reflected on Bond Contract Lists and Bond Supplemental Contract Lists.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NSCC 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. NSCC has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.[2]

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of the proposed rule filing is to make a technical correction to NSCC's Procedures to provide that locked-in trade data for fixed income securities, as reported by qualified special representatives (''QSRs'')[3] and service bureaus, will be reflected on Bond Contract Lists.

NSCC Rule 39 provides that NSCC members have the ability to submit equity and fixed income trade data on a locked-in basis on behalf of others through NSCC's Special Representative/QSR input mechanism. Currently, NSCC only receives such locked-in trade data for over-the-counter (''OTC'') equity securities, and such trades are reported on T Contracts Lists and T + 1 Locked-In Contract Lists.[4]

Because NSCC now expects to receive QSR locked-in data for fixed income transactions, NSCC is proposing to add subparagraph (i) to its Procedure II(D)(1). This new paragraph will state that licked-in trade data reported by QSR and service bureaus will be reflected on Bond Contract Lists, which are available on the morning of T + 1, and on Bond Supplemental Contract Lists, which are available on the morning of T + 2.

NSCC believes that the proposed rule change is consistent with the requirements of the Act and rules and regulations thereunder because it will help NSCC promote the prompt and accurate clearance and settlement of securities transactions.

B. Self-Regulatory Organization's Statement on Burden on Competition

NSCC does not believe that the proposed rule change will impact or impose a burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments have been solicited or received. NSCC will notify the Commission of any written comments received by NSCC.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to Section 19(b)(3)(iii) of the Act[5] and Rule 19b–4(f)(4)[6] thereunder because the proposed rule change effects a change in an NSCC's existing service that (i) does not adversely affect the safeguarding of securities or funds in NSCC's custody or control for which NSCC is responsible and (ii) does not significantly affect the respective rights or obligations of NSCC or persons using the service. At any time within sixty days of the filing of

[1] 15 U.S.C. 78s(b)(1).

[2] The Commission has modified the text of the summaries prepared by DTC.

[3] Under NSCC Rule 39, QSR members are able to submit trade data on behalf of other NSCC members. Securities Exchange Act Release No. 23792 (Nov. 12, 1986), 51 FR 41880 (Nov. 19, 1986).

[4] NSCC Procedures II(B)(1) and II(C)(1)(e).

[5] 15 U.S.C. 78s(b)(3)(iii).

[6] 17 CFR 240.19b–4(f)(4).

such rule change, the Commission may summarily abrogate such rule change if it appears to the Commission hat such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549–0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change that are filed with 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 provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at NSCC's principal office. All submissions should refer to File No. SR–NSCC–00–13 and should be submitted by March 9, 2001.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01–3967 Filed 2–15–01; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[License No. 01/01–0275]

Notice of License Surrender

Notice is hereby given that Northeast SBIC *(''Northeast''), 212 Tosca Drive, Stoughton, Massachusetts 02072,* has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (''the Act''). *Northeast* was licensed by the Small Business Administration on *May 7, 1974.*

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender of the license was accepted on *January 17, 2000* and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Harry E. Haskins,

Acting Associate Administrator for Investment.

[FR Doc. 01–3977 Filed 2–15–01; 8:45 am]

BILLING CODE 8025–01–P

SOCIAL SECURITY ADMINISTRATION

Statement of Organization, Functions and Delegations of Authority

This statement amends Part S of the Statement of the Organization, Functions and Delegations of Authority which covers the Social Security Administration (SSA). Chapter S4 covers the Deputy Commissioner for Systems. Notice is given that Chapter S4 is being amended to reflect the establishment of a new office with four new divisions. The new material and changes are as follows:

Section S4.10 *The Office of the Deputy Commissioner, Systems*—(Organization):

Establish:

I. The Office of Systems Electronic Services (S4M).

Section S4.20 *The Office of the Deputy Commissioner, Systems*—(Functions):

Establish:

I. The Office of Systems Electronic Services (OSES) (S4M) directs the development of the SSA-wide mission critical software applications that support the Electronic Service Delivery (ESD) Initiatives. It performs long range planning and analysis, and the design, development, implementation and maintenance of eSoftware solutions in support of SSA's social insurance and income maintenance programs. These applications will provide access to SSA services over such service delivery channels as the Internet, Extranet, Kiosk, and future direct service data collection channels. It provides a means for the public to have direct access to selected SSA services. It directs the coordination of general systems requirements definition among key SSA stakeholders, and representatives of the user community. It maintains a comprehensive software engineering program that provides tools, and a software infrastructure in support of SSA's entrepreneurial web development goals. It defines the Agency standards for software development. It conducts software validation and testing for all eSoftware solutions required to run on, extract data from, any of SSA's host processor's or its mission critical systems.

Section S4G.20 *The Office of Systems Design and Development*—(Functions):

Amend as follows:

E. The Division of Data Gathering and Architecture Software (S4GG).

Items 1 and 4.

Change the word Internet to Intranet.

Item 2.

Change the word user to users and delete the remainder of the sentence.

Establish Subchapter:

Subchapter S4M
Office of Systems Electronic Services
S4M.00 Mission
S4M.10 Organization
S4M.20 Functions

Section S4M.00 *The Office of Systems Electronic Services*—(Mission): The Office of Systems Electronic Services (OSES) directs the development of the SSA-wide mission critical software applications that support the Electronic Service Delivery (ESD) Initiatives. It performs long range planning and analysis, and the design, development, implementation and maintenance of eSoftware solutions in support of SSA's social insurance and income maintenance programs. These applications will provide access to SSA services over such service delivery channels as the Internet, Extranet, Kiosk, and future direct service data collection channels. It provides a means for the public to have direct access to selected SSA services. It directs the coordination of general systems requirements definition among key SSA stakeholders, and representatives of the user community. It maintains a comprehensive software engineering program that provides tools, and a software infrastructure in support of SSA's entrepreneurial web development goals. It defines the Agency standards for software development. It conducts software validation and testing for all eSoftware solutions required to run on, extract data from, any of SSA's host processor's or its mission critical systems.

Establish:

Section S4M.10 *The Office of Systems Electronic Services*—(Organization): The Office of Systems Electronic Services (S4M), under the leadership of the Associate Commissioner for Systems Electronic Services, includes:

A. The Associate Commissioner for Systems Electronic Services (S4M).

[7] 17 CFR 200.30–3(a)(12).

B. The Deputy Associate Commissioner for Systems Electronic Services (S4M).

C. The Immediate Office of the Associate Commissioner for Systems Electronic Services (S4M).

D. The Division of Architecture and Support Software Development (S4MA).

E. The Division of Client and Organizational Services Application Development (S4MB).

F. The Division of Quality, Testing and Validation (S4MC).

G. The Division of Project Support (S4ME).

Section S4M.20 *The Office of Systems Electronic Services*—(Functions):

A. The Associate Commissioner for Systems Electronic Services (S4M) is directly responsible to the Deputy Commissioner, Systems, for carrying out the OSES mission and providing general supervision to the major components of OSES.

B. The Deputy Associate Commissioner for Systems Electronic Services (S4M) assists the Associate Commissioner in carrying out his/her responsibilities and performs other duties as the Associate Commissioner may prescribe.

C. The Immediate Office of the Associate Commissioner for Systems Electronic Services (S4M) provides the Associate Commissioner and Deputy Associate Commissioner with staff assistance on the full range of their responsibilities.

D. Division of Architecture and Support Software Development (S4MA).

1. Develops and maintains the software engineering architecture appropriate for delivering electronic services to SSA's customers in accordance with the Agency's Electronic Service Delivery Strategy.

2. Identifies and procures software tools necessary for the design development, implementation and maintenance of SSA's eBusiness applications.

3. Designs, develops and maintains eBusiness framework components of the architecture for data interface, security, authentication, audit and messaging objects.

4. Researches, evaluates and analyzes current and emerging technologies relevant to SSA's eBusiness architecture.

5. Designs, develops and maintains repositories to support eBusiness application development.

E. Division of Client and Organizational Services Application Development (S4MB).

1. Plans, designs, develops and maintains software integral to SSA's Internet strategy.

2. Plans, designs, develops and maintains software integral to SSA's Extranet strategy.

3. Defines specific functional specifications in support of SSA's ESD applications.

4. Coordinates eBusiness application development with legacy and management information systems.

F. Division of Quality, Testing and Validation (S4MC).

1. Develops project specific test plans in support of SSA's eBusiness strategy.

2. Performs front-end systems validations as necessary to support implementation of eBusiness software.

3. Develops, maintains, and implements quality control standards in support of the development of eBusiness software.

4. Designs, develops and maintains software for the testing, validation and quality control of eBusiness applications.

5. Works in conjunction with other SSA components in conducting pilots and focus groups testing eBusiness software prior to implementation.

G. Division of Project Support (S4ME).

1. Analyzes eBusiness requirements and needs of other OSES components, and provides appropriate systems support capability.

2. Provides standards, procedures, systems support and technical assistance to OSES project managers to facilitate preparation of work plans.

3. Directs review of project work plans to ensure completeness, compatibility with standards and managerial directives, and requirements and conformity to the ADP Plan and other management decisions.

4. Monitors OSES workloads, resource estimates and resource usage for eBusiness applications. Provides comprehensive resource information to DCS management to support workload priority decisions. Directs resource estimation and reporting processes for OSES.

5. Coordinates OSES input to Agency and DCS planning processes.

Dated: February 8, 2001.

William A. Halter,

Acting Commissioner of Social Security.

[FR Doc. 01–3958 Filed 2–15–01; 8:45 am]

BILLING CODE 4191–02–P

SOCIAL SECURITY ADMINISTRATION

Privacy Act of 1974, as Amended; Computer Matching Program (SSA/Health Care Financing Administration (HCFA) Match Number 1076)

AGENCY: Social Security Administration (SSA).

ACTION: Notice of computer matching program.

SUMMARY: In accordance with the provisions of the Privacy Act, as amended, this notice announces a computer matching program that SSA plans to conduct with HCFA.

DATES: SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate, the Committee on Government Reform and Oversight of the House of Representatives, and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may comment on this notice by either telefax to (410) 966–2935 or writing to the Associate Commissioner, Office of Program Support, 2–Q–16 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235–6401. All comments will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Associate Commissioner for Program Support as shown above.

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988 (Pub. L. (Pub.L.) 100–503) amended the Privacy Act (5 U.S.C. 552a) by describing the manner in which computer matching involving Federal agencies could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub.L. 101–508) further amended the Privacy Act regarding protections for such individuals. The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records.

It requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

(2) Obtain the Data Integrity Boards' approval of the match agreements;

(3) Furnish detailed reports about matching programs to Congress and OMB;

(4) Notify applicants and beneficiaries that their records are subject to matching; and

(5) Verify match findings before reducing, suspending, terminating, or denying an individual's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of SSA's computer matching programs comply with the requirements of the Privacy Act, as amended.

Dated: February 8, 2001.

Glenna Donnelly,

Acting Deputy Commissioner for Disability and Income Security Programs.

Notice of Computer Matching Program, Health Care Financing Administration (HCFA) With the Social Security Administration (SSA)

A. Participating Agencies

SSA and HCFA.

B. Purpose of the Matching Program

The purpose of this matching program is to identify Supplemental Security Income (SSI) recipients and Special Veterans' Benefits (SVB) beneficiaries who have been admitted to certain public institutions. The program will thereby facilitate benefit reductions required under certain provisions of title XVI of the Social Security Act (Act) for individuals in such institutions and benefit terminations required under certain provisions of title VIII of the Act for individuals no longer residing outside the United States.

C. Authority for Conducting the Matching Program

Sections 1611(e)(1)(A) and (B), 1631(f) and 806(a) and (b) of the Social Security Act (42 U.S.C. 1382(e)(1)(A) and (B), 1383(f) and 1006(a) and (b)); 20 CFR 416.211.

D. Categories of Records and Individuals Covered by the Matching Program

On the basis of certain identifying information regarding SSI and SVB applicants, recipients and beneficiaries as provided by SSA to HCFA, HCFA will provide SSA with electronic files containing skilled nursing facility admission and billing data from its Long-Term Care Minimum Data Set, LTC/MDS 09–70–1516, system of records. SSA will then match the HCFA data with SSI and SVB payment information maintained in the Supplemental Security Income Record, SSA/OSR 60–0103, system of records.

E. Inclusive Dates of the Match

The matching program shall become effective no sooner than 40 days after notice for the program is sent to Congress and OMB, or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met.

[FR Doc. 01–3957 Filed 2–15–01; 8:45 am]

BILLING CODE 4191–02–U

DEPARTMENT OF TRANSPORTATION

Coast Guard

[USCG 2001–8269]

Collection of Information Under Review by Office of Management and Budget (OMB): OMB Control Numbers 2115–0557, 2115–0100, and 2115–0618

AGENCY: Coast Guard, DOT.

ACTION: Request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Coast Guard intends to seek the approval of OMB for the renewal of three Information Collection Requests (ICRs). The ICRs comprise (1) Advance Notice of Vessels' Arrival and Departure, (2) Carriage of Bulk Solids Requiring Special Handling—46 CFR Part 148, and (3) Questionnaire on Boating Statistics. Before submitting the ICRs to OMB, the Coast Guard is requesting comments on the items described below.

DATES: Comments must reach the Coast Guard on or before April 16, 2001.

ADDRESSES: You may mail comments to the Docket Management System (DMS) [USCG 2001–8269], U.S. Department of Transportation (DOT), room PL–401, 400 Seventh Street SW., Washington, DC 20590–0001, or deliver them to room PL–401, located on the Plaza Level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

The DMS maintains the public docket for these requests. Comments will become part of this docket and will be available for inspection or copying in room PL–401, located on the Plaza Level of the Nassif Building at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at http://dms.dot.gov.

Copies of the complete ICRs are available through this docket on the Internet at http://dms.dot.gov and also from Commandant (G–CIM–2), U.S. Coast Guard Headquarters, room 6106 (Attn: Barbara Davis), 2100 Second Street SW., Washington, DC 20593–0001. The telephone number is 202–267–2326.

FOR FURTHER INFORMATION CONTACT: Barbara Davis, Office of Information Management, 202–267–2326, for questions on these documents; or Dorothy Beard, Chief, Documentary Services Division, U.S. Department of Transportation, 202–366–9330, for questions on the docket.

Request for Comments

The Coast Guard encourages interested persons to submit written comments. Persons submitting comments should include their names and addresses, identify this document [USCG 2001–8269], and give the reason for the comments. Please submit all comments and attachments in an unbound format no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped self-addressed postcards or envelopes.

Information Collection Request

1. *Title:* Advance Notice of Vessels' Arrival and Departure.

OMB Control Number: 2115–0557.

Summary: The Ports and Waterways Safety Act authorizes the Coast Guard to require pre-arrival message or messages from any vessel entering a port or place in the United States.

Need: This information is necessary to control vessel traffic, develop contingency plans, and enforce rules. Owners and operators of vessels may apply for waivers of these rules.

Respondents: Frequency: Owners and operators of vessels .

Frequency: On occasion.

Burden Estimate: The estimated burden is 21,288 hours a year.

2. Title: Carriage of Bulk Solids Requiring Special Handling—46 CFR part 148.

OMB Control Number: 2115–0100.

Summary: The information in the application for a special permit lets the Coast Guard determine the severity of the hazard posed by the material, lets it set specific guidelines for safe carriage, or, if the material presents too great a hazard, lets it deny permission for shipping the material.

Need: The Coast Guard administers and enforces statutes and rules for the safe transport and stowage of hazardous materials, including bulk solids. Under 46 CFR part 148, the Coast Guard may issue special permits for the carriage of bulk solids requiring special handling.

Respondents: Owners and operators of vessels that carry certain bulk solids.

Frequency: On occasion.

Burden Estimate: The estimated burden is 830 hours a year.

3. Title: Questionnaire on Boating Statistics.

OMB Control Number: 2115–0618.

Summary The Office of Boating Safety of the Coast Guard may collect, analyze, and annually publish statistical information on recreational-boating accidents (46 U.S.C. 6102 (b)). Accordingly, the Coast Guard publishes an annual report, *Boating Statistics* (COMDTPUBP16754). This report contains statistics and other information on recreational-boating accidents. The statistics derive from data on Recreational Boating Accident Reports submitted by the States, the District of Columbia, and the five U.S. Territories.

Need: The purpose of this questionnaire is to determine our customers' needs for information and measure their satisfaction with Boating Statistics. The results of the questionnaire will help us improve the quality (customer satisfaction) of the annual report. A questionnaire is the most accurate and practical way of obtaining this information with the least burden on the respondent and on the Federal Government.

Respondents: Recreational boaters.

Frequency: Annually.

Burden Estimate: The estimated burden is 320 hours a year.

Dated: January 11, 2001.

V.S. Crea,

Director of Information and Technology.

[FR Doc. 01–3898 Filed 2–15–01; 8:45 am]

BILLING CODE 4910–15–U

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance from certain requirements of its safety regulations. The individual petition is described below including, the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

Texas Parks and Wildlife

[Docket Number FRA–2000–7270]

Texas Parks and Wildlife (TPW) seeks a permanent waiver of compliance from 49 CFR 232.17(b)(2) to extend the clean, oil, test, and stencil (COT&S) period from 15 to 48 months on passenger cars they operate equipped with UC and L type air brakes. TPW operates the Texas State Railroad between Rusk and Palestine, Texas. They have two cars equipped with L type brakes and the rest have UC type brakes. Section 232.17(b)(2) requires that brake equipment on passenger cars must be clean, repaired, lubricated and tested as often as necessary to maintain it in a safe and suitable condition for service but not less frequently than as required in Standard S–045 in the Manual of Standards and Recommended Practices of the Association of American Railroads. Standard S–045, A–III–256, Section 2.1.2, requires a COT&S every 15 months for this brake equipment. TPW has concluded that a car that runs on a passenger railroad using a 15 month cycle would be legal for 10,800 hours. TPW has calculated that if the equipment is in service only 60 percent of the 15 month cycle, then only 6,480 hours would be used. TPW claims that all of their annual runs, including specials and school runs, only total 1,100 hours a year. Therefore, TPW would like to extend the COT&S time period to 48 months, which would be less than 4,400 hours of actual service time.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA–2000–7270) and must be submitted in triplicate to the Docket Clerk, DOT Central Docket Management Facility, Room PL–401, Washington, DC 20590–0001. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) at DOT Central Docket Management Facility, Room PL–401 (Plaza Level), 400 Seventh Street S.W., Washington, DC All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at http://dms.dot.gov.

Issued in Washington, DC, on February 6, 2001.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

[FR Doc. 01–3970 Filed 2–15–01; 8:45 am]

BILLING CODE 4910–06–P

DEPARTMENT OF TRANSPORTATION

Maritime Administration

[Docket Number: [MARAD–2001–8897]]

Requested Administrative Waiver of the Coastwise Trade Laws

AGENCY: Maritime Administration, Department of Transportation.

ACTION: Invitation for public comments on a requested administrative waiver of the Coastwise Trade Laws for the vessel STRIKE ENHANCER.

SUMMARY: As authorized by Pub. L. 105–383, the Secretary of Transportation, as represented by the Maritime Administration (MARAD), is authorized to grant waivers of the U.S.-build requirement of the coastwise laws under certain circumstances. A request for such a waiver has been received by MARAD. The vessel, and a description of the proposed service, is listed below. Interested parties may comment on the effect this action may have on U.S. vessel builders or businesses in the U.S. that use U.S.-flag vessels. If MARAD determines that in accordance with Pub. L. 105–383 and MARAD's regulations at 46 CFR Part 388 (65 FR 6905; February 11, 2000) that the issuance of the waiver will have an unduly adverse effect on a U.S.-vessel builder or a business that uses U.S.-flag vessels, a waiver will not be granted.

DATES: Submit comments on or before March 19, 2001.

ADDRESSES: Comments should refer to docket number MARAD–2001–8897. Written comments may be submitted by hand or by mail to the Docket Clerk, U.S. DOT Dockets, Room PL–401, Department of Transportation, 400 7th St., SW., Washington, DC 20590–0001. You may also send comments electronically via the Internet at http://dmses.dot.gov/submit/. All comments will become part of this docket and will be available for inspection and copying at the above address between 10 a.m. and 5 p.m., E.T., Monday through Friday, except federal holidays. An electronic version of this document and all documents entered into this docket is available on the World Wide Web at http://dms.dot.gov.

FOR FURTHER INFORMATION CONTACT: Kathy Dunn, U.S. Department of

Transportation, Maritime Administration, MAR–832 Room 7201, 400 Seventh Street, SW, Washington, DC 20590. Telephone 202–366–2307.

SUPPLEMENTARY INFORMATION: Title V of Pub. L. 105–383 provides authority to the Secretary of Transportation to administratively waive the U.S.-build requirements of the Jones Act, and other statutes, for small commercial passenger vessels (no more than 12 passengers). This authority has been delegated to the Maritime Administration per 49 CFR 1.66, Delegations to the Maritime Administrator, as amended. By this notice, MARAD is publishing information on a vessel for which a request for a U.S.-build waiver has been received, and for which MARAD requests comments from interested parties. Comments should refer to the docket number of this notice and the vessel name in order for MARAD to properly consider the comments. Comments should also state the commenter's interest in the waiver application, and address the waiver criteria given in § 388.4 of MARAD'S regulations at 46 CFR part 388.

Vessel Proposed for Waiver of the U.S.-build Requirement

(1) Name of vessel and owner for which waiver is requested. *Name of vessel:* STRIKE ENHANCER. *Owner:* Dennis D Douglas.

(2) *Size, capacity and tonnage of vessel. According to the applicant:* ''Gross 18 ton, Net 14 ton, Length 34.2 Breadth h 13.5 Depth 6.0.''

(3) *Intended use for vessel, including geographic region of intended operation and trade. According to the applicant:* This vessel will be used as a six passenger or less vessel. This vessel will work out of the Port St. Joe area, which lies in the middle of the panhandle. I feel to properly fish this region a vessel would need a easterly boundary to Steinhatchee FL. 29:40.50 83:24.50 and the westerly being Pensacola FL. 30:20.50 87:18.00. Since our goal is sports fishing, and we have several species of migratory fish this would allow the boat to work year around.''

(4) Date and Place of construction and (if applicable) rebuilding. *Date of construction:* 1973. *Place of construction:* Omastrand. Hardanger, Norway.

(5) A statement on the impact this waiver will have on other commercial passenger vessel operators. According to the applicant: ''Port St. Joe has a small commercial fishing fleet which is for harvesting eatable wholesale fish. We will be the only small sports fishing vessel in this area, so at this time i can't see where there will be any negative impact on other commercial operators.''

(6) A statement on the impact this waiver will have on U.S. shipyards. According to the applicant: ''I have just completed the restoration on this vessel, which was at a local shipyard. At this time i have spent some where in the amount of 37 thousand dollars with the merchants in this area, and foresee spending more.''

Dated: February 12, 2001.

By Order of the Maritime Administrator.

Joel C. Richard,

Secretary, Maritime Administration.

[FR Doc. 01–3997 Filed 2–15–01; 8:45 am]

BILLING CODE 4910–81–P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34004]

Canadian Pacific Railway Company and Napierville Junction Railway Company-Corporate Family Transaction Exemption-St. Lawrence & Hudson Railway Company Limited

Canadian Pacific Railway Company (CPR) and Napierville Junction Railway Company (NJR)[1] (collectively applicants) have filed a verified notice of exemption under 49 CFR 1180.2(d)(3) to absorb the St. Lawrence & Hudson Railway Company Limited (St. L & H) and the assets it holds back into CPR, its parent corporation.[2] The United States assets of St. L & H rail to be absorbed into CPR are described as follows:[3]

(1) St. L & H's interest in CNCP-Niagara Detroit, an Ontario partnership, which owns all of the stock of Detroit River Tunnel Company (DRTC) and Niagara River Bridge Company (NRBC). St. L & H held trackage rights from DRTC and NRBC: (a) through the Detroit River Tunnel (a railway tunnel connecting Detroit, MI, and Windsor, Ontario, Canada) in the U.S. from the international border (mid-tunnel at milepost 226.3) to the end of the connecting track at milepost 228.2, in Detroit, a distance of approximately 2 miles; and (b) over the Suspension Bridge (a railway bridge between Niagara Falls, Ontario, Canada, and Niagara Falls, NY) in the U.S. between the international border (milepost 0.2) and the end of the access track at milepost 0.0, in Niagara Falls, a distance of 0.2 miles. The trackage rights also include short segments of connecting track at both the Detroit River Tunnel and the Suspension Bridge.

(2) St. L & H's leasehold interest in the rail properties of the NJR[4] consisting of a 1.1-mile segment of track on the U.S. side of the international border near Rouses Point, NY, where NJR connects with the lines of the Delaware and Hudson Railway Company, Inc., a wholly owned subsidiary of CPR.

(3) St. L & H's incidental overhead trackage rights to reach connections with U.S. carriers in the Detroit terminal area as follows: (a) Former Consolidated Rail Corporation (Conrail) trackage between the end of the Detroit River Tunnel connecting track (Conrail milepost 2.02 Main Line) and Conrail milepost 9.3, Detroit Line, including the Delray Interlocking, at milepost 5.3, Detroit Line, and between milepost 2.02 and milepost 3.1, Mackinaw Branch, a total distance of approximately 8.4 miles; (b) former Norfolk and Western Railway Company (NW) line between the Delray Interlocking (NW milepost 4.4) and Oakwood Yard (NW milepost 8.87), a distance of approximately 4.47 miles; and (c) the CSX Transportation, Inc. (CSXT) line between Delray Interlocking (CSXT milepost 4.5) and Rougemere Yard (CSXT milepost 6.6), a distance of approximately 2.1 miles.

The verified notice states that the transaction was consummated on January 1, 2001. The earliest the transaction could have been consummated was February 7, 2001, the effective date of the exemption (7 days after the exemption was filed).[5]

The transaction is part of a corporate reorganization designed to dissolve St. L & H and to absorb its properties and operations into CPR. This is a transaction within a corporate family of the type specifically exempted from prior review and approval under 49 CFR 1180.2(d)(3). As described, the transaction will not result in adverse changes in service levels, operational changes, or a change in the competitive

[1] NJR is a wholly owned subsidiary of CPR.

[2] St. L & H was created in 1996 as a wholly owned subsidiary of CPR. *See Canadian Pacific Limited, Canadian Pacific Railway Company, and Napierville Junction Railroad Company-Corporate Family Transaction Exemption-St. Lawrence & Hudson Railway Company Limited,* STB Finance Docket No. 33136 (STB served Oct. 9, 1996).

[3] Applicants state that the rail assets to be transferred in STB Finance Docket No. 34004 are identical to those covered by the transaction in STB Finance Docket No. 33136.

[4] Applicants note that NJR was a party to the STB Finance Docket No. 33136 proceeding when it granted the leasehold interest to St. L & H. Applicants further note that, other than NJR's role as the lessor of the trackage, NJR is not involved in the STB Finance Docket No. 34004 transaction.

[5] Pursuant to 49 CFR 1180.4, to qualify for an exemption under 49 CFR 1180.2(d), a railroad must file a verified notice of the transaction with the Board at least one week before the transaction is consummated.

balance with carriers outside the applicants' corporate family.

Applicants state that there will be no change in operations as a result of this transaction, and they do not anticipate that any labor impacts will occur within the United States. Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Applicants state that they recognize the Board's obligation to impose employee protective conditions pursuant to 49 U.S.C. 11326(a) for the benefit of their U.S. railroad employees, and that they agree to imposition of the conditions imposed in *New York Dock Ry.-Control-Brooklyn Eastern Dist.,* 360 I.C.C. 60 (1979) (*New York Dock*).

If the notice contains false or misleading information, the exemption is void *ab initio.* Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34004, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423–0001. In addition, a copy of each pleading must be served on Diane Gerth, Esq., Leonard, Street and Deinard, 150 South Fifth Street, Minneapolis, MN 55402.

Board decisions and notices are available on our website at ''WWW.STB.DOT.GOV.''

Decided: February 9, 2001.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,

Secretary.

[FR Doc. 01–4024 Filed 2–15–01; 8:45 am]

BILLING CODE 4915–00–P

DEPARTMENT OF THE TREASURY

Office of Community Adjustment and Investment Programs, Proposed Renewal of Information Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, both as Chair of the inter-agency committee (the ''Finance Committee'') established by Executive Order No. 12916, dated May 13, 1994, which administers the United States Community Adjustment and Investment Program, and as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing Federally-sponsored information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Office of Community Adjustment and Investment Programs within the Department of the Treasury is soliciting comment concerning its renewal of a Federally sponsored information collection by the North American Development Bank (''NADBank'') titled, ''Community Adjustment and Investment Program Grant Program Grant Agreement.''

DATES: Written comments should be received on or before April 20, 2001, to be assured of consideration.

ADDRESSES: Direct all written comments to Jean Whaley, Director, Office of Community Adjustment and Investment Programs, Department of the Treasury, Room 5017, 1500 Pennsylvania Ave., NW., Washington, DC 20220 (Tel.: 202/622–0741).

FOR FURTHER INFORMATION CONTACT: You can request additional information from or a copy of the collection from Jean Whaley, Director, Office of Community Adjustment and Investment Programs, Department of the Treasury, Room 5017, 1500 Pennsylvania Ave., NW., Washington, DC 20220 (Tel.: 202/622–0741).

SUPPLEMENTARY INFORMATION:

Title: Community Adjustment and Investment Program Grant Program Grant Agreement.

OMB Number: 1505–0178.

Abstract: The Department of the Treasury, as Chair of the Finance Committee, is sponsoring the NADBank's collection of information under the terms of a Grant Agreement between NADBank and awardees of NADBank grants. The purpose of the grants is to help create and retain private-sector jobs in U.S. communities experiencing job dislocations attributable to changing trade patterns with Canada and Mexico due to the North American Free Trade Agreement. The subject NADBank grants are endorsed by the United States Government (''USG''), and the funds for the NADBank grants were transferred to NADBank by the USG. The collection of information in the Grant Agreement is fivefold. First, it requires each awardee to submit to NADBank an opinion of awardee counsel addressing such commercially standard matters as the due authorization, execution, delivery and enforceability of the Grant Agreement. Second, it requires each awardee to submit to NADBank quarterly reports addressing the awardee's financial and project performance. Third, it requires each awardee to submit to NADBank a final financial and performance report after the expiration of the grant. Fourth, it requires each awardee to submit annually to NADBank audited financial statements. Fifth, it imposes specific record keeping requirements. The purpose of the collection of information is to ensure that the Grant Agreement constitutes a legal binding obligation of each awardee and to monitor awardee compliance, performance, and financial soundness. The purpose of the record keeping requirements is to ensure both the effective and efficient use of the grant consistent with sound business practices, and the ability to audit the use of the grant consistent with the Grant Agreement.

Current Actions: Extension.

Type of Review: Extension.

Affected Public: State, local, and Indian tribal Governments and not-for-profit institutions.

Estimated Number of Respondents: 36.

Estimated Total Annual Responses: 216–262.

Frequency of Responses: This varies, depending on the specific reporting requirements, but consists of quarterly, annual and on occasion reporting requirements.

Estimated Total Annual Burden Hours: 828 hours.

Requests for Comments

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: February 13, 2001.

Jean Whaley,

Director, Office of Community Adjustment and Investment Programs.

[FR Doc. 01–3943 Filed 2–15–01; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Office of Community Adjustment and Investment Programs; Proposed Renewal of Information Collection; Comment Request

ACTION: Notice and request for comments.

SUMMARY: The Department of the Treasury, both as Chair of the inter-agency committee (the ''Finance Committee'') established by Executive Order No. 12916, dated May 13, 1994, which administers the United States Community Adjustment and Investment Program, and as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on a continuing Federally-sponsored information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104–13 (44 U.S.C. 3506(c)(2)(A)). Currently, the Office of Community Adjustment and Investment Programs within the Department of the Treasury is soliciting comment concerning its renewal of a Federally sponsored information collection by the North American Development Bank (''NADBank'') titled, ''Community Adjustment and Investment Program Grant Program Application.''

DATES: Written comments should be received on or before April 20, 2001, to be assured of consideration.

ADDRESSES: Direct all written comments to Jean Whaley, Director, Office of Community Adjustment and Investment Programs, Department of the Treasury, Room 5017, Main Treasury Building, 1500 Pennsylvania Ave., NW., Washington, DC 20220 (Tel.: 202/622–0741).

FOR FURTHER INFORMATION CONTACT: You can request additional information from or a copy of the collection from Jean Whaley, Director, Office of Community Adjustment and Investment Programs, Department of the Treasury, Room 5017, Main Treasury Building, 1500 Pennsylvania Ave., NW., Washington, DC 20220 (Tel.: 202/622–0741).

SUPPLEMENTARY INFORMATION:

Title: Community Adjustment and Investment Program Grant Program Application.

OMB Number: 1505–0181.

Abstract: The Department of the Treasury, as Chair of the Finance Committee, is sponsoring NADBank's collection of information in the form of applications for NADBank grants. Applications will be competitively evaluated and selected. The purpose of the grants is to help create and retain private-sector jobs in U.S. communities experiencing job dislocations attributable to changing trade patterns with Canada and Mexico due to the North American Free Trade Agreement. The subject NADBank grants are endorsed by the United States Government (''USG''), and the funds for the NADBank grants were transferred to NADBank by the USG. The collection of information in the grant application is threefold. First, it requires each applicant to submit information to NADBank that will be used to determine whether the applicant is an eligible applicant and whether the applicant's proposed project is an eligible project. Second, it requires each applicant to submit a project description to NADBank that will be used to evaluate the merits of the applicant's proposed project. Third, it requires each applicant to submit certifications to NADBank which are substantively similar to those contained in applications for Federal financial assistance. The purpose for the collection of information is to competitively evaluate and select projects from eligible applicants for purposes of helping create and preserve private-sector jobs in U.S. communities experiencing job dislocation.

Current Actions: Extension.

Type of Review: Extension.

Affected Public: State, local, and Indian tribal Governments and not-for-profit institutions.

Estimated Number of Respondents: 150.

Estimated Total Annual Responses: 150.

Frequency of Responses: Annual.

Estimated Total Annual Burden Hours: 3,000 hours.

Requests for Comments

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Dated: February 13, 2001.

Jean Whaley,

Director, Office of Community Adjustment and Investment Programs.

[FR Doc. 01–3944 Filed 2–15–01; 8:45 am]

BILLING CODE 4810–25–P

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Submission for OMB Review; Comment Request

February 13, 2001.

The Office of Thrift Supervision (OTS) has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13. Interested persons may obtain copies of the submission(s) by calling the OTS Clearance Officer listed. Send comments regarding this information collection to the OMB reviewer listed and to the OTS Clearance Officer, Office of Thrift Supervision, 1700 G Street, NW., Washington, D.C. 20552.

DATES: Submit written comments on or before March 19, 2001.

OMB Number: 1550–0005, 1550–0015, 1550–0037.

Form Number: OTS Forms 138/138–E/138–F, Form H–(e), Form 1240.

Type of Review: Regular.

Title: De Novo Application, Savings Association Holding Company Application, Fiduciary Powers Application.

Description: To obtain information necessary to determine whether an entity meets the statutory requirements to approve the application request.

Respondents: Savings and Loan Associations and Savings Banks.

Estimated Number of Responses: 80.

Estimated Burden Hours Per Response: 316 hours.

Frequency of Response: Occasionally when an entity seeks regulatory approval for activity request.

Estimated Total Reporting Burden: 25,290 hours.

Clearance Officer: Evelyn Canning, (202) 906–7988, Office of Thrift Supervision, 1700 Street, NW., Washington, DC 20552.

OMB Reviewer: Alexander Hunt, (202) 395–7860, Office of Management and Budget, Room 10202, New Executive Office Building, Washington, DC 20503.

Barbara Taylor,

Manager, Quality Assurance Research and Information Systems.

[FR Doc. 01–3998 Filed 2–15–01; 8:45 am]

BILLING CODE 6720–01–P



Federal Register

Friday,
February 16, 2001

Part II

Department of Housing and Urban Development

Federal Property Suitable as Facilities to Assist the Homeless; Notice

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR–4557–N–07]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

FOR FURTHER INFORMATION CONTACT: Clifford Taffet, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW, Washington, DC 20410; telephone (202) 708–1234; TDD number for the hearing- and speech-impaired (202) 708–2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1–800–927–7588.

SUPPLEMENTARY INFORMATION: In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD reviewed in 2000 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 this inventory of excess or surplus Federal property.

In accordance with 24 CFR part 581.3(b) landholding agencies are required to notify HUD by December 31, 2000, the current availability status and classification of each property controlled by the Agencies that were published by HUD as suitable and available which remain available for application for use by the homeless.

Pursuant to 24 CFR part 581.8(d) and (e) HUD is required to publish a list of those properties reported by the Agencies and a list of suitable/unavailable properties including the reasons why they are not available.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Brian Rooney, Division of Property Management, Program Support Center, HHS, room 5B–41, 5600 Fishers Lane, Rockville, MD 20857; (301) 443–2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For 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: *U.S. Army:* Jeff Holste, CEMP–IP, U.S. Army Corps of Engineers, Installation Support Center, Planning Branch, 441 G Street, NW, Washington, DC 20314–1000; (202) 761–5737; *Corps of Engineers:* Shirley Middleswarth, Army Corps of Engineers, Management and Disposal Division, 441 G Street, Washington, DC 20314–1000; (202) 761–7425; *U.S. Navy:* Charles C. Cocks, Dept. of Navy, Real Estate Policy Division, Naval Facilities Engineering Command, Washington Navy Yard, 1322 Patterson Ave., SE, Suite 1000, Washington, DC 20374–5065; (202) 685–9200; *U.S. Air Force:* Barbara Jenkins, Air Force Real Estate Agency (Area/MI), Bolling AFB, 112 Luke Avenue, Suite 104, Washington, DC 20332–8020; (202) 767–4184; *GSA:* Brian K. Polly, Office of Property Disposal, GSA, 18th and F Streets NW, Washington, DC 20405; (202) 501–0386; *Dept. of Veterans Affairs:* Anatolij Kushnir, Asset & Enterprise Development Service, Dept. of Veterans Affairs, room 419, Lafayette Bldg., 811 Vermont Ave. NW, Washington, DC 20420; (202) 565–5941; *Dept. of Energy:* Tom Knox, Office of Contract & Resource Management, MA–53, Washington, DC 20585; (202) 586–8715; *Dept. of Transportation:* Rugene Spruill, Space Management, Transportation Administrative Service Center, DOT, 400 Seventh St. SW, room 2310, Washington, DC 20590; (202) 366–4246; *Dept. of Interior:* Linda Tribby, Acquisition & Property Management, Dept. of Interior, 1849 C St. NW, MS 5512, Washington, DC 20240; (202) 606–3139; (These are not toll-free numbers).

Dated: February 8, 2001.

John D. Garrity,

Director, Office of Special Needs Assistance Programs.

TITLE V PROPERTIES REPORTED IN YEAR 2000 WHICH ARE SUITABLE AND AVAILABLE

Air Force

California

Building

Bldg. 604
Property #: 18199010237
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 605
Property #: 18199010238
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 612
Property #: 18199010239
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 611
Property #: 18199010240
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 613
Property #: 18199010241
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 614
Property #: 18199010242
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 615
Property #: 18199010243
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 616
Property #: 18199010244
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 617
Property #: 18199010245
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized

Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing

Bldg. 618
Property #: 18199010246
Point Arena Air Force Station
Co: Mendocino CA 95468–5000
Status: Unutilized
Comment: 1232 sq. ft.; stucco-wood frame; most recent use—housing; needs rehab

Colorado

Building

Bldg. 964
Property #: 18199930016
Former Lowry AFB
Denver Co: CO 80220–
Status: Unutilized
Comment: 14495 sq. ft., local land use controls, most recent use—child care/kitchen facility

Massachusetts

Building

Bldg. 001
Property #: 18199940001
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Status: Excess
Comment: 37557 sq. ft., most recent use—shops/vehicle maintenance

Bldg. 002
Property #: 18199940002
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Status: Excess
Comment: 5580 sq. ft., most recent use—office/shops

Bldg. 003
Property #: 18199940003
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Status: Excess
Comment: 3840 sq. ft., most recent use—warehouse

Bldg. 004
Property #: 18199940004
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Status: Excess
Comment: 225 sq. ft., most recent use—shop

Bldg. 005
Property #: 18199940005
Air Natl Guard Station
50 Skyline Drive
Worcester Co: MA 01605–2898
Status: Excess
Comment: 8000 sq. ft., most recent use—warehouse

Nebraska

Land

Hastings Radar Bomb Scoring
Property #: 18199810027
Hastings Co: Adams NE 68901–
Status: Unutilized
Comment: 11 acres

New York

Building

Bldg. 1452 & 297 acres
Property #: 18199920030
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Status: Unutilized
Comment: 11000 sq. ft. on 297 acres (67 acres of wetland), most recent use—electronic research testing, presence of asbestos/lead paint

Bldg. 1453
Property #: 18199920031
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Status: Unutilized
Comment: 266 sq. ft., most recent use—generator bldg., presence of asbestos

Bldg. 1454
Property #: 18199920032
AVA Test Annex
Town of Ava Co: Oneida NY 13303–
Status: Unutilized
Comment: 53 sq. ft., most recent use—switch station, presence of asbestos

Lockport Comm. Facility
Property #: 18200040004
Shawnee Road
Lockport Co: Niagara NY
Status: Excess
Comment: 2 concrete block bldgs., (415 & 2929 sq. ft.) on 7.68 acres

South Dakota

Building

West Communications Annex
Property #: 18199340051
Ellsworth Air Force Base
Ellsworth AFB Co: Meade SD 57706–
Status: Unutilized
Comment: 2 bldgs. on 2.37 acres, remote area, lacks infrastructure, road hazardous during winter storms, most recent use—industrial storage

Army

Alabama

Building

Bldg. 60101
Property #: 21199520152
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Status: Unutilized
Comment: 6082 sq. ft., 1-story, most recent use—airfield fire station, off-site use only

Bldg. 60103
Property #: 21199520154
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Status: Unutilized
Comment: 12516 sq. ft., 2-story, most recent use—admin., off-site use only

Bldg. 60110
Property #: 21199520155
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Status: Unutilized
Comment: 8319 sq. ft., 1-story, most recent use—admin., off-site use only

Bldg. 60113
Property #: 21199520156
Shell Army Heliport
Ft. Rucker Co: Dale AL 36362–5000
Status: Unutilized
Comment: 4000 sq. ft., 1-story, most recent use—admin., off-site use only

Alaska

Building

Bldg. 58780
Property #: 21199930118
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 3230 sq. ft., most recent use—admin., off-site use only

Bldg. 08100
Property #: 21200020157
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: 4688 sq. ft., concrete, most recent use—hazard bldg., off-site use only

Bldgs. 09100, 09104–09106
Property #: 21200020158
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: various sq. ft., concrete, most recent use—hazard bldg., off-site use only

5 Bldgs.
Property #: 21200020159
Fort Richardson
09108, 09110–09112, 09114
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: various sq. ft., concrete, most recent use—hazard bldg., off-site use only

Bldgs. 09128, 09129
Property #: 21200020160
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: various sq. ft., concrete, most recent use—hazard bldg., off-site use only

Bldgs. 09151, 09155, 09156
Property #: 21200020161
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: various sq. ft., concrete, most recent use—hazard bldg., off-site use only

Bldg. 09158
Property #: 21200020162
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: 672 sq. ft., most recent use—storage shed, off-site use only

Bldgs. 09160–09162
Property #: 21200020163
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: 11520 sq. ft., concrete, most recent use—NCO–ENL FH, off-site use only

Bldgs. 09164, 09165
Property #: 21200020164
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: 2304 & 2880 sq. ft., most recent use—storage, off-site use only

Bldg. 10100
Property #: 21200020165
Fort Richardson
Ft. Richardson Co: AK 99505–6500
Status: Unutilized
Comment: 4688 sq. ft., concrete, most recent use—hazard bldg., off-site use only

Bldg. 00390

Property #: 21200030067
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 13632 sq. ft., off-site use only

Bldgs. 01200, 01202
Property #: 21200030068
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 4508 & 6366 sq. ft., most recent use—hazard bldg., off-site use only

Bldg. 01204
Property #: 21200030069
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 5578 sq. ft., most recent use—VOQ transient, off-site use only

Bldgs. 01205–01207
Property #: 21200030070
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: various sq. ft., most recent use—hazard bldg., off-site use only

Bldgs. 01208, 01210, 01212
Property #: 21200030071
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: various sq ft., most recent use—hazard bldg., off-site use only

Bldgs. 01213, 01214
Property #: 21200030072
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 11964 & 13740 sq. ft., most recent use—transient UPH, off-site use only

Bldgs. 01218, 01230
Property #: 21200030073
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 480 & 188 sq. ft., most recent use—hazard bldgs., off-site use only

Bldgs. 01231, 01232
Property #: 21200030074
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 458 & 4260 sq. ft., most recent use—hazard bldgs., off-site use only

Bldg. 01234
Property #: 21200030075
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 615 sq. ft., most recent use—admin., off-site use only

Bldg. 01237
Property #: 21200030076
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 408 sq. ft., most recent use—fuel/pol bldg., off-site use only

Bldg. 01272
Property #:21200030077
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 308 sq. ft., most recent use—storage, off-site use only

Bldg. 03002
Property #:21200030078
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 7480 sq. ft., most recent use—storage, off-site use only

Bldg. 03725
Property #:21200030079
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 7200 sq. ft., most recent use—veh. maint. shop, off-site use only

Bldg. 08109
Property #:21200030080
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 1920 sq. ft., most recent use—storage, off-site use only

Bldg. 21001
Property #:21200030081
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 3200 sq. ft., most recent use—family housing, off-site use only

Bldg. 22001
Property #:21200030082
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 1448 sq. ft., most recent use—family housing, off-site use only

Bldg. 22022
Property #:21200030083
Fort Richardson
Ft. Richardson Co: AK 99505–
Status: Excess
Comment: 1508 sq. ft., most recent use—family housing, off-site use only

Arizona

Bldg. 30012
Property #:21199310298
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Excess
Comment: 237 sq. ft., 1-story block, most recent use—storage

Bldg. S–306
Property #:21199420346
Yuma Proving Ground
Yuma Co: Yuma/La Paz AZ 85365–9104
Status: Unutilized
Comment: 4103 sq. ft., 2-story, needs major rehab, off-site use only

Bldg. 503, Yuma Proving Ground
Property #:21199520073
Yuma Co: Yuma AZ 85365–9104
Status: Underutilized
Comment: 3789 sq. ft., 2-story, major structural changes required to meet floor loading & fire code requirements, presence of asbestos, off-site use only

5 Bldgs.
Property #:21199840129
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: 44101, 44102, 44124, 44125, 44201
Status: Excess
Comment: various sq. ft. & bdrm units, presence of asbestos/lead paint, most recent use—family housing, off-site use only

Bldg. 12521, 13572
Property #:21199920183
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Unutilized
Comment: 448 sq. ft., & 54 sq. ft., off-site use only

Bldgs. 43101–43109
Property #: 21199940001
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Excess
Comment: 969 sq. ft. per unit, 2-units per bldg., wood/stucco, presence of asbestos/lead paint, most recent use—housing, off-site use only

Bldg. 72908
Property #: 21200010079
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Unutilized
Comment: 16491 sq. ft., presence of asbestos/lead paint, most recent use—veh. maint., off-site use only

Bldg. 63001
Property #: 21200010080
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Unutilized
Comment: 2280 sq. ft., presence of asbestos/lead paint, most recent use–admin., off-site use only

8 Bldgs.
Property #: 21200010081
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: 13570, 15701, 70650, 70651, 87848, 87850, 87851, 87853
Status: Unutilized
Comment: various sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

2 Bldgs.
Property #: 21200010082
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: 15542, 15546
Status: Unutilized
Comment: 552 & 400 sq. ft., presence of asbestos/lead paint, most recent use—restrooms, off-site use only

2 Bldgs.
Property #: 21200010083
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Location: 15544, 15552
Status: Unutilized
Comment: 9713 & 2895 sq. ft., presence of asbestos/lead paint, most recent use—classrooms, off-site use only

Bldg. 15543
Property #: 21200010084
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–
Status: Unutilized
Comment: 416 sq. ft., presence of asbestos/lead paint, most recent use—rec. shelter, off-site use only

7 Bldgs.
Property #: 21200010085
Fort Huachuca
Sierra Vista Co: Cochise AZ 85635–

Location: 15550, 70108, 70109, 84004, 84107, 84108, 87852
Status: Unutilized
Comment: various sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

34 Bldgs.
Property #: 21200020166
Fort Huachuca
62001–62022, 64001–64012
Sierra Vista Co: Cochise AZ 85635–
Status: Unutilized
Comment: 658 & 587 sq. ft., presence of asbestos/lead paint, most recent use—one bedroom family housing, off-site use only

California

Building

Bldg. 104
Property #: 21199910088
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 8039 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 106
Property #: 21199910089
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 1950 sq. ft., presence of asbestos/lead paint, most recent use—office/storage, off-site use only

Bldg. 125
Property #: 21199910090
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 371 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 340
Property #: 21199910093
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 6500 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 341
Property #: 21199910094
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 371 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 4214
Property #: 21199910095
Presidio of Monterey
Monterey Co: CA 93944–
Status: Unutilized
Comment: 3168 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldgs. 204–207, 517
Property #: 21200020167
Presidio of Monterey
Monterey Co: CA 93944–5006
Status: Unutilized
Comment: 4780 & 10950 sq. ft., presence of asbestos/lead paint, most recent use—classroom/admin/storage, off-site use only

Bldg. S251
Property #: 21200040043
Army Reserve
6357 Woodly Ave.
Van Nuys Co: Los Angeles CA 91406–6496
Status: Excess
Comment: 800 sq. ft., needs repair, presence of asbestos most recent use—storage, off-site use only

Connecticut

Building

Bldg. DKL12
Property #: 21200030084
USARC Middletown
Middletown Co: Middlesex CT 06457–
Status: Unutilized
Comment: 39 sq. ft., asbestos/lead paint, needs rehab, most recent use—sentry station, off-site use only

Georgia

Building

Bldg. 2285
Property #: 21199011704
Fort Benning
Fort Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 4574 sq. ft., most recent use—clinic; needs substantial rehabilitation; 1 floor

Bldg. 1252, Fort Benning
Property #: 21199220694
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 583 sq. ft., 1 story, most recent use—storehouse, needs major rehab, off-site removal only

Bldg. 4881, Fort Benning
Property #: 21199220707
Ft. Bennning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2449 sq. ft., 1 story, most recent use—storehouse, need repairs, off-site removal only

Bldg. 4963, Fort Benning
Property #: 21199220710
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storehouse, need repairs, off-site removal only

Bldg. 2396, Fort Benning
Property #: 21199220712
Ft. Benning Co: Muscogee Ga 31905–
Status: Unutilized
Comment: 9786 sq. ft., 1 story, most recent use—dining facility, needs major rehab, off-site removal only

Bldg. 4882, Fort Benning
Property #: 21199220727
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storage, need repairs, off-site removal only

Bldg. 4967, Fort Benning
Property #: 21199220728
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6077 sq. ft., 1 story, most recent use—storage, need repairs, off-site removal only

Bldg. 4977, Fort Benning
Property #: 21199220736
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 192 sq. ft., 1 story, most recent use—offices, need repairs, off-site removal only

Bldg. 4944, Fort Benning
Property #: 21199220747
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6400 sq. ft., 1 story, most recent use—vehicle maintenance shop, need repairs, off-site removal only

Bldg. 4960, Fort Benning
Property #: 21199220752
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 3335 sq. ft., 1 story, most recent use—vehicle maintenance shop, off-site removal only

Bldg. 4969, Fort Benning
Property #: 21199220753
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 8416 sq. ft., 1 story, most recent use—vehicle maintenance shop, off-site removal only

Bldg. 4884, Fort Benning
Property #: 21199220762
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only

Bldg. 4964, Fort Benning
Property #: 21199220763
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only

Bldg. 4966, Fort Benning
Property #: 21199220764
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2000 sq. ft., 1 story, most recent use—headquarters bldg., need repairs, off-site removal only

Bldg. 4965, Fort Benning
Property #: 21199220769
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 7713 sq. ft., 1 story, most recent use—supply bldg., need repairs, off-site removal only

Bldg. 4945, Fort Benning
Property #: 21199220779
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 220 sq. ft., 1 story, most recent use—gas station, needs major rehab, off-site removal only

Bldg. 4979, Fort Benning
Property #: 21199220780
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 400 sq. ft., 1 story, most recent use—oil house, need repairs, off-site removal only

Bldg. 4023, Fort Benning
Property #: 21199310461
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2269 sq. ft., 1-story, needs rehab, most recent use—maintenance shop, off-site use only

Bldg. 4024, Fort Benning
Property #: 21199310462
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 3281 sq. ft., 1-story, needs rehab, most recent use—maintenance shop, off-site use only

Bldg. 4067, Fort Benning
Property #: 21199310465
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 4406 sq. ft., 1-story, needs rehab, most recent use—admin., off-site use only

Bldg. 11813
Property #: 21199410269
Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 70 sq. ft.; 1 story; metal; needs rehab.; most recent use—storage; off-site use only

Bldg. 21314
Property #: 21199410270
Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 85 sq. ft.; 1 story; needs rehab.; most recent use—storage; off-site use only

Bldg. 12809
Property #: 21199410272
Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 2788 sq. ft.; 1 story; wood; needs rehab.; most recent use—maintenance shop; off-site use only

Bldg. 10306
Property #: 21199410273
Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 195 sq. ft.; 1 story; wood; most recent use—oil storage shed; off-site use only

Bldg. 4051, Fort Benning
Property #: 21199520175
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 967 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only

Bldg. 2141
Property #: 21199610655
Fort Gordon
Fort Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 2283 sq. ft., needs repair, most recent use—office, off-site use only

Bldg. 322
Property #: 21199720156
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 9600 sq. ft., needs rehab, most recent use—admin., off-site use only

Bldg. 1737
Property #: 21199720161
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 1500 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. 2593
Property #: 21199720167
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 13644 sq. ft., needs rehab, most recent use—parachute shop, off-site use only

Bldg. 2595
Property #: 21199720168
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 3356 sq. ft., needs rehab, most recent use—chapel, off-site use only

Bldgs. 2865, 2869, 2872
Property #: 21199720169
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: approx. 1100 sq. ft. each, needs rehab, most recent use—shower fac., off-site use only

Bldg. 4476
Property #: 21199720184
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 3148 sq. ft., needs rehab, most recent use—vehicle maint. shop, off-site use only

8 Bldgs.
Property #: 21199720189
Fort Benning
4700–4701, 4704–4707
4710–4711
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6433 sq. ft. each, nees rehab, most recent use—unaccompanied personnel housing, off-site use only

Bldg. 4714
Property #: 21199720191
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 1983 sq. ft., needs rehab, most recent use—battalion headquarters bldg., off-site use only

Bldg. 4702
Property #: 21199720192
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 3690 sq. ft., needs rehab, most recent use—dining facility off-site use only

Bldgs. 4712–4713
Property #: 21199720193
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 1983 sq. ft. and 10270 sq. ft., needs rehab, most recent use—company headquarters bldg., off-site use only

Bldg. 305
Property #: 21199810268
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 4083 sq. ft., most recent use—recreation center, off-site use only

Bldg. 318
Property #: 21199810269
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 374 sq. ft., poor condition, most recent use—maint. shop, off-site use only

Bldg. 1792
Property #: 21199810274
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 10200 sq. ft., most recent use—storage, off-site use only

Bldg. 1836
Property #: 21199810276
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2998 sq. ft., most recent use—admin., off-site use only

Bldg. 4373
Property #: 21199810286
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 409 sq. ft., poor condition, most recent use—station bldg. off-site use only

Bldg. 4628
Property #: 21199810287
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 5483 sq. ft., most recent use—admin., off-site use only

Bldg. 92
Property #: 21199830278
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 637 sq. ft., needs rehab, most recent use—admin., off-site use only

Bldg. 2445
Property #: 21199830279
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 2385 sq. ft., needs rehab, most recent use—fire station, off-site use only

Bldg. 4232
Property #: 21199830279
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 3720 sq. ft., needs rehab, most recent use—maint. bay, off-site use only

Bldg. 39720
Property #: 21199930119
Fort Gordon
Ft. Gordon Co: Richmond GA 31905—
Status: Unutilized
Comment: 1520 sq. ft., concrete block, possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. 492
Property #: 21199930120
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 720 sq. ft., most recent use—admin/maint, off-site use only

Bldg. 880
Property #: 21199930121
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 57110 sq. ft., most recent use—instruction, off-site use only

Bldg. 1370
Property #: 21199930122
Fort Benning

Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 5204 sq. ft., most recent use—hdqts. bldg., off-site use only
Bldg. 2288
Property #: 21199930123
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 2481 sq. ft., most recent use—admin., off-site use only
Bldg. 2290
Property #: 21199930124
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 455 sq. ft., most recent use—storage, off-site use only
Bldg. 2293
Property #: 21199930125
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 2600 sq. ft., most recent use—hdqts. bldg., off-site use only
Bldg. 2297
Property #: 21199930126
Fort Benning
Ft. Benning Co: Muscogee GA 31905—
Status: Unutilized
Comment: 5156 sq. ft., most recent use—admin
Bldg. 2502
Property #: 21199930127
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 10257 sq. ft., most recent use—repair shop, off-site use only
Bldg. 2508
Property #: 21199930128
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2434 sq. ft., most recent use—storage, off-site use only
Bldg. 2815
Property #: 21199930129
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2578 sq. ft., most recent use—hdqts. bldg., off-site use only
Bldg. 3815
Property #: 21199930130
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 7575 sq. ft., most recent use—storage, off-site use only
Bldg. 3816
Property #: 21199930131
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 7514 sq. ft., most recent use—storage, off-site use only
Bldg. 5886
Property #: 21199930134
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 67 sq. ft., most recent use—maint/storage, off-site use only
Bldgs. 5974–5978
Property #: 21199930135
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 400 sq. ft., most recent use—storage, off-site use only
Bldg. 5993
Property #: 21199930136
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 960 sq. ft., msot recent use—storage, off-site use only
Bldg. 5994
Property #: 21199930137
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 2016 sq. ft., most recent use—storage, off-site use only
Bldg. 2214
Property #: 21200020171
Fort Gordon
Ft. Gordon Co: Richmond GA 30905
Status: Unutilized
Comment: 13508 sq. ft., possible asbestos/lead paint, most recent use—storage/admin., off-site use only
Bldg. 2233
Property #: 21200020172
Fort Gordon
Ft. Gordon Co: Richmond GA 30905–
Status: Unutilized
Comment: 1720 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only
Bldg. T–1003
Property #: 21200030085
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9367 sq. ft., poor condition, most recent use—admin., off-site use only
Bldgs. T–1005, T–1006, T–1007
Property #: 21200030086
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9267 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1015, T–1016, T–1017
Property #: 21200030087
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 7496 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1018, T–1019
Property #: 21200030088
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9267 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1020, T–1021
Property #: 21200030089
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9267 sq. ft., poor condition, most recent use—storage, off-site use only
Bldg. T–1022
Property #: 21200030090
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9267 sq. ft., poor condition, most recent use—storage, off-site use only
Bldg. T–1027
Property #: 21200030091
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 9024 sq. ft., poor condition, most recent use—storage, off-site use only
Bldg. T–1028
Property #: 21200030092
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 7496 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1035, T–1036, T–1037
Property #: 21200030093
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 1626 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1038, T–1039
Property #: 21200030094
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 1626 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1040, T–1042
Property #: 21200030095
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 1626 sq. ft., poor condition, most recent use—storage, off-site use only
Bldgs. T–1086, T–1087, T–1088
Property #: 21200030096
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 7680 sq. ft., poor condition, most recent use—storage, off-site use only
Bldg. P–7751
Property #: 21200030097
Fort Stewart
Hinesville Co: Liberty GA 31514–
Status: Excess
Comment: 192 sq. ft., poor condition, off-site use only
Bldg. 223
Property #: 21200040044
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 21556 sq. ft., most recent use—gen. purpose
Bldg. 228
Property #: 21200040045
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 20220 sq. ft., most recent use—gen. purpose
Bldg. 2051
Property #: 21200040046
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 6077 ft., most recent use—storage

Bldg. 2053
Property #: 21200040047
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 14520 sq. ft., most recent use—storage

Bldg. 2677
Property #: 21200040048
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 19326 sq. ft., most recent use—maint. shop

Land

Land (Railbed)
Property #: 21199440440
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Comment: 17.3 acres extending 1.24 miles, no known utilities potential

Hawaii

Building

P–88
Property #: 21199030324
Aliamanu Military
Reservation
Honolulu Co: Honolulu HI 96818–
Location: Approximately 600 feet from Main Gate on Aliamanu Drive.
Status: Unutilized
Comment: 45216 sq. ft. underground tunnel complex, pres. of asbestos clean-up required of contamination, use of respirator required by those entering property, use limitations

Bldg. T–337
Property #: 21199640203
Fort Shafter
Honolulu Co: Honolulu HI 96819–
Status: Unutilized
Comment: 132 sq. ft., most recent use—storage, off-site use only

Illinois

Building

Bldg. 54
Property #: 21199620666
Rock Island Arsenal
Rock Island Co: Rock Island IL 61299–
Status: Unutilized
Comment: 2000 sq. ft., most recent use—oil storage, needs repair, off-site use only

Kansas

Building

Bldg. 166, Fort Riley
Property #: 21199410325
Ft. Riley Co: Geary KS 66442–
Status: Unutilized
Comment: 3803 sq. ft., 3-story brick residence, needs rehab, presence of asbestos, located within National Registered Historic District

Bldg. P–390
Property #: 21199740295
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 4713 sq. ft., presence of lead based paint, most recent use—swine house, off-site use only

Bldg. P–68
Property #: 21199820153
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 2236 sq. ft., most recent use—vehicle storage, off-site use only

Bldg. P–321
Property #: 21199820157
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 600 sq. ft., most recent use—picnic shelter, off-site use only

Bldg. P–347
Property #: 21199820158
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 2135 sq. ft., most recent use—bath house, off-site use only

Bldg. S–809
Property #: 21199820160
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 39 sq. ft., most recent use—access control, off-site use only

Bldg. S–830
Property #: 21199820161
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 5789 sq. ft., most recent use—underground storage, off-site use only

Bldg. S–831
Property #: 21199820162
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 5789 sq. ft., most recent use—underground storage, off-site use only

Bldg. P–243
Property #: 21199830321
Fort Leavenworth
Leavenworth KS 66027–
Status: Unutilized
Comment: 242 sq. ft., most recent use—industrial, off-site use only

Bldg. P–242
Property #: 21199920202
Fort Leavenworth
Leavenworth CO: KS 66027–
Status: Unutilized
Comment: 4680 sq. ft., most recent use—storage, off-site use only

Bldg. P–75
Property #: 21199930140
Fort Leavenworth
Leavenworth CO: KS 66027–
Status: Unutilized
Comment: 12129 sq. ft., most recent use—storage, off-site use only

Bldg. P–223
Property #: 21199930146
Fort Leavenworth
Leavenworth CO: KS 66027–
Status: Unutilized
Comment: 7174 sq. ft., most recent use—storage, off-site use only

Bldg. T–236
Property #: 21199930147
Fort Leavenworth
Leavenworth CO: KS 66027–
Status: Unutilized
Comment: 4563 sq. ft., most recent use—storage, off-site use only

Bldg. P–241
Property #: 21199930148
Fort Leavenworth
Leavenworth Co: KS 66027–
Status: Unutilized
Comment: 5920 sq. ft., most recent use—storage, off-site use only

Bldg. T–257
Property #: 21199930149
Fort Leavenworth
Leavenworth Co: KS 66027–
Status: Unutilized
Comment: 5920 sq. ft., most recent use—storage, off-site use only

Kentucky

Building

Bldg. 02813
Property #: 21200030102
Fort Knox
Ft. Knox Co: Hardin KY 40121–
Status: Underutilized
Comment: 60 sq. ft., needs rehab, possible asbestos/lead paint, most recent use—shed, off-site use only

Louisiana

Building

Bldg. 8405, Fort Polk
Property #: 21199640524
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 1029 sq. ft., most recent use—office

Bldg. 8407, Fort Polk
Property #: 21199640525
Ft. Polk Co: Vernon Parish LA 71459–
Status: Unutilized
Comment: 2055 sq. ft., most recent use—admin

Bldg. 8408, Fort Polk
Property #: 21199640526
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 2055 sq. ft., most recent use—admin

Bldg. 8414, Fort Polk
Property #: 21199640527
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8423, Fort Polk
Property #: 21199640528
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8424, Fort Polk
Property #: 21199640529
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8426, Fort Polk
Property #: 21199640530
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8427, Fort Polk

Property #: 21199640531
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8428, Fort Polk
Property #: 21199640532
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8429, Fort Polk
Property #: 21199640533
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8430, Fort Polk
Property #: 21199640534
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8431, Fort Polk
Property #: 21199640535
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8432, Fort Polk
Property #: 21199640536
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8433, Fort Polk
Property #: 21199640537
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8446, Fort Polk
Property #: 21199640538
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 2093 sq. ft., most recent use—admin

Bldg. 8449, Fort Polk
Property #: 21199640539
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 2093 sq. ft., most recent use—office

Bldg. 8450, Fort Polk
Property #: 21199640540
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 2093 sq. ft., most recent use—admin

Bldg. 8458, Fort Polk
Property #: 21199640542
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8459, Fort Polk
Property #: 21199640543
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8460, Fort Polk
Property #: 21199640544
Ft. Polk Co: Vernon Parish LA 71459—
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8461, Fort Polk
Property #: 21199640545
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8462, Fort Polk
Property #: 21199640546
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8463, Fort Polk
Property #: 21199640547
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8501, Fort Polk
Property #: 21199640548
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 1687 sq. ft., most recent use—office

Bldg. 8502, Fort Polk
Property #: 21199640549
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 1029 sq. ft., most recent use—office

Bldg. 8541, Fort Polk
Property #: 21199640551
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8542, Fort Polk
Property #: 21199640552
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8543, Fort Polk
Property #: 21199640553
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8545, Fort Polk
Property #: 21199640555
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8546, Fort Polk
Property #: 21199640556
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8547, Fort Polk
Property #: 21199640557
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8548, Fort Polk
Property #: 21199640558
Ft. Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Bldg. 8549, Fort Polk
Property #: 21199640559
Fort Polk Co: Vernon Parish LA 71459–
Status: Underutilized
Comment: 4172 sq. ft., most recent use—barracks

Maryland

Building

Bldg. 370
Property #: 21199730256
Fort Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 19583 sq. ft., most recent use—NCO club, possible asbestos/ead paint

Bldg. 2472
Property #: 21199740306
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 7670 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 4700
Property #: 21199740309
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 36619 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 6294
Property #: 21199810302
Fort Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 4720 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—custodial, off-site use only

Bldg. 2478
Property #: 21199940026
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 2534 sq. ft., needs rehab, presence of asbestos, most recent use—health clinic, off-site use only

Bldg. 2845
Property #: 21199940027
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 6104 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 176
Property #: 21200020187
Fort George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 2441, sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 2831
Property #: 21200030103
Ft. George G. Meade
Ft. Meade Co: Anne Arundel MD 20755–5115
Status: Unutilized
Comment: 9652 sq. ft., presence of asbestos/lead paint, most recent use—dental clinic, off-site use only

Land

13 acres
Property #: 21199930151
Ft. George G. Meade
west side of Rt 175
Ft. Meade Co: Anne Arundel MD 20755–5111
Status: Underutilized
Comment: small paved area, remainder wooded

Missouri

Building

Bldg. T599
Property #: 21199230260
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Underutilized
Comment: 18270 sq. ft., 1-story, presence of asbestos, most recent use—storehouse, off-site use only

Bldg. T2171
Property #: 21199340212
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., 1-story wood frame, most recent use—administrative, no handicap fixtures, lead base paint, off-site use only

Bldg. 6822
Property #: 21199340219
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Underutilized
Comment: 4000 sq. ft., 1-story wood frame, most recent use—storage, no handicap fixtures, off-site use only

Bldg. T1497
Property #: 21199420441
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Underutilized
Comment: 4720 sq. ft., 2-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only

Bldg. T2139
Property #: 21199420446
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Underutilized
Comment: 3663 sq. ft., 1-story, presence of lead base paint, most recent use—admin/gen. purpose, off-site use only

Bldg. T2191
Property #: 21199440334
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Excess
Comment: 4720 sq. ft., 2-story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks

Bldg. T2197
Property #: 21199440335
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Excess
Comment: 4720 sq. ft., 2 story wood frame, off-site removal only, to be vacated 8/95, lead based paint, most recent use—barracks

Bldg. T590
Property #: 21199510110
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–
Status: Excess
Comment: 3263 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only

Bldg. T2385
Property #: 21199510115
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–
Status: Excess
Comment: 3158 sq. ft., 1-story, wood frame, most recent use—admin., to be vacated 8/95, off-site use only

Bldgs. T–2340 thru T2343
Property #: 21199710138
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Underutilized
Comment: 9267 sq. ft. each, most recent use—storage/general purpose

Bldg. 1226
Property #: 21199730275
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1600 sq. ft., presence of asbestos/lad paint, most recent use—admin., off-site use only

Bldg. 1271
Property #: 21199730276
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2360 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1280
Property #: 21199730277
Fort Leonard Wood
Fort Leonard Wood CO: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1144 sq. ft., presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 1281
Property #: 21199730278
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2360 sq. ft., presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 1282
Property #: 21199730279
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 1283
Property #: 21199730280
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1284
Property #: 21199730281
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 1285
Property #: 21199730282
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 1286
Property #: 21199730283
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 1287
Property #: 21199730284
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 1288
Property #: 21199730285
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2360 sq. ft., presence of asbestos/lead paint, most recent use—dining facility, off-site use only

Bldg. 1289
Property #: 21199730286
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1144 sq. ft., presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 430
Property #: 21199810305
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4100 sq. ft., presence of asbestos/lead paint, most recent use—Red Cross facility, off-site use only

Bldg. 758
Property #: 21199810306
Fort Leonard Wood

Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 759
Property #: 21199810307
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 760
Property #: 21199810308
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, off-site use only

Bldg. 761–766
Property #: 21199810309
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft. each, presence of asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. 1650
Property #: 21199810311
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1676 sq. ft., presence of asbestos/lead paint, most recent use—union hall, off-site use only

Bldg. 2111
Property #: 21199810312
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1600 sq. ft., presence of asbestos/lead paint, most recent use—union hall, off-site use only

Bldg. 2170
Property #: 21199810313
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 2204
Property #: 21199810315
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 3525 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 2225
Property #: 21199810316
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 820 sq. ft., presence of lead paint, most recent use—storage, off-site use only

Bldg. 2271
Property #: 21199810317
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 256 sq. ft., presence of lead paint, most recent use—storage, off-site use only

Bldg. 2275
Property #: 21199810318
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 225 sq. ft., presence of lead paint, most recent use—storage, off-site use only

Bldg. 2318
Property #: 21199810322
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 9267 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 4199
Property #: 21199810327
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 386
Property #: 21199820163
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4902 sq. ft., presence of asbestos/lead paint, most recent use—fire station, off-site use only

Bldg. 401
Property #: 21199820164
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 9567 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 856
Property #: 21199820166
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 859
Property #: 21199820167
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2400 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1242
Property #: 21199820168
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2360 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1265
Property #: 21199820169
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2360 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1267
Property #: 21199820170
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1144 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 1272
Property #: 21199820171
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1144 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 1277
Property #: 21199820172
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1144 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldgs. 2142, 2145, 2151–2153
Property #: 21199820174
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 2150
Property #: 21199820175
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2892 sq. ft., presence of asbestos/lead paint, most recent use—dayroom, off-site use only

Bldg. 2155
Property #: 21199820176
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldgs. 2156, 2157, 2163, 2164
Property #: 21199820177
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000

Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 2165
Property #: 21199820178
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2892 sq. ft., presence of asbestos/lead paint, most recent use—dayroom, off-site use only

Bldg. 2167
Property #: 21199820179
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldgs. 2169, 2181, 2182, 2183
Property #: 21199820180
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. 2186
Property #: 21199820181
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1296 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 2187
Property #: 21199820182
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 2892 sq. ft., presence of asbestos/lead paint, most recent use—dayroom, off-site use only

Bldgs. 2192, 2196, 2198
Property #: 21199820183
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 4720 sq. ft., presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldgs. 2304, 2306
Property #: 21199820184
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 1625 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 12651
Property #: 21199820186
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 240 sq. ft., presence of lead paint, off-site use only

Bldg. 1448
Property #: 21199830327
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 8450 sq. ft., presence of asbestos/lead paint, most recent use—training, off-site use only

Bldg. 2210
Property #: 21199830328
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 808 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 2270
Property #: 21199830329
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Unutilized
Comment: 256 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 6036
Property #: 21199910101
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–5000
Status: Underutilized
Comment: 240 sq. ft., off-site use only

Bldg. 9110
Property #: 21199910108
Fort Leonard Wood
Pulaski Co: MO 65473–8994
Status: Underutilized
Comment: 6498 sq. ft., presence of asbestos/lead paint, most recent use—family, quarters, off-site use only

Bldg. 9113, 9115, 9117
Property #: 21199910109
Fort Leonard Wood
Pulaski Co: MO 65473–8994
Status: Underutilized
Comment: 4332 sq. ft., presence of asbestos/lead paint, most recent use—family, quarters, off-site use only

Bldg. 493
Property #: 21199930158
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–
Status: Unutilized
Comment: 26936 sq. ft., concrete presence of asbestos/lead paint, most recent use—store, off-site use only

Bldg. 1178
Property #: 21200040058
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–8994
Status: Unutilized
Comment: 3203 sq. ft., most recent use—fire station, off-site use only

New Hampshire

Building

Bldg. KG001
Property #: 21200030104
Grenier Field USARC
Manchester Co: Rockingham NH 03103–7474
Status: Excess
Comment: 18994 sq. ft., presence of asbestos, most recent use—classroom, off-site use only

Bldg. KG002
Property #: 21200030105
Grenier Field USARC
Manchester Co: Rockingham NH 03103–7474
Status: Excess
Comment: 20014 sq. ft., presence of asbestos, most recent use—storage/store, off-site use only

Bldg. KG003
Property #: 21200030106
Grenier Field USARC
Manchester Co: Rockingham NH 03103–7474
Status: Excess
Comment: 3458 sq. ft., presence of asbestos, most recent use—veh. maint., off-site use only

Bldg. KG005
Property #: 21200030107
Grenier Field USARC
Manchester Co: Rockingham NH 03103–7474
Status: Excess
Comment: 3005 sq. ft., presence of asbestos, most recent use—storage, off-site use only

New Jersey

Building

Bldg. 178
Property #: 21199740312
Armament R&D Engineering Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Status: Unutilized
Comment: 2067 sq. ft., most recent use—research, off-site use only

Bldg. 642
Property #: 21199740314
Armament R&D Engineering Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Status: Unutilized
Comment: 280 sq. ft., most recent use—explosives testing, off-site use only

Bldg. 732
Property #: 21199740315
Armament R&D Engineering Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Status: Untilized
Comment: 9077 sq. ft., need rehab., most recent use—storage, off-site use only

Bldg. 3117
Property #: 21199740322
Armament R&D Engineering Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Status: Unutilized
Comment: 100 sq. ft., most recent use—sentry station, off-site use only

Bldg. Bldg. 3219
Property #: 21199740326
Armament R&D Engineering Center
Picatinny Arsenal Co: Morris NJ 07806–5000
Status: Unutilized
Comment: 288 sq. ft., most recent use—snack bar, off-site use only

New Mexico

Building

9 MFH Units
Property #: 21200040062
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Location: 11201, 12210, 11214, 11217, 11220, 11223, 11244, 11247, 11264
Status: Unutilized

Comment: 1620 sq. ft. each, major repairs required, presence of asbestos, most recent use—housing, off-site use only

19 MFH Units
Property #: 21200040063
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Location: 11202, 11209, 11212, 11216, 11219, 11222, 11224, 11227, 11236, 11241, 11242, 11245, 11249, 11253, 11257, 11260, 11263, 11270, 11273
Status: Unutilized
Comment: 1606 sq. ft. each, major repairs required, presence of asbestos, most recent use—housing, off-site use only

34 MFU Units
Property #: 21200040064
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Status: Unutilized
Comment: 1512 sq. ft. each, major repairs required, presence of asbestos, most recent use—housing, off-site use only

12 MFH Units
Property #: 21200040065
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Location: 11204, 11207, 11226, 11229, 11232, 11235, 11238, 11251, 11255, 11258, 11261, 11266
Status: Unutilized
Comment: 1590 sq. ft. each, major repairs required, presence of asbestos, most recent use—housing, off-site use only

Bldg. 23644
Property #: 21200040066
White Sands Missile Range
White Sands Co: Dona Ana NM 88002–
Status: Unutilized
Comment: 80 sq. ft., poor condition, presence of asbestos, most recent use—equip. facility, off-site use only

New York

Building

Bldg. 801
Property #: 21200030108
US Military Academy
Highlands Co. Orange NY 10996–1592
Status: Unutilized
Comment: 27726 sq. ft., needs repair, possible lead paint, most recent use—warehouse, off-site use only

Bldgs. 109, 110
Property #: 21200040067
Fort Hamilton
Brooklyn Co: NY 11252–
Status: Unutilized
Comment: 39723 sq. ft., needs repair, presence of asbestos, most recent use—guest house, off-site use only

Bldg. T–2276
Property #: 21200040069
Fort Drum
Ft. Drum Co: Jefferson NY 13602–
Status: Unutilized
Comment: 5310 sq. ft., needs repair, most recent use—officer's quarters, off-site use only

Land

Land—6.965 Acres
Property #: 21199540018
Dix Avenue
Queensbury Co: Warren, NY 12801–
Status: Unutilized
Comment: 6.96 acres of vacant land, located in industrial area, potential utilities

300 acres
Property #: 21200040070
U.S. Military Academy
Highlands Co: Orange NY 10996–1592
Status: Unutilized
Comment: approx. 300 acres, contains wetlands and rare flora

Oklahoma

Building

Bldg. T–838, Fort Sill
Property #: 21199220609
838 Macomb Road
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 151 sq. ft., wood frame, 1 story, off-site removal only, most recent use—vet facility (quarantine stable)

Bldg. T–954, Fort Sill
Property #: 21199240659
954 Quinette Road
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3571 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—motor repair shop

Bldg. T–3325, Fort Sill
Property #: 21199240681
3325 Naylor Road
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 8832 sq. ft., 1 story wood frame, needs rehab, off-site use only, most recent use—warehouse

Bldg. T1652, Fort Sill
Property #: 21199330380
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1505 sq. ft., 1-story wood, possible asbestos, most recent use—storage, off-site use only

Bldg. T5637, Fort Sill
Property #: 21199330419
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1606 sq. ft., 1 story, possible asbestos, most recent use—storage, off-site use only

Bldg. T–4226
Property #: 21199440384
Fort Sill
Lawton Co: Comanche OK 73503–
Status: Unutilized
Comment: 114 sq. ft., 1-story wood frame, possible asbestos and lead paint, most recent use—storage, off-site use only

Bldg. P–1015, Fort Sill
Property #: 21199520197
Lawton Co: Comanche OK 73501–5100
Status: Unutilized
Comment: 15402 sq. ft., 1-story, most recent use—storage, off-site use only

Bldg. P–366, Fort Sill
Property #: 21199610740
Lawton Co: Comanche OK 73503–
Status: Unutilized
Comment: 482 sq. ft., possible asbestos, most recent use—storage, off-site use only

Bldg. T–2952
Property #: 21199710047
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 4327 sq. ft., possible asbestos and lead paint, most recent use—motor repair shop, off-site use only

Bldg. P–5042
Property #: 21199710066
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 119 sq. ft., possible asbestos and lead paint, most recent use—heatplant, off-site use only

6 Buildings
Property #: 21199710085
Fort Sill
Lawton Co: Comanche OK 73503–5100
Location: P–6449, S–6451, T–6452, P–6460, P–6463, S–6450
Status: Unutilized
Comment: various sq. ft., possible asbestos and lead paint, most recent use—range support, off-site use only

4 Buildings
Property #: 21199710086
Fort Sill
Lawton Co: Comanche OK 73503–5100
Location: T–6465, T–6466, T–6467, T–6468
Status: Unutilized
Comment: various sq. ft., possible asbestos and leadpaint, most recent use—range support, off-site use only,

Building P–6539
Property #: 21199710087
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1483 sq. ft., possible asbestos and leadpaint, most recent use—office, off-site use only,

Bldg. T–208
Property #: 21199730344
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 20525 sq. ft., possible asbestos/lead paint, most recent use—training center, off-site use only,

Bldg. T–214
Property #: 21199730346
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6332 sq. ft., possible asbestos/lead paint, most recent use—training center, off-site use only,

Bldgs. T–215, T–216
Property #: 21199730347
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6300 sq. ft. each, possible asbestos/lead paint, most recent use—storage, off-site use only,

Bldg. T–217
Property #: 21199730348
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6394 sq. ft., possible asbestos/lead paint, most recent use—training center, off-site use only,

Bldg. T–810
Property #: 21199730350

Fort Sill
Lawton Co: Comanache OK 73503–5100
Status: Unutilized
Comment: 7205 sq. ft., possible asbestos/lead paint, most recent use—hay storage, off-site use only,
Bldgs. T–837, T–839
Property #: 21199730351
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 100 sq. ft. each, possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. P–934
Property #: 21199730353
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 402 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–1177
Property #: 21199730356]
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 183 sq. ft., possible asbestos/lead paint, most recent use—snack bar, off-site use only,
Bldgs. T–1468, T–1469
Property #: 21199730357
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 114 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–1470
Property #: 21199730358
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3120 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–1940
Property #: 21199730360
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1400 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–1954, T–2022
Property #: 21199730362
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 100 sq. ft., each, possible asbestos/lead paint, most recent use—storage, off-site use only
Bldg. T–2180
Property #: 21199730363
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: possible asbestos/lead paint, most recent use—vehicle maint. facility, off-site use only
Bldg. T–2184
Property #: 21199730364
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 454 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldg. T–2185
Property #: 21199730365
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 151 sq. ft., possible asbestos/lead paint, most recent use—fuel storage, off-site use only
Bldgs. T–2186, T–2188, T–2189
Property #: 21199730366
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1656—3583 sq. ft., possible asbestos/lead paint, most recent use—vehicle maint. shop, off-site use only
Bldg. T–2187
Property #: 21199730367
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1673 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldg. T–2209
Property #: 21199730368
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1257 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–2240, T–2241
Property #: 21199730369
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 9500 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–2262, T–2263
Property #: 21199730370
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 3100 sq. ft., possible asbestos/lead paint, most recent use—maint. shop, off-site use only
Bldgs. T–2271, T–2272
Property #: 21199730371
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 232 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–2291 thru T–2296
Property #: 21199730372
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 400 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
5 Bldgs.
Property #: 21199730373
Fort Sill
T–2300, T–2301, T–2303, T–2306, T–2307
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: various sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–2406
Property #: 21199730374
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 114 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
3 Bldgs.
Property #: 21199730376
Fort Sill
T–2430, T–2432, T–2435
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 8,900 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only,
Bldg. T–2434
Property #: 21199730377
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 8997 sq. ft., possible asbestos/lead paint, most recent use—vehicle maint. shop, off-site use only,
Bldgs. T–3001, T–3006
Property #: 21199730383
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: approx. 9300 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–3025.
Property #: 21199730384
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 5259 sq. ft., possible asbestos/lead paint, most recent use—museum, off-site use only,
Bldg. T–3314
Property #: 21199730385
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 229 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only,
Bldg. T–3323
Property #: 21199730387
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 8832 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only,
Bldgs. T–4021, T–4022
Property #: 21199730389
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 442–869 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–4065
Property #: 21199730390
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized

Comment: 3145 sq. ft., possible asbestos/lead paint, most recent use—maint. shop, off-site use only,
Bldg. T–4067
Property #: 21199730391
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1032 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only,
Bldg. T–4281
Property #: 21199730392
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 9405 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–4401, T–4402
Property #: 21199730393
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 2260 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
Bldg. T–4407
Property #: 21199730395
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3070 sq. ft., possible asbestos/lead paint, most recent use—dining facility, off-site use only
4 Bldgs.
Property #: 21199730396
Fort Sill
#T–4410, T–4414, T–4415, T–4418
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1311 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
5 Bldgs.
Property #: 21199730397
Fort Sill
#T–4411 thru T–4413, T–4416 thru T–4417
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1244 sq. ft., possible asbestos/lead paint, most recent use—showers, off-site use only
Bldg. T–4421
Property #: 21199730398
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3070 sq. ft., possible asbestos/lead paint, most recent use—dining, off-site use only
10 Bldgs.
Property #: 21199730399
Fort Sill
#T–4422 thru T–4427, T–4431 thru T–4434
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 2263 sq. ft., possible asbestos/lead paint, most recent use—barracks, off-site use only
6 Bldgs.
Property #: 21199730400
Fort Sill
Lawton Co: Comanche OK 73503–5100
Location: #T–4436, T–4440, T–4445, T–4448, T–4449
Status: Unutilized
Comment: 1311–2263 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
5 Bldgs.
Property #: 21199730401
Fort Sill
Lawton Co: Comanche OK 73503–5100
Location: #T–4441, T–4442, T–4443, T–4446, T–4447
Status: Unutilized
Comment: 1244 sq. ft., possible asbestos/lead paint, most recent use—showers, off-site use only
Bldg. T–5041
Property #: 21199730409
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 763 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only
Bldgs. T–5044, T–5045
Property #: 21199730410
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1798/1806 sq. ft., possible asbestos/lead paint, most recent use—class rooms, off-site use only
4 Bldgs.
Property #: 21199730411
Fort Sill
Location: #T–5046, T–5047, T–5048, T–5049
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: various sq. ft., possible asbestos/lead paint, most recent use—fuel storage, off-site use only
Bldg. T–5420
Property #: 21199730414
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 189 sq. ft., possible asbestos/lead paint, most recent use—fuel storage, off-site use only
Bldg. T–5639
Property #: 21199730416
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 10720 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
Bldgs. T–7290, T–7291
Property #: 21199730417
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 224/840 sq. ft., possible asbestos/lead paint, most recent use—kennel, off-site use only
Bldg. T–7775
Property #: 21199730419
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1452 sq. ft., possible asbestos/lead paint, most recent use—private club, off-site use only
Bldg. T–207
Property #: 21199910130
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 19531 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
Bldgs. P–364, P–584, P–588
Property #: 21199910131
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 106 sq. ft., possible asbestos/lead paint, most recent use—utility plant, off-site use only
Bldg. P–599
Property #: 21199910132
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1400 sq. ft., possible asbestos/lead paint, most recent use—clubhouse, off-site use only
4 Bldgs.
Property #: 21199910133
Fort Sill
P–617, P–1114, P–1386, P–1608
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 106 sq. ft., possible asbestos/lead paint, most recent use—utility plant, off-site use only
Bldg. P–746
Property #: 21199910135
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6299 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only
Bldgs. P–1908, P–2078
Property #: 21199910136
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 106 & 131 sq. ft., possible asbestos/lead paint, most recent use—utility plant, off-site use only
Bldg. T–2183
Property #: 21199910139
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 14530 sq. ft., possible asbestos/lead paint, most recent use—repair shop, off-site use only
Bldgs. P–2581, P–2773
Property #: 21199910140
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 4093 and 4129 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only
Bldg. P–2582
Property #: 21199910141
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3672 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only
Bldgs. P–2912, P–2921, P–2944
Property #: 21199910144

Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1390 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. S–3169
Property #: 21199910145
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6437 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. P–2914
Property #: 21199910146
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1236 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. P–3469
Property #: 21199910147
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 3930 sq. ft., possible asbestos/lead paint, most recent use—car wash, off-site use only

Bldg. S–3559
Property #: 21199910148
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 9462 sq. ft., possible asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. S–4064
Property #: 21199910149
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1389 sq. ft., possible asbestos/lead paint, off-site use only

Bldg. T–4748
Property #: 21199910151
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1896 sq. ft., possible asbestos/lead paint, most recent use—classroom, off-site use only

Bldg. S–5086
Property #: 21199910152
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 6453 sq. ft., possible asbestos/lead paint, most recent use—maintenance shop, off-site use only

Bldg. P–5101
Property #: 21199910153
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 82 sq. ft., possible asbestos/lead paint, most recent use—gas station, off-site use only

Bldg. P–5638
Property #: 21199910155
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 300 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. S–6430
Property #: 21199910156
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 2080 sq. ft., possible asbestos/lead paint, most recent use—range support, off-site use only

Bldg. T–6461
Property #: 21199910157
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 200 sq. ft., possible asbestos/lead paint, most recent use—range support, off-site use only

Bldg. T–6462
Property #: 21199910158
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 64 sq. ft., possible asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. P–7230
Property #: 21199910159
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 160 sq. ft., possible asbestos/lead paint, most recent use—transmitter bldg., off-site use only

Bldg. S–7960
Property #: 21199930159
Fort Sill
Lawton Co: Comanche OK 73503–
Status: Unutilized
Comment: 120 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. S–7961
Property #: 21199930160
Fort Sill
Lawton Co: Comanche OK 73503–
Status: Unutilized
Comment: 36 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–1931
Property #: 21200010126
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 807 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. T–1932
Property #: 21200010127
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1620 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. S–4032
Property #: 21200010128
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 1200 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. S–4063
Property #: 21200010129
Fort Sill
Lawton Co: Comanche OK 73503–5100
Status: Unutilized
Comment: 4820 sq. ft., possible asbestos/lead paint, most recent use—classroom, off-site use only

South Carolina

Building

Bldg. 3499
Property #: 21199730310
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Status: Unutilized
Comment: 3724 sq. ft., needs repair, most recent use—admin

Bldg. 2441
Property #: 21199820187
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Status: Unutilized
Comment: 2160 sq. ft., needs repair, most recent use—admin

Bldg. 3605
Property #: 21199820188
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Status: Unutilized
Comment: 711 sq. ft., needs repair, most recent use—storage

Bldg. 1765
Property #: 21200030109
Fort Jackson
Ft. Jackson Co: Richland SC 29207–
Status: Unutilized
Comment: 1700 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—training bldg., off-site use only

Texas

Building

Bldg. T–5901
Property #: 21199330486
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 742 sq. ft., 1-story wood frame, most recent use—admin., off-site use only

Bldg. 4480, Fort Hood
Property #: 21199410322
Fort Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 2160 sq. ft., 1-story, most recent use—storage, off-site use only

Bldg. P–6615
Property #: 21199440454
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status:: Excess
Comment: 400 sq. ft., 1-story concrete frame, off-site removal only, most recent use—detached garage

Bldg. 4201, Fort Hood
Property #: 21199520201
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 9000 sq. ft., 1-story, off-site use only

Bldg. 7137, Fort Bliss
Property #: 21199640564
El Paso Co: El Paso TX 79916–
Status: Unutilized

Comment: 35736 sq. ft., 3-story, most recent use—housing, off-site use only

Building 4630
Property #: 21199710088
Fort Hood
Fort Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 21833 sq. ft., most recent use—Admin., off-site use only

Bldgs. P–605A & P–606A
Property #: 21199730316
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2418 sq. ft., poor condition, presence of asbestos/lead paint, historical category, most recent use—indoor firing range, off-site use only

Bldg. S–1150
Property #: 21199730317
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 8629 sq. ft., presence of asbestos/lead paint, most recent use—instruction bldg., off-site use only

Bldg. T–5122
Property #: 21199730331
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 3602 sq. ft., presence of asbestos/lead paint, historical category, most recent use—instruction bldg., off-site use only

Bldg. T–5903
Property #: 21199730332
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 5200 sq. ft., presence of asbestos/lead paint, historical category, most recent use—admin., off-site use only

Bldg. T–5907
Property #: 21199730333
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 570 sq. ft., presence of asbestos/lead paint, historical category, most recent use—admin., off-site use only

Bldg. T–5906
Property #: 21199730420
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 570 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. P–1382
Property #: 21199810365
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 30082 sq. ft., presence of asbestos/lead paint, most recent use—housing, off-site use only

Bldg. S–1155
Property #: 21199830347
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2100 sq. ft., good, hazard abatement required, most recent use—instruction bldg., off-site use only

Bldg. T–5123
Property #: 21199830350
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2596 sq. ft., fair, hazard abatement required, most recent use—instruction bldg., off-site use only, historical significance

Bldg. P–6150
Property #: 21199830351
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 48 sq. ft., fair, hazard abatement required, most recent use—pumphouse, off-site use only

Bldgs. P–6331, P–6335, P–6495
Property #: 21199830353
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 36 sq. ft., fair, hazard abatement required, most recent use—pumping station, off-site use only

Bldg. P–8000
Property #: 21199830354
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1766 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

9 Bldgs.
Property #: 21199830355
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8001, P8008, 8014, 8027, 8033, 8035, 8127, 8229, 8265
Status: Unutilized
Comment: 2456 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

11 Bldgs.
Property #: 21199830356
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8003, P80011, 8012, 8019, 8043, 8202, 8204, 8216, 8235, 8241, 8261
Status: Unutilized
Comment: 2358 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P–8003C, P–8220C
Property #: 21199830357
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1174 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldg. P–8004
Property #: 21199830358
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2243 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

7 Bldgs.
Property #: 21199830359
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8005, 8101, 8107, 8141, 8143, 8146, 8150
Status: Unutilized
Comment: 1804 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

7 Bldgs.
Property #: 21199830361
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8009, 8024, 8207, 8214, 8217, 8226, 8256
Status: Unutilized
Comment: 2253 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

4 Bldgs.
Property #: 21199830362
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8009C, 8027C, 8248C, 8256C
Status: Unutilized
Comment: 681 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

3 Bldgs.
Property #: 21199830363
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8012C, 8039C, 8224C,
Status: Unutilized
Comment: 1185 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldg. P8016
Property #: 21199830364
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8012C, 8027C, 8248C, 8256C
Status: Unutilized
Comment: 2347 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

8 Bldgs.
Property #: 21199830365
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8021, 8211, 8244, 8270, 8213, 8223, 8243, 8266
Status: Unutilized
Comment: 249 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P–8022
Property #: 21199830366
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1849 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

5 Bldgs.
Property #: 21199830367
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8022C, 8023C, 8106C, 8206C
Status: Unutilized
Comment: 513 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldgs. P8026, P8028
Property #: 21199830369
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized

Comment: approx. 1850 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

3 Bldgs.
Property #: 21199830370
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8028C, P8143C, P8150C,
Status: Unutilized
Comment: 838 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

3 Bldgs.
Property #: 21199830372
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8035C, P8104C, 8236C
Status: Unutilized
Comment: 1017 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

3 Bldgs.
Property #: 21199830375
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8102, 8106, 8108
Status: Unutilized
Comment: 2700 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8109, P8137
Property #: 21199830376
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1540 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8112, P8228
Property #: 21199830378
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1807 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

3 Bldgs.
Property #: 21199830380
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: P8116, 8151, 8158
Status: Unutilized
Comment: 1691 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8117
Property #: 21199830381
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1581 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

8 Bldgs.
Property #: 21199830382
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8118, 8121, 8125, 8153, 8119, 8120, 8124, 8168
Status: Unutilized
Comment: various sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8122, P8123
Property #: 21199830383
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: approx. 1400 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8126
Property #: 21199830384
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1331 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

8 Bldgs.
Property #: 21199830386
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: P8131C, 8139C, 8203C, 8211C, 8231C, 8243C, 8249C, 8261C
Status: Unutilized
Comment: 849 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldgs. P8133, P8134
Property #: 21199830387
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: approx. 2000 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8135, P8136
Property #: 21199830388
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: approx. 1500 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

4 Bldgs.
Property #: 21199830389
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8144, 8267, 8148, 8149
Status: Unutilized
Comment: approx. 2200 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8171
Property #: 21199830392
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1289 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8172
Property #: 21199830393
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1597 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8173, P8174
Property #: 21199830394
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: approx. 2200 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8174C
Property #: 21199830395
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 670 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldg. P8175
Property #: 21199830396
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2220 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8200
Property #: 21199830397
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 892 sq. ft., fair, hazard abatement required, most recent use—officers quarters, off-site use only

Bldg. P8205
Property #: 21199830399
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1745 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

3 Bldgs.
Property #: 21199830400
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8206, 8232, 8233
Status: Unutilized
Comment: 2400 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. P8245
Property #: 21199830401
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2876 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldgs. P8262C, 8271C
Property #: 21199830403
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1006 sq. ft., fair, hazard abatement required, most recent use—detached garage, off-site use only

Bldg. P8269
Property #: 21199830404
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 2396 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

20 Bldgs.
Property #: 21199830405
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Location: #P8271, 8002, 8018, 8025, 8037, 8100, 8130, 8132, 8138, 8140, 8142, 8145, 8147, 8210, 8212, 8221, 8242, 8247, 8264, 8257
Status: Unutilized

Comment: 2777 sq. ft., fair, hazard abatement required, most recent use—housing, off-site use only

Bldg. 41
Property #: 21199920208
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 1750 sq. ft., needs repair, most recent use—admin., off-site use only

Bldg. 919
Property #: 21199920212
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 11800 sq. ft., needs repair, most recent use—Bde. Hq. Bldg., off-site use only

Bldg. 923
Property #: 21199920213
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 4440 sq. ft., needs repair, most recent use—admin., off-site use only

Bldg. 924
Property #: 21199920214
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 3500 sq. ft., needs repair, most recent use—admn., off-site use only

Bldg. 3959
Property #: 21199920224
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 3373 sq. ft., needs repair, most recent use—admin., off-site use only

Bldgs. 3967–3969
Property #: 21199920228
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., needs repair, most recent use—admin., off-site use only

Bldgs. 3970–3971
Property #: 21199920229
Fort Hood
Ft. Hood Co: Coryell TX 76544–
Status: Unutilized
Comment: 3241 sq. ft., needs repair, most recent use—admin., off-site use only

4 Bldgs.
Property #: 21200010132
Fort Sam Houston
S6161, S6162, S6167, S6168
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 900 sq. ft., needs major repairs, most recent use—admin., off-site use only

Bldg. S1448
Property #: 21200010133
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 4200 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. T5001
Property #: 21200010134
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1186 sq. ft., needs major repairs, possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. S6163
Property #: 212200010136
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 3200 sq. ft., needs major repairs, most recent use—admin., off-site use only

Bldg. S6169
Property #: 21200010137
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 1800 sq. ft., needs major repairs, most recent use—admin., off-site use only

Bldg. P–2375A
Property #: 21200020202
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 108 sq. ft., presence of lead paint, most recent use—storage, off-site use only

Bldg. T–5004
Property #: 21200020203
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 4489 sq. ft., presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 92043
Property #: 21200020206
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 450 sq. ft., most recent use—storage, off-site use only

Bldg. 92044
Property #: 21200020207
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 1920 sq. ft., most recent use—admin., off-site use only

Bldg. 92045
Property #: 21200020208
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 2108 sq. ft., most recent use—maint., off-site use only

Bldg. P–8219
Property #: 21200030110
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Excess
Comment: 2456 sq. ft., presence of asbestos/lead paint, most recent use—family house, off-site use only

Bldg. 4422
Property #: 21200030111
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Bldg. 4423
Property #: 21200030112
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Bldg. 4462
Property #: 21200030113
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Bldg. 4463
Property #: 21200030114
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Bldg. 4464
Property #: 21200030115
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Bldg. 4469
Property #: 21200030116
Fort Hood
Ft. Hood Co: Bell TX 76544–
Status: Unutilized
Comment: 5310 sq. ft., most recent use—barracks, off-site use only

Land

Old Camp Bullis Road
Property #: 21199420461
Fort Sam Houston
San Antonio Co: Bexar TX 78234–5000
Status: Unutilized
Comment: 7.16 acres, rural gravel road

Castner Range
Property #: 21199610788
Fort Bliss
El Paso Co: El Paso TX 79916–
Status: Unutilized
Comment: approx. 56.81 acres, portion of floodway, most recent use—recreation picnic park

Virginia

Building

Bldg. 178
Property #: 21199940046
Fort Monroe
Ft. Monroe Co: VA 23651–
Status: Unutilized
Comment: 1180 sq. ft., needs repair, most recent use—storage, off-site use only

Bldg. T246
Property #: 21199940047
Fort Monroe
Ft. Monroe Co: VA 23651–
Status: Unutilized
Comment: 756 sq. ft., needs repair, possible lead paint, most recent use—scout meetings, off-site use only

Bldg. TT0114
Property #: 21200020209
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 1440 sq. ft., needs rehab, most recent use—admin., off-site use only

Bldg. TT0130
Property #: 21200020213
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized

Comment: 861 sq. ft., needs rehab, presence of asbestos, most recent use—transient UOQ, off-site use only

Bldg. TT0131
Property #: 21200020214
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 861 sq. ft., needs rehab, presence of asbestos, most recent use—transient UOQ, off-site use only

Bldg. TT0132
Property #: 21200020215
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 800 sq. ft., needs rehab, presence of asbestos, most recent use—transient UOQ, off-site use only

Bldg. TT0133
Property #: 21200020216
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 800 sq. ft., needs rehab, presence of asbestos, most recent use—transient UOQ, off-site use only

Bldg. TT0139
Property #: 21200020217
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 800 sq. ft., needs rehab, presence of asbestos, most recent use—storage, off-site use only

Bldg. TT0158
Property #: 21200020218
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 361 sq. ft., needs rehab, presence of asbestos, most recent use—storage, off-site use only

Bldg. TT0163
Property #: 21200020219
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 1920 sq. ft., needs rehab, presence of asbestos, most recent use—admin., off-site use only

Bldg. P01530
Property #: 21200020222
Fort A.P. Hill
Bowling Green Co: Caroline VA 22427–
Status: Unutilized
Comment: 112 sq. ft., needs rehab, presence of asbestos, most recent use—storage, off-site use only

Bldgs. 1630, 1633, 1636
Property #: 21200030119
Fort Eustis
Ft. Eustis Co: VA 23604–
Status: Unutilized
Comment: 720 sq. ft., most recent use—storehouse, off-site use only

Washington

Building

13 Bldgs., Fort Lewis
Property #: 21199630199
A0402, C0723, C0726, C0727, C0902, C0907, C0922, C0923, C0926, C0927
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 2360 sq. ft., possible asbestos/lead paint, most recent use—barracks, off-site use only

7 Bldgs., Fort Lewis
Property #: 21199630200
A0438, A0439, C0901, C0910, C0911
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 1144 sq. ft., possible asbestos/lead paint, most recent use—dayroom bldgs., off-site use only

6 Bldgs., Fort Lewis
Property #: 21199630204
C0908, C0728, C0921, C0928, C1008
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 2207 sq. ft., possible asbestos/lead paint, most recent use—dining, off-site use only

Bldg. C0909, Fort Lewis
Property #: 21199630205
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 1984 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. C0920, Fort Lewis
Property #: 21199630206
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 1984 sq. ft., possible asbestos/lead paint, most recent use—admin., off-site use only

Bldg. C1249, Fort Lewis
Property #: 21199630207
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 992 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1164, Fort Lewis
Property #: 21199630213
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 230 sq. ft., possible asbestos/lead paint, most recent use—storehouse, off-site use only

Bldg. 1307, Fort Lewis
Property #: 21199630216
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 1092 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 1309, Fort Lewis
Property #: 21199630217
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 1092 sq. ft., possible asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 2167, Fort Lewis
Property #: 21199630218
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 288 sq. ft., possible asbestos/lead paint, most recent use—warehouse, off-site use only

Bldg. 4078, Fort Lewis
Property #: 21199630219
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 10200 sq. ft., needs rehab, possible asbestos/lead paint, most recent use—warehouse, off-site use only

Bldg. 9599, Fort Lewis
Property #: 21199630220
Ft. Lewis Co: Pierce WA 98433–9500
Status: Unutilized
Comment: 12366 sq. ft., possible asbestos/lead paint, most recent use—warehouse, off-site use only

Bldg. A1404, Fort Lewis
Property #: 21199640570
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 557 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. A1419, Fort Lewis
Property #: 21199640571
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1307 sq. ft., needs rehab, most recent use—storage, off-site use only

Bldg. EO202
Property #: 21199710149
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 992 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. EO347
Property #: 21199710156
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1800 sq. ft., possible asbestos/lead paint, most recent use—office, off-site use only

Bldg. B1008, Fort Lewis
Property #: 21199720216
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 7387 sq. ft., 2-story, needs rehab, possible asbestos/lead paint, most recent use—medical clinic, off-site use only

Bldgs. B1011–B1012, Fort Lewis
Property #: 21199720217
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 992 sq. ft. and 1144 sq. ft., needs rehab, possible asbestos/lead paint, most recent use—office, off-site use only

Bldgs. CO509, CO709, CO720
Property #: 21199810372
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1984 sq. ft., possible asbestos/lead paint, needs rehab, most recent use—storage, off-site use only

4 Bldgs.
Property #: 21199810373
Fort Lewis
CO511, CO710, CO711, CO719
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1144 sq. ft., possible asbestos/lead paint, needs rehab, most recent use—dayrooms, off-site use only

11 Bldgs.
Property #: 21199810374
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–

Location: CO28, CO701, CO708, CO721, CO526, CO527, CO702, CO703, CO706, CO707, CO722
Status: Unutilized
Comment: 2207 sq. ft., possible asbestos/lead paint, needs rehab, most recent use—dining, off-site use only

Bldg. 5162
Property #: 21199830419
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 2360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. A0631
Property #: 21199830422
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 2207 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—dayroom, off-site use only

Bldg. B0813
Property #: 21199830427
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. B0812
Property #: 21199830428
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 1144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—dayroom, off-site use only

Bldg. 5224
Property #: 21199830433
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 2360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—educ. fac., off-site use only

Bldg. U001B
Property #: 21199920237
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 54 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U001C
Property #: 21199920238
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 960 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—supply, off-site use only

10 Bldgs.
Property #: 21199920239
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U002B, U002C, U005C, U015I, U016E, U019C, U022A, U028B, 0091A, U093C
Status: Excess
Comment: 600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

6 Bldgs.
Property #: 21199920240
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U003A, U004B, U006C, U015B, U016B, U019B
Status: Unutilized
Comment: 54 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U004D
Property #: 21199920241
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 960 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—supply, off-site use only

Bldg. U005A
Property #: 21199920242
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldgs. U006A, U024A
Property #: 21199920243
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1440 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shelter, off-site use only

Bldgs. U007A, U021A
Property #: 21199920244
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 100 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

7 Bldgs.
Property #: 21199920245
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U014A, U022B, U023A, U043B, U059B, U060A, U101A
Status: Excess
Comment: needs repair, presence of asbestos/lead paint, most recent use—ofc/tower/support, off-site use only

Bldg. U015J
Property #: 21199920246
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tower, off-site use only

Bldg. U018B
Property #: 21199920247
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 121 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U018C
Property #: 21199920248
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 48 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. U024B
Property #: 21199920249
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 168 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U024D
Property #: 21199920250
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 120 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—ammo bldg., off-site use only

Bldg. U027A
Property #: 21199920251
Fort Lewis
Ft. Lewis Co: Pierce WA–
Status: Excess
Comment: 64 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tire house, off-site use only

Bldg. U028A–U032A
Property #: 21199920252
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 72 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U031A
Property #: 21199920253
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 3456 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—line shed, off-site use only

Bldg. U031C
Property #: 21199920254
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Unutilized
Comment: 32 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. U040D
Property #: 21199920255
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 800 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U052C, U052H
Property #: 21199920256
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: various sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U035A, U035B
Property #: 21199920257
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 192 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U035C
Property #: 21199920258
Fort Lewis

Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 242 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U039A
Property #: 21199920259
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 36 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U039B
Property #: 21199920260
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—grandstand/bleachers, off-site use only

Bldg. U039C
Property #: 21199920261
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support, off-site use only

Bldg. U043A
Property #: 21199920262
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 132 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

Bldg. U052A
Property #: 21199920263
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 69 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tower, off-site use only

Bldg. U052E
Property #: 21199920264
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. Uo52G
Property #: 21199920265
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shelter, off-site use only

3 Bldgs.
Property #: 21199920266
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U058A, U103A, U018A
Status: Excess
Comment: 36 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—control tower, off-site use only

Bldg. U059A
Property #: 21199920267
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 16 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tower, off-site use only

Bldg. U093B
Property #: 21199920268
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 680 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—range house, off-site use only

4 Bldgs.
Property #: 21199920269
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U101B, U101C, U507B, U557A
Status: Excess
Comment: 400 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. U102B
Property #: 21199920270
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1058 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shelter, off-site use only

Bldg. U108A
Property #: 21199920271
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 31320 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—line shed, off-site use only

Bldg. U110B
Property #: 21199920272
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 138 sq. ft., needs repair, presence of asbestos/lead paing, most recent use—support, off-site use only

6 Bldgs.
Property #: 21199920273
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: U111A, U015A, U024E, U052F, U109A, U110A
Status: Excess
Comment: 1000 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support/shelter/mess, off-site use only

Bldg. U112A
Property #: 21199920274
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shelter, off-site use only

Bldg. U115A
Property #: 21199920275
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 36 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—tower, off-site use only

Bldg. U507A
Property #: 21199920276
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 400 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—support, off-site use only

Bldg. U516B
Property #: 21199920277
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 5000 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shed, off-site use only

7 Bldgs.
Property #: 21199920278
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Location: F0002, F0004, F0003, F0005, F0006, F0008, F0009
Comment: various sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storehouse, off-site use only

Bldg. F0022A
Property #: 21199920279
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 4373 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—gen. inst., off-site use only

Bldg. F0022B
Property #: 21199920280
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 3100 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. C0120
Property #: 21199920281
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 384 sq. ft., needs repair, presence of asbestos/lead paint most recent use—scale house, off-site use only

Bldg. A0220
Property #: 21199920282
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 2284 sq. ft., needs repair, presence of asbestos/lead paint most recent use—club facility, off-site use only

18 Bldgs.
Property #: 21199920283
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: A0337, A0617, B0820, B0821, C0319, C0833, C0310, C0311, C0318, C1019, D0712, D0713, D0720, D0721, D1108, D1153, C1011, C1018
Status: Excess
Comment: 1144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—day room, off-site use only

Bldg. A0334
Property #: 21199920284
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1092 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—sentry station, off-site use only

7 Bldgs.
Property #: 21199920285
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: C0302, C0303, C0306, C0322, C0323, C0326, C0327
Status: Excess
Comment: 2340 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—barracks, off-site use only

12 Bldgs.
Property #: 21199920287
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Location: C1002, C1003, C1006, C1007, C1022, C1023, C1026, C1027, C1207, C1301, C13333, C1334
Status: Excess
Comment: 2360 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—barracks, off-site use only

Bldg. E1010
Property #: 21199920288
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 148 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—gas station, off-site use only

Bldg. D1154
Property #: 21199920289
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 1165 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—day room, off-site use only

Bldg. 01205
Property #: 21199920290
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 87 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storehouse, off-site use only

Bldg. 01259
Property #: 21199920291
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 16 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 01266
Property #: 21199920292
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 45 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shelter, off-site use only

Bldg. 1445
Property #: 21199920294
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 144 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—generator bldg., off-site use only

Bldg. 02082
Property #: 21199920295
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 16 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldgs. 03091, 03099
Property #: 21199920296
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: various sq. ft., needs repair, presence of asbestos/lead paint, most recent use—sentry station, off-site use only

Bldgs. 03100, 3101
Property #: 21199920297
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: various sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 4040
Property #: 21199920298
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 8326 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—shed, off-site use only

Bldgs. 4072, 5104
Property #: 21199920299
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 24/36 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. 4295
Property #: 21199920300
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 48 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 5170
Property #: 21199920301
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 19411 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—store, off-site use only

Bldg. 6191
Property #: 21199920303
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 3663 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—exchange branch, off-site use only

Bldgs. 08076, 08080
Property #: 21199920304
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 3660/412 sq. ft., needs repair, presence of asbestos/lead paint, off-site use only

Bldg. 08093
Property #: 21199920305
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 289 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—boat storage, off-site use only

Bldg. 8279
Property #: 21199920306
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 210 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—fuel disp. fac., off-site use only

Bldgs. 8280, 8291
Property #: 21199920307
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 800/464 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 8956
Property #: 21199920308
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 100 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 9530
Property #: 21199920309
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 64 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—sentry station, off-site use only

Bldg. 9574
Properity #: 21199920310
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 6005 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—veh. shop., off-site use only

Bldg. 9596
Properity #: 21199920311
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 36 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—gas station, off-site use only

Bldg. 9939
Properity #: 21199920313
Fort Lewis
Ft. Lewis Co: Pierce WA 98433–
Status: Excess
Comment: 600 sq. ft., needs repair, presence of asbestos/lead paint, most recent use—recreation, off-site use only

Bldg. 607
Properity #: 21200030120
Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 10120 sq. ft., National Historic Preservation Act requirements, most recent use—office

Bldg. 614
Properity #: 21200030121
Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 38981 sq. ft., National Historic Preservation Act requirements, most recent use—admin.

Bldg. 626
Properity #: 21200030122

Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 1710 sq. ft., National Historic Preservation Act requirements, most recent use—admin.

Bldg. 628
Properity #: 21200030123
Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 2621 sq. ft., National Historic Preservation Act requirements, most recent use—admin.

Bldg. 636
Properity #: 21200030124
Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 9686 sq. ft., National Historic Preservation Act requirements, most recent use—admin.

Bldg. 638
Properity #: 21200030125
Vancouver Barracks
Vancouver Co: Clark WA 98661–3826
Status: Unutilized
Comment: 33822 sq. ft., National Historic Preservation Act requirements, most recent use—admin.

COE

Arkansas

Land

Parcel 01
Properity #: 31199010071
DeGray Lake
Section 12
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 77.6 acres

Parcel 02
Properity #: 31199010072
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 198.5 acres

Parcel 03
Property #: 31199010073
DeGray Lake
Section 18
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 5.46 acres

Parcel 04
Property #: 31199010074
DeGray Lake
Section 24, 25, 30 and 31
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 236.37 acres

Parcel 05
Property #: 31199010075
DeGray Lake
Section 16
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 187.30 acres

Parcel 06
Property #: 31199010076
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 13.0 acres

Parcel 07
Property #: 31199010077
DeGray Lake
Section 34
Arkadelphia Co: Hot Spring AR 71923–9361
Status: Unutilized
Comment: 0.27 acres

Parcel 08
Property #: 31199010078
DeGray Lake
Section 13
Arkadelphia Co: Clark AR 71923–9361
Status: Unutilized
Comment: 14.6 acres

Parcel 09
Property #: 31199010079
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Status: Unutilized
Comment: 6.60 acres

Parcel 10
Property #: 31199010080
DeGray Lake
Section 12
Arkadelphia Co: Hot Spring AR 71923–9361
Status: Unutilized
Comment: 4.5 acres

Parcel 11
Property #: 31199010081
DeGray Lake
Section 19
Arkadelphia Co: Hot Spring AR 71923–9361
Status: Unutilized
Comment: 19.50 acres

Lake Greeson
Property #: 31199010083
Section 7, 8 and 18
Murfreesboro Co: Pike AR 71958–9720
Status: Unutilized
Comment: 46 acres

Kansas

Land

Parcel 1
Property #: 31199010064
El Dorado Lake
Section 13, 24, and 18
(See County) Co: Butler KS
Status: Unutilized
Comment: 61 acres; most recent use—recreation

Kentucky

Building

Green River Lock & Dam #3
Property #: 31199010022
Rochester Co: Butler KY 42273–
Location: SR 70 west from Morgantown, KY., approximately 7 miles to site.
Status: Unutilized
Comment: 980 sq. ft.; 2 story wood frame; two story residence; potential utilities; needs major rehab

Kentucky River Lock & Dam 3
Property #: 31199010060
Pleasureville Co: Henry KY 40057–
Location: SR 421 North from Frankfort, KY. to highway 561, right on 561 approximately 3 miles to site.
Status: Unutilized
Comment: 897 sq. ft.; 2 story wood frame; structural deficiencies

Bldg. 1
Property #: 31199011628
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.
Status: Unutilized
Comment: 1530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab

Bldg. 2
Property #: 31199011629
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.
Status: Unutilized
Comment: 1530 sq. ft.; 2 story wood frame house; subject to periodic flooding; needs rehab

Utility Bldg, Nolin River Lake
Property #: 31199320002
Moutardier Recreation Site
Co: Edmonson KY
Status: Unutilized
Comment: 541 sq. ft., concrete block, off-site use only

Land

Tract 2625
Property #: 31199010025
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: Adjoining the village of Rockcastle.
Status: Excess
Comment: 2.57 acres; rolling and wooded

Tract 2709–10 and 2710–2
Property #: 31199010026
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Status: Excess
Comment: 2.00 acres; steep and wooded

Tract 2708–1 and 2709–1
Property #: 31199010027
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 2½ miles in a southerly direction from the village of Rockcastle.
Status: Excess
Comment: 3.59 acres; rolling and wooded; no utilities

Tract 2800
Property #: 31199010028
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 4½ miles in a southerly direction from the village of Rockcastle.
Status: Excess
Comment: 5.44 acres; steep and wooded

Tract 2915
Property #: 31199010029
Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 6½ miles west of Cadiz.
Status: Excess
Comment: 5.76 acres; steep and wooded; no utilities

Tract 2702
Property #: 31199010031

Barkley Lake, Kentucky, and Tennessee
Cadiz Co: Trigg KY 42211–
Location: 1 mile in a southerly direction from the village of Rockcastle.
Status: Excess
Comment: 4.90 acres; wooded; no utilities

Tract 4318
Property #: 31199010032
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.
Status: Excess
Comment: 8.24 acres; steep and wooded

Tract 4502
Property #: 31199010033
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 3½ miles in a southerly direction from Canton, KY.
Status: Excess
Comment: 4.26 acres; steep and wooded

Tract 4611
Property #: 31199010034
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 5 miles south of Canton, KY.
Status: Excess
Comment: 10.51 acres; steep and wooded; no utilities

Tract 4619
Property #: 31199010035
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Status: Excess
Comment: 2.02 acres; steep and wooded; no utilities

Tract 4817
Property #: 31199010036
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 6½ miles south of Canton, KY.
Status: Excess
Comment: 1.75 acres; wooded

Tract 1217
Property #: 31199010042
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the north side of the Illinois Central Railroad
Status: Excess
Comment: 5.80 acres; steep and wooded

Tract 1906
Property #: 31199010044
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4 miles east of Eddyville, KY
Status: Excess
Comment: 25.86 acres; rolling steep and partially wooded; no utilities

Tract 1907
Property #: 31199010045
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: On the waters of Pilfen Creek, 4 miles east of Eddyville, KY.
Status: Excess
Comment: 8.71 acres; rolling steep and wooded; no utilities

Tract 2001 #1
Property #: 31199010046
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY.
Status: Excess
Comment: 47.42 acres; steep and wooded; no utilities

Tract 2001 #2
Property #: 31199010047
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 4½ miles east of Eddyville, KY.
Status: Excess
Comment: 8.64 acres; steep and wooded; no utilities

Tract 2005
Property #: 31199010048
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 5½ miles east of Eddyville, KY.
Status: Excess
Comment: 4.62 acres; steep and wooded; no utilities

Tract 2307
Property #: 31199010049
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: Approximately 7½ miles east of Eddyville, KY.
Status: Excess
Comment: 11.43 acres; steep; rolling and wooded; no utilities

Tract 2403
Property #: 31199010050
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 7 miles southeasterly of Eddyville, KY.
Status: Excess
Comment: 1.56 acres; steep and wooded; no utilities

Tract 2504
Property #: 31199010051
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 9 miles southeasterly of Eddyville, KY.
Status: Excess
Comment: 24.46 acres; steep and wooded; no utilities

Tract 214
Property #: 31199010052
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.
Status: Excess
Comment: 5.5 acres; wooded; no utilities

Tract 215
Property #: 31199010053
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Status: Excess
Comment: 1.40 acres; wooded; no utilities

Tract 241
Property #: 31199010054
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Status: Excess
Comment: 1.26 acres; steep and wooded; no utilities

Tracts 306, 311, 315 and 325
Property #: 31199010055
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.
Status: Excess
Comment: 38.77 acres; steep and wooded; no utilities

Tracts 2305, 2306, and 2400–1
Property #: 31199010056
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42030–
Location: 6½ miles southeasterly of Eddyville, KY.
Status: Excess
Comment: 97.66 acres; steep rolling and wooded; no utilities

Tracts 5203 and 5204
Property #: 31199010058
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: Village of Linton, KY state highway 1254.
Status: Excess
Comment: 0.93 acres; rolling, partially wooded; no utilities

Tract 5240
Property #: 31199010059
Barkley Lake, Kentucky and Tennessee
Linton Co: Trigg KY 42212–
Location: 1 mile northwest of Linton, KY.
Status: Excess
Comment: 2.26 acres; steep and wooded; no utilities

Tract 4628
Property #: 31199011621
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Status: Excess
Comment: 3.71 acres; steep and wooded; subject to utility easements

Tract 4619–B
Property #: 31199011622
Barkley Lake, Kentucky and Tennessee
Canton Co: Trigg KY 42212–
Location: 4½ miles south from Canton, KY.
Status: Excess
Comment: 1.73 acres; steep and wooded; subject to utility easements

Tract 2403–B
Property #: 31199011623
Barkley Lake, Kentucky and Tennessee
Eddyville Co: Lyon KY 42038–
Location: 7 miles southeasterly from Eddyville, KY.
Status: Unutilized
Comment: 0.70 acres; wooded; subject to utility easements

Tract 241–B
Property #: 31199011624
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: South of Old Henson Ferry Road, 6 miles west of Kuttawa, KY.
Status: Excess
Comment: 11.16 acres; steep and wooded; subject to utility easements

Tracts 212 and 237
Property #: 31199011625

Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: Old Henson Ferry Road, 6 miles west of Kuttawa, KY
Status: Excess
Comment: 2.44 acres; steep and wooded; subject to utility easements

Tracts 215–B
Property #: 31199011626
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Status: Excess
Comment: 1.00 acres; steep and wooded; subject to utility easements

Tracts 233
Property #: 31199011627
Barkley Lake, Kentucky and Tennessee
Grand Rivers Co: Lyon KY 42045–
Location: 5 miles southwest of Kuttawa
Status: Excess
Comment: 1.00 acres; steep and wooded; subject to utility easements

Tracts B—Markland Locks & Dam
Property #: 31199130002
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Status: Unutilized
Comment: 10 acres, most recent use—recreational, possible periodic flooding

Tracts A—Markland Locks & Dam
Property #: 31199130003
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Status: Unutilized
Comment: 8 acres, most recent use—recreational, possible periodic flooding

Tracts C—Markland Locks & Dam
Property #: 31199130005
Hwy 42, 3.5 miles downstream of Warsaw
Warsaw Co: Gallatin KY 41095–
Status: Unutilized
Comment: 4 acres, most recent use—recreational, possible periodic flooding

Tracts N—819
Property #: 31199140009
Dale Hollow Lake & Dam Project
Illwill Creek, Hwy 90
Hobart Co: Clinton KY 42601–
Status: Underutilized
Comment: 91 acres, most recent use—hunting, subject to existing easements

Portion of Lock & Dam No. 1
Property #: 31199320003
Kentucky River
Carrolton Co: Carroll KY 41008–0305
Status: Unutilized
Comment: approx. 3.5 acres (sloping), access monitored

Portion of Lock & Dam No. 2
Property #: 31199320004
Kentucky River
Lockport Co: Henry KY 40036–9999
Status: Underutilized
Comment: approx. 13.14 acres (sloping), access monitored

Louisiana

Land

Wallace Lake Dam and Reservoir
Property #: 31199011009
Shreveport Co: Caddo LA 71103–
Status: Unutilized
Comment: 10.81 acres; wildlife/forestry; no utilities

Bayou Bodcau Dam and Reservoir
Property #: 31199011010
Houghton Co: Caddo LA 71037–9707
Location: 35 miles Northeast of Shreveport, La.
Status: Unutilized
Comment: 203 acres; wildlife/forestry; no utilities

Massachusetts

Building

Storage Bldg.
Property #: 31200030005
Knightville Dam Road
Huntington Co: Hampshire MA 01050–
Status: Unutilized
Comment: 480 sq. ft., needs rehab, off-site use only

Minnesota

Building

Project Office
Property #: 31200020007
Mississippi Hdqts Lakes
Proj.
Remer Co: Cass MN 56672–
Status: Unutilized
Comment: 780 sq. ft., needs rehab

Storage 1
Property #: 31200020008
Mississippi Hdqts Lakes
Proj.
Remer Co: Cass MN 56672–
Status: Unutilized
Comment: 2240 sq. ft., needs rehab

Storage 2
Property #: 31200020009
Mississippi Hdqts Lakes
Proj.
Remer Co: Cass MN 56672–
Status: Unutilized
Comment: 180 sq. ft., needs rehab

Land

Land, 2.2 acres
Property #31200020010
Mississippi Hdqts Lakes
Proj
Remer Co: Cass MN 56672–
Status: Unutilized
Comments: 2.2 acres, easements

Mississippi

Land

Parcel 7
Property #: 31199011019
Grenada Lake
Sections 22, 23, T24N
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 100 acres; no utilities; intermittently used under lease—expires 1994

Parcel 8
Property #: 31199011020
Grenada Lake
Sections 20, T24N
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 30 acres; no utilities; intermittently used under lease—expires 1994

Parcel 9
Property #: 31199011021
Grenada Lake
Sections 20, T24N, R7E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 23 acres; no utilities; intermittently used under lease—expires 1994

Parcel 10
Property #: 31199011022
Grenada Lake
Sections 16, 17, 18 T24N R8E
Grenada Co: Calhoun MS 38901–0903
Status: Underutilized
Comment: 490 acres; no utilities; intermittently used under lease—expires 1994

Parcel 2
Property #: 31199011023
Grenada Lake
Sections 20 and T23N, R5E
Grenada Co: Grenada MS 38901–0903
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 3
Property #: 31199011024
Grenada Lake
Section 4, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 120 acres; no utilities; most recent use—wildlife and forestry management; (13.5 acres/agriculture lease)

Parcel 4
Property #: 31199011025
Grenada Lake
Section 2 and 3, T23N, R5E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 60 acres; no utilities; most recent use—wildlife and forestry management

Parcel 5
Property #: 31199011026
Grenada Lake
Section 7, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management; (14 acres/agriculture lease)

Parcel 6
Property #: 31199011027
Grenada Lake
Section 9, T24N, R6E
Grenada Co: Yalobusha MS 38903–0903
Status: Underutilized
Comment: 80 acres; no utilities; most recent use—wildlife and forestry management

Parcel 11
Property #: 31199011028
Grenada Lake
Section 20, T24N, R8E
Grenada Co: Calhoun MS 38901–0903
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 12
Property #: 31199011029
Grenada Lake
Section 25, T24N, R7E
Grenada Co: Yalobusha MS 38390–0903
Status: Underutilized
Comment: 30 acres; no utilities; most recent use—wildlife and forestry management

Parcel 13

Property #: 31199011030
Grenada Lake
Section 34, T24N, R7E
Grenada Co: Yalobusha MS 38903–0903
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management; (11 acres/agriculture lease)

Parcel 14
Property #: 31199011031
Grenada Lake
Section 3, T23N, R6E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 15 acres; no utilities; most recent use—wildlife and forestry management

Parcel 15
Property #: 31199011032
Grenada Lake
Section 4, T24N, R6E
Grenada Co: Yalobusha MS 38901–0903
Status: Underutilized
Comment: 40 acres; no utilities; most recent use—wildlife and forestry management

Parcel 16
Property #: 31199011033
Grenada Lake
Section 9, T23N, R6E
Grenada Co: Yalobusha MS 28901–0903
Status: Underutilized
Comment: 70 acres; no utilities; most recent use—wildlife and forestry management.

Parcel 17
Property #: 31199011034
Grenada Lake
Section 17, T23N, R7E
Grenada Co: Grenada MS 28901–0903
Status: Underutilized
Comment: 35 acres; no utilities; most recent use—wildlife and forestry management

Parcel 18
Property #: 31199011035
Grenada Lake
Section 22, T23N, R7E
Grenada Co: Grenada MS 28902–0903
Status: Underutilized
Comment: 10 acres; no utilities; most recent use—wildlife and forestry management

Parcel 19
Property #: 31199011036
Grenada Lake
Section 9, T22N, R7E
Grenada Co: Grenda MS 38901–0903
Status: Underutilized
Comment: 20 acres; no utilities; most recent use—wildlife and forestry management

Missouri

Land

Harry S Truman Dam & Reservoir
Property #: 31199030014
Location: Triangular shaped parcel southwest of access road ''B'', part of Bledsoe Ferry Park Tract 150.
Status: Underutilized
Comment: 1.7 acres; potential utilities

North Dakota

Building

Office Bldg.
Property #: 31200020001
Lake Oahe Project
3rd & Main
Ft. Yates Co: Sioux ND 58538–
Status: Unutilized
Comment: 1200 sq. ft., 2-story wood, off-site use only

Ohio

Building

Barker Historic House
Property #: 31199120018
Willow Island Locks and Dam
Newport Co: Washington OH 45768–9801
Location: Located at lock site, downstream of lock and dam structure
Status: Unlimited
Comment: 1600 sq. ft. bldg. with ½ acre of land, 2 story brick frame, needs rehab, on Natl Register of Historic Places, no utilities, off-site use only

Dwelling No. 2
Property #: 31199810005
Delaware Lake, Highway 23 North
Delaware OH 43015–
Status: Excess
Comment: 2-story brick w/basement, most recent use—residential., presence of asbestos/lead paint, off-site use only

Oklahoma

Building

Water Treatment Plant
Property #: 31199630001
Belle Starr, Eufaula Lake
Eufaula Co: McIntosh OK 74432–
Status: Excess
Comment: 16′x16′, metal, off-site use only

Water Treatment Plant
Property #: 31199630002
Gentry Creek, Eufaula Lake
Eufaula Co: McIntosh OK 74432–
Status: Excess
Comment: 12′x16′, metal, off-site use only

Land

Pine Creek Lake
Property #: 31199010923
Section 27
(See County) Co: McCurtain OK
Status: Unutilized
Comment: 3 acres; no utilities; subject to right of way for Oklahoma State Highway 3

Pennsylvania

Building

Mahoning Creek Reservoir
Property #: 31199210008
New Bethlehem Co: Armstrong PA 16242–
Status: Unutilized
Comment: 1015 sq. ft., 2 story brick residence, off-site use only

Dwelling
Property #: 31199620008
Lock & Dam 6, Allegheny Riber, 1260 River Rd.
Freeport Co: Armstrong PA 16229–2023
Status: Unutilized
Comment: 2652 sq. ft., 3-story brick house, in close proximity to Lock and Dam, available for interim use for nonresidential purposes

Govt. Dwelling
Property #: 31199640002
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Status: Unutilized
Comment: 1421 sq. ft., 2-story brick w/basement, most recent use—residential

Dwelling
Property #: 31199710009
Lock & Dam 4, Allegheny River
Natrona Co: Allegheny PA 15065–2609
Status: Unutilized
Comment: 1664 sq. ft., 2-story brick residence, needs repair, off-site use only

Dwelling #1
Property #: 31199740002
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Status: Excess
Comment: 2030 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Property #: 31199740003
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Status: Excess
Comment: 3045 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #3
Property #: 31199740004
Crooked Creek Lake
Ford City Co: Armstrong PA 16226–8815
Status: Excess
Comment: 1847 sq. ft., most recent use—office, good condition, off-site use only

Govt Dwelling
Property #: 31199740005
East Branch Lake
Wilcox Co: Elk PA 15870–9709
Status: Underutilized
Comment: approx. 5,299 sq. ft., 1-story, most recent use—residence, off-site use only

Dwelling #1
Property #: 31199740006
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Property #: 31199740007
Loyalhanna Lake
Saltsburg Co: Westmoreland PA 15681–9302
Status: Excess
Comment: 1996 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #1
Property #: 31199740008
Woodcock Creek Lake
Saegertown Co: Crawford PA 16433–0629
Status: Excess
Comment: 2106 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Property #: 31199740009
Lock & Dam 6, 1260 River Road
Freeport Co: Armstrong PA 16229–2023
Status: Excess
Comment: 2652 sq. ft., most recent use—residential, good condition, off-site use only

Dwelling #2
Property #: 31199830003
Youghiogheny River Lake
Confluence Co: Fayette PA 15424–9103
Status: Excess

Comment: 1421 sq. ft., 2-story + basement, most recent use—residential

Residence/Office
Property #: 31199940002
Cowanesque Lake Project
Lawrenceville Co: Tioga PA 16929–
Status: Unutilized
Comment: 1653 sq. ft. residence, and 2,640 sq. ft. storage bldg., need major repairs, no operating sanitary facilities

Land

Mahoning Creek Lake
Property #: 31199010018
New Bethlehem Co: Armstrong PA 16242–9603
Location: Route 28 north to Belknap, Road #4
Status: Excess
Comment: 2.58 acres; steep and densely wooded

Tracts 610, 611, 612
Property #: 31199011001
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.
Status: Excess
Comment: 24.09 acres; subject to flowage easement

Tracts L24, L26
Property #: 31199011011
Crooked Creek Lake
Co: Armstrong PA 03051–
Location: Left bank—55 miles downstream of dam.
Status: Unutilized
Comment: 7.59 acres; potential for utilities

Portion of Tract L–21A
Property #: 31199430012
Crooked Creek Lake, LR 03051
Ford City Co: Armstrong PA 16226–
Status: Unutilized
Comment: Approximately 1.72 acres of undeveloped land, subject to gas rights

Portion of Tract 119
Property #: 31200010005
State Rt 969
Curwensville Co: Clearfield PA 16833–
Status: Unutilized
Comment: approx. 17 acres, hilly wooded terrain

Tennessee

Land

Tract 6827
Property #: 31199010927
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles west of Dover, TN.
Status: Excess
Comment: .57 acres; subject to existing easements

Tracts 6002–2 and 6010
Property #: 31199010928
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3½ miles south of village of Tabaccoport.
Status: Excess
Comment: 100.86 acres; subject to existing easements

Tract 11516
Property #: 31199010929
Barkley Lake
Ashland City Co: Dickson TN 37015–
Location: ½ mile downstream from Cheatham Dam
Status: Excess
Comment: 26.25 acres; subject to existing easements

Tract 2319
Property #: 31199010930
J. Percy Priest Dam and Resorvoir
Murfreesboro Co: Rutherford TN 37130–
Location: West of Buckeye Bottom Road
Status: Excess
Comment: 14.48 acres; subject to existing easements

Tract 2227
Property #: 31199010931
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Old Jefferson Pike
Status: Excess
Comment: 2.27 acres; subject to existing easements

Tract 2107
Property #: 31199010932
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: Across Fall Creek near Fall Creek camping area.
Status: Excess
Comment: 14.85 acres; subject to existing easements

Tracts 2601, 2602, 2603, 2604
Property #: 31199010933
Cordell Hull Lake and Dam Project
Doe Row Creek
Gainesboro Co: Jackson TN 38562–
Location: TN Highway 56
Status: Unutilized
Comment: 11 acres; subject to existing easements

Tract 1911
Property #: 31199010934
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: East of Lamar Road
Status: Excess
Comment: 6.92 acres; subject to existing easements

Tract 2321
Property #: 31199010935
J. Percy Priest Dam and Reservoir
Murfreesboro Co: Rutherford TN 37130–
Location: South of Old Jefferson Pike
Status: Excess
Comment: 12 acres; subject to existing easements

Tract 7206
Property #: 31199010936
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 2½ miles SE of Dover, TN.
Status: Excess
Comment: 10.15 acres; subject to existing easements

Tracts 8813, 8814
Property #: 31199010937
Barkley Lake
Cumberland Co: Stewart TN 37050–
Location: 1½ miles East of Cumberland City.
Status: Excess
Comment: 96 acres; subject to existing easements

Tract 8911
Property #: 31199010938
Barkley Lake
Cumberland City Co: Montgomery TN 37050–
Location: 4 miles east of Cumberland City.
Status: Excess
Comment: 7.7 acres, subject to existing easements

Tract 11503
Property #: 31199010939
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2 miles downstream from Cheatham Dam.
Status: Excess
Comment: 1.1 acres; subject to existing easements

Tracts 11523, 11524
Property #: 31199010940
Barkley Lake
Ashland City Co: Cheatham TN 37015–
Location: 2½ miles downstream from Cheatham Dam.
Status: Excess
Comment: 19.5 acres; subject to existing easements

Tract 6410
Property #: 31199010941
Barkley Lake
Bumpus Mill Co: Stewart TN 37028–
Location: 4½ miles SW. of Bumpus Mills.
Status: Excess
Comment: 17 acres; subject to existing easements

Tract 9707
Property #: 31199010943
Barkley Lake
Palmyer Co: Montgomery TN 37142–
Location: 3 miles NE of Palmyer, TN. Highway 149
Status: Excess
Comment: 6.6 acres; subject ot existing easements

Tract 6949
Property #: 31199010944
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 1½ miles SE of Dover, TN.
Status: Excess
Comment: 29.67 acres; subject to existing easements

Tracts 6005 and 6017
Property #: 31199011173
Barkley Lake
Dover Co: Stewart TN 37058–
Location: 3 miles south of Village of Tobaccoport.
Status: Excess
Comment: 5 acres; subject to existing easements

Tracts K–1191, K–1135
Property #: 31199130007
Old Hickory Lock and Dam
Hartsville Co: Trousdale TN 37074–
Status: Underutilized
Comment: 92 acres (38 acres in floodway), most recent use—recreation

Tract A–102
Property #: 31199140006
Dale Hollow Lake & Dam Project
Canoe Ridge, State Hwy 52
Celina Co: Clay TN 38551–
Status: Underutilized
Comment: 351 acres, most recent use—hunting, subject to existing easements

Tract A–120
Property #: 31199140007
Dale Hollow Lake & Dam
Project
Swann Ridge, State Hwy NO. 53
Celina Co: Clay TN 38551–
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Tracts A–20, A–21
Property #: 3119914008
Dale Hollow Lake & Dam
Project
Red Oak Ridge, State Hwy No. 53
Celina Co: Clay TN 38551–
Status: Underutilized
Comment: 821 acres, most recent use—recreation, subject to existing easements

Tracts D–185
Property #: 31199140010
Dale Hollow Lake & Dam
Project
Ashburn Creek, Hwy No. 53
Livingston Co: Clay TN 38570–
Status: Underutilized
Comment: 883 acres, most recent use—hunting, subject to existing easements

Virginia

Building

Metal Bldg.
Property #: 31199620009
John H. Kerr Dam & Reservoir
Co: Boydton VA
Status: Excess
Comment: 800 sq. ft., most recent use—storage, off-site use only

Washington

Building

Fishhook Park Residence
Property #: 31200030009
Ice Harbor
Prescott Co: Walla Walla WA 99323–
Status: Unutilized
Comment: Mobile home, off-site use only

Charbonneau Park Residence
Property #: 31200030010
Ice Harbor
Burbank Co: Walla Walla WA 99323–
Status: Unutilized
Comment: 1344 sq. ft. mobile home, off-site use only

Levey Park Residence
Property #: 31200030011
Ice Harbor
Pasco Co: Franklin WA 00000–
Status: Unutilized
Comment: 924 sq. ft. mobile home, off-site use only

West Virginia

Building

Dwelling 1
Property #: 31199810003
Summersville Lake
Summersville Co: Nicholas WV 26651–9802
Status: Excess
Comment: 1200 sq. ft., presence of asbestos/lead paint, most recent use—residential, off-site use only

Dwelling 2
Property #: 31199810004
Sutton Lake
Sutton Co: Braxton WV 26651–9802
Status: Excess
Comment: 1100 sq. ft., most recent use—residential, off-site use only

Wisconsin

Building

Former Lockmaster's Dwelling
Property #: 31199011524
Cedar Locks
4527 East Wisconsin Road
Appleton Co: Outagamie WI 54911–
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Property #: 31199011525
Appleton 4th Lock
905 South Lowe Street
Appleton Co: Outagamie WI 54911–
Status: Unutilized
Comment: 908 sq. ft.; 2 story wood frame residence; needs rehab

Former Lockmaster's Dwelling
Property #: 31199011527
301 Canal Street
Kaukauna Co: Outagamie WI 54131–
Status: Unutilized
Comment: 1290 sq. ft.; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Property #: 31199011531
Appleton 1st Lock
905 South Oneida Street
Appleton Co: Outagamie WI 54911–
Status: Unutilized
Comment: 1300 sq. ft.; potential utilities; 2 story wood frame residence; needs rehab; secured area with alternate access

Former Lockmaster's Dwelling
Property #: 31199011533
Rapid Croche Lock
Lock Road
Wrightstown Co: Outagamie WI 54180–
Location: 3 miles southwest of intersection State Highway 96 and Canal Road.
Status: Unutilized
Comment: 1952 sq. ft.; 2 story wood frame residence; potential utilities; needs rehab

Former Lockmaster's Dwelling
Property #: 31199011535
Little KauKauna Lock
Little Kaukauna
Lawrence Co: Brown WI 54130–
Location: 2 miles southeasterly from intersection of Lost Dauphin Road (County Truck Highway ''D'') and River Street.
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; needs rehab.

Former Lockmaster's Dwelling
Property #: 31199011536
Little Chute, 2nd Lock
214 Mill Street
Little Chute Co: Outagamie WI 54140–
Status: Unutilized
Comment: 1224 sq. ft.; 2 story brick/wood frame residence; potential utilities; needs rehab; secured area with alternate access

Energy

Idaho

Building

Bldg. CF603
Property #: 41200020004
Idaho Natl Eng & Env Lab
Scoville Co: Butte ID 83415–
Status: Excess
Comment: 15005 sq. ft.; cinder block; presence of asbestos/lead paint, major rehab; off-site use only

New Jersey

Building

Module 4, C63
Property #: 41200030002
Princeton Plasma Physics Lab
Princeton Co: Mercer NJ 08540–
Status: Excess
Comment: modular unit, 693 sq. ft.; most recent use—office, off-site use only

New Mexico

Building

Bldgs. 847, 6600
Property #: 41200020021
Kirtland AFB
Albuquerque Co: Bernalilo NM 87185–
Status: Excess
Comment: 4053 sq. ft.; & 1501 sq. ft., needs rehab; presence of asbestos, off-site use only

GSA

Arkansas

Land

7 acres
Property #: 54200040003
Army Reserve
Installation 05572
West Memphis Co: Crittenden AR 72301–
Status: Surplus
Comment: 7 acres, subject to existing easements
GSA Number: 7–D–AR–0557

Idaho

Land

25′ × 100′ Site
Property #: 54200010007
1520 N St. & 2290 E St.
Rogerson Co: Twin Falls ID 00000–
Status: Unutilized
Comment: lot too small to meet minimum size for residence, zoning/agriculture, no sewer service
GSA Number: 9–A–ID–545

Illinois

Building

Milo Comm. Tower Site
Property #: 54200020018
350 N. Rt. 8
Milo Co: Bureau IL 56142–
Status: Excess
Comment: 120 sq. ft.; cinder block bldg.
GSA Number: 1–D–IL–795

LaSalle Comm. Tower Site
Property #: 54200020019
1600 NE 8th St.
Richland Co: LaSalle IL 61370–
Status: Excess

Comment: 120 sq. ft. cinder block bldg. and a 300′ tower
GSA Number: 1–D–IL–724

Army Reserve Center
Property #: 54200030001
PVT Perry F. Modrow
5020 State Street
E. St. Louis Co: St. Clair IL 62205–1398
Status: Excess
Comment: 16300 sq. ft. training center & 2,656 sq. ft. garage, presence of lead paint
GSA Number: 1–D–IL–726

Minnesota

Building

GAP Filler Radar Site
Property #: 54199910009
St. Paul Co: Rice MN 55101–
Status: Excess
Comment: 1266 sq. ft., concrete block, presence of asbestos/lead paint, most recent use—storage, zoning requirements
GSA Number: 1–GR(1)–MN–475

Missouri

Building

Hardesty Federal Complex
Property #: 54199940001
607 Hardesty Avenue
Kansas City Co: Jackson MO 64124–3032
Status: Excess
Comment: 7 warehouses and support buildings (540 to 216,000 sq. ft.) on 17.47 acres, major rehab, most recent use—storage/office, utilities easement
GSA Number: 7–G–MO–637

Natl Weather Svc Ofc
Property #: 54200020015
4100 Mexico Road
St. Peters Co: St. Charles MO 00000–
Status: Excess
Comment: 4774 sq. ft. presence of asbestos, good condition, most recent use—office
GSA Number: 7–C–MO–641

Nebraska

Land

0.34 acres
Property #: 54200040002
Offutt AFB adjacent to 36th St.
Bellevue Co: Sarpy NE 68113–
Status: Surplus
Comment: 0.34 acres, subject to existing easements
GSA Number: 7–D–NE–0527

New Jersey

Building

Old Bridge Housing
Property #: 54199940010
Route 9
Old Bridge Co: NJ 08857–
Status: Excess
Comment: 12 three bedroom housing units, no long-term wastewater treatment system for property, presence of asbestos/lead paint, needs repair
GSA Number: 0–0–NJ–000

Holmdel Housing Site
Property #: 54200040005
Telegraph Hill Road
Holmdel Co: Monmouth NJ 07733–
Status: Excess
Comment: 12 housing units on 5.59 acres, 1,196 sq. ft. each, extreme disrepair
GSA Number: 1–N–NJ–622

New York

Building

''Terry Hill''
Property #: 54199830008
County Road 51
Manorville NY
Status: Surplus
Comment: 2 block structures, 780/272 sq. ft., no sanitary facilities, most recent use—storage/comm. facility, w/6.19 acres in fee and 4.99 acre easement, remote area
GSA Number: 1–D–NY–864

Binghampton Depot
Property #: 54199910015
Nolans Road
Binghampton Co: NY 00000–
Status: Excess
Comment: 45977 sq. ft., needs repair, presence of asbestos, most recent use—office
GSA Number: 1–G–NY–760A

Naval Reserve Center
Property #: 54200040006
Frankfort Co: Herkimer NY
Status: Excess
Comment: 23800 sq. ft., brick, good condition, most recent use—training center
GSA Number: 1–D–NY–874

Ohio

Land

Jersey Tower Site
Property #: 54199910013
Tract No. 100 & 100E
Jersey Co: Licking OH 00000–
Status: Surplus
Comment: 4.24 acres, subject to preservation of wetlands
GSA Number: 1–W–OH–813

Licking County Tower Site
Property #: 54200020021
Summit & Haven Corner Rds.
Pataskala Co: Licking OH 43062–
Status: Excess
Comment: Parcel 100 = 3.67 acres, Parcel 100E = 0.57 acres
GSA Number: 1–W–OH–813

Pennsylvania

Land

Gwen Site #868
Property #: 54200040007
Bonneauville
Smith Road
Gettysburg Co: Adams PA
Status: Surplus
Comment: 13.85 acres, most recent use—to support communication
GSA Number: 4–D–PA–0788

Wyoming

Land

Flying J
Property #: 54200020022
Shoshone Project
Park Co: WY 82414–
Status; Excess
Comment: approx. 46.35 acres, no utilities, most recent use—oil refinery
GSA Number: 7–1–WY–0539A

Interior

Virginia

Building

Former Bowen Residence
Property #: 61200010007
Cavalry Court
Spotsylvania Co: VA 22553–
Status: Excess
Comment: 1512 sq. ft. residence, off-site use only

Former Jones Residence
Property #: 61200010008
Plantation Drive
Spotsylvania Co: VA 22553–
Status: Excess
Comment: 1040 sq. ft. residence, off-site use only

Former Busic House
Property #: 61200010009
Brock Rd.
Spotsylvania Co: VA 22553–
Status: Excess
Comment: 4128 sq. ft. residence, off-site use only

Navy

California

Building

Bldg. 301
Property #: 77200020041
Naval Support Activity
Monterey Co: CA 93943–
Status: Excess
Comment: 18608 sq. ft., presence of asbestos/lead paint, needs major rehab

Bldg. 371
Property #: 77200020080
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: 29800 sq. ft., needs rehab, presence of asbestos/lead paint, off-site use only

Bldg. 402
Property #: 77200020081
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: presence of lead paint, most recent use—storage, off-site use only

Bldg. 417
Property #: 77200020082
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: 101 TR, needs rehab, presence of asbestos/lead paint, off-site use only

Bldg. 418
Property #: 77200020083
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: 288 sq. ft., presence of lead paint, most recent use–storage, off-site use only

Bldg. 426
Property #: 77200020084
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: presence of asbestos/lead paint, off-site use only

Bldg. 434

Property #: 77200020085
Naval Warfare Systems Center
San Diego Co: CA 92152–
Status: Unutilized
Comment: 11440 sq. ft., needs rehab, presence of asbestos/lead paint, off-site use only

Bldg. 210
Property #: 77200020086
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 17708 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—police station, off-site use only

Bldg. 541
Property #: 77200020087
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 3857 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—lab, off-site use only

Bldg. 804
Property #: 77200020088
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 3119 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 805
Property #: 77200020089
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 3732 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—storage, off-site use only

Bldg. 806
Property #: 77200020090
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 3110 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 807
Property #: 77200020091
Naval Warfare Assessment Station
Corona Co: CA 91718–5000
Status: Unutilized
Comment: 3110 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—office, off-site use only

Bldgs. 23027, 23025
Property #: 77200040023
Marine Corps Air Station
Miramar Co: San Diego CA 92132–
Status: Unutilized
Comment: 400 sq. ft., metal siding, most recent use—loading facility, off-site use only

Connecticut

Building

Bldgs. 31, 78, 91
Property #: 77200030055
Naval Submarine Base
New London
Groton Co: New London CT 06349–
Status: Unutilized
Comment: total sq. ft. = 41,809, presence of asbestos, most recent use—storage/training/repair, off-site use only

Bldg. 406
Property #: 77200030056
Naval Submarine Base
New London
Groton Co: New London CT 06349–
Status: Unutilized
Comment: 13546 sq. ft., needs rehab, presence of asbestos, most recent use—shop, off-site use only

Bldg. 392
Property #: 77200030065
Naval Sub Base New London
Groton Co: CT 06349–
Status: Unutilized
Comment: 996 sq. ft., needs repair, possible asbestos/lead paint, most recent use—storage, off-site use only

Hawaii

Building

Bldg. S87, Radio Trans. Fac.
Property #: 77199240011
Lualualei, Naval Station, Eastern Pacific
Wahiawa Co: Honolulu HI 96786–3050
Status: Unutilized
Comment: 7566 sq. ft., 1-story, needs rehab, most recent use—storage, off-site use only

Bldg. 64, Radio Trans. Facility
Property #: 77199310004
Naval Computer & Telecommunications Area
Wahiawa Co: Honolulu HI 96786–3050
Status: Unutilized
Comment: 3612 sq. ft., 1 story, access restrictions, needs rehab, most recent use—storage, off-site use only

Bldg. 442, Naval Station
Property #: 77199630088
Ford Island
Pearl Harbor Co: Honolulu HI 96860–
Status: Excess
Comment: 192 sq. ft., most recent use—storage, off-site use only

Bldg. S180
Property #: 77199640039
Naval Station, Ford Island
Pearl Harbor Co: Honolulu HI 96860–
Status: Unutilized
Comment: 3412 sq. ft., 2-story, most recent use—bomb shelter, off-site use only, relocation may not be feasible

Bldg. S181
Property #: 77199640040
Naval Station, Ford Island
Pearl Harbor Co: Honolulu HI 96860–
Status: Unutilized
Comment: 4258 sq. ft., 1-story, most recent use—bomb shelter, off-site use only, relocation may not be feasible

Bldg. 219
Property #: 77199640041
Naval Station, Ford Island
Pearl Harbor Co: Honolulu HI 96860–
Status: Unutilized
Comment: 620 sq. ft., most recent use—damage control, off-site use only, relocation may not be feasible

Bldg. 220
Property #: 77199640042
Naval Station, Ford Island
Pearl Harbor Co: Honolulu HI 96860–
Status: Unutilized
Comment: 620 sq. ft., most recent use—damage control, off-site use only, relocation may not be feasible

Bldg. 160
Property #: 77199840002
Naval Station, Pearl Harbor
Pearl Harbor Co: Honolulu HI 96860–
Status: Excess
Comment: 6070 sq. ft., needs rehab, presence of lead paint, most recent use—storage/office, off-site use only

Maine

Building

Bldg. 4
Property #: 77199930005
Naval Air Station
Brunswick Co: ME 04011–
Status: Excess
Comment: 16644 sq. ft., presence of asbestos/lead paint, most recent use—headquarters building, off-site use only

Bldg. 8
Property #: 77199930006
Naval Air Station
Brunswick Co: ME 04011–
Status: Excess
Comment: 7413 sq. ft., presence of asbestos/lead paint, most recent use—public works building, off-site use only

Bldg. 12
Property #: 77199930007
Naval Air Station
Brunswick Co: ME 04011–
Status: Excess
Comment: 25354 sq. ft., presence of asbestos/lead paint, most recent use—admin., off-site use only

Bldg. 41
Property #: 77199930008
Naval Air Station
Brunswick Co: ME 04011–
Status: Excess
Comment: 10526 sq. ft., presence of asbestos/lead paint, most recent use—security building, off-site use only

Maryland

Building

Bldg. 139
Property #: 77200010032
Naval Surface Warfare Center
Carderock Division
West Bethesda Co: Montgomery MD 20817–5700
Status: Unutilized
Comment: 4950 sq. ft., possible asbestos/lead paint, most recent use—wind tunnel, off-site use only

New Hampshire

Building

Bldg. 128
Property #: 77199830015
Portsmouth Naval Shipyard
Portsmouth NH 03804–5000
Status: Excess
Comment: 10900 sq. ft., needs rehab, presence of asbestos, most recent use—storage, off-site use only

Bldg. 185
Property #: 77199830016
Portsmouth Naval Shipyard
Portsmouth NH 03804–5000
Status: Excess
Comment: 2310 sq. ft., needs rehab, presence of asbestos, most recent use—office, off-site use only

Bldg. 314
Property #: 77199830017
Portsmouth Naval Shipyard
Portsmouth NH 03804–5000
Status: Excess
Comment: cement block bldg., needs rehab, presence of asbestos, most recent use—storage, off-site use only

Bldg. 336
Property #: 77199830018
Portsmouth Naval Shipyard
Portsmouth NH 03804–5000
Status: Excess
Comment: metal bldg w/cement block foundation, off-site use only

Bldg. 160
Property #: 77199910046
Portsmouth Naval Shipyard
Portsmouth Co. NH 03804–5000
Status: Unutilized
Comment: 6080 sq. ft., possible asbestos, most recent use—storge, off-site use only

Bldg. 179
Property #: 77200020099
Portsmouth Naval Shipyard
Portsmouth Co. NH 03804–5000
Status: Excess
Comment: 1452 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—quarters, off-site use only

Bldg. 201
Property #: 77200020100
Portsmouth Naval Shipyard
Portsmouth NH 03804–5000
Status: Excess
Comment: 450 sq. ft., presence of asbestos/lead paint, off-site use only

Bldg. 304
Property #: 77200020101
Portsmouth Naval Shipyard
Portsmouth Co: NH 03804–5000
Status: Excess
Comment: 1320 sq. ft., presence of asbestos/lead paint, most recent use—garb. house, off-site use only

Bldg. 10
Property #: 77200020018
Portsmouth Co: NH 03804–5000
Status: Excess
Comment: 12000 sq. ft., presence of asbestos/lead paint, most recent use—shop facility, off-site use only

Bldg. 239
Property #: 77200030019
Portsmouth Naval Shipyard
Portsmouth Co: NH 03804–5000
Status: Excess
Comment: 897 sq. ft., presence of asbestos/lead paint, off-site use only

New Jersey

Building

Bldg. D1–A
Property #: 77199940024
Naval Weapons Station
Colts Neck Co: NJ 07722–
Status: Unutilized
Comment: 1134 sq. ft., presence of lead paint, most recent use—smokehouse/lunchroom, off-site use only

Bldg. HA–1A
Property #: 77199940025
Naval Weapons Station
Colts Neck Co: NJ 07722–
Status: Unutilized
Comment: 120 sq. ft., most recent use—storage, off-site use only

Bldg. C–16
Property #: 77200010014
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: 34811 sq. ft., presence of asbestos/lead paint, off-site use only

Bldg. C–25
Property #: 77200010015
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: 4448 sq. ft., presence of asbestos/lead paint, off-site use only

Bldg. C–40
Property #: 77200010016
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: 6924 sq. ft., presence of asbestos/lead paint, off-site use only

Bldg. 511
Property #: 77200010017
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: 1871 sq. ft., presence of asbestos/lead paint, off-site use only

Bldgs. 553, 554, 555
Property #: 77200010018
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: guard towers, off-site use only

Bldg. 557
Property #: 77200010019
Naval Weapons Station
Colts Neck Co: Earle NJ 07722–
Status: Unutilized
Comment: 9670 sq. ft., presence of asbestos/lead paint, off-site use only

Pennsylvania

Building

Bldg. 38
Property #: 77200010020
Naval Support Activity
Philadelphia Co: PA 19111–5098
Status: Unutilized
Comment: 6525 sq. ft., metal butler bldg., needs rehab, presence of asbestos/lead paint, off-site use only

Bldg. 5
Property #: 77200030071
Navy Surface Warfare Center
Philadelphia Co: PA 19112–
Status: Unutilized
Comment: 286824 sq. ft., needs rehab, presence of asbestos, most recent use—warehouse, off-site use only

Bldg. 47
Property #: 77200030072
Navy Surface Warfare Center
Philadelphia Co: PA 19112–
Status: Unutilized
Comment: 16343 sq. ft., presence of asbestos, most recent use—office, off-site use only

Bldg. 55
Property #: 77200030073
Navy Surface Warfare Center
Philadelphia Co: PA 19112–
Status: Unutilized
Comment: 5603 sq. ft., needs repair, presence of asbestos, most recent use—store, off-site use only

Bldg. 531
Property #: 77200030074
Navy Surface Warfare Center
Philadelphia Co: PA 19112–
Status: Unutilized
Comment: 5102 sq. ft., presence of asbestos, most recent use—office, off-site use only

Bldg. 996
Property #: 77200030075
Navy Surface Warfare Center
Philadelphia Co: PA 19112–
Status: Unutilized
Comment: 1800 sq. ft., presence of asbestos, most recent use—storage, off-site use only

Rhode Island

Building

Bldg. 1
Property #: 77200010022
Old Naval Hospital
One Riggs Road
Newport Co: RI 02841–
Status: Unutilized
Comment: 49189 sq. ft., presence of asbestos/lead paint, needs major repair, NEPA requirements, boiler plant which provides heat and hot water to bldg. will be shut down

Bldg. K–61
Property #: 77200030079
Naval Station
Newport Co: RI 02841–
Status: Unutilized
Comment: 32836 sq. ft., presence of asbestos/lead paint, most recent use—office, off-site use only

Bldg. 685
Property #: 77200030080
Naval Station
Middletown Co: Newport RI 02842–
Status: Unutilized
Comment: 25090 sq. ft., needs rehab, presence of asbestos/lead paint, most recent use—navy lodge, off-site use only

Virginia

Building

Bldg. CEP–6
Property #: 77200030064
Naval Station
Norfolk Co: VA 23511–
Status: Excess
Comment: 1056 sq. ft., most recent use—storage, off-site use only

Bldg. CEP–210
Property #: 77200030064
Naval Station
Norfolk Co: VA 23511–
Status: Excess
Comment: 2346 sq. ft., most recent use—storage, off-site use only

Land

Land
Property #: 77200040034
Marine Corps Base
Quantico Co: VA 22134–
Status: Unutilized
Comment: 4900 sq. ft. open space

VA

Alabama

Land

VA Medical Center
Property #: 97199010053
VAMC
Tuskegee Co: Macon AL 36083–
Status: Underutilized
Comment: 40 acres, buffer to VA Medical Center, potential utilities, undeveloped

California

Land

Land
Property #: 97199240001
4150 Clement Street
San Francisco Co: San Francisco CA 94121–
Status: Underutilized
Comment: 4 acres; landslide area

Indiana

Building

Bldg. 105, VAMC
Property #: 97199230006
East 38th Street
Marion Co: Grant IN 46952–
Status: Excess
Comment: 310 sq. ft., 1 story stone structure, no sanitary or heating facilities, National Register of Historic Places

Bldg. 140, VAMC
Property #: 97199230007
East 38th Street
Marion Co: Grant IN 46952–
Status: Excess
Comment: 60 sq. ft., concrete block bldg., most recent use—trash house

Bldg. 7
Property #: 97199810001
VA Northern Indiana Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953–
Status: Underutilized
Comment: 16864 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places

Bldg. 10
Property #: 97199810002
VA Northern Indiana Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953–
Status: Underutilized
Comment: 16361 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places

Bldg. 11
Property #: 97199810003
VA Northern Indiana Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953–
Status: Underutilized
Comment: 16361 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places

Bldg. 18
Property #: 97199810004
VA Northern Indian Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953–
Status: Underutilized
Comment: 13802 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places

Bldg. 25
Property #: 97199810005
VA Northern Indiana Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953–
Status: Unutilized
Comment: 32892 sq. ft., presence of asbestos, most recent use—psychiatric ward, National Register of Historic Places

Iowa

Land

40.66 acres
Property #: 97199740002
VA Medical Center
1515 West Pleasant St.
Knoxville Co: Marion IA 50138–
Status: Unutilized
Comment: golf course, easement requirements.

Maryland

Land

VA Medical Center
Property #: 97199010020
9500 North Point Road
Fort Howard Co: Baltimore MD 21052–
Status: Underutilized
Comment: Approx. 10 acres, wetland and periodically floods, most recent use—dump site for leaves

Pennsylvania

Building

Bldg. 25—VA Medical Center
Property #: 9719920001
Delafield Road
Pittsburgh Co: Allegheny PA 15215–
Status: Unutilized
Comment: 133 sq. ft., one story brick guard house, needs rehab

Bldg. 3, VAMC
Property #: 97199230012
1700 South Lincoln Avenue
Lebanon Co: Lebanon PA 17042–
Status: Underutilized
Comment: portion of bldg. (3850 and 4360 sq. ft.), most recent use—storage, second floor-lacks elevator access

Texas

Land

Land
Property #: 97199010079
Olin E. Teague Veterans
Center
1901 South 1st Street
Temple Co: Bell TX 76504–
Status: Underutilized
Comment: 13 acres, portion formerly landfill, portion near flammable materials, railroad crosses property, potential utilities

Wisconsin

Building

Bldg. 8
Property #: 97199010056
VA Medical Center
County Highway E
Tomah Co: Monroe WI 54660–
Status: Underutilized
Comment: 2200 sq. ft., story wood frame, possible asbestos potential utilities, structural deficiencies, needs rehab

Land

VA Medical Center
Property #: 97199010054
County Highway E
Tomah Co: Monroe WI 54660–
Status: Underutilized
Comment: 12.4 acres, serves as buffer between center and private property, no utilities

Title V Properties Reported in Year 2000 Which are Suitable and Unavailable

Air Force

Colorado

Building

Bldg. 9023
Property #: 18199730010
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Status: utilized

Bldg. 9027
Property #: 18199730011
U.S. Air Force Academy
Colorado Springs Co: El Paso CO 80814–2400
Status: Underutilized
Reason: Utilized

Idaho

Building

Bldg. 224
Property #: 18199840008
Mountain home Air Force
Co: Elmore ID 83648–
Status: Unutlized
Reason: Extension of runway

Iowa

Building

Bldg. 00627
Property #: 18199310001
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Status: Unutilized
Reason: Will be transferred to Sioux City

Bldg. 00669
Property #: 18199310002
Sioux Gateway Airport
Sioux City Co: Woodbury IA 51110–
Status: Unutilized
Reason: Will be transferred to Sioux City

Maine

Building

Dow Pines Rec Site
Property #: 18200040005
Great Pond Co: Hancock ME 04408–
Status: Excess

Reason: Transferred to Navy

New Hampshire

Building

Bldg. 127
Property #: 18199320057
New Boston Air Force Station
Amherst Co: Hillsborough NH 03031–1514
Status: Excess
Reason: Ongoing installation mission consideration

Army

Georgia

Building

Bldg. 4090
Property #: 21199630007
Fort Benning
Ft. Benning Co: Muscogee GA 31905–
Status: Unutilized
Reason: Plan to utilize as a museum

Kansas

Building

Bldg. P–295
Property #: 21199810296
Fort Leavenworth
Leavenworth Co: Leavenworth KS 66027–
Status: Unutilized
Reason: Reutilized

Missouri

Building

Bldg. 2172
Property #: 21200040059
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–8994
Status: Unutilized
Reason: Reutilized

Bldg. 5041
Property #: 21200040060
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–8994
Status: Unutilized
Reason: Reutilized

Bldg. 5286
Property #: 21200040061
Fort Leonard Wood
Ft. Leonard Wood Co: Pulaski MO 65473–8994
Status: Unutilized
Reason: Reutilized

North Carolina

Land

.92 Acre—Land
Property #: 21199610728
Military Ocean Terminal, Sunny Point
Southport Co: Brunswick NC 28461–5000
Status: Unutilized
Reason: Contains well owned by Town; within an explosive buffer zone

10 Acre—Land
Property #: 21199610729
Military Ocean Terminal, Sunny Point
Southport Co: Brunswick NC 28461–5000
Status: Unutilized
Reason: Within an explosives buffer zone

257 Acre—Land
Property #: 21199610730
Military Ocean Terminal, Sunny Point
Southport Co: Brunswick NC 28461–5000
Status: Underutilized
Reason: Within an explosives buffer zone

24.83 acres—Tract of Land
Property #: 21199620685
Military Ocean Terminal, Sunny Point
Southport Co: Brunswick NC 28461–5000
Status: Underutilized
Reason: Explosive buffer zone

Texas

Building

Bldg. P–2000, Fort Sam Houston
Property #: 21199220389
San Antonio Co: Bexar TX 78234–5000
Status: Underutilized
Reason: Area programmed for future use

Bldg. P–2001, Fort Sam Houston
Property #: 21199220390
San Antonio Co: Bexar TX 78234–5000
Status: Underutilized
Reason: Area programmed for future use

COE

California

Building

Sante Fe Flood Control Basin
Property #: 31199011298
Irwindale Co: Los Angeles CA 91706–
Status: Unutilized
Reason: Needed for contract personnel

Illinois

Building

Bldg. 7
Property #: 31199010001
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 6
Property #: 31199010002
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 5
Property #: 31199010003
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 4
Property #: 31199010004
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 3
Property #: 31199010005
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 2
Property #: 31199010006
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Bldg. 1
Property #: 31199010007
Ohio River Locks & Dam No. 53
Grand Chain Co: Pulaski IL 62941–9801
Status: Unutilized
Reason: Project integrity and security; safety liability

Land

Lake Shelbyville
Property #: 31199240004
Shelbyville Co: Shelby & Moultrie IL 62565–9804
Status: Unutilized
Reason: Disposal action initiated

Ohio

Building

Bldg.—Berlin Lake
Property #: 31199640001
7400 Bedell Road
Berlin Center Co: Mahoning OH 44401–9797
Status: Unutilized
Reason: utilized as construction office

Pennsylvania

Building

Tract 353
Property #: 31199430019
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Status: Unutilized
Reason: To be transferred to Borough

Tract 403A
Property #: 31199430021
Grays Landing Lock & Dam Project
Greensboro Co: Greene PA 15338–
Status: Unutilized
Reason: To be transferred to Borough

Tract 403B
Property #: 31199430022
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Status: Unutilized
Reason: To be transferred to Borough

Tract 403C
Property #: 31199430023
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Status: Unutilized
Reason: To be transferred to Borough

Tract 434
Property #: 31199430024
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Status: Unutilized
Reason: To be transferred to Borough

Tract 224
Property #: 31199440001
Grays Landing Lock & Dam Project
Greensboro Co: Green PA 15338–
Status: Unutilized
Reason: Disposal action initiated

Env. Learning Ctr.
Property #: 31200030007
Rt. 66/Crooked Creek Dam
Ford City Co: Armstrong PA 16226–
Status: Unutilized
Reason: Organization to lease facility

Land

East Branch Clarion River Lake
Property #: 31199011012
Wilcox Co: Elk PA
Status: Underutilized
Reason: Location near damsite

Dashields Locks and Dam
Property #: 31199210009
(Glenwillard, PA)
Crescent Twp. Co: Allegheny PA 15046–0475
Status: Unutilized
Reason: Leased to Township

Texas

Land

Parcel #222
Property #: 31199010421
Lake Texoma
Co: Grayson TX
Status: Excess
Reason: Landfill to be investigated

Wisconsin

Building

Former Lockmaster's Dwelling
Property #: 31199011526
DePere Lock
100 James Street
De Pere Co: Brown WI 54115–
Status: Unutilized
Reason: In negotiation for transfer to the State

DOT

Georgia

Land

Land—St. Simons Boathouse
Property #: 87199540003
St. Simons Island Co: Glynn GA 31522–0577
Status: Unutilized
Reason: Reversionary clause in deed

Energy

Idaho

Building

Bldg. CFA–613
Property #: 41199630001
Central Facilities Area
Idaho National Engineering
Lab
Scoville Co: Butte ID 83415–
Status: Unutilized
Reason: Historical issues

GSA

Alabama

Building

Residence 1223
Property #: 54200020023
204 Akin Drive
Tuskegee Co: Macon AL 36083–
Status: Excess
GSA Number: 4–A–AL–768
Reason: On line auction in process

Arizona

Land

0.322 acres
Property #: 54200020025
Madison Street Property
Yuma Co: AZ 00000–
Status: Excess
GSA Number: 9–I–AZ–814
Reason: Written expression of interest from city

California

Building

112 Bldgs.—Skaggs Island
Property #: 54199730001
Naval Security Group
Skaggs Island Co: Sonoma CA
Status: Excess
GSA Number: 9–N–CA–1488
Reason: Public benefit interest

Marine Culture Laboratory
Property #: 54199830011
Granite Canyon
34500 Coast Highway
Monterey CA 93940–
Status: Surplus
GSA Number: 9–C–CA–1499
Reason: Wildlife conservation

Natl Weather Svc Station
Property #: 54199840007
Blue Canyon Airport
Emigrant Gap CA 95715–
Status: Surplus
GSA Number: 9–C–CA–1521
Reason: Public benefit interest

Naval & Marine Corps Readiness
Property #: 54199910005
1700 Stadium Way
Los Angeles Co: Los Angeles CA 90012–
Status: Excess
GSA Number: 9–N–CA–1523
Reason: Emergency service pending

Eureka Federal Building
Property #: 54199930024
5th & H Streets
Eureka Co: CA 95501–
Status: Surplus
GSA Number: 9–G–CA–1529
Reason: Received expressions of interest

Georgia

Building

Federal Building
Property #: 54199910014
109 N. Main Street
Lafayette Co: Walker GA 30728–
Status: Excess
GSA Number: 4–G–GA–858
Reason: Homeless interest

Illinois

Building

Radar Communication Link
Property #: 54199820013
½ mi east of 116th St.
Co: Will IL
Status: Excess
GSA Number: 2–U–IL–696
Reason: Negotiated sale

Army Reserve Center
Property #: 54199940008
1881 East Fremont Street
Galesburg Co: Knox IL 61401–
Status: Excess
GSA Number: 1–D–IL–720
Reason: Negotiated sale

Maryland

Building

Washington Court Apartments
Property #: 54199940005
Maryland Rt. 755
Edgewood Co: Harford MD 21040–
Status: Excess
GSA Number: 4–D–MD–559
Reason: Negotiated sale

De LaSalle Bldg.
Property #: 54200020007
Avondale Co: Prince George MD 20782–
Status: Excess
GSA Number: 4–G–MD–565A
Reason: Written expression of interest

Cheltenham Naval Comm. Dtchmt.
Property #: 77199330010
9190 Commo Rd., AKA 7700
Redman Rd.
Clinton Co: Prince George MD 20397–5520
Status: Excess
GSA Number: 4–N–MD–544A
Reason: Public benefit interest

Land

12.52 acres
Property #: 54200020020
Casson Neck
Cambridge Co: Dorchester MD 00000–
Status: Excess
GSA Number: 4–U–MD–600A
Reason: Parks & Rec interest

Michigan

Building

Detroit Job Corps Center
Property #: 54199410002
10401 E. Jefferson & 1438
Garland;
1265 St. Clair
Detroit Co: Wayne MI 42128–
Status: Surplus
GSA Number: 2–L–MI–757
Reason: Education application

Parcel 1
Property #: 5419973001
Old Lifeboat Station
East Tawas Co: Iosco MI
Status: Excess
GSA Number: 1–UU–MI–500
Reason: Advertised

Minnesota

Building

MG Clement Trott Mem. USARC
Property #: 54199930003
Walker Co: Cass MN 56484–
Status: Excess
GSA Number: 1–D–MN–575
Reason: Federal interest

Mississippi

Building

Federal Building
Property #: 54199910004
236 Sharkey Street
Clarksdale Co: Coahoma MS 38614–
Status: Excess
GSA Number: 4–G–MS–553
Reason: Will be leased back to Federal tenants

Land

Proposed Site
Property #: 54200010005
Army Reserve Center
Waynesboro Co: Wayne MS 39367–
Status: Excess
GSA Number: 4–D–MS–0555
Reason: Written expression of interest received from Co.

North Carolina

Building

Tarheel Army Missile Plant
Property #: 54199820002
Burlington Co: Alamance NC 27215–
Status: Excess
GSA Number: 4–D–NC–593
Reason: Advertised

Vehicle Maint. Facility
Property #: 54200020012
310 New Bern Ave.
Raleigh Co: Wake NC 27601–
Status: Excess
GSA Number: NC076AB
Reason: Federal need

Goldsboro Federal Bldg.
Property #: 54200020016
134 North John Street
Goldsboro Co: Wayne NC 27530–
Status: Excess
GSA Number: 4–G–NC–736
Reason: Written expression of interest from DOE

Land

6.45 acres
Property #: 54200020011
Portion of McKinney Lake
Fish Hatchery
Millstone Church Road
Hoffman Co: Richmond NC 28347–
Status: Excess
GSA Number: 4–GR–NC–570
Reason: Homeless interest received

Ohio

Building

Zanesville Federal Building
Property #: 54199520018
65 North Fifth Street
Zanesville Co: Muskingum OH
Status: Excess
GSA Number: 2–G–OH–781A
Reason: Advertised

Oklahoma

Building

Fed. Bldg./Courthouse
Property #: 54199820009
N. Washington & Broadway Streets
Ardmore Co: Carter OK 73402–
Status: Excess
GSA Number: 7–G–TX–559
Reason: Federal need

Puerto Rico

Land

La Hueca—Naval Station
Property #: 54199420006
Roosevelt Roads
Vieques PR 00765–
Status: Excess
Reason: Federal interest

Bahia Rear Range Light
Property #: 54199940003
Ocean Drive
Catano Co: PR 00632–
Status: Excess
GSA Number: 1–T–PR–508
Reason: Corrections

Tennessee

Building

3 Facilities, Guard Post
Property #: 54199930011
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

4 Bldgs.
Property #: 54199930012
Volunteer Army Ammunition Plant
Railroad System Facilities
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

200 bunkers
Property #: 54199930014
Volunteer Army Ammunition Plant
Storage Magazines
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

Bldg. 232
Property #: 54199930020
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

2 Laboratories
Property #: 54199930021
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

3 Facilities
Property #: 54199930022
Volunteer Army Ammunition Plant
Water Distribution Facilities
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

Naval Hospital
Property #: 54200020005
5720 Integrity Drive
Millington Co: Shelby TN 38054–
Status: Excess
GSA Number: 4–N–TN–648
Reason: Written expression of interest received from DOE

Land

1500 acres
Property #: 54199930015
Volunteer Army Ammunition Plant
Chattanooga Co: Hamilton TN 37421–
Status: Surplus
GSA Number: 4–D–TN–594F
Reason: Negotiated sale

West Virginia

Building

Moundsville Federal Bldg.
Property #: 54200020024
7th Street
Moundsville Co: Marshall WV 26041–
Status: Excess
GSA Number: 4–G–WV–535
Reason: Written expression

Old Post Office
Property #: 54200030004
Maple & King Streets
Martinsburg Co: Berkeley WV 25401–
Status: Excess
GSA Number: 4–G–WV–537
Reason: Written expression via DOE

Former Army Rsv Ctr
Property #: 54200030006
201 Kanawha Avenue
Rainelle Co: Berkeley WV 25962–1107
Status: Excess
GSA Number: 4–D–WV–536
Reason: Written expression of interest from City/County

Wisconsin

Building

Wausau Federal Building
Property #: 54199820016
317 First Street
Wausau Co: Marathon WI 54401–
Status: Excess
GSA Number: 1–G–WI–593
Reason: Advertised

Army Reserve Center
Property #: 54199940004
401 Fifth Street
Kewaunee Co: WI 54216–1838
Status: Excess
GSA Number: 1–D–WI–597
Reason: Public benefit interest

Navy

Puerto Rico

Building

Bldgs. 501 & 502
Property #: 77199530007
U.S. Naval Radio Transmitter Facility
State Road No. 2
Juana Diaz PR 00795–
Status: Underutilized
Reason: Department of Defense interest

VIRGINIA

BUILDING

Naval Medical Clinic
Property #: 77199010109
6500 Hampton Blvd.
Norfolk Co: Norfolk VA 23508—
Status: Underutilized
Reason: Planned for expansion space

Land

Naval Base
Property #: 77199010156
Norfolk Co: Norfolk VA 23508–
Status: Unutilized
Reason: Identified for use in developing admin. office space

Lane—CD area
Properity #: 77199830022
Naval Base Norfolk
Norfolk VA 23511–2797
Status: Underutilized
Reason: Outlease to Federal Credit Union

VA

Indiana

Building

Bldg. 24, VAMC
Property #: 97199230005
East 38th Street
Marion Co: Grant IN 46952–
Status: Underutilized
Reason: Currently utilized

Bldg. 122

Property #: 97199810006
VA Northern Indiana Health
Care System
Marion Campus, 1700 East
38th Street
Marion Co: Grant IN 46953—
Status: Underutilized
Reason: Fully utilized by construction contractor

Iowa

Land

38 acres
Property #: 97199740001
VA Medical Center
1515 West Pleasant St.
Knoxville Co: Marion IA 50138–
Status: Underutilized
Reason: Enhanced–use Legislation potential

Michigan

Land

VA Medical Center
Property #: 97199010015
5500 Armstrong Road
Battle Creek Co: Calhoun MI 49016–
Status: Underutilized
Reason: Being used for patient and program activities

Montana

Building

VA MT Healthcare
Property #: 97200030001
210 S. Winchester
Miles City Co: Custer MT 59301–
Status: Underutilized
Reason: Transfer to Custer County

New York

Land

VA Medical Center
Property #: 97199010017
Fort Hill Avenue
Canandaigua Co: Ontario NY 14424–
Status: Underutilized
Reason: Portion leased; portion landlocked

Pennsylvania

Land

VA Medical Center
Property #: 97199010016
New Castle Road
Butler Co: Butler PA 16001–
Status: Underutilized
Reason: Used as natural drainage for facility property

Land No. 645
Property #: 97199010080
VA. Medical Center
Highland Drive
Pittsburgh Co: Allegheny PA 15206–
Status: Unutilized
Reason: Property is essential to security and safety of patients

Land—34.16 acres
Property #: 97199340001
VA Medical Center
1400 Black Horse Hill Road
Coatesville Co: Chester PA 19320–
Status: Underutilized
Reason: Needed for mission related functions

Tennessee

Land

44 acres
Property #: 97199740003
VA Medical Center
3400 Lebanon Rd.
Murfreesboro Co: Rutherford TN 37129–
Status: Underutilized
Reason: Enhanced-Use lease agreement pending

Wisconsin

Building

Bldg. 2
Property #: 97199830002
VA Medical Center
5000 West National Ave.
Milwaukee WI 53295–
Status: Underutilized
Reason: Subject of leasing negotiations

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The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance.

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AGRICULTURE DEPARTMENT

Animal and Plant Health Inspection Service

Exportation and importation of animals and animal products:

Horses from contagious equine meritis (CEM)-affected countries—

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DEFENSE DEPARTMENT

Engineers Corps

Permits for discharges of dredged or fill material into U.S. waters:

Regulatory definition; published 1-17-01

EDUCATION DEPARTMENT

Special education and rehabilitative services:

State Vocational Rehabilitation Services Program; published 1-17-01

ENVIRONMENTAL PROTECTION AGENCY

Permits for discharges of dredged or fill material into U.S. waters:

Regulatory definition; published 1-17-01

FEDERAL COMMUNICATIONS COMMISSION

Radio stations; table of assignments:

Various States; published 2-16-01

HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Food for human consumption:

Irradiation in production, processing, and handling of food—

X-radiation nad electron beam energy sources; safe use conditions,expansion; published 2-16-01

HOUSING AND URBAN DEVELOPMENT DEPARTMENT

Public and Indian housing:

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NUCLEAR REGULATORY COMMISSION

Byproduct material; domestic licensing:

Industrial devices, generally licensed; requirements; published 12-18-00

Correction; published 12-22-00

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Federal Aviation Administration

Airworthiness directives:

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COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration

Endangered and threatened species:

Southern California steelhead; comments due by 2-20-01; published 12-19-00

Fishery conservation and management:

Northeastern United States fisheries—

Northeast Skate fishery; scoping process; comments due by 2-21-01; published 1-2-01

West Coast States and Western Pacific fisheries—

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Marine mammals:

Commercial fishing operations; incidental taking—

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DEFENSE DEPARTMENT

Federal Acquisition Regulation (FAR):

Federal Supply Schedule order disputes and incidental items; comments due by 2-20-01; published 12-19-00

ENERGY DEPARTMENT

Whistleblower protection:

Security requirements for protected disclosure under National Defense Authorization Act; comments due by 2-20-01; published 1-18-01

ENVIRONMENTAL PROTECTION AGENCY

Air pollutants, hazardous; national emission standards:

Surface coating of large appliances; comments due by 2-20-01; published 12-22-00

Air quality implementation plans; approval and promulgation; various States:

Texas; comments due by 2-21-01; published 1-22-01

Toxic substances:

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Satellite services; 911 requirements; comments due by 2-19-01; published 1-17-01

Frequency allocations and radio treaty matters:

27 MHz of spectrum transferred from Federal government use to non-government services; reallocation; comments due by 2-22-01; published 1-23-01

New advanced wireless services; comments due by 2-22-01; published 1-23-01

FEDERAL TRADE COMMISSION

Trade regulation rules:

Amplifiers utilized in home entertainment products; power output claims; comments due by 2-23-01; published 12-22-00

GENERAL SERVICES ADMINISTRATION

Federal Acquisition Regulation (FAR):

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HEALTH AND HUMAN SERVICES DEPARTMENT

Food and Drug Administration

Human drugs:

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Medical devices:

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INTERIOR DEPARTMENT

Fish and Wildlife Service

Endangered and threatened species:

Critical habitat designations—

Various plants from Kauai and Niihau, HI; comments due by 2-19-01; published 1-18-01

White sturgeon; Kootenai River population; comments due by 2-20-01; published 12-21-00

INTERIOR DEPARTMENT

Surface Mining Reclamation and Enforcement Office

Abandoned mine land reclamation:

Fee collection and coal production reporting; OSM-1 Form; electronic filing; comments due by 2-21-01; published 1-22-01

JUSTICE DEPARTMENT

Immigration and Naturalization Service

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LABOR DEPARTMENT

Employment and Training Administration

Aliens:

Nonimmigrants on H-1B visas in specialty occupations and as fashion models, temporary employment; and permanent employment, labor certification process; comments due by 2-20-01; published 12-20-00

Correction; comments due by 2-20-01; published 1-8-01

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DG Flugzeugbau GmbH; comments due by 2-20-01; published 1-9-01

Eagle Aircraft Pty. Ltd.; comments due by 2-23-01; published 1-2-01

Rockwell Collins, Inc.; comments due by 2-20-01; published 1-5-01

Airworthiness standards:

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Class E airspace; comments due by 2-23-01; published 1-17-01

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TREASURY DEPARTMENT

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District of Columbia retirement plans; Federal benefit payments; comments due by 2-20-01; published 12-22-00

LIST OF PUBLIC LAWS

Note: The List of Public Laws for the 106th Congress, Second Session has been completed and will resume when bills are enacted into public law during the next session of Congress.

A cumulative List of Public Laws was published in Part II of the **Federal Register** on January 16, 2001.

Public Laws Electronic Notification Service (PENS)

Note: PENS will resume service when bills are enacted into law during the next session of Congress.

This service is strictly for E-mail notification of new laws. The text of laws is not available through this service. **PENS** cannot respond to specific inquiries sent to this address.